CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 6, 1941

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the Fifty-fourth Session of the Legislature of California was called to order by Jack Carl Greenburg, Chief Clerk of the Fifty-third Session.

In conformity with the law, the following officers of the Fifty-third Session were also present: David V. Oliver, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

PRAYER

By invitation of the Chief Clerk, prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly for the Fifty-third Session.

CERTIFICATE FROM SECRETARY OF STATE

The Chief Clerk read the following certificate of duly elected members of the Assembly of the Fifty-fourth Session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE

I, PAUL PEEK, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the fifth day of November, A D. 1940, to represent the people of the State of California as Members of the Assembly at the Fifty-fourth Session of the Legislature of said State, as appears from the statement of vote received from the county clerks of the various counties and the registrar of voters of the City and County of San Francisco, comprising the several Assembly districts of the State of California, said statement of vote being a record of and on file in my office, viz :

MEMBERS OF THE ASSEMBLY-ELECT

Name	*District*	*County or Counties Comprising District*
Michael J Burns	First	Del Norte, Humboldt, Mendocino
Wm. I Gunlock	Second	Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas
Lloyd W. Lowrey	Third	Tehama, Glenn, Colusa, Yolo
Seth Millington	Fourth	Butte, Yuba, Sutter

Name	*District*	*County or Counties Comprising District*
Ernest C Crowley	Fifth	Lake, Napa, Solano
Allen G Thurman	Sixth	Placer, El Dorado, Amador, Alpine, Nevada, Mono, Calaveras, Tuolumne, Mariposa, Inyo
Richard H. McCollister	Seventh	Sonoma, Marin
John Edward Cain	Eighth	Sacramento
Earl D. Desmond	Ninth	Sacramento
Harold F. Sawallisch	Tenth	Contra Costa
Charles M. Weber	Eleventh	San Joaquin
James E. Thorp	Twelfth	San Joaquin
James M. Cassidy	Thirteenth	Alameda
Randal F. Dickey	Fourteenth	Alameda
Bernard A. Sheridan	Fifteenth	Alameda
Arthur W. Carlson	Sixteenth	Alameda
Henry P. Meehan	Seventeenth	Alameda
James H. Phillips	Eighteenth	Alameda
Gardiner Johnson	Nineteenth	Alameda
Thomas A. Maloney	Twentieth	San Francisco
John D. Welch	Twenty-first	San Francisco
George D. Collins, Jr.	Twenty-second	San Francisco
Dan Gallagher	Twenty-third	San Francisco
Edward F. O'Day	Twenty-fourth	San Francisco
Melvyn I Cronin	Twenty-fifth	San Francisco
Edward M. Gaffney	Twenty-sixth	San Francisco
Albert C Wollenberg	Twenty-seventh	San Francisco
Robert Miller Green	Twenty-eighth	San Francisco
Harrison W. Call	Twenty-ninth	San Mateo
Byrl R. Salsman	Thirtieth	Santa Clara
M. G. Del Mutolo	Thirty-first	Santa Clara
Hugh P. Donnelly	Thirty-second	Stanislaus
George A Clarke	Thirty-third	Merced, Madera
Jacob M. Leonard	Thirty-fourth	San Benito, Santa Cruz
Fred Weybret	Thirty-fifth	Monterey, San Luis Obispo
Hugh M. Burns	Thirty-sixth	Fresno
S. L. Heisinger	Thirty-seventh	Fresno
Gordon H. Garland	Thirty-eighth	Kings, Tulare
Alfred W. Robertson	Thirty-ninth	Santa Barbara
John B Cooke	Fortieth	Ventura
Rodney L Turner	Forty-first	Kern
Everett G. Burkhalter	Forty-second	Los Angeles
C. Don Field	Forty-third	Los Angeles
John B. Pelletier	Forty-fourth	Los Angeles
Thomas J. Doyle	Forty-fifth	Los Angeles
Jack B. Tenney	Forty-sixth	Los Angeles
Eleanor Miller	Forty-seventh	Los Angeles
T. Fenton Knight	Forty-eighth	Los Angeles
Lee T. Bashore	Forty-ninth	Los Angeles
Gerald C. Kepple	Fiftieth	Los Angeles
F. Ray Bennett	Fifty-first	Los Angeles
William H. Poole	Fifty-second	Los Angeles
Frederick F. Houser	Fifty-third	Los Angeles
John B. Knight	Fifty-fourth	Los Angeles
Vernon Kilpatrick	Fifty-fifth	Los Angeles
Norris Poulson	Fifty-sixth	Los Angeles
Franklin J. Potter	Fifty-seventh	Los Angeles
Frank J. Waters	Fifty-eighth	Los Angeles
Charles W. Lyon	Fifty-ninth	Los Angeles
Jesse Randolph Kellems	Sixtieth	Los Angeles
Ernest O. Voigt	Sixty-first	Los Angeles
Augustus F. Hawkins	Sixty second	Los Angeles
Don A. Allen	Sixty-third	Los Angeles
Roger Alton Pfaff	Sixty-fourth	Los Angeles
John W. Evans	Sixty-fifth	Los Angeles
Jack Massion	Sixty-sixth	Los Angeles
Cecil R. King	Sixty-seventh	Los Angeles
Vincent Thomas	Sixty-eighth	Los Angeles
Ralph C. Dills	Sixty-ninth	Los Angeles
Lorne D Middough	Seventieth	Los Angeles
Fred N. Howser	Seventy-first	Los Angeles
Godfrey A. Andreas	Seventy-second	San Bernardino

Name	*District*	*County or Counties Comprising District*
Frank C. Russell	Seventy-third	San Bernardino
Clyde A. Watson	Seventy-fourth	Orange
Sam L. Collins	Seventy-fifth	Orange
Nelson S. Dilworth	Seventy-sixth	Riverside
Harvey E. Hastain	Seventy-seventh	Imperial
Jeanette E. Daley	Seventy-eighth	San Diego
Paul A. Richie	Seventy-ninth	San Diego
Charles W. Stream	Eightieth	San Diego

[SEAL]

Witness my hand and the Great Seal of the State of California, at office in Sacramento, this ninth day of December, A. D. 1940.

PAUL PEEK
Secretary of State

ROLL CALL BY COUNTIES

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

MEMBERS SWORN IN

As required by Section 239 of the Political Code, the Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election, and duly qualified by taking and subscribing to the following oath administered by Honorable John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

Oath of Office

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

James M. Cassidy, Randal F. Dickey, Bernard A. Sheridan, Arthur W. Carlson, James H. Phillips, Gardiner Johnson, Allen G. Thurman, Seth Millington, Lloyd W. Lowrey, Harold F. Sawallisch, Michael J. Burns, Hugh M. Burns, S. L. Heisinger, Harvey E. Hastain, Rodney L. Turner, Gordon H. Garland, Ernest C. Crowley, Wm. I. Gunlock, Everett G. Burkhalter, C. Don Field, John B. Pelletier, Thomas J. Doyle, Jack B. Tenney, Eleanor Miller, T. Fenton Knight, Lee T. Bashore, Gerald C. Kepple, F. Ray Bennett, William H. Poole, Frederick F. Houser, John B. Knight, Vernon Kilpatrick, Norris Poulson, Franklin J. Potter, Frank J. Waters, Charles W. Lyon, Jesse Randolph Kellems, Ernest O. Voigt, Augustus F. Hawkins, Don A. Allen, Roger Alton Pfaff, John W. Evans, Jack Massion, Cecil R. King, Vincent Thomas, Ralph C. Dills, Lorne D. Middough, Fred N. Howser, George A. Clarke, Richard H. McCollister, Fred Weybret, Clyde A. Watson, Sam L. Collins, Nelson S. Dilworth, John Edward Cain, Earl D. Desmond, Jacob M. Leonard, Godfrey A. Andreas, Frank C. Russell, Jeanette E. Daley, Paul A. Richie, Charles W. Stream, Thomas A. Maloney, John D. Welch, George D. Collins, Jr., Dan Gallagher, Melvyn I. Cronin, Edward M. Gaffney, Albert C. Wollenberg, Robert Miller Green, Charles M. Weber, James E. Thorp, Harrison W. Call, Alfred W. Robertson, Byrl R. Salsman, M. G. Del Mutolo, Hugh P. Donnelly and John B. Cooke.

ANNOUNCEMENT

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

NOMINATIONS FOR SPEAKER

Mr. Seth Millington of Butte County placed in nomination Mr. Gordon H. Garland of Woodlake.

The nomination of Mr. Gordon H. Garland was seconded by Mr. Charles W. Lyon of Los Angeles.

Mr. Hugh P. Donnelly of Stanislaus County placed in nomination Mr. Cecil R. King of Los Angeles.

The nomination of Mr. Cecil R. King was seconded by Mr. James M. Cassidy of Alameda County.

NOMINATIONS CLOSED

Mr. Charles W. Lyon moved that nominations for Speaker be now closed.

Motion carried.

ELECTION OF SPEAKER

The roll was called, with the following result:

FOR GARLAND—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—55.

FOR KING—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, Lowrey, Massion, Richie, Russell, Thomas, and Welch—20.

The Chief Clerk announced the vote of the Assembly, and declared Hon. Gordon H. Garland the choice of the Assembly for Speaker for the Fifty-fourth Session of the Legislature.

APPOINTMENT OF COMMITTEE OF ESCORT

The Chief Clerk appointed Messrs. Millington, Chairman, Field and Thorp as a Special Committee to escort Speaker-elect Hon. Gordon H. Garland to the chair.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Hon. Gordon H. Garland took and subscribed to the following oath, administered by Hon. John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

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

MOTION TO PRINT IN JOURNAL

Mr. Frederick F. Houser moved that the speech delivered by the Speaker be printed in the Journal.

Motion carried.

Speech by Hon. Gordon H. Garland, Speaker of the Assembly

FELLOW MEMBERS. It is always difficult to properly express one's thanks for honors which are given them, but I *do* want you to know I am grateful to you for again electing me as your presiding officer, and I am also grateful to the people of this State for returning the coalition bloc to this House.

To have been elected Speaker of this Assembly, I consider a great honor; to be reelected after presiding over its deliberations during the many trying special sessions is positive indication of your sincere desire to continue your fight for decency in government. To this end, I ask your continued cooperation.

To the new members, I extend a cordial welcome.

As most of you know, during the last regular session, it became apparent to many of us that most of the Administration leaders had lost their perspective and sense of proportion and were attempting to effect a program that would have been disastrous to California. Many were preaching doctrines entirely at variance with our established customs and traditions; doctrines that were *shocking* to those of us who believed in the typically American form of government. The SRA was a hotbed of Communistic activity and the vilest form of political intrigue. The Administration was playing politics with hunger—the hunger of women and children. Prodigal and profligate spending seemed to be the "*order of the day*." Such a situation demanded that strictly partisan politics be put aside and that the welfare of the State be the paramount consideration

Thus was the Coalition Economy Bloc born . . . to the everlasting credit of the members thereof, they stood firm throughout all the numerous battles of the special sessions for decency in government. As a result, not a single major or minor battle was lost We feel that as a result of those labors, California has a better government and is a better place to live in. We were *bitterly* denounced by the Administration and its leaders and they all, together with the Administration floor leader, prophesied financial and economic chaos would result from our refusing to pass additional tax legislation. *In spite* of these prophesies, we held to our course and time has shown that we were *correct* in *every* premise

After it was apparent from commitments many of you so generously gave me at the close of the last special session that I was to again be your Speaker, I thought it advisable to have committees appointed at the earliest possible date. I accordingly spent the holiday season here in Sacramento working out committee assignments. I have them nearly completed and they will be announced in a day or two. I have tried to be as fair as it is humanly possible, and have been guided by *seniority* and the *peculiarities* of each member's district.

Let me *again* express my appreciation for the privilege of again being your presiding officer. I bespeak your continued cooperation to the end that we may proceed with and complete our work with such dispatch as is commensurate with our duty to pass *just* and *proper* laws and *reject* all others.

I wish for every one of you a pleasant session and let us hope that the peace this State and Nation has enjoyed will continue and that ere we finish this session peace will again be restored to a war-torn world.

NOMINATIONS FOR SPEAKER PRO TEMPORE

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

Mr. Thomas A. Maloney of San Francisco placed in nomination Mr. Earl D. Desmond of Sacramento.

The nomination of Mr. Earl D. Desmond was seconded by Mrs. Jeanette E. Daley of San Diego.

Mr. John W. Evans of Los Angeles placed in nomination Mr. George D. Collins, Jr., of San Francisco.

Nomination of Mr. George D. Collins, Jr., of San Francisco seconded by Mr. Hugh P. Donnelly of Turlock.

NOMINATIONS CLOSED

Mr. Charles W. Lyon moved that the nominations for Speaker pro tempore be now closed.

Motion carried.

ELECTION OF SPEAKER PRO TEMPORE

The roll was called, with the following result:

FOR DESMOND—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

FOR COLLINS—Andreas, Bennett, Burkhalter, Cain, Cassidy, Cooke, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Massion, Middough, Richie, Russell, Thomas, and Welch—22.

Hon. Earl D. Desmond, being the choice of the Assembly for Speaker pro tempore, the Speaker declared him duly elected.

APPOINTMENT OF COMMITTEE OF ESCORT

The Speaker appointed Messrs. Maloney and Turner and Mrs. Daley as a Special Committee to escort Speaker pro tempore-elect Hon. Earl D. Desmond to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Hon. Earl D. Desmond took and subscribed to the following oath, administered by Hon. John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

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

NOMINATIONS FOR CHIEF CLERK

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

Mr. Charles W. Lyon of Los Angeles placed in nomination Mr. Arthur A. Ohnimus of San Francisco.

The nomination of Mr. Arthur A. Ohnimus was seconded by Mr. Rodney L. Turner of Bakersfield.

Mr. Melvyn I. Cronin moved that the nominations for Chief Clerk be now closed.

Motion carried.

ELECTION OF CHIEF CLERK

The roll was called, with the following result:

FOR OHNIMUS—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

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

The Speaker appointed Messrs. Lyon, Kilpatrick and Carlson as a Special Committee to escort Mr Arthur A. Ohnimus to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED

Mr. Arthur A. Ohnimus appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

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

MOTION

Mr. Massion moved that the Assembly extend its best wishes to Jack Carl Greenburg, the retiring Chief Clerk of this body, with the hope that his future may be crowned with every successful achievement.

Mr. Doyle seconded the motion.

Motion carried unanimously.

NOMINATIONS FOR MINUTE CLERK

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

Mr. Hugh M. Burns of Fresno placed in nomination Mr. David V. Oliver of Merced.

The nomination of Mr. David V. Oliver was seconded by Mr. S. L. Heisinger of Fresno.

Mr. Dan Gallagher moved that the nominations for Minute Clerk be now closed.

Motion carried.

ELECTION OF MINUTE CLERK

The roll was called, with the following result:

FOR OLIVER—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

Mr. David V. Oliver, being the choice of the Assembly for Minute Clerk, the Speaker declared him duly elected.

OATH OF OFFICE ADMINISTERED

Mr. David V. Oliver appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

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

NOMINATIONS FOR SERGEANT-AT-ARMS

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

Mr. Earl D. Desmond of Sacramento placed in nomination Mr. Wilkie Ogg of Sacramento.

The nomination of Mr. Wilkie Ogg was seconded by Mr. C. Don Field of Glendale.

Mr. John W. Evans moved that the nominations for Sergeant-at-Arms be now closed.

Motion carried.

The roll was called, with the following result:

FOR OGG—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

Mr. Wilkie Ogg, being the choice of the Assembly for Sergeant-at-Arms, the Speaker declared him duly elected.

OATH OF OFFICE ADMINISTERED

Mr. Wilkie Ogg appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. John F. Pullen, Presiding Justice, Third Appellate District, District Court of Appeal:

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

NOMINATIONS FOR CHAPLAIN

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

Mr. Earl D. Desmond of Sacramento placed in nomination Rev. Thomas H. Markham, of Sacramento.

The nomination of Rev. Thomas H. Markham was seconded by Mr. John Edward Cain of Sacramento.

The Speaker announced the nomination for Chaplain now closed.

ELECTION OF CHAPLAIN

The roll was called, with the following result:

FOR MARKHAM—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Rev. Thomas H. Markham, being the choice of the Assembly for Chaplain, the Speaker declared him duly elected.

COMMITTEE FROM THE SENATE

Senators Kuchel, Deuel and Dillinger appeared before the bar of the Assembly and announced that the Senate had organized and was now ready to proceed with the regular business.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 1

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

Speaker—Hon. Gordon H. Garland
Speaker pro tempore—Hon. Earl D. Desmond
Chief Clerk—Arthur A. Ohnimus
Minute Clerk—David V. Oliver
Sergeant-at-Arms—Willkie Ogg
Chaplain—Rev. Thomas H. Markham

Resolution read and adopted.

Appointment of Select Committee

In accordance with the above resolution, the Speaker appointed Messrs. Clarke, Johnson and Mrs. Daley as such Select Committee.

By Mr. King:

House Resolution No. 2

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

Resolution read and adopted.

Appointment of Select Committee

In accordance with the above resolution, the Speaker appointed Messrs. King, Donnelly, Doyle, Maloney, and Burns, Michael J., as such Select Committee.

By Mr. Lyon:

House Resolution No. 3

Resolved by the Assembly of the State of California, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of ten dollars ($10) to be used as the Post Office Revolving Fund, and the Treasurer is hereby directed to pay the same.

Resolution read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

By Mr. Field:

House Resolution No. 4

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Expense Fund in favor of Arthur Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, in the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Resolution read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley,

Del Mutolo, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

By Mr. Frederick F. Houser:

House Resolution No. 5

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

Resolution read and adopted.

By Mr. Doyle:

House Resolution No. 6

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

Resolution read and adopted.

By Mr. Lyon:

House Resolution No. 7

Resolved, That the following Rules be and the same are hereby adopted as the Temporary Rules of the Assembly until otherwise ordered. Notwithstanding anything to the contrary, a majority vote of the entire elected membership may amend any of the Temporary Rules.

Temporary Standing Rules of the Assembly for the Fifty-fourth Session—1941-1943

Hours of Meeting

1. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at 10 o'clock a.m. (Sundays excepted) unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at 2 o'clock p.m. daily (Sundays excepted) and Mondays at the hour of 11 o'clock a.m., unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

Reading of the Previous Day's Journal

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

Approval of the Journal

6 All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within 7 calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages from the Governor

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

Messages from the Senate

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

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business calendar.

Bills Defined

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

Introduction and Reference of Bills

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

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

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

Introduction of Bills After Constitutional Recess

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

Examining of Bills by Legislative Counsel Bureau

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

any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

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

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

Daily Calendar

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

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

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

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

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

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

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

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

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

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

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

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

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

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

Members Called to Order for Offensive Words

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

Members Voting

27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the

Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of the Assembly

33. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker

and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

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

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;

Seventh—To refer or re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate

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

Appeal from Decision of the Speaker

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

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

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

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

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

The Previous Question

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the house to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference.

No bill or resolution shall be withdrawn from committee and placed upon the Calendar except upon one day's notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From Calendar

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

Motion to Rescind Action and Expunge Record

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that

no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Reference of Bills to Committee

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

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Committee on Engrossment and Enrollment

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

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

71. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence or upon the adoption of such free conference report of the Assembly shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such Concurrence.

Nonconcurrence in Senate Amendments

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

Committee on Free Conference

73 Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any free conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any free conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such free conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Enrollment

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

Committees

Standing Committees

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

1 A Committee on Agriculture, to consist of 17 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members
6 A Committee on Building and Loan Associations, to consist of 7 members.
7. A Committee on Civil Service, to consist of 9 members.
8 A Committee on Commerce and Navigation, to consist of 9 members.

9. A Committee on Conservation, to consist of 9 members.
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.
12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members.
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Education, to consist of 13 members.
18. A Committee on Elections, to consist of 11 members.
19. A Committee on Engrossment and Enrollment, to consist of 5 members.
20. A Committee on Exhibitions and Fairs, to consist of 7 members.
21. A Committee on Federal Relations, to consist of 7 members.
22. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members
23. A Committee on Fish and Game, to consist of 15 members.
24. A Committee on Governmental Efficiency and Economy, to consist of 15 members.
25. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
26. A Committee on Hospitals and Asylums, to consist of 11 members.
27. A Committee on Insurance, to consist of 11 members.
28. A Committee on Introduction of Bills, to consist of 5 members.
29. A Committee on Irrigation, to consist of 17 members.
30. A Committee on Judiciary Codes, to consist of 17 members.
31. A Committee on Judiciary General, to consist of 15 members.
32. A Committee on Labor and Capital, to consist of 13 members.
33. A Committee on Libraries, to consist of 5 members.
34. A Committee on Live Stock and Dairies, to consist of 9 members.
35. A Committee on Manufactures, to consist of 7 members.
36. A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members.
38. A Committee on Military Affairs, to consist of 9 members.
39. A Committee on Mines and Mining, to consist of 9 members
40. A Committee on Motor Vehicles, to consist of 15 members
41. A Committee on Municipal Corporations, to consist of 13 members.
42. A Committee on Oil Industries, to consist of 9 members
43. A Committee on Prisons and Reformatories, to consist of 11 members.

44. A Committee on Public Charities and Corrections, to consist of 9 members.
45. A Committee on Public Health and Quarantine, to consist of 9 members.
46. A Committee on Public Morals, to consist of 11 members.
47. A Committee on Public Utilities, to consist of 11 members
48. A Committee on Revenue and Taxation, to consist of 15 members.
49. A Committee on River Navigation, Reclamation and Flood Control, to consist of 13 members.
50. A Committee on Roads and Highways, to consist of 15 members.
51. A Committee on Rules, to consist of 9 members, including the Speaker.
52. A Committee on Social Service and Welfare, to consist of 9 members.
53. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
54. A Committee on State Grounds and Parks, to consist of 7 members.
55. A Committee on State Colleges, to consist of 7 members.
56. A Committee on Unemployment, to consist of 11 members.
57. A Committee on Universities, to consist of 7 members.
58. A Committee on Ways and Means, to consist of 21 members
59. A Committee on Reapportionment, to consist of 21 members.

Committee Quorum

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

Meetings of Standing Committees

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

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bills shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or

having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

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

Appointment of Attaches

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

Committee on Ways and Means

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

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

Committee of the Whole

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

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

Reconsideration of Vote

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

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be

placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

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

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rule

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

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not

be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous

Press Privileges

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

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

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars ($5) for each day such witness shall be required to appear, and the sum of three and one-half cents ($0.03½) for each mile he shall travel in coming to and going from the place of examination

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the

purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided.

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Resolution read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassady, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—73.

NOES—None.

By Mr. Heisinger:

House Resolution No. 8

WHEREAS, Procedure and operation of the standing committees of the Assembly under our present Rules or under any other proposed rules provides for the appointment of each member to membership on too many committees to render the best service; and

WHEREAS, Such committees meet for hearings not less than one time each week; and

WHEREAS, The weekly committee hearings are usually limited to five days, and

WHEREAS, The members who serve on each committee find, in many instances, that they should be in two committee hearings at the same hour; and

WHEREAS, Should the membership of the committee be sufficiently reduced in size it could be provided that no member need be appointed to membership on more than five committees; therefore, be it

Resolved, That the Speaker appoint a committee of five members who are instructed to submit back to this House a plan of committee membership which would relieve any member from serving on more than five permanent standing committees so that each bill or measure considered may be heard by the complete committee membership.

Resolution read, and referred to Committee on Rules.

By Messrs. Pelletier and Doyle:

House Resolution No. 9

Expressing thanks to Cristel Hastings

WHEREAS, Cristel Hastings, Secretary of the Chief Clerk of this Assembly, has greatly aided the members of this Assembly by arranging their desks and placing stationery and books in proper form ready for use; and

WHEREAS, These helpful acts beyond the scope of her actual duties are of great assistance to the members of this House by removing minor impediments to the prompt commencement and smooth operation of the work of the session; now, therefore, be it

Resolved, That the House express to Cristel Hastings its thanks for her ready and smiling attention to duty and this latest illustration of her invariable helpfulness; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably prepared and to present it to Cristel Hastings

Request for Unanimous Consent

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 9, at this time, without reference to committee.

Resolution read and adopted.

COMMUNICATION

STATE OF CALIFORNIA, DEPARTMENT OF STATE
SACRAMENTO, CALIFORNIA, January 6, 1941

To Honorable Gordon H. Garland,
Speaker of the Assembly, and Members thereof

Pursuant to Article IV, Section 1 of the Constitution of the State of California, I have transmitted to the State Senate an Initiative Measure to be presented to the Legislature, which has been summarized by the Attorney General as follows:

REORGANIZATION OF BUILDING AND LOAN ASSOCIATIONS

Initiative to Legislature. Adds Article XVII to Building and Loan Association Act. Authorizes plans for rehabilitation, readjustment, organization, consolidation or merger of building and loan associations, and defines classes of associations affected. Requires consents, specifies procedure, and designates securities permitted to be issued. Requires plans be fair, equitable, nondiscriminatory and feasible, and approved by superior court after notice and hearing; declares effect of such approval, and requires undertaking on appeal therefrom. Specifies rights and duties of Building and Loan Commissioner. Declares Legislature may amend or repeal act.

Indorsed upon each section is a statement of the date on which it was received by this office.

The number of qualified electors certified as having signed the said petition is equal in number to at least 5 per cent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected.

Very truly yours,

PAUL PEEK
Secretary of State

APPOINTMENT OF STANDING COMMITTEE

The Speaker announced the appointment of the following standing committee:

Rules—Lyon, Chairman; Desmond, Johnson, Millington, Call, Burns, Hugh M., Field and Voigt.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers for this Fifty-fourth Session:

President pro tempore—William P. Rich
Secretary of the Senate—Joseph A. Beek
Sergeant-at-Arms—Joseph F. Nolan
Minute Clerk—Robert G. Alderman
Chaplain—Rev. H. W. Opperman

J. A. BEEK, Secretary of the Senate

RECESS

At 1.45 p.m., on motion of Mr. Lyon, the Assembly recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RECESS

At 3.15 p.m., the Assembly was declared at recess to meet with the Senate in Joint Session.

Joint Session

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 6, 1941

At 3.15 p.m., the Senate and the Assembly met in Joint Convention.

ASSEMBLY ROLL CALL

Hon. Gordon H. Garland, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of the Assemblymen.

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John R., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

SENATE ROLL CALL

Hon. Ellis E. Patterson, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Judah, Kenny, Kuchel, Luckey, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Parkman, Phillips, Powers, Quinn, Rich, Shelley, Slater, Swing, Tickle, Wagy, and Ward —37.

JOINT SESSION RESOLUTION

By Senator Slater:

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

Resolution read and adopted.

NOMINATION OF LEGISLATIVE COUNSEL

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

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

The nomination of Mr. Fred B. Wood was seconded by Assemblymen Johnson and Maloney.

Nominations Closed

On motion of Assemblyman Desmond, the nominations were closed.

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

The roll was called with the following result:

FOR FRED B WOOD—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawalhsch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

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

The roll was called, with the following result:

FOR FRED B. WOOD—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Judah, Keating, Kenny, Kuchel, Luckey, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Parkman, Phillips, Powers, Quinn, Rich, Shelley, Slater, Swing, Tickle, Wagy, and Ward—38.

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

APPOINTMENT OF COMMITTEE OF ESCORT

Hon. Ellis E. Patterson, President of the Senate, appointed Senators Quinn and Cunningham to escort Mr. Fred B. Wood to the bar of the Assembly.

Hon. Gordon H. Garland appointed Messrs. Stream, Maloney and Miss Eleanor Miller.

APPOINTMENT OF COMMITTEE OF ESCORT

Hon. Ellis E Patterson, President of the Senate, appointed Senators Powers and Foley to escort His Excellency, Culbert L. Olson, Governor of the State of California, to the bar of the Assembly.

Hon. Gordon H. Garland, Speaker of the Assembly, appointed Assemblymen Kilpatrick, Massion and Pelletier.

REPORT OF COMMITTEES OF ESCORT

The Senate and Assembly Committees of Escort appeared at the platform in company with His Excellency, Culbert L. Olson, Governor.

INTRODUCTION OF GOVERNOR CULBERT L. OLSON

Governor Culbert L. Olson was then presented to the Joint Convention by Hon. Gordon H. Garland, Speaker of the Assembly.

Governor Culbert L. Olson addressed the assembly.

READING AND APPROVAL OF MINUTES

The minutes of the Joint Convention were read, and on motion of Assemblyman Lyon, approved as read.

ADJOURNMENT OF JOINT CONVENTION

There being no further business, at 4.40 p.m., the President of the Senate adjourned the Joint Convention sine die.

In Assembly

At 4.40 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 10

Resolved, That the action of Jack Carl Greenburg, Chief Clerk of the Assembly for the Fifty-third Session, in employing necessary assistance for the organization of the Assembly for the Fifty-fourth Session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and the amounts set opposite their respective names, upon the fund for the payment of officers and attaches of the Assembly, and the Treasurer is hereby directed to pay the same:

Jack Carl Greenburg, Chief Clerk, 4 days at $10 per day, January 3, 4, 5, 6	$40
Juanita Dependener, Chief Stenographer, 4 days at $6 per day, January 2, 3, 4, 5	24
Lillian Larkin, Stenographer, 3 days at $5 per day, January 3, 4, 5	15
Nina Ronstadt, Secretary to the Speaker, 10 days at $6 per day, December 23, 26, 27, 28, 30, 31, January 1, 2, 3, 4	60
Albert Day, Journal Clerk, 1 day at $7 per day, January 5	7

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 10, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Hei-

singer, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—71

NOES—None

By Mr. Dilworth:

House Resolution No. 11

Relative to amending the Permanent Standing Rules of the Assembly.

Resolved by the Assembly of the State of California, That paragraph (e) of Rule 19 of the Assembly Standing Rules is hereby amended to read as follows:

"(e) To appoint the membership of all special committees and to make appointments to all vacancies on standing committees.", and be it further

Resolved, That Rule 75 of the Assembly Standing Rules is hereby amended by adding at the end thereof the following:

"The membership of standing committees shall remain the same from session to session, except for vacancies occurring thereon by reason of resignation or other causes."

Resolution read, and referred to Committee on Rules.

By Messrs. Thomas, Burkhalter, Cain, Collins, Sam L., Dickey, Gaffney, Gunlock, Hastain, Howser, F N., Knight, John B., Lowrey, McCollister, Middough, Pfaff, Poole, Potter, Poulson, Russell, Waters and Welch:

House Resolution No. 12

Relating to adjournment out of respect to the memory of Lieutenant-Commander Stephen Bland Cooke.

WHEREAS, The members of the Assembly have learned with profound sorrow of the crash of the naval transport plane in the mountainous country southeast of San Diego in which Lieutenant-Commander Stephen Bland Cooke, brother of our newly elected colleague John B Cooke, was traveling; and

WHEREAS, Lieutenant-Commander Cooke by his undaunted courage and self-sacrificing devotion to duty won the respect of his colleagues and all who knew him; and

WHEREAS, After his graduation from the United States Naval Academy at Annapolis Lieutenant-Commander Cooke was in the Submarine Service and thereafter transferred to the Naval Air Service; and

WHEREAS, The members of the Assembly wish to extend this expression of their deep sympathy to their colleague and to the family of his deceased brother in their bereavement; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day it do so out of respect to the memory of Lieutenant-Commander Stephen Bland Cooke; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to convey a suitably prepared copy of this resolution to Mrs. Stephen Bland Cooke, Honorable John B. Cooke, and to the father of Lieutenant-Commander Cooke.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up House Resolution No. 12, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs Doyle and Voigt:

House Resolution No. 13

WHEREAS, Through the two most difficult years of the legislative history of the State of California, Jack Carl Greenburg as Chief Clerk of the Assembly has rendered unfailingly courteous and efficient service to the members of this Assembly, and

WHEREAS, By his extensive knowledge of parliamentary procedure and the Rules of this Assembly, he has been able to render invaluable assistance to every member; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to Jack Carl Greenburg its deep appreciation of his impartial and faithful performance of his duties and its heartiest and most sincere wishes for his continued health, happiness and success; and be it further

Resolved, That a copy of this resolution be suitably prepared and presented to Jack Carl Greenburg.

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 13, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REPORT IN JOURNAL

On motion of Mr Wollenberg, the Assembly accepted and ordered printed in the Journal the following portions of the record of the hearing at Los Angeles on Tuesday, December 17, 1940, conducted by the Fact-Finding Committee on Employment created by Senate Concurrent Resolution No. 29 of the Fifty-third (First Extraordinary) Session of 1940:

REPORT OF SPECIAL COMMITTEE

Before the Joint Legislative Fact-Finding Committee

INVESTIGATION OF SRA

STATEMENT OF JOHN R. RICHARDS

Taken at Hollywood Hospital, 1322 North Vermont Avenue, Los Angeles, California
December 17, 1940, 9 o'clock a.m.

Appearances: Hon. John Phillips, Hon. A. C. Wollenberg.

F. L. Middleton, Official Court Reporter,
322 Wilcox Bldg., MU. 5523, Los Angeles, California.

J. R. RICHARDS, being called as a witness, after being first duly sworn, was examined and testified as follows:

EXAMINATION

By MR. PHILLIPS:

Q. Now, first of all, your name is John R. Richards and your address is Los Angeles?

A. Yes, sir.

Q. Now, if you will, tell us that connecting link between your private life and getting into the directorship and so forth.

A. Shortly after the Governor was elected I first had a talk with Dewey Anderson who had been appointed Director of SRA relative to the organization of a Citizens Committee to investigate the whole field of unemployment and make recommendations for some scheme of activities. That developed into continued conversations in which the Governor was involved and the committee was set up and organized in March, 1939.

I was very anxious not to have large expenses incurred by this committee as I knew it had no legal status; that is, it hadn't been authorized by the Legislature and for that reason no particular funds could be appropriated to it. I set up an original budget that should not be exceeding $15,000. I have never seen an exact accounting on that as to what has been charged in but just at the tail end of it we kept within our budget.

It was a modest committee and we paid very small salaries to a few technicians and, of course, we didn't have large expense accounts or large traveling expenses. The committee worked earnestly. Certain members of the committee worked all the time and others did not.

It gave us an acquaintance with the situation in SRA. I was called in at the beginning—first, I refused to be called in to the SRA as to controversial matters in so far as the Director of the Administration or the Governor were concerned, feeling that it might hamper anything that we might want to do. But ultimately I was called in and did go into those conferences so that at the beginning I saw that there was a difficulty, there were difficulties between the Governor and Dewey Anderson and in a nutshell, those differences can be described as a difference as to personnel; Anderson maintaining that he could not make a wholesale cleanout of the personnel as it existed, even though he put in competent people, without jeopardizing the service in SRA. It was a gradual program and could only be carried out gradually.

Furthermore, it was the contention of the Governor that the SRA was filled with Merriam Republicans, which was in error, and that those things should be carefully investigated; that nevertheless there was that continual, continual, continual trouble, the Governor agreeing usually that he wanted efficiency and that he did not want to break down standards, but that he couldn't see why certain positions couldn't be filled and the duties performed as well by one individual as another. So there was that constant trouble, the Governor then moving in and endeavoring to get control or to take control of the personnel department.

Originally there had been a man by the name of Culver that had been placed in there by Dewey Anderson who, of course, was loyal to his department and very largely carried out the orders of Dewey Anderson.

I know nothing about the relative degree of efficiency of the personnel officer except that he seemed to be working diligently and seemed to know personnel practices and methods In so far as I was concerned, I took the position both with the Governor and with Anderson that Anderson was right; that no wholesale elimination of personnel during a short period was possible for the good of the organization and for the efficiency of the service; that it must be done gradually and upon evidence that through a competent personnel department there was a qualified person going in regardless of politics. In the abstract, the Governor would agree to that but continually came back with the idea that it had to be done.

Then there was pressure on the outside from groups that were constantly coming in. Then he insisted on having Walter Ballou, who was one of his secretaries, go in in some capacity in the personnel department. He wanted him as a personnel officer. Anderson resisted that and finally he said that he would allow him to go in in some capacity under Mr. Culver.

Q. For a while in there didn't they have the difficult position of practically having two personnel officers?

A. That is the situation. Of course, Ballou then insisted that he had no authority, that Culver wouldn't do anything that he wanted and he was continually making complaints to the Governor about the bad situation in the personnel department and a continual row went on. Many of those I was called in to. It continued to a point where—and I have never taken any other position whenever there was a showdown than that fundamentally Anderson was correct. I am not passing on Dewey Anderson at all as an executive. It is possible that he had some weaknesses. I am talking of the fundamental problem that existed between the Governor and Dewey Anderson. On that fundamental position it seemed to me that he was sound. At least, he was standing for higher standards and so forth in his department.

That continued, becoming more and more acute, and you know certain things that have taken place. There have been, at the suggestion of some of the people in the Legislature, an elimination of certain people in the SRA spoken of as "Reds," of which we know Plunkert stands for that. Why a number of so-called—I don't know whether they are Communists or not, but they were classified as such and they were eliminated. I had some discussion with Anderson about those and he said, of course, that they were originally not his appointees, that he didn't want them anyway.

Q. My recollection is that Plunkert in particular was just forced on him, that Anderson protested and Plunkert had sufficient power, perhaps through some previous association with the Governor to get it.

A. Well, anyway, the situation continued until Mr. Ballou, with or without the knowledge and consent of the Governor, began to, what I call, build bonfires under Anderson. The usual method that is pursued by this group that now are once again working to get control of SRA would be to take certain points through the State and have some of the local authorities, political authorities, send petitions to the Governor, demanding, for instance, the firing of Anderson, the institution of this, that or the other, and they would come from all over everywhere, instigated, of course, but coming from different sections of a little different complexion, perhaps create the idea that there was a sort of a demand all over the State.

That continued until July of '39, wasn't it, Rube, growing out of two things that occurred The State Relief Commission which the membership at least at the time that I referred to, Mr. Wilson and Mr Melvyn Douglas were members of that commission, and they became very much concerned over what they felt to be the pressure from various sources to force purely political appointments upon the Director of SRA and felt it was inimicable to the best service of SRA and they wanted a showdown on the matter and they appointed Wilson and Douglas as that committee to confer with the Governor and they asked me to go with them and I did

There was a long representation. The upset of that was that they suggested to the Governor was of such importance that he ought to give more than a casual hour or so to a problem of that sort, that he ought to set aside a day in which people who knew the situation and who knew the requirements of the administration of SRA be given the opportunity to present the whole picture to him. He agreed that it was that important and that he should do so and that he would do so. He named a date which was within a day or two when that would take place at

the Ambassador Hotel in Los Angeles and the meeting was held. It was evidently prepared, however, or seized upon by some people as a basis for trying Dewey Anderson. That is, they did not construe it as an open, honest and frank investigation of the situation on the part of an executive to see what was taking place. I know that telegrams were sent all over the State for certain people who were known to be opposed to the Anderson regime to be present

Q By whom?

A. Well, they were signed by the Governor, the telegrams that I saw. I doubt very much whether the Governor signed them

Q. Do you think this was probably Walter Ballou?

A. Yes, I am told they were. I am giving hearsay evidence. I am willing to state the statement, however.

The meeting was held and it was what I would call a mob lynching of a public servant. The Governor, presiding, called upon people to make their statements. It is, of course, perfectly natural that those who were in the SRA confined themselves to a businesslike statement of administrative principles and needs and costs; such men as Dr Chernig and Miss Hudson, Mrs. Hudson. And Freda Olson was personnel officer here and people of that type simply made a very careful statement of the requirements and needs of the department

That was followed by calling upon people who, of course, to my opinion, knew nothing about SRA, very little about government They included several members, quite a number of members of the County Democratic Committee of Los Angeles, a few of the Assemblymen who were anxious to have appointments in the SRA for political reasons; some men whom I didn't know had anything to do with SRA but took a position against it like Bailey and a great galaxy of them appeared There was a fellow by the name of Miller who afterwards became personnel officer. They all appeared.

Q. That must be Harry B. Miller.

A. Yes. They all appeared Mr Rubinow, who was there, I had asked to have Mr Rubinow present because in trying to find out something about agricultural surpluses and general agricultural situations in the State, I had found him as a source of easy information for me and I found him very sympathetic on the good government side and on the matter of better utilization of the resources of the State for relief. I don't think Mr Rubinow was called upon, if I am correct.

Along towards the latter part of the day I was called upon and if I am not mistaken I rather exploded the meeting. It ended with my—I took the position that I was ashamed of the sort of an exhibition that I had been in in which I thought—I said, "I think it is a very peculiar situation in regard to our times and our trends that the older people of us like Wilson and myself and some others were standing for what we believe had been one of the gains in our democratic setups and the merits of the system, efficiency in office, and that we were fighting for that and the administration not only in the more important parts of the State, but the younger people were against it, like this Maury Adkisson." He made a spiel, too, against the Anderson regime

The main charge was that good democratic people weren't getting the jobs. To put it very succinctly that was the question. I said I had heard no discussion of the interests of the persons who needed relief and I also stated that the problems of the State Relief had not been discussed The paramount issue had been who could get a job and how quickly.

Q. What was the date of this meeting? It was in the Spring of '39?

A No, it was in July.

Q. July, '39?

A. July, '39, at the Ambassador

And when I got through with my statement, there was a bitter arraignment of the whole condition that the Governor felt called upon to make

I felt it was a direct cleavage between the Governor and myself. At least, the Assemblymen who were there jumped at me very bitterly; such fellows as Pelletier. He rose and interrupted me two or three times and he said that when the opportunity was given to him he was going to tell the Assembly what he knew about me and what sort of a scamp I was. When he arose, the Governor was going to stop him and I said, "No, Governor, I have said some very severe things and give those gentlemen an opportunity to say them against me." But then he got his eye on Freda Olson And it was just like drawing a herring across the track and he went after her instead of me because she hadn't put somebody that he wanted on a job But it blew up It was a foregone conclusion that Anderson was through and it had been so voiced That was on Friday.

I went on back to work and on Sunday of that week, the following week, the Governor asked me to come up to the Fairmont Hotel and have a discussion with him and I did go up there and Melvyn Douglas was there and he said, "Anderson as you know, is resigning as director, and I have got to have a new administrator of SRA."

There had been a long discussion for an hour in which it was not supposed that I was a part of it or anything any more and he ended up by saying that he wanted me to take that position I told him that that was quite possible.

Q. In other words, that you were to take Dewey Anderson's position as administrator?

A Yes I told him that I imagined that I had put myself outside the pale, from what I had said.

"Oh," he said, "I can square you with all those assemblymen."

I said, "I don't want you to square me with the assemblymen." I said, "What I said was true. I meant it and it was true and I don't want anybody to square me."

We talked quite a while and Melvyn Douglas got into the bandwagon, too. His attitude, however, I want to say, had been good. He wanted the elimination of politics and straight administration of SRA and so forth. And they both began putting on the pressure that it was my duty and so forth

I said, "Well, I have certain obligations and I don't want this job. It is a difficult one and so forth." I said, "Furthermore, I would have to consult with my partner and I would have to talk to my wife." I said, "However, I'll do this: I will go back to my hotel and I will talk to my wife and my partner and I will let you know tomorrow morning at 10 o'clock."

They said, "Now, is this just a gesture or are you really going to try to clear the deck so you can take it?"

I said, "I am endeavoring to clear the deck so that I can go ahead and do this job. I don't want to but," I said, "I will see about it."

And as I was leaving—I got ready and I went across to get my hat and the Governor said to me, "Now, I am very glad of one thing that you said a little while ago."

I said, "What is that?" I said, "Is it about Ballou?" I had made the statement when we were discussing it that I had nothing against him. I knew nothing against him personally. I knew nothing against his character; that, nevertheless, I felt he was wholly unqualified for the position in which they were trying to put him

And he said, "I am very glad you made that statement about Ballou."

And I said "Why?" And I had previously sat there and when he kept urging me, I said, "You tell me under what conditions you want me to take this job. I am not asking for it. I will listen to your statement." It was apparently to give me carte blanche authority.

And when I got ready to go away, he said, "I am very glad you said that about Ballou." He said, "Because I would like to have you take Ballou as your personnel officer over there and," he said, "he'll serve you faithfully, faithfully as a dog. He will keep these politicos off your back, whom you don't like, and" he said, "you'll have no difficulties with him at all."

And I was after my hat. I just winked at Melvyn Douglas as we went by. I winked at him and I kept on going. Of course, that ended it. I knew then that there was no chance. So I heard Melvyn Douglas say to the Governor, "Call him back here, Governor. Call him back. You've lost him." But he didn't.

And I went on and went right over to the hotel and wrote a statement to the Governor that under no circumstances would I accept the appointment. In other words, I saw moving in the same situation that had existed there with Dewey. So Dewey resigned the next day and the Governor—I went over at 10 o'clock with my letter to hand to him personally and the Governor was off to make some talk to some Legionnaires or something and he was not there. But I left it on his desk with instructions that nobody was to open it.

He didn't get back until about 12 o'clock and Dewey was to be in at 12, and he opened my letter just a few minutes before Dewey came in and he had to have a Director. I understand he sent out and tried to find me somewhere but he didn't find me. That was that. He appointed Walter Chambers, Acting Director, Acting Administrator.

Q You continued with your report and Mr. Chambers went on with the directorship?

A. Yes. I had about a month's work more to do. As Chambers moved in, of course, the things that the administration wanted done in SRA were done.

Q I would like to get this straight in my mind. When did you become Director of Finance?

A. The 1st of October.

Q Then there was a period of about two and a half to three months that Walter Chambers was the Director before you came in?

A. That is correct.

Q. But you had a good opportunity to observe his handling of the SRA?

A. Yes. He moved in carefully, that is, it is always considered when a man doesn't make any decisions and holds everything in abeyance that he is just being careful I thought that was more or less caution that was taking place at the start but I found it was habit or a general condition

Then I went over as Director of Finance and the Governor called me up along the first of October and wanted me to go in as Director of Finance At that time we had on the tape, as you recall, legislation looking towards the control of the oil situation in the State, the oil bill was up. I raised the point with him that I had not been favorable to that oil measure; I hadn't taken a very firm position one way

or the other but I had rather felt that the Independents were probably more nearly correct from the standpoint of the State than the other crowd.

However, going on that commission that would be that important, I wouldn't want to go around the State holding hearings on oil problems and he said, "You know it is a fact," he said "that that is important but the Director of Natural Resources will be the man that will be the Chairman of that Commission and will handle the matters of shaping the policies, that will be in his hands and you will only be brought in incidentally on hearings."

And I said again, "Who is that person? Who is it going to be?"

And he said that he was going to appoint Mr. Richard Sachse as Director of Natural Resources. Well, I know Mr. Sachse very well, and in fact I introduced him to the Governor.

I said, "Well, is he going to accept?"

"Well," he said, "yes, he is."

I said, "Of course, I don't want this job."

And he said, "Well, you have roasted me on several occasions because of having young men and amateurs in many of my key spots. Now," he said, "take some of your own medicine," and so forth. That was true.

And I said, "Well, I'll let you know tonight."

And I got in touch with Sachse and I had a high regard for Richard Sachse and his conception of public duty and his experience He had had good experience. That is, he had had experience as an engineer, utility engineer for utility companies, both privately and publicly owned, and was held in high regard by all those men as a very efficient man. He had no experience in government and it is possible that I thought he would perform a little more efficiently than he has. But anyway, I found that he wouldn't go, so I called the Governor and said that I would go, but not agreeing to stay forever.

So I went up there and I had an opportunity, of course, as the Director of Finance is thrown in close relationship with the SRA, as he is with other departments, to see how it is administered and it was being very badly administered, particularly in the personnel department. Finally, I went into those focal points that mean so much in the matter of expense to the State. There was crowding in of appointments here and there, making of place The personnel department seemed to be working in reverse.

Q. Who was the personnel officer then?

A. At that time it was Harry Miller He had been put in by Chambers. As I understand, the proper working of the personnel department is to get up proper classified lists and from those lists certify to heads of departments upon requisition the proper people for the jobs He used to spend his time in going out into departments and trying to create positions, which I held was putting the reverse English on it. They were constantly behind and the matter of papers going over my desk were so many weeks and months behind that it occasioned trouble. I found that the officers would place people in jobs and not put through their AP-20's,—is that what you call them?—for months after they were at work. The fact that they got no pay during that time would create trouble and I found that the constant excuse was used throughout that that was the duty of the Finance Department.

Q. *You mean that he would put people to work where there was no job?*

A Well, I don't know whether there was a job or not. They would put them to work, yes

Q. Well, wasn't that the time they had the waivers that if the job wasn't created they would get paid anyhow?

A. That is right For instance, Alliston put 600 on here in Los Angeles County.

Q. With waivers?

A With waivers, because we had a rule to the effect that if the appointing officer puts somebody to work without authority and the appointment was not confirmed by the Department of Finance and the Personnel Board, that no liability should attach to the appointing officer; he would get a waiver to that effect, absolving him from liability on that matter The files were full of those I would continually ask that the thing be cleaned up, set a deadline, and would have a meeting with Miller and some of those people and they would bring in their lists and I said, "Let's get through this and know that we are through once and for all"

They would swear that everything was all through and the next thing I knew I would have 70 or 80 more And, of course, I laid that on to the personnel department.

Often I found, in justice to Miller, that when he was making these statements to me that they had cleaned everything up, that he thought so, but these people had already been appointed and nothing was said about it and the A. P. would come in after. And in most cases he said they should be done in small homeopathic doses.

These things continued, irregularities were present until the Legislature got uneasy and we had a committee appointed, as you recall, before the session of the Legislature, to look into the situation and the Governor and your committee made some statement through Anderson, I believe it was, some general statement relative

to irregularities and extravagances and so forth that existed in SRA, all of which were true, and we could have given him some worse than that.

The Governor then called a meeting and wanted a Personnel Standards Committee set up which would look into the matter of this whole personnel arrangement and act in a way like the Personnel Board of the State in connection with the civil service employees. It had no direct authority. It was another one of those extra bodies, but as I say, it had no direct authority. Dwight Stevenson was chairman and Mr. Mallory and Ivan Spurbeck and myself and Philbrick were on that committee.

The committee went to work with earnestness, with a desire to be helpful in the determination to do a good job. That was the temper of the committee while I was on it, that they wouldn't stultify themselves on something unless they knew it to be a proper piece of work. They knew that they didn't have any authority but at least orders which they asked by SRA, since they were created by SRA, orders which they asked SRA to carry out, if they did not carry them out they at least had the defense of resigning and they went to work. They had a very close view of everything that was taking place in SRA. They first went to work with the Director of Finance. There came up in a session of the Legislature the matter of appropriations for the remainder of the biennium. That was one of the chief items on the agenda for the Legislature. The Legislature, as I recall it, met in January, you will recall, January 28th or 29th, and we asked in the Finance Department that the budgetary requirements of SRA be submitted some time in advance so that some investigation and study could be made of the request.

Four days before the Legislature met, or six days before the Legislature met, I got the first intimation of the budget. I had had Mr. Ruble, who is an auditor in our department making some investigations, and they had told me just as hearsay from some of them in the SRA that they were operating on a $112,000,000 biennium basis; that their rated expenditures at that moment and their estimates for case load for the future would be approximately $112,000,000 for the biennium. So that in so far as making any estimates of what our possible deficit might be or the warrant situation might be, I was wholly dependent upon making some sort of a guess as to what was happening over there.

Ruble came in to me one day and he said, "If you are laboring under the impression that that $112,000,000 figure is correct" he said, "you're going to be fooled." He said they were operating way above that.

I said, "Well, they've got to get something up here."

We teletyped and wired and finally they came in with a budget which asked, for the remainder of the biennium, for either 105 or 108 million dollars, I have forgotten which. I spent perhaps a couple of hours running over the budget and the Governor 'phoned me wanting to know if I had it and I said, "Yes."

He said, "What do you think of it?"

I said, "Well, I haven't had time to digest it at all but I would be glad to talk to you about it tonight." and I did. I went over to his house and I just handed it to him and he looked at the total figures and had quite as bad a reaction as I did. It was terrible. And he said, "What can you do about that?"

Q. That would have been a budget for what part of the biennium?

A. For last year.

By MR. WOLLENBERG:

Q. That would have been really for ten months?

A For about ten months that they were figuring for the budget.

Q. No, it would have been June 30, 1941, so it would have been sixteen months, seventeen months.

A. Sixteen or seventeen months They were endeavoring to make a complete budget for the entire biennium. So we talked that over and he said, "What can be done about this budget?"

"Well," I said, "the budget is largely on estimates"

I said, "A lot of it is dependent upon the future. That is No. 1."

Then I said, "There have been various inquiries in my office coming from members of the Legislature and from people out through the State relative to the effect of certain possible changes in eligibility in our costs"

I had made some estimates on those and if those were utilized it was possible that quite a considerable reduction in the budget might be made.

He said, "Well, I wish you would have a meeting immediately with those SRA people and make an investigation of all those possible alterations and changes and possible reduction in this budget and then give me a statement of it."

I said, "All right." I got them up.

He said, "Do you think a sum of that size is necessary?"

And I said, "No."

He said, "How much too much is it?"

And I said, "Well, offhand, I would say 30 million."

He said, "Do you mean to say that you could run SRA for 30 million less than they are asking for there?"

And I said, "Yes, and run it better."

"Well," he said, "that's a terrific amount, you'll have to show how that 30 million saving can be obtained."

Of course, the crux of this is the matter of the control of the intake. It is difficult to get direct estimates. I had an estimate in the matter of control of the intake making a saving of around 12½ per cent. They agreed around 10. We know now, as you gentlemen know, in your experience, that even that 12½ per cent was none too high.

By MR. PHILLIPS:

Q. That is right.

A. And the matter of a ceiling for a budget, the effect that would have, was opposed by most of what we would call the social minded group of SRA. I took the viewpoint, however, that we were not changing the standards of relief, that the matter of a budget (which is dependent upon a large family) was hitting at other social problems and that we couldn't bring in, under what is known as "relief" for those who were unemployed and who could be employed, all our social problems and try to solve them and pay for them under that It might be important to have a large family taken care of, it might be all right in some governments to subsidize large families, but we weren't doing that here.

That is what we would have been doing under those conditions. But, anyway, they opposed that situation, as you can see, and they also opposed the three-year residence rules rather than one-year residence. They called it retroactive if we applied it to those who were at present on the relief rolls. Of course, under the law as it existed, it wasn't necessary for the Legislature to set up three-year residence rules. It could have been done by the Relief Commission, but of course the Relief Commission were going to push the responsibility off on the Legislature They weren't going to do it. Of course all those things were suggested and estimates were made and, of course, as you know, there had been a reduction of that budget from 105 million that they wanted, to 95 million, on the basis that their so-called business trends were out of line with what we were estimating in the Finance Department.

In the Finance Department we had estimated that there was going to be a pickup in business Of course, we didn't know about this defense program that was coming on, but there was going to be a general pickup and we felt that our revenues from existing revenue laws were going to increase But here was another agency in the State with an estimate of quite the opposite trend We insisted that we would have to harmonize that They agreed, finally I asked them where they had their authority on the business trends. They only had one and that was the Alexander Hamilton Institute, which is all right, but it is more or less in the nature of an educational institution rather than a reporting agency.

We had employed all the best reporting agencies. The Alexander Hamilton Institute is high class I don't wish to criticize that.

By MR. WOLFENBERG:

Q But it is not as realistic as the others?

A No In any reporting agency in the field of industry, business and commerce, it is inclined to be six or seven weeks behind actual conditions. They report conditions They don't go out They catch the trend before they indicate it and then they will measure it somewhat. That change was then made, reducing the budget to 95 million But the Governor then, in his message to the Legislature, said that if certain reforms and changes in the rules of eligibility were made, that probably a 30-million reduction in this 95 million could be made but that it would occasion untold misery and suffering.

Now, certainly I did not put that in when I made the report to him, that it would occasion untold misery and suffering. While he had asked me to make those estimates, you all know that I am accused and was quite generally accused of fathering an economy program for reliefers and furnishing a program of economy for a smearing outfit of the Legislature lending them food and ammunition because of the position that I took in regard to relief. That was on the inside Charges were made against me all the way down the line, which I don't care for The facts are borne out that I was only partially correct; that the Legislature was nearer correct than I was, although I don't believe the Legislature claimed they knew about this defense program that was going to take place.

Q We admitted that we were simply trying it out and we didn't know whether our figures were correct or not.

A Well, it worked out that you were.

Q. That brings us up to about when? Some time in 1940, doesn't it?

A Yes Then we moved along in this picture until conditions under the loose management of Mr. Chambers—I want to say that that management was, I think, completely in line with what I would say the administration forces wanted. The general conditions in SRA had gotten to a point where the expenditures were exceedingly large. The Legislature had passed a new law and also had budgeted the appropriation so that it was necessary for a reorganization to accomplish what was necessary under that law to take place July 1st Well, it was evident to the administration that they didn't have the—I mean, the State administration—that

they didn't have an SRA administration to accomplish that, so the Governor looked about to get somebody who could do it and Mr. Rubinow went in as SRA director.

Q. That brings us to a very moot question, Mr Richards. Maybe this would be a good place to ask you. We had appropriated a certain amount of money for a period of about June and then divided into quarters, into the first, second, and third quarter of the next three quarters. The charge is very definitely made that no economies were begun during the month of June and the charges have also been made, or at least we have been told they have been made, that that was pretty much on either orders or an understanding on the part of the administration Did you ever hear anything about that? Do you have any idea about that? In other words, why were no economies made during the last six weeks of Walter Chambers' administration, even though we had appropriated a limited amount of money which required economies?

A Well, I don't think there were any orders given to Chambers not to economize I think it is entirely a matter of his own methods of administration He knew, of course, that in order to square his organization with the new appropriations and limitations, he has got to reduce his administrative force enormously and he didn't undertake it. I think that he was laboring under the impression that somebody else would be given the job and that he just let it all drift and go to the new man I don't believe that anybody told Walter Chambers—I am guessing at that, but I am quite certain. I know the Governor was ——

Q Let me ask the question directly, then, Mr Richards The charge has been made, or we have heard it said, that the reason that was done was to bring about a crisis which might force reduction again in relief budgets to the ultimate embarrassment of the Legislature rather than the executive, as to the appropriation of the funds.

A Well, I don't think the administration knew enough about relief to figure that far ahead.

By MR PHILLIPS:

Q. When did you resign as director?

A I resigned approximately the 15th, somewhere around the 15th of September

Q I would like to ask you a very direct question because you know this and we have told you in your own office about it that is, you were one man in the administration, one of the very few men in the administration in whom the Legislature had confidence Now, you sort of stepped out, shall I say, not from under the Legislature, but left us with a very complete void in the department Now, we would like to know why you left

A. Well, of course, the statement that I made when I left was two-thirds correct, or rather, it was all correct It covered two-thirds of the field, and that is that I had other things that were demanding my attention and that I was neglecting The second one that was discussed, and I did discuss, was the fact that when I went into the service of the State I had hoped to be of some value to the State and not to be as an appointee in a job in a routine way

I felt that maybe there were certain general conditions in the State that could be remedied by setting up certain forces of investigation, drawing together of information and analyzing it, making it useful for the proper services of the Legislature or committees that they might set up that would enable us, perhaps, to make a better machine, a cheaper machine, a more efficient machine. I wanted to be a partner of some such piece of work as that.

When I became convinced that work of that character was not very important to the administration, I quit.

Q. The job was set up very definitely in the statutes and it was the intent of the Legislature that it would be exactly as you expected it to be You were supposed to have very definite budget control and advice and a sort of clearing house for all of the financial matters of the State

A It is more or less in the capacity, roughly described as a managerial capacity. The Legislature gave the Director of Finance power, for instance, to approve or disapprove appropriations, that is, expenditures; either for personnel or commodities. Heretofore, in nine cases out of ten, the Director of Finance would take a requisition and if there were unencumbered funds in the budget of that department sufficient to take care of that expenditure, a profit, whether it be for personnel or whether it be commodities Now, I took the position that approval or disapproval was a power granted by the Legislature and meant to go beyond pure routine; that I was supposed to examine into the need and necessity. Well, in some instances when we have got large expenditures in certain departments we did do that but many of the department heads took the position that I was trying to run their department and that if there was an unexpended balance, for me to question the expenditure was absolutely wrong; that I was meddling into a matter which was out of my department and was purely departmental administration. There is some truth in that

By MR. WOLLENBERG:

Q. Were you allowed to set up the type of department you wanted? I mean, most of it is civil service in that office personnel?

A. Yes. My department had one position that was not civil service and that was a deputy and was filled by George Killion, the man who is now Director of Finance. It has long been the policy, as you gentlemen know better than I do, in this State, when one administration succeeds another, when the Democrats succeed the Republicans or the Republicans succeed the Democrats, every newly elected Governor feels that he is under obligation to find jobs for the committees responsible for bringing about his election. One way of answering that is to get various heads of the Personnel Department to create new positions and fill those positions.

Otherwise, our personnel, under our civil service scheme of things, has just been adding on to the personnel of the State. We have, I know, Mr. Wood, of the Legislature Council Department, research department. He has felt it very keenly. We have nowhere, any set up scheme of evaluating and determining the adequacy or inadequacy of our personnel in various departments. It is added on and on and on, but the difficulties of getting rid of anyone make it almost impossible. Now, in my department I took it over as it existed. There has been added by such a process a deputy. He was supposed to be a legal deputy and it was filled by Jack Welch, and had been set up by the Personnel Department as a need and necessity. And the second assistant in there was a man by the name of Clifton. Now, Clifton is a good man, probably earns his money, but they had put him in there under the previous administration and the organization of all departments is such that they are filled with people who, under an efficiency examination, could be done away with. I should say that there were a half a dozen in the Finance Department.

Q. There is only one non-civil service job then, and that is the deputy?

A. That is right.

Q. Were you allowed to set up your department as you wished it?

A. No.

Q. Was he your selection, Killion?

A. No. He was there when I came in.

By MR PHILLIPS:

Q. He was there under Mr. Gibson?

A. Yes He was only appointed by Mr. Gibson shortly—Gibson had no deputy for a matter of months and when it became, I suppose—I didn't know, of course, anything about this—when the vacancy occurred over in the Supreme Court and Gibson was to go over there, why then he appointed a deputy so that there would be somebody to fill in after he left if there was no immediate appointment, to take his place.

By MR. WOLLENBERG:

Q. Did Killion, as your deputy, spend his time rendering his services to your department exclusively?

A. No. I think that Mr. Killion looked upon the Governor as the chief source of his responsibilities; that is, whenever the Governor asked him to do anything of any kind and character, even though it may be of a nature entirely outside of the Finance Department, he felt that he was called upon to do it. The routine obligations which I placed upon the deputy were limited.

Q. Did he ever exceed those obligations and undertake other duties?

A. Not in my department. He did lots of things outside that I considered were political in their character and nature. He was running all over the State for the Governor politically, but in so far as his work in my department was concerned, I have a routine for him to follow which, as far as I know, at least I have been led to believe after I left, I didn't have the correct reports in certain matters For instance, you know the Purchasing Department is in the Finance Department. They buy approximately $20,000,000 worth of commodities a year. We had a very simply operating rule when I was there and that was that our specifications should be as general as possible so as to make competition as free and broad as possible, and that other things being equal that the low bidder should always be awarded the contract. That was followed right straight through; and that on small contracts of less than a thousand dollars they did not come over my desk unless there was a controversy.

That, I had Killion handle. If it was above that, then it came over my desk.

And, of course, there were occasions when they did come on to my desk, where we had, like for instance, this stamp matter, revenue stamps, around a $40,000 contract; and the matter of oil contracts, they came over my desk. Anything, by request, would come over my desk. I found no irregularities. I found that there were at times disgruntled vendors who would make assertions that weren't true. Whether or not the recipients of contracts on the part of the State should be solicited for campaign funds was, of course, always a point of contention

By MR PHILLIPS.

Q. That is an interesting issue You mean that a vendor to the State was solicited for campaign funds, before the contract was let?

A. I never knew of anything of that sort specifically, but I found that there was a desire on the part of the politicos, or they felt that those who were the beneficiaries of contracts should be given the opportunity to contribute I insisted that no one should ever solicit before or after, anybody connected with my department, to my knowledge.

Q. You mean that was a point at issue between you and Mr Killion?

A No. Killion agreed with it quite generally. It was a point at issue between all the politicos, not necessarily in my department. Now, for instance, there used to be continual meetings in the Governor's mansion or others, of following what we called the council meeting. As I say, the thing that caused me primarily to resign was because I am not particularly interested in the political welfare of an individual. If he is a good man and a good public servant, yes, I want to keep him in there if possible But if building political fences is the chief concern of an administration rather than the good administration of the department of the State they are supposed to represent, and perhaps work out better ways in which to do that, if that is the principal objective, then I am through. So I quit.

By MR. WOLLENBERG:

Q Did you ever hear any discussion about solicitation of funds from vendors in the State?

A. Yes.

Q. Where did these discussions take place?

A. Well, one of them I was not present. I was told the day after I left from one of these meetings that one of my deputies said that, "Here's a big reservoir that isn't being touched at all and those men should be approached." I was told about it afterwards.

Q. What particular industry or what particular group of people did that include?

A. Well, it would include anybody that was a beneficiary under the State. If you were buying $20,000,000 worth of stuff, you can imagine that that includes everything from a Mazda lamp to oil.

Q. All vendors?

A. All vendors. Some might have very large contracts that they were interested in and were in possession of. I had left the meeting. You may recall. I had left that meeting. I was told that Welch developed that. I called him in afterwards and I told him I didn't want any discussion hereafter of my department when I was not present.

Q. That was Welch that brought up that discussion?

A. Yes.

Q. You mean that that applied to all contracts of less than a thousand dollars? That that was a source of campaign contribution?

A. Whether there was a source of campaign contribution being neglected?

Q. Did you ever hear any discussion in those conferences, as Mr. Wollenberg asked, concerning particular groups that should be approached for campaign contributions?

A. Yes.

Q If they didn't give campaign contributions, that might be a source of additional tax or a little pressure?

A. Well, no; I never heard them discuss it that way. The only time that I have heard groups discuss it, it was not in my department, I heard quite a long discussion as to why certain contributions could not come from the commercial fishermen.

Q. Well, that is what I mean. What were the contributions? How were they to be figured?

A. Well, there was, as far as I know, no precise method by which they were to determine those.

Q. Where did this discussion take place?

A. In a general meeting of all these heads of the departments and others who were asked by the Governor. That was preceding the last campaign down here, in November, wasn't it?

Q The primary campaign?

A. The primary campaign. They always needed money for political purposes. There was always a demand on the part of the Democratic State Central Committee or some other committee that was set up. They never had any money to do anything with.

By MR. PHILLIPS:

Q. You mean these conferences were held in the Governor's Mansion in Sacramento?

A. Often there or somewhere around the capital.

By MR. WOLLENBERG:

Q You spoke of commercial fishermen. They have to get a permit, don't they, for the quantity of fish they take? They have to report it and so forth to the Fish and Game Commission? They have to get a permit for their take, don't they?

A. That is right

Q. Now, was it to be based on their fishing permits?

A. Oh, well, now, they hadn't been worked out precisely as to the amount. It was just brought out as a source of funds which heretofore had been utilized and was not being utilized at the present time.

By MR. PHILLIPS:

Q. I take it from what you say there was sufficient of that to make you feel that you didn't like the job of Director of Finance? Am I right?

A. That is right.

Q. Coming back to Mr Killion You didn't appoint him? Mr. Gibson appointed him? I don't know his background, but would you say his background and experience and ability justified his appointment as Director of Finance? Did you recommend him as Director of Finance?

A. No.

Q. When you came out?

A. No.

Q. Would you say that his qualifications and background were sufficient for a Director of Finance in the State of California?

A. No. Of course, he had had some experience in there and he is more intelligent than I think most people give him credit for being. I have always been inclined to grant to the man, in making an estimate of character, you know, what he shows himself to be to me. I am told that he, of course, exhibited his very best side of himself at all times to me. I never saw anything on his part when his character was not all right. He has not had a lot of experience financially, although when I first went in there just preceding the Ham 'n' Eggs election, there was a question as to whether or not the commercial banks would buy our warrants up through the period of a month or so there preceding the election and we needed around 10 million to carry us through. And we wanted a general agreement between the banks, both in San Francisco and in Los Angeles, that they would buy those warrants, that there would be no question of our having to hawk those warrants around the State in small amounts

I was asked to come in, as Director of Finance at that time A day or so afterwards, Killion called me up and said that matter was on the table and did I want to handle it or did I want him to handle it.

Well, I hadn't taken any oath of office and he was in it at the time and I said, "I prefer you, as long as you are on it, to continue it."

He said, "Well, I don't know the Los Angeles bankers. I do have some acquaintances with the San Francisco bankers and I can do it with them."

I said, "All right. You come down here and I'll arrange a luncheon and get you together with the Los Angeles bankers. You, however, will have to present the matter to them as I am not familiar enough with it at this time to do so."

And I arranged such a meeting and he did present it to them and he did a very good job I was quite impressed with the man at that time. Of course, the statistics that he had were prepared by the analytical department, but he handled it well and the banks agreed to go along with this matter, although they charged us plenty of interest, as you know.

By MR. PHILLIPS:

Q. That was the time they increased the interest?

A. Yes.

Q. Did you get complete cooperation from all the people in the department? I mean, not merely Mr. Killion, but all of the others, Mr. Welch, Mr. Links, and all of the others in the department?

A. Yes.

Q. Did you have confidence in Mr. Killion's interest in the department, in his word?

A Well, as I say, the responsibilities that I gave Killion, I didn't have things on his desk, which, if he followed the rules that I have given him, could get me into much trouble whatever he did. I doubt whether Killion has had experience in the matter—take one thing of servicing various portfolios that are supposed to be serviced by the Finance Department.

Q. Bonds?

A. Yes. In round numbers, about a half a million dollars worth of bonds a month purchased for the various portfolios. That is continually getting more and more and more difficult because of the lists involved and nearly all of the board have adopted—they look to the Finance Department to revise their lists Not much more had been done by the Finance Department than act as brokers for the purpose of going into the market and getting it at the best price possible, the securities that they had eligible for investment for their portfolio at the time requested

There was a suspicion, of course, in the minds of many people that don't know a whole lot about the investment business, that lots of money can be made by getting more or less exclusive on that Well, there isn't much made on that. I had felt that a more careful service should be given to those portfolios in the way of analyses in connection with watching maturities and the general income situation and the requirement of the portfolios in regard to income, that all of that we should go over very carefully and set up a program to take care of that by the utilization part time of Mr. Procoff. He was on the eligible list. We didn't need him full time up there, but I felt that we could use him to do the purchasing as well, although I had used a young man, or a man who was then over in the Fairs Exhibit Department, by the name of Smith, to do the purchasing. He was pretty market wise and all that. But a lot of the brokers would insist that he was favoring this, that and the other, until I had him run everything over my desk, although he didn't.

Now, on that phase of purchasing and service why, I should say, no I doubt whether you could get a man in there as Director of Finance who has had investment experience who would have some knowledge of it

BY MR PHILLIPS.

Q I think we are interested, as a legislative body, in the matter of ability and integrity

A I have no basis on which to question his integrity I have never caught him in anything where I could specifically say there was a question as to his integrity.

Q. And that applies to all the people in the department, would you say?

A. Yes I have heard some of the people. There were constant reports brought to me by Mispley.

Q. That is the purchasing agent, Mr. Mispley?

A Yes I never found any of those things to be correct

Q Did you make any effort to check up on them?

A Yes, largely, they accused Mr. Mispley of having been a part of the old regime, rather than the new one. I knew this That one time when these bonds were up, these stamps, or revenue stamps, that the question was brought up between lithographed and engraved. The low bidder was a Chicago concern. It was just a matter of formality that they would have been awarded the contract, around $40,000 worth. They had a meeting with Mr Armstrong, who is the head of the Services Supply Department, in which the Purchasing Department Bureau at the present time exists.

Mispley and Armstrong were talking with this representative of this Chicago firm and they told him that the award had been made to his firm and the contract was just a formality of going on to my desk and being signed. After this conversation was all through, he said to those gentlemen, "Well, now, in my price I have made arrangements to take care of you gentlemen"

They said, "What do you mean by 'taking care of us'?"

He said, "The usual 10 per cent," which would be around $4,000.

And they immediately reported it to me and I threw the bid out at once

BY MR WOLLENBERG:

Q. Was there another occasion, I mean just about the time you left, that you threw a bid out because you thought there was some contribution being made or something, in connection with it, some contract?

A. I reorganized the bid because—I asked that it be thrown out. I asked for a bid It was on Mazda lamps We have a provision in this State something to the effect that where all or part of something is made within the State preference may be given to that particular bidder They were always identical bids. There is always a provision in each one of our contracts where it is optional whether or not we continue the contract for another year And the Westinghouse and General Electric are the bidders on these Mazda lamps.

Now, the General Electric maintain—I think it is the General Electric—they have a factory down at Oakland. They assemble part of their stuff down there and therefore are entitled to preference. Well, anyway, the Mazda lamp contract was up in, say, either July 1st or August 1st, one or the other, and the contract was renewed with the General Electric, as I recall, and it was not thrown open to bid, although under the contract existing it could have been done That was objected to on the part of the Westinghouse people. When they presented the matter to me, I knew nothing about it, nothing about anything that had occurred I listened to a representative of the Westinghouse and I asked him to come to Sacramento to see me, which he did do. And then I asked for the papers He handed them all in and I went over them and I said there was no object; if you want to bid on this, maybe they wouldn't be identical bids, we will get some difference, but there is no reason why we should stop you from bidding. I said, "therefore, I will open this and let it go ahead" I did that without any knowledge that anything had occurred. I afterwards heard that the local representatives, either in Sacramento or in some other place of the General Electric, had made a campaign contribution.

BY MR. WOLLENBERG:

Q. Through your department or directly to the Governor?

A No, not through my department, but they had made a contribution to somebody soliciting, somebody, I understand, by the name of Rose. Wasn't that the name of the fellow? Wasn't that the fellow who was a campaign solicitor? I think he runs a saloon or something there. Of course, when I learned of that, then I said, "Well, I don't know anything about this campaign contribution; there is certainly no obligation attaching over here, and we will have to declare this thing open."

Q. Was it a substantial contribution?

A. Well, I heard that it was either twelve or fifteen hundred dollars. I know nothing about it.

MR PHILLIPS: We don't want to tire you out but there are several things we want to ask specifically about while the stenographer takes a rest

(Short recess.)

By MR. PHILLIPS:

Now, will you continue?

A. I had supposed that every man in this State wanted the cost of work relief to go down, and also to accept the objectives which I knew Mr. Rubinow was working on, that he wanted to liquidate the department, that if he could get private industry to absorb all these people and say "There are no more" or "That there are so few that it doesn't pay to have a State organization; that he had accomplished his purposes and that the State had done what they had set out to do."

Q. In your earlier experience, did you see any effort on the part of the SRA to get people back to employment?

A. Well, yes, once or twice, the idea was developed by Chambers and continued under Anderson wherein there was a placement organization which was to supplement and work with the State Employment Service. The State Employment Service, I understand, now is much better than it was. And where we used to criticize the State Employment Service a whole lot, I imagine they had a whole lot of room for criticism on their side. They had classifications where it was impossible and everything of that character. But there never has been the hard-headed attempt made on the part of SRA to drive towards placing people in private employment, utilizing the agencies that exist and working this out as we should have had. Now, that is our out. The more often you change regimes and so forth, the more difficult it is to get a program of that sort in operation. It requires a lot of work and it requires the elimination of possible chiseling and the elimination of all that sort of thing. I am not certain about it but I am under the impression that we will have to come to a central index.

Q. Did you ever go into the expense of that? We like the idea and we just don't know the details of expense and so forth.

A. No, but there is a way of utilizing a lot that has already been done. Those partially exist. I am told that Mendocino County or some county had employed somebody to investigate the question of chiseling even in the categorical aid of the county and found an astonishing condition.

Q. Condition of duplication?

A. Of duplication and fraud. The elimination of all of those things and the emphasis upon the return to private employment means the liquidation of this department. What is your case load now?

Q. Thirty-nine thousand. It is going up. It is rising again. It was down to 38,000 and it is rising now and Mr. Wakefield wrote me a letter a few days ago and has asked to come before the committee today to say that it is rising again and he wants the Legislative Committee to be closely in touch with it to check on the rise. I want to point out to you that in spite of the fact that the defense program is taking men constantly, the case load is rising and I asked him why and he said he didn't understand it. Off the record.

(Discussion outside the record.)

By MR. PHILLIPS:

Q. What is your opinion of the Governor's knowledge and interest in relief?

A. Well, I should say that the Governor has a very considerable knowledge of relief and the administration of SRA; that its problems have been before him constantly since he has been Governor, and he has had innumerable hearings and conferences to acquaint himself with administrative problems and problems of personnel. It is my judgment that he is more interested in the matter of personnel than in the matter of proper objective in the operation of the department.

By MR. WOLLENBERG:

Q. You say he is more interested in personnel You mean certain individuals rather than qualifications or ability to do a job?

A. He is more interested in having persons in the personnel who will aid, and, in his opinion, develop the political fortunes of the administration.

By MR. PHILLIPS:

Q. I would like to ask you a question about another contract that we have heard something about but have no details concerning. Do you know anything about a contract with the Calaveras Cement Company? What was the story about that. Or the Calaveras Oil Company. The Calaveras Cement Company was on another matter. I am referring now to the Calaveras Oil matter.

A. That was with the Land Commission It is a simple matter It is down there in the Rio Vista field. There is a gas field there that was developed two or three years ago in which the State owns considerable interest in the lands under the river and so forth, so that it owns about a tenth of the field. It called for tenders for State interests in the gas field and to a limitation of 31 per cent upon any bid There were two bids, Calaveras and Standard of California, in which the Standard of California offered 50 per cent of the production as royalty to the State. Both of those tenders were submitted to Mr. Soper, who is an engineer connected with the University of California at Los Angeles and has been utilized by the Governor in a lot of his Huntington Beach difficulties, to analyze the relative value to the State of California of those two tenders He reported that the tender of the Standard Oil Company was worth over a million dollars more to the State

of California than that of the Calaveras bid, upon which the Land Commission awarded the contract to the Standard of California. Calaveras seemed disappointed because they wanted some oil to run their plant up there at Calaveras and asked for a reopening of the case. When I was on the commission we had a hearing as to whether we should reopen, but we did not. Mr. Riley and Mr. Patterson seemed satisfied with the regularity of the procedure and the values that would come to the State. They owned a little acreage of their own in fee, the Calaveras Company, and they had asked for a right-of-way to get into that land of theirs and part of that, about six or seven hundred feet of it, would be over lands controlled by the Land Commission and the other by the Reclamation Commission. The Reclamation Commission had granted Calaveras a lease on a royalty basis. I don't know why they should grant a royalty for lease purposes because the right to pass State lines with a pipeline or something has been a routine. We have let many people have it for a small fee and they seemed quite dubious about getting it from us. The Reclamation Board seemed very anxious that we grant them this.

I said, "There will be no question as far as I am concerned about Calaveras getting the right-of-way to cross our lands. However, there will be a limitation made by the Land Commission upon the oil or on the gas which they may take out of this well and transport across this right-of-way. We will not allow them to take State oil or State gas. Whatever they own they have a right to take. They can have it for a dollar a year or whatever is necessary, because granted under those conditions with a severe limitation in that lease, that they could only take such gas as they were entitled to under a prorate basis."

Well, then, it seems that after I left they came in with contentions that they really were the lowest bid because they had a guaranteed minimum of 400,000 cubic feet and so forth. Well, of course, that doesn't answer the question at all, but I understand they have been at it. The Calaveras people came to me once or twice afterwards and finally the old gentleman who was at the head of it; I said, "I don't know why you people have had so many people calling me up, or calling the Land Commission about this. It is a simple matter." I said, "Whom have you employed in this matter?" He told me, frankly, that they had employed a firm by the name of Alport & Olson to represent them in this matter.

I said, "They have never been in here, never been before this commission or done anything for it that I know anything about."

I said, "Furthermore, there isn't anything that they can do that you couldn't do."

That is the way I left it. I understand now, they are raising—Killion called me up sometime afterwards and asked me what I thought of the situation and if that wasn't the best bid.

I said, "It doesn't make any difference. All you need to do is to turn the matter over to the Attorney General's office and ask him whether or not we have made a binding contract." I said, "That's the answer to it."

Of course we had.

By MR. WOLLENBERG:

Q. The firm of Alport & Olson, of course, is the one in which the son of Governor Olson, or Richard Olson, is a partner?

A. Yes.

Q. Did the Governor, himself, make any representations in regard to this contract or deal?

A. He appeared at the time we had the hearing.

Q. What for? On behalf of Calaveras?

A. Apparently not. He said he just wanted to see our procedure and to listen to our handling of this matter.

Q. Did he express himself on the subject?

A. No, only the award was made right there before him and he told me he didn't see how we could do otherwise.

Q. He didn't ask for a reopening of the matter?

A. No. Of course, I do say this, knowing the personnel of SRA as I do, and what is taking place, that I can see the appointment of the present director or administrator as being a move to return into key places the very people who had cost the State and wasted so much of the State's money heretofore. The same gang is being brought back. It is a travesty on public service. If we are going to have the Ballous and the Estells and all of that crowd brought back in there to administer one of the most important functions of the State ——

By MR. WOLLENBERG:

Q. Do you know where Estell is now?

A. No.

Q. You didn't hear that he was Assistant Secretary of the State Board of Health?

A. Well, you know the minute they have a new head of a department they establish their—I had supposed you knew that there was some scheme of things in the administration of the State whereby the constituted authorities of the State deter-

mine where the head of that organization should be. Hadn't you supposed so? Well, now, apparently whenever there is a new man appointed to the head of anything, why the head office is wherever he chooses to be If he lives in Los Angeles, he wants it down here If he lives in San Francisco, he wants it up there.

Q The Legislature thought a great many times, and several times has expressed itself on the subject, that that was the case, but it then begins to slip away again Mr Irving seems to have had several headquarters but none at which he lived so that he could draw his per diem We understand that Mr Armstrong, the assistant in that department, also is rather a floating gentleman. Did you know that?

A I didn't know in regard to it. Didn't he live there? He seems to know everybody.

Q. He doesn't spend much time on real estate matters, I understand

A Oh, he is a political solicitor.

Q. What does he do in that regard?

A. Well, he is one of the little fellows that has to go about and see that they get enough money to keep the political organizations going

By MR. WOLLENBERG:

Q Does he collect from State employees?

A Yes

Q. Did he do that in the SRA? I mean, at one time?

A. Not to my knowledge, that I don't know

By MR PHILLIPS:

Q. Did he collect from you?

A Yes.

By MR. WOLLENBERG:

Q. Was it on a percentage basis of salary?

A. Yes; 10 per cent.

Q 10 per cent of the salary?

A Yes.

Q He would collect monthly?

A Yes

Q From your pay check?

A. Well, they got out of it this way I don't think they all paid it but they could or could not, pay it into what was known as the Democrat Associates

Q. You don't know, though, whether there was any Hatch Act violations on file there on the part of SRA, or attempted ones?

A No, I don't think there was. They were pretty careful on that I don't know what they did with the money. When Rubinow was busy eliminating a lot of those political palookas from the SRA, they were busy giving those jobs over in the Democratic organization. Sid thought that was all right, he said, because he didn't have anything to do with that. The administration of SRA has been so important in the State and means so much, you know it makes a difference between our running on a surplus and running in the red, and I can't understand why any administration shouldn't want it very carefully administered

The Governor asked me if, if there is no increase in revenue, will you be able to sell our warrants even of this biennium and I said, "Yes"

Well, the Governor objected He took me to task for that statement.

I said, "I don't understand, Governor, why you are objecting That is the truth" I said, "Members of the Legislature know that just as well as I do" I said, "They have their sources of information. They can ask any commercial banker as well as I can" I said, "The commercial bankers will tell them if our deficit doesn't go beyond a certain point they will continue to buy our warrants and our deficits will not go beyond that point at our present rate of expenditures."

Well, he said "that statement of itself will preclude the possibility of getting through new revenue legislation"

I said, "I don't understand what you think I should do."

He said, 'You could equivocate"

Well, had I equivocated there wouldn't be a member of the Legislature who wouldn't have known it immediately If I had said, "I don't know," or something of that sort, they would have said, "Couldn't you ask and determine quickly enough?" That was one point. The other thing was that he felt that the financial program was wrong the situation was, of course, that our deficit would not reach a point where we wouldn't have sale of our warrants and the second was that I took the position with him all the time that we ought not to expect the Legislature to give us revenue measures that would liquidate our deficit in his term of office; that it had taken us ten years to accumulate that deficit and to do away with it in two or three years meant revenue laws of such a severe character that it would simply invite opposition and would be impossible to pass.

He said, "How long should we take?"

"Well," I said, "It has taken us ten years to accumulate this deficit. Why not spread our liquidation over a period of ten years?"

He objected to that very fundamentally. I don't know why.

I had a different opinion I had an idea that a Director of Finance, if asked to prepare and make recommendations relative to revenue, he should make it on his

own judgment and not accept absolute orders from the Governor as to what should be done; that, I never did do, and, of course, wouldn't do I understand now that they have gotten quite an economy idea.

BY MR. PHILLIPS.

Q. Yes, we have been reading the papers too We gather that the administration has joined the economy bloc

A I don't see how this Legislature—of course, if this administration had left Sid in there and kept you fellows lulled in peace and had continued in the administration it would have gotten by the next session of the Legislature and then if they had kicked you out that would have been the procedure

MR. PHILLIPS:

I believe that is all.

(Whereupon the statement was closed at 11.15 a m.)

ALLEGIANCE PLEDGED TO THE FLAG

By order of the Speaker, allegiance was pledged to the Flag.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lorne D. Middough, Robert H. Middough, and Mr. and Mrs. Edgar Davis, of Long Beach; Mrs. Burke Riley, Sacramento; Mrs. Harry B Riley, Sacramento; and Wm. Paschall, Long Beach.

ADJOURNMENT

At 5 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned out of respect to the memory of the late Lieutenant-Commander Stephen Bland Cooke, brother of Assemblyman John B Cooke, until 11 a.m , Tuesday, January 7, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 7, 1941

The Assembly met at 11 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Russell.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Cooke, on motion of Mr. Robertson.
Mr. Kellems, on motion of Miss Miller.

RESOLUTIONS

The following resolution was offered:
By Mr. Michael J. Burns:

House Resolution No. 14

WHEREAS, J. F. McLaughlin, familiarly known as "Mac," has been with us for many sessions past as a representative of the press; and

WHEREAS, "Mac" underwent an emergency appendectomy last week, but is now recovering satisfactorily in Mercy Hospital; and

WHEREAS, This Fifty-fourth Session of the California Legislature hardly seems complete without "Mac's" happy Irish countenance beaming in the press row; now, therefore, be it

Resolved by the Assembly of the State of California, That all the members of the Assembly wish "Mac" McLaughlin a speedy recovery so that he may be back with us in the shortest possible time.

Request for Unanimous Consent

Mr Michael J. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 14, at this time, without reference to committee.

Resolution read and adopted.

MEMBER SWORN IN

As required by Section 239 of the Political Code, the following member-elect, Edward F. O'Day, appeared before the bar of the Assembly, presented his certificate of election, and duly qualified by taking and subscribing to the following oath administered by Hon. Paul Peek, Secretary of State:

Oath of Office

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

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1: By Mr. Bashore—An act to provide for participation of nondeclarant aliens resident in this State in the National Defense Program upon an equal basis with citizens and declarant aliens by providing for registration, training, and civilian service by such nondeclarant aliens upon public works and in services contributing to the National defense, specifying the powers and duties of the Governor, the Director of Public Works, and others in relation thereto, and specifying penalties for violations of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2: By Mr. Bashore—An act to amend Sections 9.2, 56 and 57 of the Unemployment Insurance Act and to add Section 66.5 thereto, relating to the eligibility of sick persons for unemployment benefits.

Referred to Committee on Unemployment.

Assembly Bill No. 3: By Mr. Bashore—An act to add Section 1197.5 to, and to amend Section 1199 of, the Labor Code, relating to minimum wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 4: By Mr. Bashore—An act to amend Section 9 of the Civil Code, relating to certain business transactions on Saturday.

Referred to Committee on Judiciary General.

Assembly Bill No. 5: By Mr. Bashore—An act relating to taxation, providing for the licensing of music vending machines, providing for the enforcement of this act, and making an appropriation of the funds collected hereunder, to take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 6: By Mr. Bashore—An act to add Section 352.8 to the Political Code, relating to traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 7: By Mr. Carlson—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Referred to Committee on Rules.

Assembly Bill No. 8: By Mr. Desmond—An act to amend Section 69 of the Civil Code, relating to marriage licenses and applications therefor.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 9: By Mr. Dilworth—An act to add Section 2161.5 to the Welfare and Institutions Code, relating to residence qualifications of applicants for aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 10: By Mr. Hawkins—An act to amend Section 1171 of the Labor Code, relating to wages, hours, and working conditions.

Referred to Committee on Labor and Capital.

Assembly Bill No. 11: By Mr. Middough—An act to amend Section 6.771 of the School Code, relating to the use of school buildings or grounds.

Referred to Committee on Education.

Assembly Bill No. 12: By Mr. Middough—An act to add Section 1624b to the Civil Code, relating to oral agreements for compensation by will.

Referred to Committee on Judiciary Codes

Assembly Bill No. 13: By Mr Middough—An act to repeal Section 902, to amend Sections 904, 906, 915 and 925 of, and to add Section 942 to, the Penal Code and to amend Section 241 of the Code of Civil Procedure, all relating to grand juries.

Referred to Committee on Judiciary General.

Assembly Bill No. 14: By Mr. McCollister—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to sale of intoxicating liquors.

Referred to Committee on Public Morals

Assembly Bill No. 15: By Messrs. Stream and Burns, Michael J.—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Referred to Committee on Agriculture

Assembly Bill No. 16: By Mr. Thomas—An act making an appropriation for the construction of an armory at San Pedro in the City of Los Angeles, Los Angeles County, California.

Referred to Committee on Military Affairs.

Assembly Bill No. 17: By Mr. Thomas—An act to add Chapter 17, comprising Sections 9000 to 9072, inclusive, to Division 3 of the Business and Professions Code, relating to the sale or other transfer of yachts and ships, and providing for the registration of marine surveyors and the creation of marine boards in connection therewith.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 18: By Mr. Thomas—An act to add Part 1 5 to Division 6 of the Harbors and Navigation Code, relating to a portion of the Harbor of Los Angeles, designated as San Pedro Harbor, and the Board of State Harbor Commissioners for San Pedro Harbor, including the regulating of the harbor, the issuance of revenue bonds therefor, and the creating of the Board of State Harbor Commissioners for San Pedro Harbor.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 19: By Mr Thomas—An act to add Section 432 7 to the Fish and Game Code, relating to vessels transporting persons for the purpose of fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 20: By Mr. Thomas—An act to add Section 869 to the Fish and Game Code, relating to tuna.

Referred to Committee on Fish and Game.

Assembly Bill No. 21: By Mr. Thomas—An act to add Section 745 to the Fish and Game Code, relating to mackerel.

Referred to Committee on Fish and Game.

Assembly Bill No. 22: By Mr. Thomas—An act to amend Section 735 of the Fish and Game Code, relating to tuna.

Referred to Committee on Fish and Game.

Assembly Bill No. 23: By Mr. Thomas—An act to repeal Sections 118 5 and 929 of the Fish and Game Code, relating to District 118.5 and the use of nets therein

Referred to Committee on Fish and Game.

Assembly Bill No. 24: By Mr. Thomas—An act to add Section 21.5 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 25: By Mr. Thomas—An act to amend Section 1203 of the Fish and Game Code, relating to valley quail.

Referred to Committee on Fish and Game.

Assembly Bill No. 26: By Mr. Thomas—An act to amend Section 1201 of the Fish and Game Code, relating to mountain quail

Referred to Committee on Fish and Game.

Assembly Bill No. 27: By Mr. Thomas—An act to amend Section 1202 of the Fish and Game Code, relating to desert quail.

Referred to Committee on Fish and Game.

Assembly Bill No. 28: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 29: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 30: By Mr. Thomas—An act to add Section 1672 to the Civil Code, relating to contracts for the necessities of life, including provisions therein for a waiver of the statute of limitations.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 31: By Mr. Thomas—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses

Referred to Committee on Fish and Game.

Assembly Bill No. 32: By Mr. Thomas—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 33: By Mr. Thomas—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses

Referred to Committee on Fish and Game.

Assembly Bill No. 34: By Mr. Thomas—An act to add Section 12700.5 to the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Judiciary General.

Assembly Bill No. 35: By Mr. Thomas—An act to add Section 1109.5 to the Fish and Game Code, relating to crews on fishing boats.

Referred to Committee on Fish and Game

Assembly Bill No. 36: By Messrs. Watson and Collins, Sam L.—An act to amend Section 4238 of the Political Code, relating to county officers in counties of the ninth class

Referred to Committee on County Government.

Assembly Bill No. 37: By Messrs. Welch, Maloney, Gallagher, O'Day, Cronin, Gaffney, Green, Collins, Geo. D., and Wollenberg—An act granting certain submerged lands and tidelands of the State

of California to the City and County of San Francisco, including the management, use and control thereof.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 38: By Mr. Desmond—An act to add Sections 741.1, 741.3, 741 5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 39: By Mr. Desmond—An act to amend Section 254 of the Probate Code, relating to succession by kindred of the half blood.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 40: By Messrs. Desmond and Doyle—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 41: By Mr. Desmond—An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 42: By Mr. Dilworth—An act to add Section 73.5 to the Agricultural Code, relating to exhibits at the California State Fair.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 43: By Messrs. Heisinger, Stream, Andreas, Clarke, Del Mutolo and Donnelly—An act making an appropriation for bovine tuberculosis eradication and control and the payment of indemnities to owners of slaughtered animals.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 44: By Mr. Dilworth—An act to add Article 6, comprising Section 4426, to Chapter 2 of Division 6 of the Public Resources Code, relating to safety devices and safeguards on fire lookout towers constructed or maintained by the Department of Natural Resources.

Referred to Committee on Conservation.

Assembly Bill No. 45: By Mr. Cronin—An act to amend Sections 820 and 826 of the Military and Veterans Code, relating to the sale of farms and homes.

Referred to Committee on Military Affairs.

Assembly Bill No. 46: By Mr. Cronin—An act to add Sections 82.5 and 83.5 to and to amend Section 91 of the State Civil Service Act, relating to examinations and employment lists for State positions.

Referred to Committee on Civil Service.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Lyon, ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1941

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

International News Service—Ed Labowitch, Robert C. Weakley, Neill M. Toohy, John T. Clark.
Alameda Times-Star—Larry B. Gross.
San Francisco Call-Bulletin—John G. Stalker, C. Lyn Fox.
San Francisco Chronicle—Earl C. Behrens.
Stockton Record—Verne Scoggins.
Los Angeles Examiner—Joseph Timmons.
San Francisco Examiner—Royal W. Jimerson, Jack Welter, William H. Jordan.
Capital News Service—James M. Sims.
Oakland Tribune—Wesley E. Robbins.
Los Angeles Times—Chester G. Hanson.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

House Resolution No. 15

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

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

Commencing Monday, January 6, 1941:	*Per Day*
Arthur A. Ohnimus, Chief Clerk	$10 00
Frank Reed, Assistant Chief Clerk	9 00
David V. Oliver, Minute Clerk	9 00
Wilkie Ogg, Sergeant-at-Arms	8 00
Edgar J. Beall, Assistant Clerk	7 00
Father Thomas H. Markham, Chaplain	4 00
R. J. Finnie, Jr., Assistant Clerk	7 00
Desmond Sullivan, Assistant Clerk	7 00
Albert Day, Journal Clerk	7 00
Mildred Watson, History Clerk	7 00
Stanley Dennis, File Clerk	7 00
Charles W. Robbins, Engrossing and Enrolling Clerk	7 00
Juanita L. Dependener, Chief Stenographer	6 00
Nina Roustadt, Secretary to the Speaker	6 00
Cristel Hastings, Secretary to the Chief Clerk	5 00
Joyce Sanders, Assistant Journal Clerk	5 00
Beulah Van Wart, Assistant Engrossing and Enrolling Clerk	5 00
Marion Hendricks, Assistant Engrossing and Enrolling Clerk	5 00
Lillian Larkin, Stenographer	5 00
Carmelita Lozano, Stenographer	5 00
Jacqueline Morgan, Stenographer	5 00
June Ballard, Stenographer	5 00
Florence Miller, Stenographer	5 00

Commencing Monday, January 6, 1941:	*Per Day*
Marian Murray, Stenographer	5 00
Jean McKee, Stenographer	5 00
Mrs. Georgia Crowley, Assistant Sergeant-at-Arms	5 00
Richard Del Mutolo, Assistant Sergeant-at-Arms	5 00
Harold Lewright, Assistant Sergeant-at-Arms	5 00
Tom Lyons, Assistant Sergeant-at-Arms	5 00
Ed. Nathan, Assistant Sergeant-at-Arms	5 00
George Petrick, Assistant Sergeant-at-Arms	5 00
Wm. Reinhart, Assistant Sergeant-at-Arms	5 00
Claude Roberts, Assistant Sergeant-at-Arms	5 00
W O Grady, Assistant Sergeant-at-Arms	5 00
Earl Halstead, Assistant Sergeant-at-Arms	5 00
Ernest Debs, Assistant Sergeant-at-Arms	5 00
Harry Kessler, Assistant Sergeant-at-Arms	5 00
Morris L. Martin, Assistant Sergeant-at-Arms	5 00
Michael Connolly, Assistant Sergeant-at-Arms	5 00
Andrew A. Crist, Assistant Sergeant-at-Arms	5 00
James Doyle, Assistant Sergeant-at-Arms	5 00
Louis Meyer, Assistant Sergeant-at-Arms	5 00
Hattie Newsome, Postmistress	4 00
Wm. Murphy, Chief Page	3 00
Jack Shafer, Page	2 50
Wm. Coffman, Page	2 50
Marco Smolich, Page	2 50
Domingo Correa, Page	2 50

Resolved, Further, That the compensations of the above named attaches shall be on a 6-day per week basis, except the following: Chief Clerk, Assistant Chief Clerk, Minute Clerk, Sergeant-at-Arms, Chief Stenographer, Secretary to the Speaker, Secretary to the Chief Clerk, and Lillian Larkin, Stenographer, who shall receive compensation on a 7-day per week basis.

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed the Committee on Rules as a Special Committee to allocate the offices to the members.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 16

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following named officers and members of the Assembly for the amount set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	---	624	$31 20
2	Wm I Gunlock	Dunsmuir, Siskiyou County	295	--	42	---	506	25 30
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Allen G Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	John Edward Cain	Sacramento, Sacramento County	---	--	--	---	---	-----
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	-----
10	Harold F Sawallisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	Randal F Dickey	Alameda, Alameda County	89	7	--	---	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur W Carlson	Piedmont, Alameda County	84	--	--	---	168	8 40
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	James H Phillips	Oakland, Alameda County	84	--	--	---	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco San Francisco County	90	--	--	---	180	9 00
21	John D Welch	San Francisco San Francisco County	90	--	--	---	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	---	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Edward F O'Day	San Francisco San Francisco County	90	--	--	---	180	9 00
25	Melvin I Cronin	San Francisco San Francisco County	90	--	--	---	180	9 00
26	Edward M Gaffney	San Francisco San Francisco County	90	--	--	---	180	9 00
27	Albert C Wollenberg	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Robert Miller Green	San Francisco San Francisco County	90	--	--	---	180	9 00
29	Harrison W Call	Redwood City, San Mateo County	119	--	--	---	238	11 90
30	Byrl R Salsman	Palo Alto Santa Clara County	128	18	--	146	292	14 60
31	M G Del Mutolo	San Jose, Santa Clara County	128	--	--	---	256	12 80
32	Hugh P Donnelly	Turlock, Stanislaus County	77	14	--	91	182	9 10
33	George A Clarke	LeGrand, Merced County	114	15	--	129	258	12 90
34	Jacob M Leonard	Hollister, San Benito County	173	--	--	---	346	17 30
35	Fred Weybret	Soledad, Monterey County	208	24	--	232	464	23 20
36	Hugh M Burns	Fresno, Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno, Fresno County	169	--	--	---	338	16 90
38	Gordon H Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara Santa Barbara County	460	--	--	---	920	46 00
40	John B Cooke	Ventura, Ventura County	490	--	--	---	980	49 00
41	Rodney L Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
46	Jack B Tenney	Inglewood Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	T Fenton Knight	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Lee T Bashore	Glendora Los Angeles County	447	26	--	473	946	47 30
50	Gerald C Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	F Ray Bennett	Los Angeles Los Angeles County	447	--	--	---	894	44 70
52	William H Poole	Bell, Los Angeles County	447	8	--	455	910	45 50
53	Frederick F Houser	Alhambra Los Angeles County	447	9	--	456	912	45 60
54	John B Knight	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Franklin J Potter	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters, Jr	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
63	Don A Allen	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
64	Roger Alton Pfaff	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Vincent Thomas	San Pedro Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton Los Angeles County	447	18	--	465	930	46 50
70	Lorne D Muddough	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Fred N Howser	Long Beach, Los Angeles County	447	22	--	469	938	46 90

District	Name	Address	Distance from county seat, more	Distance from county seat, less	Distance from county seat	Mileage one way	Total mileage	Amount at 5 cents per mile
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	$53 00
73	Frank C Russell	Crestline, San Bernardino County	508	15	--	523	1046	52 30
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Sam L Collins	Fullerton, Orange County	181	--	11	470	940	47 00
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Harvey E Hastam	Brawley, Imperial County	661	-	15	646	1292	64 60
78	Jeanette E Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	---	--	--	---	894	$89 40
David V Oliver	Merced, Merced County	---	--	--	---	228	22 80
Wilkie Ogg	Sacramento, Sacramento County	---	--	--	---	----	-----

House Resolution No. 16 ordered printed in the Journal.

ADJOURNMENT

At 11.58 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Wednesday, January 8, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 8, 1941

The Assembly met at 11 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—75.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Pfaff.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Green, on motion of Mr. Maloney
Mr. Cooke, on motion of Mr Robertson
Mr. Millington, on motion of Mr. Call.

MEMBER SWORN IN

As required by Section 239 of the Political Code, the following member-elect, Henry P Meehan, appeared before the bar of the Assembly, presented his certificate of election, and duly qualified by taking and

subscribing to the following oath administered by Hon Gordon H. Garland, Speaker of the Assembly

Oath of Office

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

MESSAGE FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 7, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon, commutation of sentence and reprieve issued by me from January 2, 1939, to January 1, 1941.

Very truly yours,

CULBERT L OLSON, Governor of California

Message of Governor Concerning Pardons, Commutations and Reprieves Granted by Governor Culbert L. Olson for Period 1939-1941

To the Members of the Senate and Assembly of the State of California

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon, commutation of sentence and reprieve issued by me from January 2, 1939 to January 1, 1941.

You will note that I have granted 75 pardons, 49 commutations of sentence and 56 reprieves This represents a reasonable middle ground between a biennium such as 1933-1935 when 267 pardons and restorations of citizenship, 39 commutations and 68 reprieves were granted, and the biennium of 1937-1939 when only 48 pardons, 21 commutations of sentence and 18 reprieves were granted.

I have adopted as a policy the reference of every application of executive clemency submitted to my office to the Advisory Pardon Board for a thorough investigation, consideration and a recommendation to me. As a result of this policy, there have been filed with my office and, therefore, with the Advisory Pardon Board, a total of 621 applications. A recapitulation submitted to me by the Advisory Pardon Board indicates that I have followed its recommendation in approximately 97½ per cent of the cases.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Commutations of Sentence

CLARENCE L ANDREWS, Folsom No. 15375, (4T) pleaded guilty to the crime of forgery after three prior convictions of forgery in Los Angeles County on July 19, 1928. Recommended by the Board of Prison Directors and by a majority of the Justices of the Supreme Court. Sentence commuted from life without the possibility of parole to 12 calendar years. Dated February 28, 1939.

BENNIE BONIFACIO ARANDA, San Quentin No. 61781, convicted in the County of Alameda, of the crime of first degree murder, on December 6, 1937. Sentenced to be executed on October 27, 1939 Dr D. G Schmidt, resident psychiatrist at San Quentin, stated that there was a definite amnesia during the commission of the crime, with factors to have produced a state of temporary insanity. Dr. A J Rosanoff, Director of the State Department of Institutions, concluded his report with the statement that only a partial criminal responsibility existed at the time of the offense. Ample medical evidence also existed to show that the applicant is juvenile in mind, and Hon. Willard W. Shea, Public Defender of Alameda County, counsel for applicant at his trial, stated that he had received several lengthy arguments from public and State officials urging that under the California law a person under the age of 18 years can not legally be executed and that applicant's mental age had been determined to be far below the actual age of 18 years. Sentence commuted from death to life imprisonment, October 20, 1939. (Aranda died in San Quentin one month later.)

GEORGE G. ALTON, San Quentin No. 56932, convicted of kidnaping for the purpose of robbery, in Kern County, on November 19, 1934. Recommended by the Board of Prison Terms and Paroles, following a review by that board of cases which did not seem to come within the spirit of the habitual criminal or kidnaping

laws. Judge Robert B Lambert, of the Kern County Superior Court, also recommended a commutation to a sentence more in accord with the crime committed Chief of Police Powers of Bakersfield, Chief Scout James E West of the Boy Scout movement, and Governor Leverett Saltonstall of Massachusetts also recommended a commutation of sentence Sentence commuted from life to 16 years, June 2, 1940.

EARL M BARNES, San Quentin No 64008, pleaded guilty of the crime of falsification of public records in San Diego County on September 1, 1939 Recommended by the Board of Prison Terms and Paroles, by District Attorney James B. Abbey of San Diego County, and by the Advisory Pardon Board. A commutation of sentence to six years granted December 23, 1940

JOHN H BRITE and COKE T BRITE, Folsom Nos 20662 and 20661, found guilty on December 22, 1936, in Siskiyou County of the crime of murder in the first degree Recommended by a majority of Justices of the Supreme Court, by Hon. James Davis, District Attorney for Siskiyou County at the time of the conviction, and by two of the jurors who stated that upon reflection they considered the death penalty to be extreme and that a commutation should be granted. Hundreds of letters and petitions were received from citizens of Siskiyou and neighboring counties, some presenting clues and information indicating that applicants acted in self defense and all urging consideration The trial transcript indicated sufficient doubt of applicants' guilt of first degree murder. Sentence commuted from death to life imprisonment May 8, 1939

WARREN K. BILLINGS, Folsom Prison No 10699, convicted on September 21, 1916, of the crime of first degree murder in the County of San Francisco Commutation of sentence recommended by a majority of members of the Supreme Court, as advised by Chief Justice Waste Action taken in view of the fact that he was convicted upon perjured testimony and through suppression of evidence and that he is innocent of the particular crime for which he was convicted In addition it was pointed out by many leading members of the California Bar that he was not charged, tried or found guilty of having been previously convicted of a felony. Sentence commuted to time served, October 17, 1939

ALLAN D. BOGGS, San Quentin No 60561, convicted of first degree murder in Santa Cruz County, June 22, 1937. Dr. Joseph Catton, psychiatrist, submitted medical facts which showed that the applicant had for some time manifested a hereditary mental disorder, that he had long been an intemperate user of alcohol, and that he had been continuously under the influence of liquor for weeks previous to the day of the crime Dr D G Schmidt, psychiatrist at San Quentin, stated that applicant was probably in a state of alcoholic amnesia when he committed the felony. Hon Max Eatson, Adult Probation Officer of Santa Clara County, and Hon. Orie W. Dunlap, Chief Investigating Officer in the case, stated that a mass of evidence which had come to light since the trial pointed conclusively to applicant's insanity when he committed the crime Six of the jurors subsequently submitted recommendations for a commutation of sentence to life imprisonment Dr. John T. Harrington, who was a witness for the prosecution, Dr Frank P. Ware, the Boggs family physician, close personal friends of applicant and his wife, and a large number of persons who knew the background and conditions, all testified to applicant's intemperance and mental unbalance and petitioned for consideration of his application Upon all of this evidence commutation of sentence to life imprisonment granted November 28, 1939

FRANCISCO CANSINO, San Quentin No. 60416, found guilty of the crime of first degree murder in Los Angeles County on May 24, 1937 Reports from ten psychiatrists showed that applicant was diseased at the time of the commission of the crime and aroused considerable controversy as to the extent to which the disease had impaired his reasoning processes Former Chief of Police James E Davis of Los Angeles recommended clemency on the basis of the doctors' diagnosis of applicant's mental condition, and Frederick H Vercoe, Public Defender of Los Angeles County, also recommended that the death sentence be commuted Commutation to life imprisonment granted June 19, 1939

SIDNEY CHAPLIN, San Quentin No. 55528, convicted in Alameda County, February 9, 1934, of violation of Section 209 of the Penal Code, robbery first degree, and attempted robbery Recommended by the Board of Prison Terms and Paroles, following a review by that board of cases which did not come within the spirit of the habitual criminal and kidnaping laws, and also by the Advisory Pardon Board Sentence commuted to 16 years Dated June 25, 1940.

JESSIE JAMES CORDOVA, San Quentin No 62953, convicted of first degree murder in San Diego County, January 16, 1939 Dr A. J Rosanoff, Director of the State Department of Institutions, in his examination of the applicant, reported manifestations of paranoid personality and, in incipient form, grandiose and persecutory delusions, giving rise, under unusual stress and provocation, to

total inability to reach any reasonable compromise. Dr. D J. Schmidt, psychiatrist at San Quentin, concluded a five-page report with the statement that it was quite possible that applicant was in an active state of insanity when he committed the crime The Advisory Pardon Board recommended a commutation to life imprisonment. Granted July 8, 1940

OLIVE DALERIO, confined in the California Institution for Women at Tehachapi, convicted of conspiracy to commit grand theft, and grand theft, in Tulare County, August 9, 1939. Applicant's physician reported that she could not recover from present serious ailments without proper hospitalization In view of her impaired physical condition and the fact that the amount of time served would seem to have been sufficient punishment, a commutation to time served was granted August 19, 1940.

PASQUALE D'ANGELO, San Quentin No. 62534, sentenced to be executed at San Quentin November 24, 1939 Recommendation of Judge I. M Golden, of the San Francisco Superior Court, of Attorney J. A. Pardini, of San Francisco, who did not represent the applicant, and the psychiatric examination of Dr Rosanoff, Director of the State Department of Institutions, all testify to mental abnormalities and extreme emotional disturbances and preclude the possibility of premeditated murder Death sentence commuted to life imprisonment November 22, 1939

RAY DAVIS, San Quentin No 55475, convicted in Alameda County, February 6, 1934, of violation of Section 209 of the Penal Code. Recommended by the Board of Prison Terms and Paroles as a result of its recent survey to determine whether all cases of persons convicted under the habitual criminal and kidnaping laws come within the spirit of those statutes Sentence commuted to 16 years Dated March 28, 1939

HARRY A FRENCH, San Quentin No 60710, found guilty on August 6, 1937, in Modoc County, of first degree murder. Recommended by the Advisory Pardon Board, by Sheriff John C. Sharp of Modoc County, State Senator Harold J Powers of Modoc County, Hon. Richard E Collins, Chairman of the State Board of Equalization, who was applicant's former employer; 2,160 persons in Modoc County who signed 25 petitions; some 200 persons in Alameda, Sonoma and other counties, in petitions and letters, among these being E G Seammon, former Minute Clerk, California State Senate; Mrs Ella C. Sloss, County Clerk of Modoc County; W. W Williams, Tax Collector of Modoc County; J A Beek, Secretary of the State Senate; L G McDowell, Probation Officer of Modoc County; W J Dorris, Chairman of the Modoc County Board of Supervisors. Granted August 15, 1939

ELWOOD GIDNEY, San Quentin No 61283, convicted in Los Angeles County on January 20, 1937, of the crime of rape The favorable recommendation of the Advisory Pardon Board was based on information revealed by the State Division of Criminal Investigation and the fact that the trial jury had recommended probation The Supreme Court also found grounds for questioning the verdict but due to a technicality was unable to reverse the judgment Applicant and his accomplices, Omar Gidney, San Quentin No 61284, and Harvey Allen Zike, San Quentin No 61298, have served over two and one-half years in prison Commutation of sentence to time served granted to each of these three applicants October 23, 1939.

OMAR GIDNEY, San Quentin No. 61284, convicted in Los Angeles County on January 20, 1937, of the crime of rape. *See* ELWOOD GIDNEY

HENRY C GROSECLOSE, Folsom No. 20538, found guilty of grand theft and two prior convictions in Los Angeles County, August 19, 1936 Applicant had been pardoned from both prior convictions by Governors of the State of Texas The Advisory Pardon Board recommended a commutation of sentence to remove the habitual criminal status and enable applicant to seek parole consideration at such time as the Parole Board might deem proper The Supreme Court recommended clemency to the extent of removing the habitual criminal status Sentence commuted to the indeterminate sentence as prescribed by law for the crime of grand theft Dated December 23, 1940.

JAMES A HART, San Quentin No. 56943, convicted in Los Angeles County on December 1, 1934, of the crime of kidnaping for purpose of robbery and robbery first degree concurrently. The Board of Prison Terms and Paroles recommended clemency pursuant to its recent study of the present applicability of the habitual criminal and kidnaping laws to cases in which conviction had formerly been made under those laws A commutation of sentence was granted August 15, 1939, thus enabling the Parole Board to consider parole for this applicant at such time as might be proper.

BEDIE HEARNESBERGER, San Quentin No 45387 Pleaded guilty to the crime of murder, in Alameda County in May, 1928, applicant being the survivor in a suicide pact Sheriff M. B. Driver of Alameda County stated that applicant's

record on parole was excellent, that he sought reinstatement in the United States Navy and that the sheriff's office had no objection to clemency being granted him. Chief of Police B. A. Wallman and Captain J. A. Goodnight of the Oakland Police Department recommended a commutation of sentence, as did the Advisory Pardon Board. Sentence commuted to time served, December 23, 1940.

PERRY WILLIAM PATRICK JOHNSTON, San Quentin No. 56474, convicted by a jury in Los Angeles County on May 25, 1934, and July 26, 1934, of the crimes of robbery first degree and kidnaping for the purpose of robbery. Sentenced to a term of 40 years to run concurrently with a life term in connection with the kidnaping charge. Superior Court Judge Maurice T. Dooling of San Francisco County, Judge Walton J. Wood of the District Court of Appeal, Second Appellate District, the Board of Prison Terms and Paroles, and the Advisory Pardon Board recommended clemency on the ground that the kidnaping features of the charge were a technical violation of Section 209 of the Penal Code. Sentence commuted to 16 years, May 21, 1940.

FRANK D. KEATON, San Quentin No. 49068. Convicted of murder in Los Angeles County on September 15, 1930. Recommended by Willard W. Burgess, Esq., the Deputy District Attorney who prosecuted the applicant; and by the Advisory Pardon Board. Judge B. Rey Schauer of the Los Angeles County Superior Court recommended a commutation of sentence to life imprisonment without possibility of parole. Commutation granted September 6, 1940.

JEANNE M. KELLY, Tehachapi No. 389, convicted in Los Angeles County on March 25, 1938, of the crime of robbery in the first degree and kidnaping for the purpose of robbery. The Board of Trustees of the California Institution for Women and the Advisory Pardon Board recommended that the sentence on the kidnaping charge be reduced from life to ten years. It appearing that sentence on the robbery charge entirely meets the end of justice, the sentence was commuted to ten years. Dated May 21, 1940.

H. R. KERSTEN, Folsom No. 16746, pleaded guilty to the crime of cashing a check without sufficient funds and three prior convictions, in Los Angeles County, July 18, 1930. A commutation of sentence to time served recommended by the Board of Prison Terms and Paroles and by a majority of the Justices of the Supreme Court. Granted October 28, 1940.

HERBERT KESNER, San Quentin No. 56814, pleaded guilty on October 24, 1934, to the crimes of kidnaping for purpose of robbery and robbery first degree (two counts). Sentence commuted to 16 years, on recommendation of the Board of Prison Terms and Paroles, following its recent study of certain cases of convictions under the habitual criminal and kidnaping acts. Dated April 25, 1939.

WILBERT F. KING, San Quentin No. 62722, convicted of the crime of murder in the first degree in Fresno County on November 29, 1938. Four of the trial jurors stated that they had labored under a misapprehension in considering the evidence and they now recommended a life sentence. The psychiatric report of Dr. A. J. Rosanoff, Director of the Department of Institutions, disclosed that applicant had suffered illness and a head injury in his youth that had probably resulted in a susceptibility to alcohol. This was borne out in an affidavit by his brother, Charles W. King of Fresno. A great number of petitions were received from citizens of Fresno and from Las Vegas, Nevada, applicant's former home, indicating good moral character until he took to excessive drinking. Evidence further showed that applicant's companion, Neil Anderson, did the actual shooting and that King had done all in his power to assist the victim. Sentence commuted to life imprisonment, January 11, 1940.

THOMAS H. LANDRETH, San Quentin No. 57258. Convicted of first degree robbery and kidnaping for purpose of robbery in Los Angeles County on January 28, 1937. A commutation of sentence from life to 16 years, recommended by the Board of Prison Terms and Paroles, was granted on December 7, 1940.

JOSEPH LARISCY, San Quentin No. 55500-A, convicted of murder during the robbery of a cafe in the County of Los Angeles on February 23, 1938. Applicant and his associate, Lyle Woollomes, San Quentin No. 58229-A, have steadfastly denied their guilt or implication in the slaying; affidavits from five eye-witnesses were produced after the trial and conviction setting forth the belief that both were victims of mistaken identification. The subsequent investigation made for the Advisory Pardon Board, by the Division of Criminal Identification and Investigation, brought forth statements by eight witnesses not called at the time of the trial that applicant and his codefendant were not the persons who killed the victim. The Advisory Pardon Board recommended a commutation to life imprisonment for both Lariscy and Woollomes; Dr. A. J. Shuder, Director of Education at San Quentin, urged clemency for Lariscy. A majority of the Justices of the Supreme

Court recommended a commutation of the death sentence to life imprisonment. Commutation to life imprisonment granted April 30, 1940

ERNEST MANES, Folsom No 19597 Convicted of grand theft and three prior convictions in Tulare County on February 13, 1935 The Advisory Pardon Board concurred in the recommendation of the Board of Prison Terms and Paroles that the life sentence should be commuted, and agreed with its statement that under the present law the applicant could not be held as an habitual criminal The Supreme Court recommended that the application be granted Life sentence commuted to a term of from one to ten years, to be set by the Board of Prison Terms and Paroles. Dated August 19, 1940

ARTHUR E. MARTIN, San Quentin No. 56190. Pleaded guilty to the crime of kidnaping for the purpose of robbery, in Los Angeles County, June 6, 1934 On the recommendation of the Board of Prison Terms and Paroles, sentence commuted from life to 16 years Dated August 19, 1940

WILLIAM MARTIN, San Quentin No 61808, found guilty of the crime of murder in the first degree in Los Angeles County on April 4, 1938 Hon John Gee Clark, State Director of Penology, recommended a commutation of the death sentence. Mrs Sam Turner, the wife of the victim, recommended a commutation to life imprisonment. Sentence commuted to life imprisonment, August 5, 1939

FRANK MELVIN, Folsom No 16558 Pleaded guilty to the crime of burglary second degree and prior offenses in Kern County, on December 12, 1930 The Advisory Pardon Board concurred in the recommendation of the Board of Prison Terms and Paroles that the life sentence be commuted to a term of imprisonment commensurate with the facts and circumstances of the case the applicant never having been arrested for a crime involving violence nor deemed a person dangerous to society A majority of the Justices of the Supreme Court recommended a commutation to remove the habitual criminal status Sentence commuted from life to 12 years, December 4, 1940

JOSEPH E MITCHELL, of Salinas, convicted on October 2, 1939, of violation of Section 245 of the Penal Code and sentenced to one year in the county jail The chief of police, the city manager and the mayor of Salinas recommended the granting of the application, as well as the complaining witness and all of the members of the trial jury, each stating the belief that the applicant had been amply punished Sentence commuted, on August 14, 1940, to payment of a fine of one hundred dollars ($100) or, in default of payment, imprisonment for 30 days in the county jail.

WILLIE B. MITCHELL, San Quentin No 63159, convicted of first degree murder in Alameda County on February 21, 1939. Two of the trial jurors have subsequently urged that the sentence be commuted to life imprisonment Mr Justice Houser, in a seven-page dissent to the majority opinion of the Supreme Court, stated that while the jury had been fully instructed with reference to the crime of murder it had no instruction relating to the crime of manslaughter, and he believed the error had been prejudicial to applicant's rights. John Gee Clark, Director of Penology, recommended the granting of clemency Numerous public officials and private citizens in applicant's former home, Eldorado, Arkansas, sent petitions certifying to his character and industry. Applicant was only 20 years of age when he committed the crime, and all recommendations expressed a belief that he was not a confirmed criminal and had intelligence and ability to make a contribution to society Sentence commuted to life imprisonment, March 27, 1940

(Conditional Commutation)

MIKE MUNGO, San Quentin No 54232, convicted of burglary in the second degree in Los Angeles County on May 27, 1933 Applicant having been declared insane and committed to a State institution and the State of Illinois having declared willingness to assume responsibility for his care, a commutation of sentence to time served was granted, April 12, 1940, upon condition that he be delivered into the custody of agents of the Department of Public Welfare of the State of Illinois

Commutations of Sentence

ARMAND MURIETA, San Quentin No 56148, convicted by a jury in Los Angeles County on May 17, 1934, of the crime of violation of Section 209 of the Penal Code and robbery first degree The Board of Prison Terms and Paroles and the Advisory Pardon Board recommended a commutation of sentence to 16 years, the offenses charged having been merely a technical violation of the kidnaping statute Sentence commuted from life to 16 years, June 2, 1940.

WILLIAM J RALEIGH, Folsom No 20689 Convicted of the crime of first degree robbery in San Francisco County during February, 1928. Was resentenced to Folsom as a parole violator on a charge of attempt to commit robbery in January,

1937 Trial Judges J. J Trabucco of Mariposa County and Louis H Ward of San Francisco recommended the granting of a commutation of sentence and pardon respectively. The Supreme Court had previously recommended such executive clemency as might be deemed proper Sentence commuted to time served, December 20, 1939

WILLIAM RENAS, San Quentin No 60184 Convicted of the crime of robbery first degree, in Los Angeles County on March 19, 1936 The trial judge, Hon Ben B Lindsey of Los Angeles County Superior Court, and Chief of Police Hohmann of Los Angeles each recommended clemency, Judge Lindsey stating that but for the severity of the governing statute, applicant should have had probation in view of the technical character of his offense Sentence commuted to time served, December 20, 1939

ROBERT RISTAU, San Quentin No 56375. Pleaded guilty on July 9, 1934, to the crimes of kidnaping for the purpose of robbery The Board of Prison Terms and Paroles and Hon John Gee Clark, Director of Penology, recommended a commutation of sentence to 16 years in view of the question as to whether the crime charged could properly be said to come within the spirit of the kidnaping statute under which applicant had been sentenced Sentence commuted to 16 years, May 2, 1939

DONALD SEAL, San Quentin No 56818, pleaded guilty in Los Angeles County on October 24, 1934, to the crimes of kidnaping for purpose of robbery and robbery first degree, two counts The Board of Prison Terms and Paroles, having studied cases involving the habitual criminal and kidnaping laws in general and this case individually, recommended a commutation of sentence to 16 years inasmuch as there was no intent on the part of applicant to kidnap the hold-up victim, nor did the victim suffer any bodily harm Sentence commuted from life to 16 years, April 25, 1939

JAY SHERIDAN, Folsom No 16061 Convicted in San Diego County on December 29, 1929, of the crime of forgery and three prior convictions The Advisory Pardon Board recommended that the sentence be commuted inasmuch as the crime of forgery had, since applicant's conviction, been deleted from the habitual criminal statute, and in view of the fact that none of the applicant's offenses had involved violence A majority of the Justices of the Supreme Court recommended that the application be granted. Sentence commuted from life to time served. October 15, 1940

HARRY SMITH, Folsom No. 16780, convicted of the crime of burglary second degree and three prior convictions in Merced County on May 20, 1930 The Board of Prison Terms and Paroles recommended clemency in view of the fact that none of the offenses were serious nor involved violence, and it felt that life sentence as an habitual criminal was too severe a sentence. The Advisory Pardon Board and the State Supreme Court also recommended a commutation of sentence to remove the habitual criminal status. Sentence commuted to 15 years, December 23, 1940

LLOYD W SMITH, San Quentin No 63642, convicted in Sacramento County on May 9, 1939, of the crime of first degree murder. Dr. Margaret Smyth, Medical Director and Superintendent at the Stockton State Hospital, who had examined applicant, concluded her report with a favorable recommendation Trial Judge Dal Lemmon of Sacramento County pointed out the injustice of the bifurcated plea of "not guilty" and "not guilty by reason of insanity," depriving the jury, in one trial, of information which it should have in both but received only in the second trial after the verdict had been given. Mr. Justice Houser stated in his dissenting opinion on this case on appeal, that the verdict might have been second degree murder, or even manslaughter The Advisory Pardon Board recommended a commutation to life imprisonment. Sentence commuted from death to life imprisonment June 26, 1940

EDWIN SPOTTS, San Quentin No. 61856, convicted in Los Angeles County on April 15, 1938, of the crime of first degree murder. The Advisory Pardon Board recommended a commutation of sentence from death to life imprisonment, pointing out the dissenting opinion of two of the Justices of the Supreme Court in view of the existing doubt of applicant's knowledge of the murder when actually being committed by his companion, William Martin Hundreds of letters and petitions were received from citizens of California and of Missouri where applicant formerly lived, testifying to his character and urging his lack of knowledge of the criminal venture of his associate Commutation of sentence to life imprisonment granted May 26, 1939.

OTTO R SWIFT, Folsom No. 17093, convicted of the crime of burglary second degree and two prior convictions in Los Angeles County on September 26, 1929 On recommendation of the Board of Prison Terms and Paroles, and the Advisory

Pardon Board that the application be granted in view of the fact that under the present law applicant could not be held under the Habitual Criminal Act, and following the favorable recommendation of the Supreme Court, the sentence was commuted from life to 15 years. Dated November 12, 1940

WILLIAM TAYLOR, San Quentin No 60520. Pleaded guilty to the crime of kidnaping and kidnaping for purpose of robbery in the first degree in Kern County on June 14, 1937. The Board of Prison Terms and Paroles recommended that sentence be commuted from life to 16 years, as the kidnaping charge in this case was technical. Hon. Robert C. Powers, Chief of Police of the City of Bakersfield, and H. A. Shuder, Director of Education at San Quentin Prison, recommended the granting of the application, as did the Advisory Pardon Board. Sentence commuted from life to 16 years, November 12, 1940.

H. THOMASSON, San Quentin No. 56493, pleaded guilty in Los Angeles County on July 30, 1934, of the crime of kidnaping for purpose of robbery. Hon John Gee Clark, Chairman of the Board of Prison Terms and Paroles, concurred in the recommendation of that board that sentence be commuted The office of the chief of police stated that applicant had been enticed into the job by others and the facts cited applicant's record as good both prior to and during his incarceration Sentence commuted from life to 16 years, May 2, 1939.

LEO WALLER, San Quentin No. 63611. Convicted of murder first degree and assault with intent to commit murder, in Los Angeles County on May 26 1939 The District Attorney of Los Angeles County recommended commutation of the death sentence, pointing out that applicant's co-defendant, who did the actual shooting, had received only a life sentence The same recommendation was made by Sheriff E. W. Biscailuz of Los Angeles County, by the Advisory Pardon Board, by five of the trial jurors, and by a majority of the Justices of the Supreme Court. Sentence commuted from death to life imprisonment Dated November 9, 1940

LYLE WOOLLOMES, San Quentin No. 58229-A, convicted in Los Angeles County on February 23, 1938, of the crime of murder during the robbery of a cafe See LARISCY, JOSEPH, San Quentin No 55500-A

HARVEY ALLEN ZIKE, San Quentin No. 61298 Convicted in Los Angeles County on January 20, 1937, of the crime of rape. See ELWOOD GIDNEY, San Quentin No. 61283, and OMAR GIDNEY, San Quentin No. 61284

Pardons

HARRY ALPINE, San Quentin No 45569. Pleaded guilty to the crime of manslaughter in Los Angeles County, on June 1, 1928 Completed his term on November 1, 1932. Pardon recommended by Hon Clifford Thoms, the deputy district attorney who prosecuted the applicant; Hon. Thomas P White, Associate Justice of the District Court of Appeals, Second Appellate District; and the Advisory Pardon Board. Pardon granted October 28, 1940.

JOHN E BAKER, San Quentin No. 61743, convicted of the crime of grand theft and conspiracy, Los Angeles County, November 4, 1937. Completed his term on December 2, 1939. Recommended by the office of District Attorney Buron Fitts of Los Angeles, Judge William S. Baird of the Superior Court of Los Angeles County, Judge Oda Faulconer of the Los Angeles Municipal Court, Judge Benjamin Schemman of the superior court, and by the Advisory Pardon Board Pardon granted June 12, 1940.

IVAN C. BARNES, San Quentin No. 38530, convicted in Plumas County of the crime of criminal syndicalism on October 27, 1923. Completed his term on December 29, 1926. Former District Attorney Young of Plumas County and present District Attorney William M. MacMillan recommended a pardon providing applicant had been a law abiding citizen since his discharge The Advisory Pardon Board recommended favorably and stated that applicant's conduct since discharge had been satisfactory. Pardon granted June 25, 1940

L. L. BATEMAN, San Quentin No. 48747, convicted in San Francisco County in June, 1930, of the crime of receiving stolen property. Completed his term on February 2, 1934. Recommended by District Attorney Matthew Brady of the City and County of San Francisco, by Superior Court Judge Warren Stockton of Kern County, and by the Advisory Pardon Board. Granted May 2, 1940

LOUIS WILLIAM BRAISSANT, Folsom No 16443 Pleaded guilty to the crime of burglary second degree and a prior conviction in Alameda County, September 4, 1930 Released on expiration of his term, May 7, 1934 Recommended by the Advisory Pardon Board and by a majority of the Justices of the Supreme Court. Granted October 25, 1940

J MARSHALL BROOKE, also known as James E. Martin, San Quentin No 18706. Convicted of the crime of grand theft in San Diego County on January 6, 1902 While waiting in the San Diego jail on appeal, the applicant escaped and had never since been apprehended. Applicant submitted many records establishing his excellent work as a construction foreman for railroad and electric companies in the Republic of Mexico during the past 38 years. Recommended by Hon James B Abbey, District Attorney of San Diego County; J. T. Peterson, Chief of Police of the City of San Diego, and by the Advisory Pardon Board Granted July 8, 1940

ARNOLD CALVERT, San Quentin No. 45899, convicted in Solano County June 4, 1928, of possession of a still. Completed his term on January 4 1931 Recommended by Judge W T O'Donnell of Solano County, former Prosecutor Brantley W. Dobbins, Sheriff Jack Thornton of Solano County, and the Advisory Pardon Board Granted December 23, 1940.

WALTER CHARLES CUSHMAN, San Quentin No. 37867 Pleaded guilty to the crime of rape in San Joaquin County on May 11, 1923. Released on parole November 14, 1934. Recommended by former Sheriff Harvey M. Odell of San Joaquin County; Hon. C O. Smith, Chief of Police of the City of Stockton, Sheriff Martin Ansbro of San Joaquin County, and the Advisory Pardon Board Granted October 1, 1940.

TONY CUTRONE, San Quentin No 41717, convicted in Los Angeles County of the crime of burning insured property, on February 1, 1926. Completed his term on September 7, 1929 Recommended by the Advisory Pardon Board Granted July 27, 1939

CHARLES DALTON DENVER, Folsom No. 13814, convicted in San Diego County of the crime of attempted robbery in 1925 Completed his term on February 22, 1935. Recommended by the Advisory Pardon Board and by the State Supreme Court Granted May 21, 1940

HAGBARD M EDWARDS, San Quentin No 38292, convicted of the crime of criminal syndicalism in Sacramento County on January 5, 1923 Completed his term on December 25, 1926 Recommended by the Advisory Pardon Board. Granted December 23, 1940.

ERNEST E ERICKSON, San Quentin No 38112, convicted of the crime of criminal syndicalism in Los Angeles County in July, 1923 Completed his term in 1927 Recommended by Trial Judge Paul J McCormick of Los Angeles County and by the Advisory Pardon Board Granted December 20, 1939

FRED B EVERS, San Quentin No 42800, pleaded guilty to the crime of murder in Napa County in October, 1926 Released on parole December 6, 1938 Recommended by Fire Chief Charles F Otterson of Napa, and by District Attorney Wallace W Everett, Jr., Sheriff John P Steckrer and Superior Court Judge Percy S. King, all of Napa County. Pardon granted December 23, 1940

JAMES B. FOSTER, San Quentin No. 49706. Convicted of the crime of grand theft in Los Angeles County February 28, 1931 Completed his term in 1934 After applicant's conviction the Los Angeles County Probation Officer submitted a report to the court in which probation was recommended rather than a prison sentence Pardon recommended by each of the 12 jurors who had found the applicant guilty, Hon Charles C Coxe, State Parole Officer; and the Advisory Pardon Board Pardon granted October 28, 1940

JOHN FRANK, San Quentin No 42907, convicted in Los Angeles County of the crime of receiving stolen property on November 26, 1926 Completed his term in 1928 Recommended by the Advisory Pardon Board Granted October 23, 1939

MERLIN M. FREER, San Quentin No. 58492, convicted in Merced County of the crime of violation of Sections 484 and 485 of the Penal Code (grand theft) Completed his term on December 28, 1937 Recommended by State Parole Officer Charles C Coxe, and the Advisory Pardon Board Granted August 15, 1939.

B RAY FRITZ, San Quentin No 59426, convicted in Alameda County of the crime of perjury and subornation of perjury on September 29, 1936 Completed his term February 1, 1939 Recommended by State Parole Officer Charles E Coxe; John L McNab, Attorney, of San Francisco, who did not represent applicant as his counsel; and by numerous leading citizens of Alameda County, in a petition presented through Mr McNab and Mr John B Ferretti of the Taxpayers' League of Alameda Pardon granted December 20, 1939

WALLACE I FRUIT, San Quentin No 35715, convicted in Los Angeles County of the crime of criminal syndicalism on December 11, 1921. Completed his term in San Quentin in 1925. Favorable action recommended by the Advisory Pardon Board. Pardon granted June 25, 1940

LAWSON O GIST, San Quentin No 62545. Convicted in Orange County May 13, 1938, of the crime of kidnaping, robbery first degree and theft of an automobile. Subsequently three prosecution witnesses repudiated their prior identification Clemency recommended by the Advisory Pardon Board and by the following officials who felt that sufficient doubt existed as to applicant's identification when convicted to warrant the granting of a full pardon: Hon James A Musick of the Orange County Probation Office; Lt Charles W Wollord, Detective in the Santa Ana Police Department; G F McKelvey, investigator in charge of this case for the Sheriff of Orange County; Chief of Police Earl N Lentz of the City of Santa Ana Granted November 12, 1940

GIOVANNI GREGORIS, San Quentin No 46762, pleaded guilty to the crime of robbery in the first degree during March, 1929 Completed his term on August 14, 1938 Recommended by Federal Judge James V. Allred of Texas, and the Advisory Pardon Board. Granted December 23, 1940.

HARRY HUNTER, San Quentin No 45024. Pleaded guilty in San Francisco County on March 13, 1928, to the crime of forgery Completed his term in 1932 Recommended by former State Parole Officer Ed H. Whyte, State Parole Officer Charles C. Coxe, Hon Matthew Brady, District Attorney of the City and County of San Francisco, Sheriff Jack Thornton of Solano County, and by the Advisory Pardon Board Pardon granted December 20, 1939

PAUL C. HIRSCHLER, San Quentin No 46358, convicted in Alameda County on December 18, 1928, of the crime of robbery first degree Completed his term in 1934 Recommended by Chief of Police Frank Higgins of South Pasadena, and by the Advisory Pardon Board Granted December 20, 1939

MERRILL HOCKER, San Quentin No 51787, convicted in Los Angeles County on March 11, 1932, of the crimes of manslaughter and violation of Section 141 of the California Vehicle Act. Completed his term on October 19, 1935 Recommended by Trial Judge Stanley Murray, Hon James E Davis, then Chief of Police of Los Angeles; by applicant's employers, and by the Advisory Pardon Board Granted December 20, 1939.

ELMER VIVIAN HUGHES, San Quentin No 49454 Pleaded guilty to the crime of forgery in Imperial County in December, 1930 Completed his term on April 28 1933 Recommended by Hon V N Thompson, Judge of the Superior Court, Imperial County, District Attorney Elmer W Heald of Imperial County; Hon Charles C. Coxe, State Parole Officer, and the Advisory Pardon Board Granted October 28, 1940.

ELMER J KENNEDY, San Quentin No 53337, pleaded guilty to grand theft in Los Angeles County on December 7, 1932 Completed his term on June 17, 1939 State Parole Officer Charles C. Coxe certified to his conduct, industry and response to parole Farmers and Merchants National Bank of Los Angeles, the complainant, recommended favorably, as did Pacific Indemnity Company, the bonding company The Los Angeles District Attorney's office certified to applicant's rehabilitation Granted December 23, 1940.

T O KLEIBERG, San Quentin No 38119, convicted in Los Angeles County on July 11, 1923, of the crime of criminal syndicalism Completed his term in 1926 Recommended by Trial Judge Paul J McCormick, now a judge of the United States District Court, Southern District of California, and by the Advisory Pardon Board Granted June 25, 1940

FRED A KRUG, San Quentin No 47682, convicted in Los Angeles County in October, 1929, of the crimes of forgery, grand theft and violation of Section 146 of the Motor Vehicle Act Completed his sentence February 26, 1933 Recommended by Chief of Police Kelley of Pasadena, and by the Advisory Pardon Board Granted August 15, 1939

JEWELL MILTON LADUE, San Quentin No 56287, pleaded guilty in Siskiyou County in June, 1934, to the crime of issuing a check without sufficient funds Completed his term on April 27, 1935 Recommended by District Attorney Charles E Johnson and Sheriff Ben Richardson of Siskiyou County, and by the Advisory Pardon Board Granted December 20, 1939

W. J LAZOVICH, San Quentin No 35190, pleaded guilty to the crime of forgery in Los Angeles County on July 28, 1921 Completed his term on March 3, 1925 Recommended by Chief of Police Charles H Kelley of Pasadena; Chief of Police Harry Erholm of Scotch Plains, New Jersey, where applicant now resides, and by the Advisory Pardon Board Granted May 21, 1940

MARTIN CARTER LEACH, San Quentin No 56197, convicted in San Joaquin County in 1932 of the crime of manslaughter Completed his term on June 9, 1937 Recommended by District Attorney F C Cloudsley of San Joaquin County, State

Parole Officer Charles C. Coxe, and the Advisory Pardon Board Granted October 23, 1939.

GUS C MADSEN, San Quentin No 44461, convicted of manslaughter in San Francisco County on October 28, 1927. Completed his term on June 8, 1934 Recommended by Hon. Charles C. Coxe, State Parole Officer; Hon Matthew Brady, District Attorney of the City and County of San Francisco, and the Advisory Pardon Board Granted November 9, 1940.

FRED MARKARIAN, San Quentin No 46629, convicted in Fresno County on February 17, 1929, of the crime of robbery first degree. Completed his term on October 17, 1935. Recommended by State Parole Officer Charles C Coxe, Judge Melvin K. Gibbs of the Police Court of the City of Fresno, District Attorney Dan F Conway of Fresno County, and the Advisory Pardon Board Granted August 15, 1939.

LELAND RAY MARPLE, San Quentin No 46010, pleaded guilty to the crime of robbery in Ventura County on September 19, 1938 Completed his term on April 26, 1932 Recommended by Hon. Robert E Clark, Sheriff of Ventura County at the time of applicant's trial and now United States Marshal for the Southern District of California; Sheriff L Howard Durley of Ventura County; Hon James C Hollingsworth, former District Attorney, and Hon. M Arthur Waite, District Attorney of Ventura County; Hon. Edward Henderson, Judge of the Superior Court of Ventura County, who was the trial judge; and the Advisory Pardon Board. Granted May 31, 1940

HENRY MATLIN, San Quentin No 35717, convicted of the crime of criminal syndicalism in Los Angeles County on December 10, 1921 Completed his term on April 11, 1926 Recommended by the Advisory Pardon Board Granted December 23, 1940

ANTON J MAZZOLA, San Quentin No 47569, convicted in San Bernardino County in September, 1929, of possession and operation of a still. Completed his term on September 24, 1932. Recommended by Hon Charles C Coxe, State Parole Officer, and by the Advisory Pardon Board. Granted July 27, 1939

ELMER FRANCIS MENARD, San Quentin No 58262, pleaded guilty in Ventura County on September 16, 1932, to the crime of grand theft. Completed his term on January 20, 1935 Recommended by Hon. Edward Henderson, former Superior Court Judge of Ventura County; Hon. James C. Hollingsworth, formerly Prosecuting Attorney of Ventura County; and the Advisory Pardon Board Granted December 20, 1939.

WILLIAM MINTON, San Quentin No 38124, convicted in Los Angeles County on July 11, 1923, of the crime of criminal syndicalism Completed his term on November 12, 1926. Recommended by Trial Judge Hon. Paul J. McCormick, now a judge of the United States District Court, Southern District of California; and by the Advisory Pardon Board Granted June 25, 1940.

ROBERT NELSON MITCHELL, San Quentin No 53571 Pleaded guilty to the crime of unlawful possession of articles for the manufacture of intoxicating liquors for beverage purposes, in Stanislaus County on January 27, 1933 Completed his term in 1934 Recommended by State Parole Officer Charles C. Coxe, the trial judge, Hon B. C Hawkins of the Stanislaus County Superior Court; District Attorney Leslie A Cleary and former District Attorney R R Fowler of Stanislaus County; and the Advisory Pardon Board Granted December 20, 1939.

THOMAS J MOONEY, San Quentin No 31921, convicted in San Francisco County on February 9, 1917, of the crime of murder. Sentence of death commuted to life imprisonment November 28, 1918, upon request of President Woodrow Wilson Pardon granted upon evidence of applicant's innocence and that prosecution trial testimony was perjured Dated January 7, 1939

ROSS MOORE, San Quentin No 41682, pleaded guilty in Santa Cruz County on January 26, 1926, to the crime of rape. Paroled in 1932 Recommended by Chief of Police Al Huntsman of the City of Santa Cruz and by the Advisory Pardon Board The complaining witness, who was 15 years of age at the time of applicant's arrest and trial, completely repudiated her original complaint. Granted December 20, 1939.

FRANCIS WILLIAM MULGREW, Folsom No 17671, pleaded guilty in Santa Barbara County during July, 1929, to the crime of burglary second degree Completed term on March 22, 1934 Recommended by Hon Clarence C Ward, the trial judge, Hon Percy Heckendorf, District Attorney of Santa Barbara County, Sheriff James Ross of Santa Barbara County, and by the Advisory Pardon Board. Granted December 20, 1939

NEWOLE H NASH, San Quentin No. 52879, convicted in Los Angeles County on September 16, 1932, of the crime of incest. Subsequently evidence was presented to show that the complaining witness had maliciously charged the applicant with an offense committed by another. Recommended by the office of the District Attorney of Los Angeles County, through Deputy District Attorney H J Beardsley; the trial judge, Hon Isaac Pacht, and the Advisory Pardon Board Granted July 8, 1940

CHARLES PADILLA, Folsom No 5840, convicted by a jury in Sacramento County in February, 1903, of the crime of first degree murder Released on parole in April, 1926 Recommended by the Advisory Pardon Board Granted August 19, 1940

JOSEPH PEDONE, San Quentin No. 30657, convicted in San Francisco during February, 1917, of the crime of murder. Served 14 years and 3 months in prison and in a road camp and since that time has been on parole. Recommended by Hon Pat R Parker, Judge of the Superior Court of Mono County, who was the presiding judge at applicant's trial; Hon Matthew Brady, District Attorney of the City and County of San Francisco; Louis Ferrari, Esq., one of the assistant district attorneys who prosecuted applicant; Sheriff William J Emig of Santa Clara County; and former Sheriff George W. Lyle of Santa Clara County, in whose recommendation Chief of Police J. C B. Black of San Jose concurred Granted May 13, 1940

GEORGE B PESCE, San Quentin No 44462, convicted of the crime of manslaughter in San Francisco County, November 7, 1927 Completed his term June 8, 1934 Recommended by Hon James C. Conlan, Judge of the Superior Court of the City and County of San Francisco; Duncan Matheson, former Captain of Detectives and later Treasurer of the City and County of San Francisco, Hon Matthew Brady, District Attorney of the City and County of San Francisco; and the Advisory Pardon Board Granted November 12, 1940.

FRANK D PETERSON, San Quentin No 33538, pleaded guilty to the crime of grand larceny in San Francisco County in June, 1918 Completed his term on May 28, 1923 Recommended by the Advisory Pardon Board Granted December 23, 1940

HAROLD PETTY, San Quentin No. 45254, pleaded guilty to the crime of issuing a check without sufficient funds in Los Angeles County on April 1, 1928. Completed his term on April 21, 1931. Recommended by the Advisory Pardon Board State Parole Officer Charles C. Coxe certified to applicant's excellent record before conviction and during parole. Granted August 19, 1940.

CHARLES E. PIERCE, San Quentin No. 20688, pleaded guilty in Los Angeles County in 1904 to the crime of second degree murder and given a life sentence Released on parole August 23, 1915. Recommended by Hon O P. Cochran, Justice of the Peace, Solana Beach; Hon. J. D Fredericks, former District Attorney of Los Angeles County; Hon Charles C. Coxe, State Parole Officer; and the Advisory Pardon Board. Granted August, 1940.

MARY ELIZABETH POWERS, Tehachapi No. 58516, pleaded guilty to the crime of violation of Section 10 02, Subdivision 1 of the Building and Loan Association Act, in Los Angeles County, on December 13, 1935 Completed her term on August 3, 1939. Recommended by State Parole Officer Emily D. Latham and by the Advisory Pardon Board. Granted December 23, 1940.

CHESTER A. QUADARA, San Quentin No. 32551, pleaded guilty in Los Angeles County in February, 1919, to the crime of robbery. Completed term in 1922. State Parole Officer Charles C. Coxe reported that applicant's parole record was satisfactory in every respect. Father William O'Regan, Pastor of St. Aloysius Church in Los Angeles, and Rabbi Edgar E Magnin, of the Wilshire Boulevard Temple, recommended favorably Pardon granted January 15, 1940.

MORRIS IRVING ROGNESS, San Quentin No. 53400, pleaded guilty to the crime of second degree burglary in Los Angeles County on November 19, 1932. Completed his term on December 31, 1935. Recommended by Hon. Frank C. Collier, Judge of the Superior Court, Los Angeles County; Chief of Police Charles H. Kelly of Pasadena; and the Advisory Pardon Board. Granted October 23, 1940.

ELMO D SESSIONS, San Quentin No 51984, convicted of the crime of burglary first degree and robbery first degree in San Diego County on April 16, 1932 Completed his term on March 16, 1937. Recommended by the Advisory Pardon Board and by Judge L. N. Turrentine of the Superior Court of San Diego County, who also submitted a statement sent to him by applicant's employers citing the earning by applicant of the highest ratings obtainable as to character and ability. Granted December 7, 1940.

WILLIAM B SHEARER, Folsom No. 20000 (1T), convicted of the crime of grand theft in Sacramento County, November 19, 1935. Completed his term June 14, 1939. Recommended by Hon. Martin I. Welsh, former Judge of the Superior Court of Sacramento County and now United States District Judge, and by the Advisory Pardon Board. Granted October 3, 1940.

IVY G. SHERMER, San Quentin No. 45206, convicted of the crime of manslaughter in Alameda County on March 29, 1928. Completed his term August 28, 1932 Recommended by Chief of Police B. A. Wallman of Oakland, State Parole Officer John E. Chadwick and the Advisory Pardon Board. Granted December 23, 1940.

WILLIAM SILVA, San Quentin No. 41351, pleaded guilty to the crime of grand larceny in Santa Clara County on October 9, 1925 Completed his term December 12, 1928. Recommended by Sheriff William J. Emig of Santa Clara County and the Advisory Pardon Board. Granted December 23, 1940.

ALEX BELL STARK, Folsom No. 11009. Pleaded guilty to the crime of forgery in Yuba County in October, 1918. Completed his term on June 20, 1921. The Advisory Pardon Board recommended the granting of a pardon, calling attention to favorable recommendations by Sheriff Charles J. McCoy of Yuba County, the District Attorney at the time of conviction, the present District Attorney, the trial judge, and State Parole Officer Charles C Coxe. On August 14, 1940, a majority of the Justices of the Supreme Court recommended that clemency be granted. Granted October 28, 1940.

ROBERT JOYCE TASKER, San Quentin No. 39962, convicted in Alameda County in May, 1924, of first degree robbery. Completed term on April 16, 1931. Recommended by Hon. Charles C. Coxe, State Parole Officer, and by the Advisory Pardon Board. Granted July 27, 1939.

FRED C. THOMAS, San Quentin No. 49842, convicted in Placer County of the crime of assault with intent to commit rape, during March, 1931. Completed term on July 10, 1936. Recommended by Hon. Lowell L. Sparks, District Attorney of Placer County, Sheriff Elmer H. Gum of Placer County; the Advisory Pardon Board, and a number of prominent citizens of Auburn, Placer County, including the District Attorney and the Auburn City Attorney, in a petition. Granted July 8, 1940.

FRED W. THOMPSON, San Quentin No. 38579, convicted of criminal syndicalism in Yuba County on November 2, 1923. Completed his term on February 7, 1927. Recommended by the Advisory Pardon Board. Granted December 23, 1940.

JOHN C. THORN, San Quentin No 56916, convicted in Los Angeles County under dates of April 21, 1933, and February 2, 1934, of forgery, grand theft, fraud in keeping accounts of a corporation and presenting a false claim of insurance. Completed term on June 24, 1938. Recommended by the Board of Prison Terms and Paroles, and by State Parole Officer Charles C. Coxe. Granted April 5, 1939.

CARL TIMBERLAKE, San Quentin No. 40936. Pleaded guilty in Placer County, June 2, 1925, to the crime of embezzlement. Completed term on November 3, 1929 Recommended by Hon. Elmer E. Gum, Sheriff of Placer County; Hon Lowell L Sparks, District Attorney of Placer County; Hon. J. B. Landis, Judge of the Superior Court, and the Advisory Pardon Board. Pardon granted August 15, 1939.

LUTHER J. TOBIAS, San Quentin No. 54436, convicted in Riverside County on July 11, 1933, of embezzlement. Completed term on February 13, 1937. Recommended by Hon. Earl Redwine, District Attorney of Riverside County, and the Advisory Pardon Board. Pardon granted July 27, 1939.

HARVEY MELVIN TUTTLE, San Quentin No. 51146, pleaded guilty in Los Angeles County in November, 1931, to the crime of subornation of perjury. Completed term in 1934. Recommended by State Parole Officer Charles C. Coxe, and the Advisory Pardon Board Granted October 23, 1939.

JOE VARELA, San Quentin No. 38133, convicted in Los Angeles County during July, 1923, of the crime of criminal syndicalism. Completed his term on December 12, 1926 Recommended by Hon Paul J. McCormick, the trial judge, and by the Advisory Pardon Board. Granted June 25, 1940.

CHARLES WAGNER, San Quentin No. 46385, convicted in Alameda County on December 24, 1928, of the crime of assault with a deadly weapon. Completed his term in 1935 Recommended by the Advisory Pardon Board. Applicant's parole record was entirely satisfactory and he has been regularly employed since his discharge. Pardon granted June 25, 1940.

ROBERT S. WALLACE, San Quentin No. 47978, convicted in Tulare County in November, 1929, of the crime of violation of Sec. 476a of the Penal Code Completed his term in 1934. Recommended by the Advisory Pardon Board, and by District Attorney Walter C. Haight of Tulare County. Sheriff S. B. Sherman of Visalia and Probation Officer K. J. Scudder of Los Angeles County reported applicant's complete rehabilitation and trustworthiness. Pardon granted June 6, 1940.

HOWARD D. WELTON, San Quentin No 35568, convicted in Alameda County in October, 1921, of the crime of criminal syndicalism. Completed his term in 1924 Recommended by State Parole Officer Charles C. Coxe and by the Advisory Pardon Board. Pardon granted June 25, 1940.

DAVID G. WETTLIN, San Quentin No. 54922, pleaded guilty in Orange County on November 2, 1933, to the crime of grand theft. Completed his term on November 4, 1936. Recommended by District Attorney George F Holden, Sheriff Jesse L Elliott and Superior Court Judge Franklin G West, all of Orange County; by many other members of the bench and bar in Orange County, and by the Advisory Pardon Board. Pardon granted October 23, 1939.

JOHN G WIELER, San Quentin No 36067, convicted of criminal syndicalism in Alameda County during March, 1920. Completed his term on July 1, 1924. Recommended by District Attorney Percy C Heckendorff of Santa Barbara County, Edward L. Abbott, former member of the State Board of Prison Directors, and the Advisory Pardon Board. Granted December 23, 1940.

JACK WILEY, San Quentin No. 57865, convicted of grand theft in Modoc County on June 29, 1935. Completed his term in 1937. Recommended by Sheriff George M. Smith, District Attorney Henry S. Lyon, Justice of the Peace Thomas F. Lewis, County Clerk Arthur J. Koletzke, County Treasurer Della Patterson, Chief of Police James P. Morton of Placerville, City Judge E. E. Creed of Placerville, Superior Court Judge A. L. Pierovich, all of El Dorado County; Hon Charles Lederer, District Attorney of Modoc County; Hon. A. K. Wylie, Judge of the Superior Court of Modoc County, and the Advisory Pardon Board. Pardon granted June 2, 1940.

WILLIAM STANLEY WOODINGTON, San Quentin No 54174, pleaded guilty to the crime of grand theft in Los Angeles County during May, 1933 Completed his term on December 13, 1936 Recommended by District Attorney A. E Bagshaw of Marin County, and by the Advisory Pardon Board. Granted December 23, 1940.

ROBERT WOODS, San Quentin No 38362, convicted in Sacramento County on September 13, 1923, of the crime of criminal syndicalism Completed his term on March 17, 1926. Recommended by Hon. Charles O Busick, who was the trial judge; Hon. William V. Cowan, who prosecuted the applicant, and the Advisory Pardon Board. Granted December 23, 1940.

PETER WUKUSICH, San Quentin No. 38795, convicted in Sacramento County, December 20, 1923, of the crime of criminal syndicalism. Completed his term May 24, 1926. Recommended by Hon. John F. Pullen, Presiding Judge of the District Court of Appeal, and by the Advisory Pardon Board Granted December 23, 1940

ROBERT YOUNG, San Quentin No. 47471, convicted in Santa Barbara County in August, 1929, of grand theft. Completed his term on August 24, 1932. Recommended by the Advisory Pardon Board State Parole Officer Charles C. Coxe reported that applicant's parole record has been satisfactory in every respect. Pardon granted July 27, 1939.

OTHO H. ZACHOW, San Quentin No 48106. Pleaded guilty to the crime of second degree burglary in Sonoma County during February, 1930. Completed his term on October 10, 1931. Recommended by Hon. Edward T. Koford, District Attorney of Sonoma County; Hon. Charles C Coxe, State Parole Officer; and the Advisory Pardon Board. Pardon granted July 8, 1940.

Reprieves

NEIL ANDERSON, San Quentin No. 62721, scheduled to be executed at San Quentin Prison on Friday, September 8, 1939. Granted at the request of the Advisory Pardon Board, to permit its adequate investigation into the application for commutation of sentence to life imprisonment. Granted to December 8, 1939 Dated September 1, 1939.

NEIL ANDERSON, San Quentin No. 62721, and WILBERT F. KING, San Quentin No. 62722, convicted of the same offense, scheduled to be executed at San Quentin Prison on Friday, December 8, 1939. Granted, on December 6, 1939,

at the request of numerous persons who have known these applicants to present facts and arguments in support of the applications. Granted to January 12, 1940.

NEIL ANDERSON, San Quentin No 62721, scheduled to be executed at San Quentin Prison on Friday, January 12, 1940. Applicant, having been previously convicted of a felony, wished to exercise his right to petition the Supreme Court to recommend favorably on his application. Due to the crowded condition of the court calendar, this reprieve extended the execution date to March 15. 1940. Dated January 10, 1940.

BENNIE BONIFACIO ARANDA, San Quentin No. 61781, scheduled to be executed at San Quentin Penitentiary on Friday, February 24, 1939 Granted at the request of Mr. Willard W. Shea, Public Defender of Alameda County, for further consideration and study; also to submit the application to the Advisory Pardon Board and allow time for its investigation and consideration. Granted on February 16, 1939, extending date of execution to May 26, 1939.

BENNIE BONIFACIO ARANDA, San Quentin No. 61781, scheduled to be executed at San Quentin Prison on Friday, May 26, 1939 Granted to permit examination of applicant's mental condition by Dr A J. Rosanoff, Director of the State Department of Institutions Reprieved to July 28, 1939. Dated April 11, 1939.

BENNIE BONIFACIO ARANDA, San Quentin No. 61781, scheduled to be executed at San Quentin Prison on Friday, July 28, 1939 To consider the plea of counsel for the applicant that a death sentence would be unjust. Counsel necessarily having to be absent from the State, this reprieve was granted to September 29, 1939. Dated July 8, 1939.

BENNIE BONIFACIO ARANDA, San Quentin No. 61781, scheduled to be executed at San Quentin Prison on Friday, September 29, 1939. Granted to permit counsel Willard W. Shea, Public Defender for Alameda County, whose duties had required his absence from the State, to make oral supplemental presentation of this case. Granted to October 27, 1939. Dated September 26, 1939

ALLAN D. BOGGS, San Quentin No. 60561, scheduled to be executed at San Quentin on Friday, March 24, 1939. Granted to permit Counsel William D. Foley to present facts indicating that applicant was insane when he committed the act charged Granted to May 26, 1939. Dated March 7, 1939.

ALLAN D. BOGGS, San Quentin No 60561, scheduled to be executed at San Quentin Penitentiary on Friday, May 26, 1939. Granted at the request of the Advisory Pardon Board, which required additional time for investigation and study Granted to July 28, 1939. Dated April 11, 1939.

ALLAN D BOGGS, San Quentin No. 60561, scheduled to be executed at San Quentin Penitentiary on Friday, July 28, 1939. Granted at the request of counsel for the applicant, who desired that the matter receive additional executive consideration. Granted to September 29, 1939. Dated June 29, 1939.

ALLAN D BOGGS, San Quentin No. 60561, scheduled to be executed at San Quentin Penitentiary on Friday, September 29, 1939. Granted September 19, 1939, for the reason that the remaining ten days before the execution date were insufficient for full consideration of all material presented at a further oral hearing granted. Granted to December 15, 1939.

EMORY BUZZELL, San Quentin No 64156, scheduled to be executed at San Quentin Prison on Friday, November 8, 1940. Granted at the request of the Advisory Pardon Board, whose investigation and recommendation could not be completed without considerable additional time. Granted to February 7, 1941 Dated October 31, 1940.

FRANCISCO CANCINO, San Quentin No. 60416, scheduled to be executed at San Quentin Penitentiary on Friday, February 17, 1939. Granted at the request of Mr David C Marcus, acting on behalf of the Mexican Consul's office in Los Angeles, that the case be given further study and consideration; also to permit the Advisory Pardon Board to make necessary investigation and study. Granted to May 19, 1939. Dated February 9, 1939.

FRANCISCO CANCINO, San Quentin No. 60416, scheduled to be executed at San Quentin Penitentiary on Friday, May 19, 1939 Granted at the request of the Advisory Pardon Board and of applicant's counsel, Mr. David C. Marcus, that applicant's mental condition be examined by Dr A J. Rosanoff, Director of

the State Department of Institutions. Granted to July 21, 1939. Dated April 11, 1939.

DEWITT CLINTON COOK, San Quentin No. 64186, scheduled to be executed at San Quentin Prison on Friday, September 6, 1940. It being impossible for the Advisory Pardon Board to complete its investigation and consideration of this application prior to that date, the reprieve was granted on August 31, 1940, extending the date to December 6, 1940

DEWITT CLINTON COOK, San Quentin No 64186, scheduled to be executed at San Quentin Prison on Friday, December 6, 1940. Granted at request of the Advisory Pardon Board, to permit, as part of its investigation, a psychiatric examination of the applicant by Dr. A. J. Rosanoff, Director of the Department of Institutions. Granted November 25, 1940, extending the execution date to January 31, 1941.

JESSIE JAMES CORDOVA, San Quentin No 62953, scheduled to be executed at San Quentin Prison on Friday, January 5, 1940. Granted to give the Advisory Pardon Board time to make its usual exhaustive investigation into cases in which the death penalty is involved. Granted December 28, 1939, extending time to April 5, 1940.

JESSIE JAMES CORDOVA, San Quentin No 62953, scheduled to be executed at San Quentin Prison on Friday, April 5, 1940 Granted to permit the Advisory Pardon Board to complete its investigation and make a recommendation upon the application. Granted to July 12, 1940. Dated April 3, 1940.

PASQUALE D'ANGELO, San Quentin No 62534, scheduled to be executed at San Quentin Prison on Friday, July 21, 1939. Granted pursuant to the request of the Advisory Pardon Board, to permit the State Director of the Department of Penology and others to visit the applicant and for the purpose of having him psychiatrically examined by Dr Rosanoff, Director of Institutions, and generally to enable the board to go into features pertinent to the application. Granted to September 22, 1939. Dated July 10, 1939

PASQUALE D'ANGELO, San Quentin No 62534, scheduled to be executed at San Quentin Penitentiary on September 22, 1939 Granted on September 14, 1939, for completion by the Advisory Pardon Board of its investigation, through the State Division of Criminal Investigation, a psychiatric examination of the applicant, and a visit to the applicant by the State Director of Penology and others. Date extended to November 24, 1939.

CLAUD DAVID, San Quentin No 54852A, scheduled to be executed at San Quentin Penitentiary on Friday, May 19, 1939. Granted at the request of the Advisory Pardon Board to permit further attention to and study of this application Granted to July 21, 1939. Dated April 11, 1939

VINCENT DAWA, San Quentin No 64032, scheduled to be executed at San Quentin Prison on Friday, August 9, 1940 Granted to enable the Advisory Pardon Board to make its investigation of the application for a commutation of sentence to life imprisonment, extending execution to November 8, 1940 Dated July 23, 1940.

VINCENT DAWA, San Quentin No 64032, scheduled to be executed at San Quentin Prison on Friday, November 8, 1940 The application file being in the hands of the Director of Institutions, for the purpose of making a psychiatric examination of the applicant as a part of the investigation by the Advisory Pardon Board, this reprieve, dated October 31, 1940, extended the date to February 7, 1941

HARRY FRENCH, San Quentin No 60710, scheduled to be executed at San Quentin Penitentiary on Friday, June 30, 1939 The investigation by the State Division of Criminal Investigation had not been completed; therefore, at the request of the Advisory Pardon Board, this reprieve was granted to August 25, 1939 Dated May 7, 1939.

WILLIAM GREEN, San Quentin No 62216, scheduled to be executed at San Quentin Penitentiary on Friday, June 23, 1939 Applicant's petition for commutation of sentence to life imprisonment was received on June 8, 1939, subsequent to the June meeting of the Advisory Pardon Board Reprieve granted to permit the board to make its usual full investigation. Granted June 9, 1939, extending date to August 25, 1939.

WILLIAM GREEN, San Quentin No. 62216, scheduled to be executed at San Quentin Penitentiary on August 25, 1939 Granted at request of Advisory Pardon Board, some of whose members were absent on vacation, to enable the board to complete its investigation Granted July 27, 1939, extending date to September 22, 1939.

WILLIAM GREEN, San Quentin No 62216, scheduled to be executed at San Quentin Penitentiary on September 22, 1939. Applicant having stoutly maintained his innocence, despite the unfavorable recommendation of the Advisory Pardon Board, further time was deemed necessary for personal executive consideration of the case, and on September 18 applicant was reprieved to October 20, 1939.

RODNEY GREIG, San Quentin No 63241, scheduled to be executed at San Quentin Prison on Friday, March 1, 1940. Granted on February 26, 1940, to enable the Advisory Pardon Board to cover all phases of its investigation. Extended to May 31, 1940.

RODNEY GREIG, San Quentin No 63241, sentenced March 15, 1939, in Alameda County after pleading guilty to first degree murder To permit executive study of the voluminous records presented by defense counsel and of the file returned by the Advisory Pardon Board Granted May 30, 1940, extending time to August 23, 1940.

FRANK D KEATON, San Quentin No 49068, scheduled to be executed at San Quentin Prison on Friday, July 12, 1940 The Advisory Pardon Board stated it would be unable to make its investigation prior to the date set for execution Granted July 8, 1940, extending time to September 13, 1940.

WILBERT F KING, San Quentin No 62722, scheduled to be executed at San Quentin Penitentiary on Friday, September 8, 1939. Granted to permit the Advisory Pardon Board to conduct an adequate investigation into the application. Dated September 1, 1939, extending time to December 8, 1939.

WILBERT F KING, San Quentin No 62722, and NEIL ANDERSON, San Quentin No 62721, scheduled to be executed at San Quentin Prison on Friday, December 8, 1939 Granted, on December 6, 1939, at the request of numerous persons, who have known these applicants personally, to present facts and arguments in support of the applications. Granted to January 12, 1940. (Also listed herein under ANDERSON.)

JOSEPH A LARISCY, San Quentin No. 55500a, and LYLE H. WOOLLOMES, San Quentin No. 58229a, scheduled to be executed at San Quentin Prison on November 3, 1939. Granted October 31, 1939, to enable the Advisory Pardon Board to make exhaustive investigation of their applications. Date extended to February 2, 1940

JOSEPH A. LARISCY, San Quentin No 55500a, and LYLE H. WOOLLOMES, San Quentin No 58229a, each scheduled to be executed at San Quentin Prison on Friday, February 2, 1940 To permit the Advisory Pardon Board additional time to complete its investigation Granted to May 3, 1940. Dated January 29, 1940

EDWIN SPOTTS and WILLIAM MARTIN, San Quentin Nos. 61856 and 61808, scheduled to be executed at San Quentin Penitentiary on Friday, April 14, 1939 To permit the Advisory Pardon Board to further study these cases, in view of a Supreme Court decision in which the verdict of the lower court was affirmed but in which two of the Supreme Court Justices dissented Granted on April 11, 1939, extending time to June 16, 1939.

WILLIAM MARTIN, San Quentin No 61808 scheduled to be executed at San Quentin Penitentiary on Friday, June 16, 1939. To permit consideration of numerous petitions and letters from clergymen and other citizens urging clemency Granted to August 18, 1939 Dated June 12, 1939

CHARLES AUGUSTINE McLACHLAN, San Quentin No. 62125, scheduled to be executed at San Quentin Penitentiary on June 16, 1939. The Advisory Pardon Board having already held its June meeting, additional time was required to permit investigation of the case. Granted to August 18, 1939. Dated June 12, 1939.

CHARLES AUGUSTINE McLACHLAN, San Quentin No. 62125, scheduled to be executed at San Quentin Penitentiary on August 18, 1939 To permit the Advisory Pardon Board, some of whose members would not have returned from vacation before August 18, to consider the application. Granted to September 15, 1939 Dated July 27, 1939

WILLIE B. MITCHELL, San Quentin No 63159, scheduled to be executed at San Quentin Prison on December 15, 1939 Granted to enable the Advisory Pardon Board to have additional time in which to follow its usual investigation into a death penalty, extending time to March 15, 1940 Dated December 12, 1939

WILLIE B. MITCHELL, San Quentin No. 63159, scheduled to be executed at San Quentin Prison on March 15, 1940. To allow time for study of the complete record, including the opinion of the Supreme Court confirming his death sentence and a dissenting opinion therein. Granted to March 29, 1940. Dated March 15, 1940

EVERETT GILBERT PARMAN, San Quentin No 62480, scheduled to be executed at San Quentin Prison on November 17, 1939. To enable the Advisory Pardon Board to conduct its usual investigation into the application for a commutation to life imprisonment. Granted to February 16, 1940. Dated November 13, 1939

EVERETT GILBERT PARMAN, San Quentin No 62480, scheduled to be executed at San Quentin Prison on Friday, February 16, 1940 To give the Advisory Pardon Board further time in which to conclude its investigation and consideration of the application. Granted to May 17, 1940 Dated February 7, 1940

EVERETT GILBERT PARMAN, San Quentin No. 62480, scheduled to be executed at San Quentin on May 17, 1940. Granted in response to a telegram from counsel for the applicant stating that plans were being made to petition the Supreme Court of the United States for a writ of certiorari on behalf of applicant The Supreme Court of the State of California had previously recommended denial of the application. Granted to August 16, 1940 Dated May 15, 1940.

ROBERT C. PERRY, San Quentin No. 63643, scheduled to be executed at San Quentin Prison on January 19, 1940. Granted January 18, 1940, extending time to April 19, 1940, so that the Advisory Pardon Board might investigate and consider the application for a commutation of sentence to life imprisonment.

ROBERT C. PERRY, San Quentin No 63643, scheduled to be executed at San Quentin Prison on Friday, April 19, 1940 The Advisory Pardon Board, having just received the report of the State Division of Criminal Identification and Investigation and requiring further time to complete its study and make a formal recommendation, the execution was stayed to July 19, 1940 Dated April 15, 1940

LLOYD W. SMITH, San Quentin No 63642, scheduled to be executed at San Quentin Prison on Friday, February 16, 1940 Granted February 13, 1940, extending the execution date to May 17, 1940, so that the Advisory Pardon Board might conduct an investigation and make a formal recommendation on this applicant's petition for a commutation of sentence to life imprisonment

LLOYD W SMITH, San Quentin No 63642, scheduled to be executed at San Quentin Prison on Friday, May 17, 1940 To enable the Advisory Pardon Board to complete its investigation. Granted to August 16, 1940. Dated May 2, 1940

THOMAS B. SMITH, San Quentin No. 64605, scheduled to be executed at San Quentin Prison on Friday, November 15, 1940 Granted to enable the Advisory Pardon Board to complete its investigation of the application for a commutation of sentence to life imprisonment Granted to February 14, 1941. Dated November 9, 1940.

WILLIAM G SMITH, San Quentin No 59240, scheduled to be executed at San Quentin Penitentiary on Friday, July 7, 1939. To enable Dr. A. J. Rosanoff, Director of the Department of Institutions, to examine the applicant psychiatrically, as a part of the investigation of the Advisory Pardon Board, and to permit the board thereafter to complete consideration of the application Granted to September 8, 1939 Dated May 7, 1939.

VIRGILIO SPINELLI, San Quentin No 63258, scheduled to be executed at San Quentin Prison on November 24, 1939 To enable the Advisory Pardon Board to make its usual investigation of an application involving the death penalty. Time extended to February 16, 1940. Dated November 22, 1940.

VIRGILIO SPINELLI, San Quentin No 63258, scheduled to be executed at San Quentin Prison on Friday, February 16, 1940. Granted on February 7, 1940, extending time to May 17, 1940, so that the Advisory Pardon Board might have sufficient time in which to complete its investigation and consideration of applicant's petition for a commutation of sentence to life imprisonment

EDWIN SPOTTS, San Quentin No 61856 See WILLIAM MARTIN

LEO WALLER, San Quentin No. 63611, scheduled to be executed at San Quentin Prison on March 29, 1940 To enable the Advisory Pardon Board to make its usual exhaustive investigation into this application for a commutation from sentence of death to life imprisonment. Granted to June 28, 1940 Dated March 22, 1940

LEO WALLER, San Quentin No 63611, sentenced to be executed at San Quentin Prison on Friday, June 28, 1940 To permit the Advisory Pardon Board to finish hitherto uncompleted phases of its investigation Granted to August 30, 1940 Dated June 24, 1940

LEO WALLER, San Quentin No 63611, sentenced to be executed at San Quentin Prison on Friday, August 30, 1940 Granted to permit consideration of the application by the Honorable Justices of the Supreme Court The court calendar being crowded, this reprieve, dated August 29, 1940, extended time to November 29, 1940

LYLE H WOOLLOMES, San Quentin No 58229a See JOSEPH A LARISCY.

RESOLUTIONS

The following resolutions were offered.

By the Committee on Rules:

House Resolution No. 17

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

	Per day
Commencing January 6, 1941:	
Beulah Van Wart, Clerk, Judiciary Committee	$6 00
Beginning January 7, 1941:	
George Doering, Assistant Sergeant-at-Arms	5 00
E. E. Gehring, Assistant Sergeant-at-Arms	5 00
C W Queale, Assistant Sergeant-at-Arms	5 00

And be it further

Resolved, That the compensation of the above named attaches shall be on a 6-day-per-week basis

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—62

NOES—None.

By the Committee on Rules:

House Resolution No. 18

Resolved, That the following named person be stricken from the list of Assembly attaches and her name be stricken from the pay roll of the Assembly, to take effect as follows; effective as of and including January 6, 1941

	Per day
Beulah Van Wart, Assistant Engrossing and Enrolling Clerk	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

By the Committee on Rules:

House Resolution No. 19

Resolved, That the action of Jack Carl Greenburg, Chief Clerk of the Assembly for the Fifty-third Session, in employing necessary assistance for the organization of the Assembly for the Fifty-fourth Session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and the amounts set opposite their respective names, upon the fund for the payment of officers and attaches of the Assembly, and the Treasurer is hereby directed to pay the same

Wilkie Ogg, Sergeant-at-Arms, 3 days at $8 per day, January 3, 4, 5 ..... $24 00
Robert Guy, Assistant Sergeant-at-Arms, 1 day at $5 per day, January 5 ..... 5 00
Cristel Hastings, Secretary to the Chief Clerk, 5 days at $5 per day, January 1, 2, 3, 4, 5 ..... 25 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None

By the Committee on Rules:

House Resolution No. 20

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

By Mr. Lyon:

House Resolution No. 21

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) sets of the 1940 edition of Deering's Codes of the State of California, consisting of the following:

Civil Code (Deering), 1940, one volume.
Code of Civil Procedure, including Probate Code (Deering), 1940, one volume.
Penal Code (Deering), 1940, one volume.
Political Code (Deering), 1940, one volume.
Commission's Code (Deering), one volume.
General Laws (Deering), 1940, two volumes.
Constitution (Treadwell), sixth Ed., 1931, with amendments to 1935, one volume.

Resolved, further, That the Chief Clerk of the Assembly purchase eighty-five (85) copies of Roberts Rules of Order; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the Codes (nine volumes), also one (1) copy of Roberts Rules of Order, to each member of the Assembly; one (1) to each Committee on Judiciary, and one (1) to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly.

Resolution read, and referred to the Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 47: By Mr. Bashore—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race-track officials, or other or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No 48: By Mr Crowley—An act to amend Section 69 of the Civil Code of the State of California, relating to licenses to marry.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 49: By Mr. Dilworth—An act to add Chapter 4 to Division 3 of the Agricultural Code, comprising Sections 440 to 446, relating to pure-bred animals.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 50: By Mr. Green—An act to amend Section 585 of, and to add Section 592.5 to, the Agricultural Code, relating to milk and ice cream and to the labeling thereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 51: By Messrs. Salsman, Clarke, Doyle, Del Mutolo, Poole and Richie—An act to add Chapter 4 5, comprising Sections 1800 to 1862, inclusive, to Division 2 of, and to add Section 101.5 to, the Business and Professions Code of the State of California, relating to the regulations and government of persons engaged in the practice of massage.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 52: By Mr. Stream—An act to add Section 180.5 to the Vehicle Code, relating to transfers of title or interest in motor vehicles, including the rights obtained by persons who lend money or extend credit to dealers under certificates of ownership delivered to them by the latter.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 53: By Mr. Stream and Mrs. Daley—An act to amend Section 7962 of the Elections Code, relating to the canvass and return of results at primary elections.

Referred to Committee on Elections.

Assembly Bill No. 54: By Messrs. Tenney, Call, Garland, Field, Pfaff, Burkhalter, Andreas, Bashore, Bennett, Burns, Hugh M., Cassidy, Clarke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Gallagher, Gunlock, Howser, F. N., King, Lowrey, Middough, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Welch, Gaffney and O'Day—An act to amend Sections 79 and 83a of the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 55: By Messrs. Tenney, Call, Garland, Pfaff, Burkhalter, Andreas, Bashore, Bennett, Burns, Hugh M., Cassidy, Clarke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Gaffney, Gallagher, Gunlock, Howser, F. N., Lowrey, Middough, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Welch, O'Day and King—An act to amend Sections 79 and 83a of, and to add Section 83a-1 to, the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 56: By Messrs. Tenney, Bashore and Phillips—An act to add Section 305 to the Political Code, relating to disqualification for State compensation and employment.

Referred to Committee on Insurance.

Assembly Bill No. 57: By Messrs. Tenney, Waters, Poulson and Doyle—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game

Assembly Bill No. 58: By Messrs Tenney, Bashore and Phillips—An act to amend Section 6067 of, and to add Section 6103.5 to, the Business and Professions Code, relating to attorneys at law, specifying the contents of the oath on admission, and providing additional causes for suspension and disbarment.

Referred to Committee on Judiciary Codes

Assembly Bill No. 59: By Messrs. Thorp, Dills and Clarke—An act to amend Section 510 of the Agricultural Code, relative to the standards for frozen products and mixed milk drinks in which they are used.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 60: By Mr. Voigt—An act to add Section 20 d-1 to the California Real Estate Act, relating to the sale and lease of subdivided lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 61: By Mr. Voigt—An act to amend Section 105 of the Agricultural Code, relating to plant quarantine inspection stations.

Referred to Committee on Agriculture.

Assembly Bill No. 62: By Mr. Evans—An act to add Sections 2⅞ and 13¼ to the Public Utilities Act, defining parking lots and providing for their regulation as public utilities.

Referred to Committee on Public Utilities

Assembly Bill No. 63: By Mr. Hawkins—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms.

Referred to Committee on Judiciary General.

Assembly Bill No. 64: By Mr. Hawkins—An act to add Section 201.5 to the State Civil Service Act, prohibiting discrimination upon account of race, religion or color and prescribing means for the enforcement thereof.

Referred to Committee on Judiciary General.

Assembly Bill No. 65: By Mr. Heisinger—An act to amend Sections 53 and 56, to add Division 5a, comprising Sections 7700 to 7923, to and to repeal Chapter 1.5 of Division 1 of the Labor Code, relating to mediation, conciliation and arbitration of labor disputes

Referred to Committee on Judiciary General.

Assembly Joint Resolution No. 1: By Messrs. Heisinger and Call—Relative to the hunting season on migratory wild fowl.

Referred to Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1941

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

San Jose Evening News—John B. Long, George L. Payne.
Lodi Times—Clifton H. Moore.
United Press—John W. Dunlap, T. M. Bright, Newton Stearns, Kenneth Leake, Lloyd Lapham, Grady Johnson, J. F. McLaughlin, David Johnson, Norman Pollock.
Regional News Service—William J. Losh.
Railway Labor News—M. F. O'Malley, William Lyons, James M Murphy

ARTHUR A OHNIMUS, Chief Clerk of the Assembly

ADJOURNMENT

At 11.35 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 9, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 9, 1941

The Assembly met at 11 a m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Poole.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Cooke, on motion of Mr. Robertson.
Mr Cronin, on motion of Mr. Gallagher.
Mr. Burns, Hugh M., on motion of Mr. Sawallisch.

PETITIONS

The following petition was received, and ordered filed with the Secretary of State:

From the San Francisco District Industrial Union Council, relative to: (1) Model Sabotage Prevention Act; (2) Model State Guard Act.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 8, 1941

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

Senate Bill No. 57

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 57—An act making an appropriation for the expenses of the Senate for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 57, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 57

Senate Bill No. 57—An act making an appropriation for the expenses of the Senate for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 57 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 57—An act making an appropriation for the expenses of the Senate for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Mas-

sion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Senate Bill No. 57—An act making an appropriation for the expenses of the Senate for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 8, 1941

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

Senate Concurrent Resolution No. 1.
Senate Concurrent Resolution No. 2.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 1—Relative to the Reports of the Fact-Finding Committee on Employment.

Request for Unanimous Consent

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to the Reports of the Fact-Finding Committee on Employment.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66
NOES—Collins, George D., and Kilpatrick—2.

Resolution ordered transmitted to the Senate.

FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fifth day of November, 1940.

Request for Unanimous Consent

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to approving a certain amendment to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fifth day of November, 1940.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 1: By Miss Miller—Relative to approving certain amendments to the charter of the City of Pasadena, a municipal corporation of the County of Los Angeles, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein on November 5, 1940.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City of Pasadena, a municipal corporation of the County of Los Angeles, State of California, voted

for and ratified by the qualified electors of the said city at a special municipal election held therein on November 5, 1940.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 2: By Mr. Middough—Relative to a legislative declaration of the public policy of this State with reference to the acquisition and use of beaches for public park purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 3: By Messrs. Tenney, Bashore, and Phillips—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:
Assembly Bill No. 7
Assembly Bill No. 40
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 40, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 40

Assembly Bill No. 40—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Desmond:

Resolved, That Assembly Bill No. 40 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 40—An act to amend Section 152 5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None.

Assembly Bill No. 40—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Carlson asked for, and was granted, unanimous consent to take up Assembly Bill No. 7, at this time, without reference to Committee on Ways and Means or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 7

Assembly Bill No. 7—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 7:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 9, 1941

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: Assembly Bill No. 7, "An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 7 as an emergency measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Carlson:

Resolved, That Assembly Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 7—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney,

Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 7—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund, making an appropriation, and declaring the urgency thereof

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 66: By Mr. Lyon—An act making an appropriation for the expenses of the Assembly for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 66, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 66

Assembly Bill No. 66—An act making an appropriation for the expenses of the Assembly for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 66 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Mil-

ler, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—Cain, and Desmond—2.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 66—An act making an appropriation for the expenses of the Assembly for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Cain, and Desmond—2

Assembly Bill No. 66—An act making an appropriation for the expenses of the Assembly for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Cain, and Desmond—2.

Bill ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 67: By Mr. Bashore—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers

Referred to Committee on Judiciary Codes.

Assembly Bill No. 68: By Mr. Bashore—An act requiring the use of distinguishing marks by laundries and cleaning and dyeing establishments, the registration of such marks with the State Bureau of Criminal Identification and Investigation, and providing a penalty for violation hereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 69: By Mr. Cain—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 70: By Mr. Call—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 71: By Mr. Call—An act to add Sections 446, 446.5, 447, 447.5, 448, 448.5, 449 and 479.5 to amend Sections 475, 680 and 686a of, and to repeal Sections 658, 660, 677 and 679 of the Political Code, relating to the State Controller, the Attorney General, the Director of Finance, and the Department of Finance, including the transference of the duties of auditing the financial records of the State, the establishing and supervising of an accounting system for the State, and the counting of money in the State Treasury.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 72: By Mr. Call—An act to add Section 380.5 to the Political Code, relating to appointments by the Governor, and requiring confirmation thereof by the Senate.

Referred to Committee on Rules.

Assembly Bill No. 73: By Messrs. Cronin and Call—An act to repeal Sections 190 and 191 of the Fish and Game Code and to add Section 170.1 to the Fish and Game Code, relating to the San Francisco Game Refuge.

Referred to Committee on Fish and Game

Assembly Bill No. 74: By Mr. Clarke—An act to add Chapter 4, comprising Sections 440 to 446 to Division 3 of the Agricultural Code, relating to the buying and selling of horses and mules, and the regulation thereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 75: By Mr. Clarke—An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Referred to Committee on County Government.

Assembly Bill No. 76: By Mr. Crowley—An act to amend Sections 7370 and 7436 of the Business and Professions Code, relating to application and examination.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 77: By Mr. Crowley—An act to amend Section 7332 of the Business and Professions Code, relating to educational requirements and training.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 78: By Mr. Crowley—An act to amend Sections 7301, 7303 and 7315 of the Business and Professions Code, relating to members of the board.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 79: By Mr. Crowley—An act to amend Section 7314 of the Business and Professions Code, relating to authority of the board.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 80: By Mr. Dilworth—An act to amend Section 952 of the Agricultural Code, relating to one-variety cotton districts, and declaring the urgency of this act and providing that it shall take effect immediately.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to have Assembly Bill No 80 placed on calendar, at this time, without reference to committee or print.

Assembly Bill No. 81: By Messrs. Gunlock, Cain, Lowrey, Gaffney, Welch, Collins, George D., Gallagher, Poole, Kilpatrick, Bennett, Masson, Russell, Cooke, Thomas, Middough and Burkhalter—An act to add Section 2501 to, to amend Sections 2793, 2893, 2896 and 2899 of, and to repeal Sections 2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections.

Assembly Bill No. 82: By Messrs. Howser, F. N., Dills and Middough—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 83: By Mr. Lyon—An act to add Section 108 to the Harbors and Navigation Code, relating to obstructions in navigable waters.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 84: By Messrs. Meehan and Cassidy—An act to add Article 2a, comprising Section 5 785, to the School Code, relating to the hours of work of noncertificated employees

Referred to Committee on Education.

Assembly Bill No. 85: By Mr. Middough—An act to create the California Commission on Child Legislation, consisting of members of the Legislature, members of the executive branch of the Government and the public at large to study and investigate the necessity for legislative changes in the Juvenile Court Law and in the other laws of this State relating to children.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 86: By Miss Miller—An act to add Section 25.5 to The Personal Income Tax Act, relating to compromises of taxes and penalties.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 87: By Messrs. Phillips, McCollister, Green, Hawkins, Waters, Weber, Robertson, Sawallisch, Kellems and Andreas —An act to create a Department of Corrections to administer the penal system of this State, to transfer to it certain correctional institutions, to repeal the acts specified herein, and to abolish the Board of Prison Terms and Paroles and the Advisory Pardon Board.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 88: By Mr. Robertson—An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations.

Referred to Committee on Public Utilities.

Assembly Bill No. 89: By Mr. Russell—An act to legalize bonds heretofore issued and sold or to be issued and sold by municipalities for flood control purposes under an act, or under color of an act entitled: "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became law under constitutional provision without Governor's approval on February 25, 1901, where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring that this act shall take effect immediately.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 90: By Messrs Salsman and Dills—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4084, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 91: By Messrs. Salsman and Dills—An act to amend Section 2020 of the Welfare and Institutions Code, relating to the income of aged aid recipients

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 92: By Mr. Salsman—An act to add Section 1468.5 to and to amend Section 1469 of the Penal Code, relating to appeals from justices' courts, police courts and municipal courts in criminal cases

Referred to Committee on Judiciary Codes.

Assembly Bill No. 93: By Mr. Stream—An act to amend Sections 3.761 and 3 762 of, and to add Section 6 261a to, the School Code, all relating to the teaching of civics in elementary schools.

Referred to Committee on Education.

Assembly Bill No. 94: By Messrs Tenney and Bashore—An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sale and lease contracts.

Referred to Committee on Financial Institutions

Assembly Bill No. 95: By Messrs. Desmond and Cain—An act to amend Section 737hh of the Political Code, relating to compensation of the judges of the Superior Court in and for the County of Sacramento.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 96: By Messrs. Tenney, Call, Bashore, Bennett, Doyle, Massion, Gunlock, Kellems, Evans, Kilpatrick, Allen, Andreas, Burkhalter, Knight, John B., Phillips, Crowley, Cronin, Clarke, Salsman, Wollenberg, Poulson, Waters, Pfaff, Stream, Howser, F. N., Hastain, Richie, Robertson, King, Weybret, Hawkins, Cooke, Thomas, Maloney, Middough, Del Mutolo, Turner, Sheridan, Cain, Lowrey, Thorp and Millington—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the compensation of the Legislative Counsel.

Referred to Committee on Ways and Means.

Assembly Bill No. 97: By Mr. Tenney—An act to amend Section 1012 of the Code of Civil Procedure, relating to service by mail.

Referred to Committee on Judiciary Codes

Assembly Bill No. 98: By Mr. Thomas—An act to add Section 13 to the Fish and Game Code, relating to the qualifications of the members of the Fish and Game Commission created by the Constitution of this State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 99: By Mr. Thomas—An act to amend Sections 10600 and 10602 of the Health and Safety Code, relating to proceedings to establish the fact of birth, death or marriage.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 100: By Mr Waters—An act to amend Sections 5 and 6 of, and to add two new sections to "An act authorizing municipalities to declare noxious or dangerous weeds growing upon streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same" (Stats. 1915, p 841, as amended), relating to the abatement of nuisances.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 101: By Mr. Welch—An act to amend Section 2020 of the Welfare and Institutions Code relating to income under the Old Age Security Law.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 102: By Messrs. Dilworth, Field and Salsman—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 103: By Mr. Dilworth—An act to add a new section to the Penal Code, to be numbered 1169, relating to paroles and information of the terms and conditions thereof.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 104: By Messrs. Call, Field and Millington—An act to add Section 603 to the Penal Code, relating to unlawful entries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 105: By Messrs. Call, Field and Millington—An act to add Section 653h to the Penal Code, relating to the installation of dictographs, sound recording equipment, wire-tapping devices, and equipment and devices of a similar nature, or used for the purpose of obtaining information.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 106: By Mr. Waters—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of judicial townships and the jurisdiction of justices' courts

Referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 1: By Mr. Middough—Proposed amendment to Article I, Section 8, of the Constitution, relative to grand juries.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 2: By Mr. Salsman—Proposed amendment to Article IV, Section 23, of the Constitution, relative to the compensation of members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 3: By Mr. Stream—Proposed amendment to Article XIII of the Constitution, by adding two new sections, to be numbered 1 1 and 1.2, relating to limitation of tax rates.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 2: By Mr. Dilworth—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded persons receiving old age assistance.

Referred to Committee on Federal Relations.

RESOLUTIONS

The following resolutions were offered:

By Messrs Sawallisch and Bashore:

House Resolution No. 22

WHEREAS, The Fifth General Assembly of the Council of State Governments will be held in Washington, D. C., at the Mayflower Hotel upon the twenty-first, twenty-second and twenty-third days of January, 1941, to deliberate upon various problems requiring cooperative action by the States with each other and the Federal Government; and

WHEREAS, Rarely have the representatives of the States been faced with problems of such vital importance, problems of National defense, of the impact of expanding defense activities upon the States, trade barriers between the States,

conflicting taxation, welfare and relief, conservation, uniform State laws, State legislation and administration, and many other matters of interest to the officials of the several States; and

WHEREAS, The Fifth General Assembly offers an opportunity through section meetings for the consideration by the delegates of all matters requiring cooperative action between the States; and

WHEREAS, The Assembly of this State has been invited to send delegates to the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby authorizes and instructs the Speaker of the Assembly to appoint two delegates to the Fifth General Assembly of the Council of State Governments which convenes in Washington, D C, on the twenty-first day of January, 1941. The delegates are hereby instructed to return to this body and to report to it the recommendations of the Fifth General Assembly, and be it further

Resolved, That the State Controller is hereby directed to draw his warrant for the sum of one thousand dollars ($1,000) from the Contingent Fund of the Assembly in order to pay the expenses of the delegates to the Fifth General Assembly appointed pursuant to this resolution. The sum so drawn shall be subject to audit by the Controller of the State

Resolution read, and referred to Committee on Rules

By Messrs. Donnelly, Crowley, Clarke and Meehan:

House Resolution No. 23

Relative to the memory of Honorable E. H Zion.

WHEREAS, The members of the Assembly have learned with deep sorrow and profound regret of the sudden and untimely death of Honorable E H Zion who so capably served as the representative of the Thirty-second Assembly District during the Forty-ninth and Fiftieth Sessions of the Legislature; and

WHEREAS, Mr. Zion was a devoted public servant admired and respected by all who knew him; and

WHEREAS, The members of this body wish to pay tribute to the memory of E H. Zion and to extend the deepest sympathy to his family; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns it does so in the respect to the memory of E. H. Zion; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to convey to the family this expression of tribute and sympathy from the Assembly of the State of California

Request for Unanimous Consent

Mr. Donnelly asked for, and was granted, unanimous consent to take up House Resolution No 23, at this time, without reference to committee

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 16

House Resolution No. 16

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following named officers and members of the Assembly for the amount set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	---	624	$31 20
2	Wm I Gunlock	Dunsmuir, Siskiyou County	295	--	42	---	506	25 30
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Allen G Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	John Edward Cain	Sacramento, Sacramento County	---	--	--	---	---	-----
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	-----
10	Harold F Sawallisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	Randal F Dickey	Alameda, Alameda County	89	5	--	---	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur W Carlson	Piedmont, Alameda County	84	--	--	---	168	8 40
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	James H Phillips	Oakland, Alameda County	84	--	--	---	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	---	180	9 00
21	John D Welch	San Francisco, San Francisco County	90	--	--	---	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	---	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Edward F O Day	San Francisco, San Francisco County	90	--	--	---	180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90	--	--	---	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	---	180	9 00
27	Albert C Wollenberg	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90	--	--	---	180	9 00
29	Harrison W Call	Redwood City, San Mateo County	119	--	--	---	238	11 90
30	Byrl R Salsman	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
31	M G Del Mutolo	San Jose, Santa Clara County	128	--	--	---	256	12 80
32	Hugh P Donnelly	Turlock, Stanislaus County	77	14	--	91	182	9 10
33	George A Clarke	LeGrand, Merced County	114	15	--	129	258	12 90
34	Jacob M Leonard	Hollister, San Benito County	173	--	--	---	346	17 30
35	Fred Weybret	Soledad, Monterey County	208	44	--	252	484	24 20
36	Hugh M Burns	Fresno, Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno, Fresno County	169	--	--	---	338	16 90
38	Gordon H Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara, Santa Barbara County	460	--	--	---	920	46 00
40	John B Cooke	Ventura, Ventura County	490	--	--	---	980	49 00
41	Rodney L Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
46	Jack B Tenney	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Lee T Bashore	Glendora, Los Angeles County	447	26	--	473	946	47 30
50	Gerald C Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	F Ray Bennett	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
52	William H Poole	Bell, Los Angeles County	447	8	--	455	910	45 50
53	Frederick F Houser	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John B Knight	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Franklin J Potter	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters, Jr	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
63	Don A Allen	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
64	Roger Alton Pfaff	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	Lorne D Middough	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Fred N Howser	Long Beach, Los Angeles County	447	22	--	469	938	46 90

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	$53 00
73	Frank C Russell	Crestline, San Bernardino County	508	15	--	523	1046	52 30
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Harvey E Hastain	Brawley, Imperial County	661	--	15	646	1292	64 60
78	Jeanette E Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	---	--	--	---	894	$89 40
David V Oliver	Merced, Merced County	---	--	--	---	228	22 80
Wilkie Ogg	Sacramento, Sacramento County	---	--	--	---	----	-----

Resolution read, as amended.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Hersinger, Houser, F F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Desmond—1.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 47

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Bill No. 47, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 47

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race track officials, or others or by the use

of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bashore:

Resolved, That Assembly Bill No 47 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, F F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Lowrey, Lyon, Maloney, Masston, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—63.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race track officials, or others or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, F F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Lowrey, Lyon, Maloney, Masston, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race track officials, or others or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately

Bill read third time.

MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 47

Mr. Call moved that Assembly Bill No 47 be withdrawn from the file, and re-referred to the Committee on Rules.

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

AYES—Andreas, Bennett, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field,

Gaffney, Gallagher, Green, Howser, F. N., Johnson, Knight, John B., Leonard, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—45

NOES—Allen, Bashore, Burkhalter, Cain, Collins, Sam L., Daley, Evans, Hastain, Hawkins, Heisinger, Houser, F. F., Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, Pelletier, Pfaff, Russell, Sawallisch, Stream, Tenney, Thomas, and Waters—25

PETITIONS

The following petition was received, and ordered filed with the Secretary of State:

From A. van de Sandt to His Excellency, Culbert L. Olson, relative to the relief situation

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Roy Hampton, Councilman, Thirteenth District, Los Angeles.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harold P. Huls, City Attorney, City of Pasadena.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Rudd, teacher, and the following pupils of the Fruit Ridge school: Larence Bahlhorn, Maryln Bitz, Patricia Blair, Jane Bowers, Thomas Bray, Fred Brown, Helen Carlsberg, Beverley Casey, Stanley Christianson, Albert Clary, Mervin Cole, Josephine DiBella, Geraldine Doyle, Vernon Driffill, Aileen Ellis, Landel Ely, James Fithian, Edith Laverna Gates, Anna Gianotti, Bruce Glenn, Betty Greggorio, Geary Grimes, Marvin Gustafson, Norma Johnson, Eleanor Mello, Eugene Mendonsa, Gaylord Morrow, James McGregor, Mervin Ott, John Petkovich, Lorraine Piaggi, Lois Schmeltz, Nick Shandrew, Roy Snell, Donald Steinagel, Allan Thompson and Shirley Tozier.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. Gelder, former member of the Assembly, Miss Georgia Bacon and Mrs. W. W. Irvin, all of Berkeley.

On request of San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Tiemly, Mr. George Higgins, Sr., and Mr. George Higgins, Jr.

ADJOURNMENT

At 12.35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Friday, January 10, 1941, out of respect to the memory of the late Hon. E. H. Zion, former member of the Assembly from the Thirty-second Assembly District.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY
FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 10, 1941

The Assembly met at 10 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Potter.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Hugh M. Burns, on motion of Mr. Gunlock.

Mr. Sawallisch, on motion of Mr. Gunlock.

Mr. Phillips, on motion of Mr. Dickey.

Mr. Kellems, on motion of Mr. Waters.

Mr. Turner, on motion of Mr. Potter.

Mr. Cronin, on motion of Mr. Maloney.

Mr. Cassidy, on motion of Mr. Carlson.

Mr. Sheridan, on motion of Mr. Carlson.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 9, 1941.

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol Building, Sacramento, California

Subject: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session.

DEAR MR OHNIMUS: Handed you herewith for filing is the following report of the State Engineer.

A-92 Anderson-Cottonwood Irrigation District. File No. Sha 40-3. Restoration of Churn Creek Flume.

This report is upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D EDMONSTON, Deputy State Engineer

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 4: By Mr. Kellems—Relative to providing for an investigation of subversive activities in the State School System, including all units supported in whole or in part by State funds, creating a committee for the purpose of conducting such an investigation, and appropriating the sum of five thousand dollars ($5,000) for the conduct thereof.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 5: By Mr. Houser—Relative to the approval of five certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon the fourth day of June, 1940.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

Assembly Concurrent Resolution No. 5—Relative to the approval of five certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon the fourth day of June, 1940.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole,

Potter, Poulson, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—51.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 107: By Mr. Heisinger—An act to add Chapter 18, comprising Sections 9501 to 9775, to Division 3 of the Business and Professions Code, relating to the business of well-drilling.

Referred to Committee on Judiciary General.

Assembly Bill No. 108: By Mr. Leonard—An act to add Section 944.5 to the Streets and Highways Code, relating to improvement and repair of privately owned roads.

Referred to Committee on Roads and Highways.

Assembly Bill No. 109: By Mr. Dilworth—An act to add Sections 2166, 2167 and 2168 to the Welfare and Institutions Code, relating to property qualifications for aid to the aged, providing for transfers of excess real property to the counties, and for disposition of such property and the proceeds of sales thereof by the counties.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 110: By Mr. Poole—An act to amend Section 4986 of the Revenue and Taxation Code, relating to the cancellation of taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 111: By Mr. Michael J. Burns—An act to amend Section 305 of the Agricultural Code, relating to the inspection of slaughtered animals, the sale of the meat thereof, and the operation of establishments for the slaughtering of animals or manufacturing of meat food products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 112: By Mr. John B. Knight—An act to amend Section 4 of an act entitled, "An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations," approved June 10, 1933, relating to duplicate bonds, warrants and other evidences of indebtedness, including the filing thereof.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 113: By Messrs. Stream and Potter—An act to amend Section 953e of the Code of Civil Procedure, relating to the granting of a new trial when it is impossible to obtain a complete transcript.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 114: By Messrs. Desmond and Thorp—An act to amend Section 353 of, and to add Section 353A to, the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 115: By Mr. Dills (By request)—An act to add Section 1287.5 to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 116: By Mr. Waters—An act to amend Section 431 of the Code of Civil Procedure, relating to demurrers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 117: By Messrs. Desmond and Cain—An act to amend Section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle, including persons engaged in the carriage of mail and parcel post.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 118: By Mr. Kepple—An act amending Section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 119: By Mr. Hawkins—An act to add Chapter 7, comprising Sections 1125 to 1127, both inclusive, to Part 3 of Division 2 of the Labor Code, relating to discrimination by labor organizations.

Referred to Committee on Labor and Capital.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No 66
Assembly Concurrent Resolution No. 1
And reports the same correctly engrossed.

ARTHUR A OHNIMUS, Chief Clerk of the Assembly

Above reported bills ordered to third reading.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1941

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

Farm News Service—A. B Jones
Columbia Broadcasting System—Fox Case
Mutual News Service—Earl G. Waters
Clovis Tribune—Fred H. Weigel, Walter Johnson

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Speaker Presiding

At 10.20 a m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Kilpatrick:

House Resolution No. 24

Relative to investigation of relief projects.

WHEREAS, The Legislature has been granted plenary power by Section 11 of Article XVI of the Constitution to provide for the administration of unemployment relief; and

WHEREAS, One of the foremost problems facing the present session of the Legislature is the enactment of legislation providing for a continuation of relief benefits to needy unemployed; and

WHEREAS, There are certain phases of the present relief program which should be investigated with a view to determining whether or not those phases should be projected forward into future unemployment relief programs; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an investigating committee to be known as the Assembly Committee on the Investigation of Special Unemployment Relief Projects, which committee is to exercise the powers and perform the duties hereby granted to and imposed on it during this session and any recess or recesses of the same; and be it further

Resolved, That the committee shall study, investigate, and survey, accurately and in detail, the Garden Projects, the Cannery Projects, particularly the Harbor City Project, the School Lunch Program, the Food and Cotton Stamp Program, and other similar projects and programs of the State Relief Administration, including the investments made by the State in the form of materials, equipment, leases, water, supplies, and other materials in connection therewith, with a view to recommending to the Assembly such legislation as may be necessary or desirable

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may adopt, and from time to time amend, such rules as may appear necessary and proper to exercise the powers hereby granted and to perform the duties imposed. It may select a chairman and a secretary from its membership; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical and other employees as it finds necessary for the conduct of its work and it may contract with such other agencies, public or private, as it deems necessary for the rendition of such services, studies and reports to it as will best assist it to effectuate the purposes for which it was created; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California at which hearings the people are to have an opportunity to present their views to the committee; and be it further

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

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or by its chairman is authorized and empowered to administer oaths. All of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created; and be it further

Resolved, That every department, commission, board, agency, officer, and employee of the State Government and of the political subdivisions, the counties, the cities and the districts shall furnish the committee, upon request, such information, records and documents as the committee deems proper for the effectuation of the purposes for which it was created; and be it further

Resolved, That the committee is further authorized and empowered to make a complete investigation and study of every phase of the subject hereinabove mentioned and any and all matters incidental thereto and to do any and all things necessary or convenient to enable it fully and completely to exercise its powers and perform its duties; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly and the Deputies Sergeant-at-Arms of the Assembly are hereby directed to serve any and all subpenas, orders and other process that may be issued by the committee, when directed so to do by the chairman or upon a vote of the majority of the membership of the committee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of 5½ cents per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their

services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of four hundred dollars ($400) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

Request for Unanimous Consent

Mr. Kilpatrick asked for unanimous consent to take up House Resolution No. 24, at this time, without reference to committee.

Mr. Call withheld his consent.

Motion to Temporarily Suspend the Rules

Mr. Kilpatrick moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 24, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cooke, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Heisinger, Howser, F. N., Kilpatrick, Lowrey, Massion, Meehan, Middough, Pelletier, Poole, Richie, Russell, Waters, and Mr. Speaker—22

NOES—Bashore, Cain, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dilworth, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Miller, Millington, Pfaff, Potter, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—34.

Resolution referred to the Committee on Rules.

By Messrs. Kellems, Kepple and Johnson:

House Resolution No. 25

WHEREAS, This Assembly has learned with profound regret and a deep sense of sorrow of the death of Miss Ora A. Miller, upon the ninth day of December, 1940, sister of our beloved colleague Miss Eleanor Miller who has graced this House with her presence through so many years; and

WHEREAS, The hearts of every single member of this Assembly go out in this moment of sorrow to our colleague and to the other members of the bereaved family; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this Assembly extend their deep sympathy to Miss Eleanor Miller at this time of heartache; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to convey an engrossed copy of this resolution to Miss Eleanor Miller.

Request for Unanimous Consent

Mr. Kepple asked for, and was granted, unanimous consent to take up House Resolution No. 25, at this time, without reference to committee.

Resolution read and adopted unanimously

RECESS

At 10.30 a.m., on motion of Mr. Maloney, the Assembly recessed until 10.40 a.m.

REASSEMBLED

At 10.40 a.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

MOTION TO PRINT SPEECH IN JOURNAL

Mr. Desmond moved that the speech by Mr. Voigt, introducing Capt. Claude B. Mayo and the officers and cadets of the California Maritime Academy, be printed in the Journal.

Motion carried.

Mr. Speaker and Members of the Assembly:

We have as our guests this morning the Superintendent, officers and Cadet Corps of the California Maritime Academy who are paying us this visit before starting on their training cruise January 15th which will take them to Mexico, Central America and Panama—then to Honolulu and back to the United States.

I know that they all have our best wishes for bon voyage and a safe return to the United States.

The Legislature may well be proud of the California Maritime Academy, which has moved into the foreground as one of the most important of our institutions, in the National Defense Program These men are all in the Naval Reserve and are being called to active service as rapidly as they can qualify for their duties as deck or engineer officers

A few days ago the President announced that in addition to ships now built and being built, 200 additional 7,500-ton merchant ships would be built, also 280 additional small craft, mine sweepers, mine layers, and sub-chasers would be constructed in addition to naval vessels now being built This will call for thousands of trained officer personnel and there is already an acute shortage in that part of our defense program. I believe these facts illustrate the tremendous importance and responsibility suddenly thrust upon the California Maritime Academy.

No one can foresee accurately all the events of the future, and perhaps it is well, but the flames of war which have engulfed most of the world, impel us to believe that the time of our own trial by fire may be near, and that this Nation may again be called to give its blood and treasure to defend the heritage of free representative government and its rightful independence among the nations of the world

If that time comes, we can be sure that these proteges of ours will perform their duties faithfully and well. When the future welfare of the Nation is at stake, factional or party differences will disappear, and as we expect these young men to give their best to the State and the Nation, I am sure that the Legislature will give its best patriotic support to the California Maritime Academy.

May we again extend a cordial welcome to the captain, officers and Cadet Corps, and request that their names be inscribed as our guests in the Journal of the Assembly.

May I ask that the Speaker present the commanding officer and that he be given the privilege of the rostrum to tell us of the California Maritime Academy and its part in the defense program.

RECESS

At 10.55 a.m., on motion of Mr. Voigt, the Assembly recessed until 11.10 a.m., to hear from Captain Claude B. Mayo, U. S. Navy (Retired).

REASSEMBLED

At 11.10 a.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 120: By Mr. Dilworth—An act to add Section 205 to the State Civil Service Act, relating to resignations of civil service employees and others, prohibiting appointing powers from using their authority or influence or discriminating against persons in order to obtain undated or post-dated resignations or resignations effective at a future date, and imposing penalties for violations thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 121: By Mr. Carlson—An act to add Section 30 to an act entitled "An act to provide for the organization, incorpora-

tion, and Government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the disposition of records, maps, books and papers.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 122: By Mrs. Daley and Messrs. Houser, Frederick F., and Stream—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 123: By Mrs. Daley and Mr. Stream—An act to provide aid to the counties in addition to the aid otherwise provided, for maintaining and supporting aged persons under the provisions of the Old Age Security Law, and to provide for the payment of such aid to the counties, declaring the urgency thereof to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 124: By Mrs. Daley—An act to add Article 3, consisting of Section 3800, to Chapter 4 of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation insurance and applicants for construction, improvement, alteration, or demolition permits.

Referred to Committee on Insurance.

Assembly Bill No. 125: By Mrs. Daley—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 126: By Mrs. Daley—An act to amend Section 596 of the Penal Code, relating to the use of poisons.

Referred to Committee on Crime Problems.

Assembly Bill No. 127: By Mrs. Daley—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4083, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 128: By Messrs. Desmond and Doyle—An act to add Section 96.5 to the State Civil Service Act, relating to State civil service employees and former employees.

Referred to Committee on Civil Service.

Assembly Bill No. 129: By Mr. Maloney—An act to add Section 2700.5 to, and to amend Sections 2701, 2702, and 2843 of the Elections Code, relating to primary elections and county central committees.

Referred to Committee on Elections.

Assembly Bill No. 130: By Mr. Stream and Mrs. Daley—An act to make an appropriation to the Division of Parks for the construction and equipment of a swimming pool in Cuyamaca State Park, declaring the urgency thereof, and providing that this act shall take effect immediately.

REQUEST FOR UNANIMOUS CONSENT

Mr. Stream asked for, and was granted, unanimous consent to have Assembly Bill No. 130 placed on calendar, at this time, without reference to committee or print.

Assembly Bill No. 131: By Mr. Tenney—An act to amend Section 2969 of the Civil Code, relating to attachment of mortgaged chattels.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 132: By Mr. Thomas—An act to repeal Sections 10, 11, and 12 of, and to add Sections 10, 11, 12, and 12.5 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission provided for by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 133: By Mr. Hawkins—An act to amend Sections 2604 and 2617 of the Elections Code, relating to nominations and sponsors' certificates.

Referred to Committee on Elections.

Assembly Bill No. 134: By Mr. Crowley—An act making an appropriation to pay the claim of Ernest Gates against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 135: By Mr. Crowley—An act making an appropriation to pay the claim of J. L. Morgan against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 136: By Messrs Collins, Sam L., and Watson—An act to add Article 5, consisting of Sections 980 and 981, to Division 4 of the Military and Veterans Code, relating to sales of personal property by veterans.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 137: By Messrs. Collins, Sam L., and Watson—An act to amend Sections 3366 and 4041.14 of the Political Code, relating to the licensing of businesses by the counties and cities.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 138: By Messrs. Andreas, Burkhalter, Allen, Tenney, Evans, Collins, George D., Doyle, Gaffney, Cain, Lowrey, Kilpatrick and Richie—An act to amend Section 6501 of the Business and Professions Code, relating to the State Board of Barber Examiners.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 80, at this time, without reference to calendar, for second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 80—An act to amend Section 952 of the Agricultural Code, relating to one-variety cotton districts, and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 139: By Mr. Frederick F. Houser—An act to amend Section 2825 of the Streets and Highways Code, relating to special assessments and public improvements, including the preparation of reports on proposed improvements.

Referred to Committee on County Government.

Assembly Bill No. 140: By Mr. Frederick F. Houser—An act to amend Section 3 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to special assessments and public improvements, including the preparation of reports on proposed improvements.

Referred to Committee on County Government.

Assembly Joint Resolution No. 3: By Mr. Allen—Relative to memorializing the President and Congress to enact legislation to provide for the military training of all draft registrants.

Referred to Committee on Federal Relations.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Claude B. Mayo, U. S. Navy (retired); Commander Richard Dwyer, C. M. A.; Commander Benjamin Dodson, C. M. A.; Lieutenant Allen Wriedbeck, U. S. C. G.; Lieutenant Edward Miller, C. M. A.; Lieutenant E. L. Robberson, C. M. A.; Lieutenant Commander C. M. Cadwell and 100 cadets of the California Maritime Academy.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Chester M. Sewell, Mrs. Eleanor Sewell, Miss Marjorie Sewell and Mr. Lewis Sewell, all of Porterville.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clair V. Ward, Mayor of Alhambra, and James Ogg, City Attorney of Alhambra.

ADJOURNMENT

At 11.25 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a m, Monday, January 13, 1941.

DAVID P. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 13, 1941

The Assembly met at 11 a m
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Middough.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr Salsman, on motion of Mr. Knight, John B.
Mr. Kellems, on motion of Mr. Waters
Mr. O'Day, on motion of Mr. Gallagher.
Mr Green, on motion of Mr Maloney

ALLEGIANCE PLEDGED TO THE FLAG

By order of the Speaker, the members of the Assembly pledged allegiance to the Flag.

PETITIONS

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

From Grand Parlor, Native Sons of the Golden West (1) regarding relief and residence of relief clients; (2) regarding fingerprinting of residents of California; (3) regarding residence of five years for State positions.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 10, 1941

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

Assembly Bill No. 66

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 10, 1941

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

Assembly Concurrent Resolution No. 1

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 10, 1941

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

Senate Concurrent Resolution No. 3

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Concurrent Resolution No. 3—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 5

And reports the same correctly engrossed.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above reported resolution ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 80
And reports the same correctly engrossed.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 80, at this time, without reference to file.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 80—An act to amend Section 952 of the Agricultural Code, relating to one-variety cotton districts, and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr. Speaker—58.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

House Resolution No. 26

Relative to the adoption of permanent Standing Rules of the Assembly

Resolved, That the following Rules are hereby adopted as the Standing Rules of the Assembly for the Fifty-Fourth Session:

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FOURTH SESSION—1941-1943

Hours of Meeting

1. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at 10 o'clock a.m. (Sundays excepted) unless otherwise ordered by a majority vote of the members present

Following the constitutional recess, the Assembly shall meet promptly at 2 o'clock p m., daily (Sundays excepted) and Mondays at the hour of 11 o'clock a.m., unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

Reading of the Previous Day's Journal

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

Approval of the Journal

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

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages from the Governor

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

Messages From the Senate

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

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business calendar.

Bills Defined

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

Introduction and Reference of Bills

13. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced If any bill is introduced which does not contain the signature of such author or co-author, the same shall be stricken from the file on motion of the member whose name appears thereon without such signature. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution

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

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

Introduction of Bills After Constitutional Recess

14 Any member requesting permission to introduce a bill except a resolution or constitutional amendment after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the

Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

Examining of Bills by Legislative Counsel Bureau

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

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

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

Daily Calendar

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

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

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

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

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

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

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

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

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

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

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

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

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

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

Members Called to Order for Offensive Words

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer,

or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting

27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed 50 words in length

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of the Assembly

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

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

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

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

Appeal From Decision of the Speaker

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

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

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

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

To Adjourn

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

on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

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

To Recess to a Time Certain

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

To Lay on the Table

43. A motion to lay on the table is not debatable and can not be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 43.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference.

No bill or resolution shall be withdrawn from committee and placed upon the Calendar except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From Calendar

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

Motion to Rescind Action and Expunge Record

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

Reference of Bills to Committee

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

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Committee on Engrossment and Enrollment

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

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

71. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence or upon the adoption of such free conference report of the Assembly shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments

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

Committee on Free Conference

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

affirmative recorded vote to adopt any free conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any free conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such free conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Enrollment

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

Committees

Standing Committees

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

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Aviation and Aircraft, to consist of 11 members
3. A Committee on Banking, to consist of 9 members.
4. A Committee on Building and Construction, to consist of 7 members.
5. A Committee on Building and Loan Associations, to consist of 7 members.
6. A Committee on Civil Service, to consist of 9 members.
7. A Committee on Commerce and Navigation, to consist of 9 members.
8. A Committee on Conservation, to consist of 9 members.
9. A Committee on Constitutional Amendments, to consist of 13 members.
10. A Committee on Contested Elections, to consist of 5 members.
11. A Committee on Corporations, to consist of 9 members.
12. A Committee on County Government, to consist of 15 members.
13. A Committee on Crime Problems, to consist of 7 members.
14. A Committee on Direct Legislation, to consist of 7 members.
15. A Committee on Education, to consist of 13 members
16. A Committee on Elections, to consist of 11 members.
17. A Committee on Engrossment and Enrollment, to consist of 5 members.

18. A Committee on Exhibitions and Fairs, to consist of 7 members.
19. A Committee on Federal Relations, to consist of 7 members.
20 A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members.
21. A Committee on Fish and Game, to consist of 15 members.
22. A Committee on Governmental Efficiency and Economy, to consist of 15 members.
23. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
24. A Committee on Hospitals and Asylums, to consist of 11 members.
25. A Committee on Insurance, to consist of 11 members.
26 A Committee on Introduction of Bills, to consist of 5 members.
27. A Committee on Irrigation, to consist of 17 members.
28. A Committee on Judiciary Codes, to consist of 17 members
29. A Committee on Judiciary General, to consist of 15 members.
30. A Committee on Labor and Capital, to consist of 13 members.
31. A Committee on Libraries, to consist of 5 members.
32. A Committee on Live Stock and Dairies, to consist of 9 members.
33 A Committee on Manufactures, to consist of 7 members.
34. A Committee on Medical and Dental Laws, to consist of 9 members.
35. A Committee on Mileage, to consist of 5 members.
36. A Committee on Military Affairs, to consist of 9 members.
37. A Committee on Mines and Mining, to consist of 9 members.
38. A Committee on Motor Vehicles, to consist of 15 members.
39. A Committee on Municipal Corporations, to consist of 13 members.
40. A Committee on Oil Industries, to consist of 9 members.
41. A Committee on Prisons and Reformatories, to consist of 11 members.
42. A Committee on Public Charities and Corrections, to consist of 9 members.
43. A Committee on Public Health and Quarantine, to consist of 9 members.
44. A Committee on Public Morals, to consist of 11 members.
45. A Committee on Public Utilities, to consist of 11 members.
46. A Committee on Revenue and Taxation, to consist of 15 members.
47. A Committee on River Navigation, Reclamation and Flood Control, to consist of 13 members.
48. A Committee on Roads and Highways, to consist of 15 members.
49. A Committee on Rules, to consist of 9 members, including the Speaker.

50. A Committee on Social Service and Welfare, to consist of 9 members.
51. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
52. A Committee on State Grounds and Parks, to consist of 7 members.
53. A Committee on State Colleges, to consist of 7 members.
54. A Committee on Unemployment, to consist of 11 members.
55. A Committee on Universities, to consist of 7 members.
56. A Committee on Ways and Means, to consist of 21 members.
57. A Committee on Reapportionment, to consist of 21 members.

Committee Quorum

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

Meetings of Standing Committees

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

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bills shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

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

Appointment of Attaches

81. The Committee on Rules shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for

by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly.

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

Committee of the Whole

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

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

Reconsideration of Vote

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

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

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

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

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

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rule

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

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

Miscellaneous

Press Privileges

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

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

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars ($5) for each day such witness shall be required to appear, and the sum of three and one-half cents ($0.03½) for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon

request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided.

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

LYON, Chairman
Committee on Rules

House Resolution No. 26 read, and ordered printed in the Journal

RESOLUTIONS

The following resolutions were offered:

By Mr. Kilpatrick:

House Resolution No. 27

WHEREAS, An Old Age Security Program is administered by State and county agencies for the assistance of the aged citizens of this State. The maximum benefit to the State from this program can be achieved only through the most efficient administration. The administrative problems which may be solved by legislation can best be studied by a competent and impartial committee of members of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to be known as the Old Age Security Investigating Committee is hereby created, which committee is hereby authorized and directed to make a complete investigation, analysis and appraisal of the process by which the agencies administering the Old Age Security Program determine the eligibility of persons for assistance under the program, with a view to recommending to the Legislators such legislation as will

insure the efficiency of administration of the program and the greatest possible benefit to aged persons; and be it further

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker.

The committee in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon Assembly committees by the Rules of the Assembly, and the Joint Rules of the Senate and Assembly, as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such Rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such Rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Assembly during any session of the Fifty-fourth Legislature and with the Assembly during the Regular Session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procedure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths and the Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

By Mr. Lyon:

House Resolution No. 28

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

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of forty-five dollars ($45) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500).

Resolution read, and referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 141: By Mr. Michael J. Burns—An act to amend Sections 6526, 6585, 6586, 6604, 6618 and 6627 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 142: By Mr. Dilworth—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in primary elections.

Referred to Committee on Elections.

Assembly Bill No. 143: By Messrs. Doyle and Field—An act to amend Section 56 of the Labor Code and to add to Division 1 thereof Chapter 6, consisting of Sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 144: By Messrs. Doyle and Dilworth—An act to add Section 4.352 to the School Code, relating to the payment of wages of uncertificated employees.

Referred to Committee on Education

Assembly Bill No. 145: By Mr. Gallagher—An act to amend Section 55 of and add Section 54.4 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 146: By Mr. Hawkins—An act to add Section 6.2 to the Alcoholic Beverage Control Act, relating to the age of wine sold at retail.

Referred to Committee on Public Morals.

Assembly Bill No. 147: By Mr. Kepple—An act to amend Section 55 of the County Employees Retirement Act of 1937.

Referred to Committee on Civil Service.

Assembly Bill No. 148: By Messrs. Kilpatrick and Burkhalter—An act to amend Section 5005 of the Elections Code, relating to the circulation of circulars referring to political candidates.

Referred to Committee on Elections.

Assembly Bill No. 149: By Messrs. Kilpatrick, Richie, Heisinger, Poulson, Burkhalter and Middough—An act to add Section 20 to the California Unemployment Relief Act of 1935, relating to the support of persons in need of unemployment relief.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 150: By Mr. T. Fenton Knight—An act to amend Section 4005c of the Political Code, relating to the population of the counties of California.

Referred to Committee on County Government.

Assembly Bill No. 151: By Messrs. Lyon, Hawkins and Houser, Frederick F.—An act to add Sections 556.1, 556.2 and 556.3 to the Military and Veterans Code, all relating to the organization of the State Guard, and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 152: By Messrs. Lyon and Pfaff—An act to amend Section 2651 of the Labor Code, relating to industrial homework and to permit the manufacture of children's wearing apparel thereby.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 153: By Mr. Maloney—An act to amend Section 52.2 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Insurance.

Assembly Bill No. 154: By Messrs. Middough, Cain, Burkhalter, Kilpatrick and Poole—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4084, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons, and making an appropriation therefor.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 155: By Mr. Tenney—An act to add Article 3 comprising Section 1980 to Chapter 2 of Part 7 of Division 2 of the Labor Code, relating to the employment of persons who are members of the Communist Party or of any organization or group which advocates the overthrow of the Government by force and violence.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 156: By Mr. Tenney—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or inclosure.

Referred to Committee on Judiciary General.

Assembly Bill No. 157: By Mr. Tenney—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 158: By Mr. Thomas—An act to add Sections 7.5 and 21.6 to the Municipal Court Act of 1925, relating to municipal courts in cities and cities and counties of the first and one-half class, including the judges and attaches thereof.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 159: By Mr Thomas—An act to amend Section 919 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 160: By Mr. Thorp—An act to amend Sections 454, 456, 457, 458, 693, 471, 471.5, 472, 478.1, 480, 478, 479, 481, 482, 483, 484, 485, 486, 487, 488, 490, 493, 585, 586, 587, 491, 458.1, 452, 492, 510, 511, 512, 513, 514, 515, 516, 592, 593, 656, 502, 589, 590, 725, 727, 728, 729, 730, 731, 732, 733, 504, 505, 506, 507, 508, 509, 591, 477, 494, 495, 588, 496, 497, 498, 499, 500, 501, 625, 473, 503, 534, 535, 536, 596, 597, 598, 599, 600, 601, 531, 532, 533, 594, 595, 538, 539, 540, 541, 542, 602, 626, 627, 628, 629, 653, 654, 655, 657, 658, 476, 543, 561, 562, 563, 564, 565, 583, 701, 459, 460, 691, 692, 692.5, 697, 698, 699, 474, 651, 652, 461, 584, 582, 581, 621, 622, 623, 630, 631, 632, 633, 455, 635, 636, 671, 672, 673, 674, 675, 676, 677, 678, 679, 694, 696, 453, 624 and 637 of the Agricultural Code, and to renumber them to be Sections 452, 453, 454, 455, 456, 466, 467, 468, 469, 470, 471, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 497, 498, 499, 501, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 541, 542, 543, 544, 545, 546, 547, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 591, 592, 593, 595, 596, 601, 602, 603, 604, 605, 606, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 631, 632, 633, 634, 635, 636, 637, 641, 642, 643, 644, 645, 646, 647, 648, 656, 661, 662, 663, 664, 665, 666, 671, 672, 673, 676, 677, 681, 682, 683, 686, 687, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 721, 722 and 723 thereof, to amend Section 451, and the headings of Chapter 2, and of Article 1 of Chapter 2,

of Division 4 thereof, to add Sections 496, 500 and 724, and the headings of Chapters 1, 3, 4, 5 and 6, and of Articles 2, 3, 4, 5, 6 and 7 of Chapter 2, Articles 1, 2, 3 and 4 of Chapter 3, and Articles 1, 2, 3, 4, 5, 6, 7 and 8 of Chapter 4, of Division 4 thereof, and to repeal Sections 475, 537, 589.5, 726 and 734 and the headings of Chapters 1, 3, 4, 5, 6, 7, 8 and 9 and of Articles 2 and 3 of Chapter 2, of Division 4 of the said code, relating to dairies and dairy products and imitations thereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 161: By Mr. Thorp—An act to amend Section 21 of the Agricultural Code, relating to the salary of the Director of Agriculture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 162: By Mr. Waters—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties of the State.

Referred to Committee on County Government.

Assembly Bill No. 163: By Messrs Welch and Call—An act to amend Sections 342 and 367 of the Agricultural Code, relating to live stock marks and brands.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 164: By Messrs. Dills and Bennett—An act to amend Section 159a of the Code of Civil Procedure, relating to the qualifications of justices of the peace.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 165: By Messrs. Dills, Bennett and Kilpatrick—An act to amend Section 159 of the Code of Civil Procedure, relating to justices of the peace.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 166: By Mr. Dilworth—An act to amend Section 3041 of the Elections Code, relating to nomination papers

Referred to Committee on Elections.

Assembly Bill No. 167: By Mr Carlson—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices' courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 168: By Mr. McCollister—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Referred to Committee on County Government.

Assembly Bill No. 169: By Messrs McCollister and Cronin—An act to amend Sections 7, 8, 10, 12 and 19 of, and to add Sections 7.1 and 20.1 to, an act entitled "An act to provide for the incorporation and

organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to the construction, operation and maintenance of the highways, bridges and approaches thereto and other works of such districts and the acquisition of all property necessary therefor and the collection of tolls.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 4: By Mr Hawkins—Proposed amendment to Article XI of the Constitution by adding Section 4 thereto, relating to county consolidation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 5: By Mr. Hawkins—Proposed amendment to Section 3 of Article IV of the Constitution, relative to the term of office of members of the Assembly.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 6: By Messrs. Maloney and Cronin—Proposed amendment to Article IV, Section 6, of the Constitution, relative to the membership of the Reapportionment Commission.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 7: By Mr. Robertson—Proposed amendment to Article IV, Sections 23 and 23a, of the Constitution, relative to compensation of members of the Legislature, and expenses of the sessions thereof.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 8: By Mr. Tenney—Proposed amendment to Article XX, Section 16, of the Constitution, relative to terms of officers.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 9: By Mr. Michael J. Burns—Proposed amendment to Article IV of the Constitution, by adding a new section to be numbered $25\frac{5}{8}$, relating to fish and game and funds received in connection therewith.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 6: By Messrs. Gallagher, Maloney, Cronin, O'Day, Green, Collins, George D., Wollenberg, Gaffney and Welch—Relative to approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the seventh day of May, 1940.

Request for Unanimous Consent

Mr. Gallagher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the seventh day of May, 1940.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Sawdlisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 7: By Messrs. Gallagher, Maloney, Cronin, O'Day, Green, Collins, George D., Wollenberg, Gaffney and Welch—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the fifth day of November, 1940.

Request for Unanimous Consent

Mr. Gallagher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the fifth day of November, 1940.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond,

Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—60

NOES—Pelletier—1.

Resolution ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 130—An act to make an appropriation to the Division of Parks for the construction and equipment of a swimming pool in Cuyamaca State Park, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

REPORT OF SPECIAL COMMITTEE

Mr Speaker and Members of the Assembly

The Sub-Committee of the Committee on Rules has made the following room assignments to the members of the Assembly :

Name	*Room No.*
Allen — Evans	16
Andreas — Thomas — Russell	35
Bennett — Kilpatrick	33
Burns, Hugh M. — Sawallisch	17
Cain — Lowrey	37
Call — Wollenberg	32
Clarke — Salsman	36
Collins, G. D — O'Day	15
Cooke — Welch	12
Cronin — Gallagher	23
Crowley — Millington	14
Desmond — Turner	19
Dills — Poole	9
Dilworth — Hastain	28
Donnelly — King	26
Doyle — Robertson	4
Field — Potter	21
Gunlock — Gaffney	10
Houser, Frederick F — Lyon	27
Howser, F. N. — Pfaff	13
Johnson — Carlson	24
Kepple — Knight, T. Fenton	18
Leonard — Weybret	1
Maloney — Green	3
Massion — Richie	38
Meehan — Cassidy	8
Middough — Burkhalter	11
Pelletier — Hawkins	29
Phillips — Dickey — Weber	6
Sheridan — Del Mutolo	34
Stream — Daley	7
Tenney — Bashore — Kellems	5
Thorp — McCollister	22
Thurman — Burns, Michael J	20
Voigt — Heisinger	25
Waters — Poulson — Collins, Sam L.	31
Watson — Knight, John B	30

Respectfully submitted

FIELD, Chairman, Sub-Committee

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 118

Mr. Kepple moved that Assembly Bill No. 118 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Municipal Corporations.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—62.

NOES—None.

COMMUNICATION

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1941

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

Sacramento Union—Charles J. Lilley, Millard Browne, Kirt MacBride, Harlin Smith, Fred Kraft, Jr.

Associated Press—W. A. Wells, Murlin B. Spencer, Morris J. Landsberg, James Rowe, Norman Bell, Roger Barr, Edward Spaulding.

Film Daily—Mrs. Hulda McGinn

Daily Recorder—James E. Bancroft, Leonard J. Hooper.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, January 6, 1941, Tuesday, January 7, 1941, Wednesday, January 8, 1941, Thursday, January 9, 1941, and Friday, January 10, 1941, were approved as corrected by the Minute Clerk.

ADJOURNMENT

At 11.50 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., January 14, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 14, 1941

The Assembly met at 11 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—77.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Turner.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. F N. Howser, on motion of Mr. Robertson.

Mr. O'Day, on motion of Mr. Gallagher.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:
Assembly Bill No. 69
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LYON, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 69—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "adjacent", and insert "contiguous".

Amendment No. 2

On page 2 of the printed bill, strike out lines 3 and 4, and insert:
"6879.5. If a petition heretofore or hereafter presented to the board contains the signatures of owners of real property".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 130
Assembly Joint Resolution No. 1
And reports the same correctly engrossed.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Concurrent Resolution No. 5.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 170: By Mr. Bashore—An act to amend Section 1203a of the Penal Code, relating to power of the court relating to probation and suspended sentences.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 171: By Mr. Bashore—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties.

Referred to Committee on County Government.

Assembly Bill No. 172: By Mr. Bashore—An act to add Sections 4041.7 and 4307.1 to the Political Code, relating to the publication and distribution of reports of county departments and of county officers.

Referred to Committee on County Government.

Assembly Bill No. 173: By Mr. Hugh M. Burns—An act making an appropriation to pay the claim of Aram Boyajian against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 174: By Mr. Bennett—An act to repeal Sections 124, 127, 3511 5, 3521, 3594, 3616, 3651, 3807, 4101, 4111, 4112, 4113 and 4147 of, and Chapter 4 6, consisting of Sections 3571 to 3578, inclusive, of Part 6, Division 1 of the Revenue and Taxation Code, and to add Sections 124, 127, 3511 5, 3521, 3594, 3614 5, 3616, 3651, 3707.5, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785.6, 3833.3, 3857.2 and 3859.20 of, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 175: By Mr. Bennett—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4 3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860 01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation," approved June 1, 1940, and to repeal an act entitled "An act to amend Section 33 of an act entitled 'An act to amend Sec-

tions 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511 5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785 4, 3785 5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860 01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof," approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 176: By Messrs. Bennett and Dills—An act to amend Section 15 of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein." Approved June 5, 1933, as amended, relating to credits in making the reassessment.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 177: By Messrs. Bennett and Dills—An act to amend Section 17 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reasessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding." Approved July 20, 1935, as amended, relating to credits in making the assessment.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 178: By Mr. Bennett—An act to add Chapter 8a, comprising Sections 2.520 to 2.528, inclusive, to Part 1 of Division 2, and to add Article 2a, comprising Sections 2.1063 to 2.1069a, inclusive, to Chapter 4 of Part 2 of Division 2 of the School Code, to amend Sections 2.360, 2.1090, 3.222 and 3.804 of, and to add Section 3.803a to, the School Code, all relating to the formation, organization, and government of vocational high school districts and the type of courses to be offered by such districts.

Referred to Committee on Education.

Assembly Bill No. 179: By Mr. Bennett—An act to amend Section 2020 of the Welfare and Institutions Code, relating to exempt income of persons receiving old age assistance.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 180: By Mr. Bennett—An act to add Section 5078 to the Welfare and Institutions Code, relating to the restoration to competency of persons committed to the care and custody of the psychopathic probation officer.

Referred to Committee on Judiciary General.

Assembly Bill No. 181: By Mr. Bennett—An act to add Section 625 to the Streets and Highways Code, relating to State highway routes.

Referred to Committee on Roads and Highways.

Assembly Bill No. 182: By Messrs. Burns, Hugh M., and Sawallisch—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to license fees for horse racing meetings

Referred to Committee on Public Morals.

Assembly Bill No. 183: By Messrs. Burns, Hugh M , and Sawallisch—An act to amend Sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to license fees for horse race meetings.

Referred to Committee on Public Morals.

Assembly Bill No. 184: By Mr. Hugh M. Burns—An act to amend Section 7643 of the Business and Professions Code, relating to embalmers and embalming schools.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 185: By Mr. Hugh M. Burns—An act to add Section 7728 to the Business and Professions Code, relating to embalmers and embalming schools, and making an appropriation therefor.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 186: By Mr. Cronin—An act to amend Section 6 of, and to add Sections 6.4 and 6.6 to, the Unfair Practices Act, relating to close-out sales.

Referred to Committee on Judiciary General.

Assembly Bill No. 187: By Mr. Cronin—An act to amend Section 17050 of, and to add Section 17050.5 to the Business and Professions Code, relating to unfair practices in close-out sales.

Referred to Committee on Judiciary General.

Assembly Bill No. 188: By Mr. Cronin—An act to amend Section 5055 of the Welfare and Institutions Code, relating to mentally irresponsible persons.

Referred to Committee on Judiciary Codes

Assembly Bill No. 189: By Mr. Hawkins—An act to add Section 83.1 to the State Civil Service Act, relating to oral examinations.

Referred to Committee on Civil Service

Assembly Bill No. 190: By Mr. Kilpatrick—An act to add Chapter 4A to Division 20 of the Health and Safety Code, relating to the safety of blind persons.

Referred to Committee on Judiciary General.

Assembly Bill No. 191: By Mr. Leonard—An act making an appropriation for acquisition of real property and construction of improvements for the California National Guard Coast Artillery Training Camp in Santa Cruz County.

Referred to Committee on Ways and Means.

Assembly Bill No. 192: By Mr. Michael J. Burns—An act to amend Section 790 of the Fish and Game Code, relating to crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 193: By Mr. Michael J. Burns—An act to repeal Section 790 of the Fish and Game Code, relating to crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 194: By Messrs. Dills, Hawkins, Pelletier, Cronin, Maloney, Burns, Hugh M., and Mrs Daley—An act to add Section 57.8 to the Unemployment Insurance Act, relating to benefits for persons in the armed forces.

Referred to Committee on Unemployment.

Assembly Bill No. 195: By Mr. Dills—An act to amend Section 3 263 of the School Code, relating to payment of tuition to pupils attending junior high school.

Referred to Committee on Education.

Assembly Bill No. 196: By Mr. Dills—An act to amend Section 2 972, and Section 2.1050 of, and to add Section 2 1124 to, the School Code, relating to the compensation of members of school governing boards.

Referred to Committee on Education.

Assembly Bill No. 197: By Messrs. Kilpatrick, Crowley and Burkhalter—An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State and counties, cities and counties and counties and cities, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 198: By Mr Lyon—An act to add Part 3, consisting of Chapters 1 and 2 consisting of Sections 8300 to 8308 and 8320 to 8324, to Division 9 of the Streets and Highways Code, relating to the vacation of city streets.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 199: By Mr. Lyon—An act to add Section 4041.13b to the Political Code, relating to the powers and duties of purchasing agents.

Referred to Committee on Judiciary General.

Assembly Bill No. 200: By Miss Miller—An act to prevent violation of the law prohibiting the sale of alcoholic beverages to minors, to require persons between the ages of 21 and 30 who purchase or receive alcoholic beverages to possess evidence that they are over 21 years of age, providing for the issuance of identification cards for that purpose, imposing a penalty for violations of this act, and making an appropriation.

Referred to Committee on Public Morals.

Assembly Bill No. 201: By Miss Miller—An act to provide for a State exhibit or float to be displayed annually in the Tournament of Roses Parade at Pasadena, and making an appropriation.

Referred to Committee on Ways and Means.

Assembly Bill No. 202: By Mr. Potter—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts.

Referred to Committee on Judiciary Codes

Assembly Bill No. 203: By Mr. Potter—An act to amend Section 822 of the Penal Code, relating to bail.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 204: By Mr. Potter—An act to amend Section 1269a of the Penal Code, relating to bail.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 205: By Mr. Potter—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appoint-

ment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 206: By Messrs. Dills, Bennett and Tenney—An act to amend Section 2672 of the Elections Code, relating to filing fees of candidates.

Referred to Committee on Judiciary General.

Assembly Bill No. 207: By Messrs. Kilpatrick, Hawkins, Pelletier and Dills—An act to add Sections 2010, 2011 and 2012 to, and to amend Sections 2182 and 2183 of, the Welfare and Institutions Code, relating to aid to the aged, providing for the payment thereof, and specifying the powers and duties of certain public officers and employees in connection therewith.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 208: By Mr. Middough—An act to add Section 4057 to the Labor Code, relating to medical examinations in workmen's compensation cases.

Referred to Committee on Insurance.

Assembly Bill No. 209: By Mr. Middough—An act to add Section 61.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof that persons to whom such beverages are served or sold are over the age of 21 years.

Referred to Committee on Public Morals.

Assembly Bill No. 210: By Mr. Potter—An act to amend Section 1297 of the Penal Code, relating to bail.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 211: By Mr. Potter—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 212: By Mr. Potter—An act to amend Sections 6621, 6622 and 6623 of the Streets and Highways Code, relating to the foreclosure and cancellation of street improvement bonds.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 213: By Mr. Richie—An act making an appropriation to pay the claim of Homer E. Garrett against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 214: By Mr. Richie—An act making an appropriation to pay the claim of Harry P. Aubrey against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 215: By Mr. Richie—An act making an appropriation to pay the claim of Charles R. Parsell against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 216: By Mr. Richie—An act making an appropriation to pay the claim of James W. Cummings against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 217: By Mr. Robertson—An act to add Chapter 12, consisting of Sections 22100 to 22132, inclusive, to Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of platinum and other metals in the platinum group or their alloys.

Referred to Committee on Manufactures.

Assembly Bill No. 218: By Mr. Salsman—An act to amend Section 1 of an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, work or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to claims based on negligence of public officers

Referred to Committee on Judiciary Codes.

Assembly Bill No. 219: By Mr Salsman—An act to amend Section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims for damages suffered on public property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 220: By Messrs. Sheridan and Dickey—An act to add Article 9, consisting of Sections 240 to 242, inclusive, to Chapter 1 of Division 2 of the Fish and Game Code, relating to archery reserves.

Referred to Committee on Fish and Game.

Assembly Bill No. 221: By Mr. Sheridan—An act to amend Section 103 of, to renumber Section 103e to be Section 103k of, and to add Sections 103g, 103h, 103i, and 103j to, the Code of Civil Procedure, relating to justices of the peace and justices' clerks and assistant clerks in cities of the second class.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 222: By Mr. Thomas—An act to repeal Section 844 of the Fish and Game Code, relating to net fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 223: By Mr. Thurman—An act to amend Sections 737e and 737v of the Political Code, relating to the salaries of judges of the superior court.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 224: By Mr. Thurman—An act to add Sections 518 and 519 to the Military and Veterans Code, relating to junior college cadets, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 225: By Mr. Voigt—An act providing for the compilation, printing, binding, publishing, and distribution, of a California Official Yearbook and Statistical Abstract, and making an appropriation for the purposes of this act.

Referred to Committee on Rules.

Assembly Bill No. 226: By Mr. Voigt—An act to provide for the purchase of farms and homes by citizens of the State of California, to create a Citizens' Welfare Board for the administration of this act, and to prescribe the powers and duties thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 227: By Mr. Voigt—An act to amend Section 418 of, and to add Section 410.3 to, the Vehicle Code, and to amend Sections 11731, 11732, 11738, 11739, 11740, 11770, 11778, 11784, 11820 and 11840 of, and to add Section 11736.5 to, the Insurance Code, all relating to compulsory liability insurance on motor vehicles.

Referred to Committee on Insurance.

Assembly Bill No. 228: By Mr. Voigt—An act to add Article 3.5, comprising Sections 4865 and 4866, to Chapter 2 of Division 2 of the Business and Professions Code, relating to reciprocity in the licensing of persons to practice veterinary medicine.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 229: By Mr. Voigt—An act regulating booking agents and booking agencies, providing for the licensing thereof, fixing the fees therefor, prohibiting the dividing of fees and relating to the manner in which such businesses shall be carried on.

Referred to Committee on Labor and Capital.

Assembly Bill No. 230: By Mr. T. Fenton Knight—An act to amend Section 14899 of the Health and Safety Code and to add two new

sections, to be numbered Sections 14920 and 14921, to the Health and Safety Code, providing for the cancellation or refund of erroneous, mistaken, or illegal special assessments for abating weeds, and providing for cancellation of any such assessments when the property is acquired by the State or by any county, city, school district, or other political subdivision and which because of said public ownership is not subject to sale for delinquent taxes.

Referred to Committee on Agriculture.

Assembly Bill No. 231: By Mr. Cain—An act to add Section 1576.1 to the Penal Code, relating to the powers of the Board of Prison Directors and providing for the transportation to and from school of the children of officers and employees of the State Prison at Folsom.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 232: By Mr. Cain—An act to amend Section 11 of the Unemployment Insurance Act, relating to the definition of wages.

Referred to Committee on Unemployment.

Assembly Bill No. 233: By Mr. Weybret—An act to amend Section 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Referred to Committee on County Government.

Assembly Bill No. 234: By Messrs. Bennett, Russell, Poole, Massion and Collins, George D —An act to add Article 8 5 (comprising Sections 10340 and 10341) to Chapter 3 of Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 235: By Mr. Evans—An act to amend Section 4 974 of the School Code, relating to school bonds.

Referred to Committee on Education.

Assembly Bill No. 236: By Mr. Evans—An act adding Section 956.8 to, and amending Section 958 of, the Streets and Highways Code, relating to the abandonment of county highways.

Referred to Committee on Roads and Highways

Assembly Constitutional Amendment No. 10: By Mr. Johnson—Proposed amendment to Article IV of the Constitution by adding a new section numbered 1.5 to Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 4: By Mrs. Daley—Relative to violations of the Hatch Act

Referred to Committee on Rules.

Assembly Joint Resolution No. 5: By Mr. Heisinger—Relative to the preparation of a mortality table by the Federal Government.

Referred to Committee on Federal Relations.

Assembly Joint Resolution No. 6: By Mr. Turner—Relative to memorializing Congress to increase the appropriation of funds for the Central Valley Water Project.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 6, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6

Assembly Joint Resolution No. 6—Relative to memorializing Congress to increase the appropriation of funds for the Central Valley Water Project.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—68

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 8: By Mr. Tenney—Relative to a comprehensive survey of the State Highway System.

Request for Unanimous Consent

Mr. Tenney asked for unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, without reference to committee, print or file, and that the same be considered engrossed.

Mr. Kilpatrick withheld his consent.

Motion to Temporarily Suspend the Rules

Mr. Tenney moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 8, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bashore, Burns, Michael J., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Gaffney, Green, Hawkins, Heisinger, King, Maloney, Middough, Poole, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, and Welch—29.

NOES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Dickey, Dilworth, Donnelly, Gallagher, Gunlock, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Potter, Russell, Waters, Weybret, and Wollenberg—32.

Assembly Concurrent Resolution No. 8 referred to the Committee on Roads and Highways.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. Dills moved that Assembly Bills Nos. 164 and 165 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Judiciary General.

Motion carried.

Mr. Watson moved that Assembly Bill No. 98 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Fish and Game.

Motion carried.

Mr. Meehan moved that Assembly Bill No. 84 be withdrawn from the Committee on Education, and re-referred to the Committee on Labor and Capital.

Motion carried.

Mr. Stream moved that Assembly Bill No. 130 be withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Motion carried.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 1—Relative to the hunting season on migratory wild fowl.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62.

NOES—Allen, Desmond, and Thorp—3.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT MESSAGE FROM THE GOVERNOR IN JOURNAL

On motion of Mr. Bennett, the following message from the Governor was ordered printed in the Journal:

First Biennial Message of Governor Culbert L. Olson to the Fifty-fourth Legislature of the State of California

To the Senate and Assembly of the State of California

Section 10 of Article V of our State Constitution, which has been a part of our Constitution since 1849, provides that the Governor, "shall communicate by message to the Legislature, at every session, the condition of the State, and recommend such matters as he shall deem expedient." It is in the performance of that duty that I appear before you at this opening session of the Fifty-fourth California Legislature; also to extend my greetings and best wishes for the success of

your legislative labors and for your personal well being; also to express my sincere desire that we shall engage in the performance of our respective duties in a spirit of cooperation with constructive purpose and mutual respect for the dignity of our offices.

We enter upon this year of 1941 with improved conditions in State finances, due to the increased activity of certain California industries, in which vast expenditures are being made by the Federal Government in carrying forward a program of National defense. This has increased the State's revenues under our existing revenue laws to the point of balancing our current month to month expenditures, and they may gradually reduce the accumulated deficit which a year ago, before the Nation entered upon a program of expenditures for National defense, was consistently rising to alarming proportions.

In my budget message two years ago it was shown that existing revenue laws were insufficient to meet the fixed charges and budgetary requirements for governmental services provided for by law, even with the most stringent curtailment of those services and the greatest possible economies that could be accomplished in their administration. And, as required by the Constitution I then recommended new measures to produce sufficient revenue to balance the budget for the ensuing biennium and to reduce the deficit that had accumulated during previous administrations. The present World War and the prospect that the United States would now be engaged in carrying forward a National Defense Program involving expenditures of many billions of dollars, with resultant stimulation of industrial and commercial activities, reemployment and great reduction in the State unemployment relief load, was then unforseen. Had the revenue measures then recommended been adopted, it now appears that by the end of the present biennium the entire State deficit would have been wiped out and we could be looking forward to a reduction in tax revenues lightening the tax burden on those least able to pay.

* * *

Later on in your session this month, in obedience to my constitutional duty, I shall submit to you a proposed budget to meet the fixed charges and expenditures required by the Constitution and present laws during the next biennium. Looking forward to a continuance if not an increase in State revenues under existing laws sufficient to meet the expenditures under that budget and to also reduce the remaining State deficit during the next biennium, I am pleased to say at this time that I will not be compelled in my budget message to recommend enactment of any additional revenue measures at this regular session.

* * *

With regard to the condition and accomplishments of the administrative departments which are under the direction of the Governor, I submit to you the following report, leaving it to other elected officials to submit to you reports on the condition of their departments.

STATE DEPARTMENT OF FINANCE

The Department of Finance has exercised during this biennial period rigid control over all expenditures, resulting in substantial savings to the State Government. Every means available to the department has been utilized in accomplishing this result.

Judicious scrutiny has been made of all requests for the purchase of materials, supplies, and equipment, the filling of vacant positions, and the creation of new positions. Through the exercise of rigid budgetary control, all excessive and unjustified expenditure requests of the several State agencies have been disallowed and the savings thus effected, together with those accomplished through the other activities of the Department of Finance, have been set aside in reserves. These reserves will revert to the State Treasury, except to the extent that they have been utilized to make salary adjustments and to meet unforeseen contingencies not provided for in the original appropriation.

In order to encourage the widest possible competition on the *State's purchasing,* agencies have been required to draw specifications which will not discriminate against any firm or its products. Specifications are so prepared as to permit the fullest possible competition among business firms in the State. This serves to accomplish two purposes: (a) Extend to every business equal opportunity to bid; (b) Safeguard the interests of the State by obtaining quality products at the lowest cost. The result of such requirements has been a saving of thousands of dollars to the State.

Citing one instance of the result of competitive bidding: The 1941 contract for oil and gas netted the State a saving of $158,365, the lowest price ever received by the State for its oil and gas requirements. The following accomplishments by the Department of Finance are worthy of mention:

1. Reduction in the premium of surety bonds, from a high of $7.50 per thousand to a high of $2.50 per thousand, will result in a saving of approximately $50,000 per biennium.

2. Fewer passenger automobiles purchased, together with the policy of buying less expensive types.

3. Closing of the Napa State Farm, which during the twenty years of its operation resulted in losses of approximately $275,000 to the State.

4. Daily report required as to use, mileage, and purpose of trips of each State automobile. This has eliminated the use of State cars for personal purposes.

5. The establishment of a policy that all State passenger vehicles must be operated for at least 65,000 miles instead of 50,000 miles before these vehicles are turned in on the purchase of new cars.

6. The more effective coordination achieved by the Department of Finance in the purchasing of securities for various State funds has prevented the numerous State agencies from bidding against each other, and thus makes it possible for the State to obtain high yield bonds at the lowest possible price.

7. All leasing of office and other rental space has been placed under the supervision of a Chief of the Division of Service and Supply, in order that the State may obtain adequate quarters at lowest rental prices.

* * *

The past two years have been quite the most active and successful in the history of the *State Planning Board.*

As a result of the board's studies of tax-delinquent lands, Assembly Bill No. 47, the Lands Classification Bill, has been adopted and will become effective early this year. The importance of the problem here dealt with is indicated by the fact that some three and one-half million acres of rural lands and three hundred fifty thousand subdivision lots have been deeded to the State for nonpayment of taxes.

Accurate maps are a necessity to practically all governmental agencies. California is today less than half covered by basic surveys, although more than $10,000,000 have been spent for them by public agencies. As a result of studies, the Planning Board has developed a plan for State and Federal cooperation in providing complete statewide coverage within a reasonable period of time. This plan will give California the most comprehensive and best coordinated mapping program in the country and will assure a maximum return for every dollar spent.

As a result of studies by the Planning Board, California now has its first long term plan for the location of future State office buildings in Sacramento.

The board has cooperated with the National Resources Planning Board in studies of governmental and voluntary regulations of the oil and gas industries in California. This was done in preparation of a nationwide study of energy resources.

In cooperation with the State Council of Defense and at the request of the Army, the board conducted an intensive survey of tracts

of land appropriate for use for Army training camps. For this, the board has received praise and thanks from Army officials.

The board has issued the first survey of the activities of the various local and regional planning boards of California. As a result, for the first time, each of the thirty-three county planning commissions and the one hundred thirty city planning commissions, now knows what all of the commissions are doing.

The board expects to continue its studies of tax-deeded lands.

Other studies now well advanced are:

"An airport and airway plan for California" being prepared in cooperation with the Civil Aeronautics Authority, a study of "Recreation in California," with the assistance of the National Park Service, and a "Local Planning Manual" designed to guide the work of planning commissions in small cities. Unless emergencies interfere, all of these reports should be completed this year.

The facilities of the State Planning Board are available to investigate problems and make reports which will contribute to an improved administration of State affairs. It is a tool to be used in fact-finding, research and broad planning. It should be given greater support and larger responsibilities.

DEPARTMENT OF PUBLIC WORKS

In the eighteen months ending last June 30, the *Division of Highways* expended some $55,000,000. This included $29,000,000 for construction including rights of way, betterments, minor improvements and engineering, $13,000,000 for maintenance and $12,000,000 for allocations of work within incorporated cities.

Thirty-three major works have been completed in this eighteen-month period or are now in course of construction. These include:

The West's first freeway, the Arroyo Seco Parkway, between Los Angeles and Pasadena.

The further extension of this freeway on North Figueroa Street in Los Angeles.

The Cahuenga Pass freeway from Hollywood to San Fernando Valley and points north

The Olympic Boulevard freeway, from the center of Los Angeles to Santa Monica.

More adequate approaches to the Golden Gate Bridge.

New sections of four-lined divided highways on the main San Joaquin Valley route.

The Los Gatos Canyon road from Santa Cruz to Los Gatos.

The relocation of the Pacific Highway north of Redding due to the construction of Shasta Dam.

Shortening and straightening the road between Sacramento and San Francisco.

Several grade separation projects.

Numerous other projects throughout the State from Del Norte County in the north to Imperial County in the south.

New state-wide traffic surveys and studies have been undertaken with the hope of eliminating highway traffic congestion, particularly in metropolitan areas. The Highway Commission has pledged itself to convert the Bay Shore Highway from Palo Alto to San Francisco into a "freeway."

* * *

The *California Toll Bridge Authority* has rendered signal public service during the past two years.

In May, 1939, the Authority refinanced the bonded indebtedness against the San Francisco-Oakland Bay Bridge, thereby securing a reduction of interest from 4¾ per cent to 4 per cent. In the bargain, the new issue was sold at a premium netting the Bridge a profit of $1,065,000.

The Authority has since by four successive steps, reduced passenger car tolls from 50¢ to 25¢. Corresponding reductions have been made in tolls charged trucks, busses and commuters.

In September, 1940, the Authority completed purchase of the Carquinez and Antioch Toll Bridges from the American Toll Bridge Corporation and immediately reduced passenger car tolls by nearly 50 per cent. This was done without delaying the date when the bridges would otherwise have become public property and toll free. In the meantime, the public will be saved upward of $4,000,000 in toll charges. This purchase was made by the issuance of revenue bonds purchased at an interest rate of only about 1¾ per cent per annum.

Under the function of construction, repair and improvement for the various State departments, the *Division of Architecture* has, during the past two years, accomplished architectural and engineering work to the value of over $10,000,000.

In addition, the division constantly renders assistance of an advisory nature to the various departments.

Plans have been checked and approved for safety of design and construction for more than 760 school construction projects having an estimated construction cost in excess of $35,000,000.

As a result of consultations with the Department of Institutions, the division has succeeded in standardizing all plans, fixtures and

equipment for future housing facilities for the department. By this means the cost of such institutional housing has been reduced so that it now costs no more, and in many cases costs less, than modern housing built under mass construction methods. Further savings are anticipated.

The Division of Architecture has completely rearranged the plans for Chino Prison, making them conform with the original purposes of the Legislature in providing for its establishment, namely, that of a detention and rehabilitation home rather than a "maximum security" prison; also greatly increasing its capacity without increasing its cost.

* * *

In the *Division of Water Resources* an extraordinary number of surveys, investigations and studies have been made of the many problems raised by the construction of Shasta Dam and the Central Valley Project. These relate both to the disposal of water conserved by the project and also to the electric power to be generated at Shasta Dam.

An investigation was made and report rendered on the feasibility and cost of obtaining supplemental water supplies for the State institutions and cities in Napa Valley.

Following last year's floods in northern California, the division rendered a report covering the nature and extent of the floods, the damages resulting therefrom, and a program of rehabilitation and permanent remedial flood control measures.

The Department of Public Works has at all times sought to protect the market for Shasta Dam power and has appeared before the Railroad Commission to oppose the various efforts on the part of public utilities corporations that might interfere with that market. Conferences were held in recent months with representatives of the Department of Interior, United States Bureau of Reclamation, and the California Water Project Authority. Out of these conferences have come the first determinations of the cost of Shasta power to such public agencies as may wish to buy it wholesale.

* * *

I believe that it is very generally recognized that the *Golden Gate International Exposition* was a great success; that all Californians should draw great satisfaction from it; and that the State Government's participation therein, through the California Commission, was well conceived, well planned, and most capably managed.

Most of the State's exhibits have been salvaged for continued use. Several of the exhibits have been or will be reconstructed at the State Fair or elsewhere.

The commission has returned to the General Fund in excess of $250,000 in cash unexpended by it in the administration of the State's appropriation for the purposes of the exposition.

DEPARTMENT OF AGRICULTURE

The Department of Agriculture now has forty-five marketing programs in effect. These include twenty-one milk distributing programs, under five of which there is an excess supply distributed to relief clients at reduced prices. Milk wars have been eliminated.

The marketing programs as respects various crops, have benefited both the farmers and the consumers. In addition, when farmers are well organized to sell their crops under the various marketing acts, they find that they can qualify readily for Federal crop marketing loans which assist orderly marketing and increase the margin of profit remaining for the farmer.

The Department of Agriculture has been especially successful in removing large, market-depressing surpluses of many of California's important agricultural crops, by promoting their purchase by the Federal Surplus Commodity Corporation, for distribution in California and elsewhere to relief clients This has meant not only a large direct augmentation of farmer income in California, but it has produced a much greater income because it served to stabilize and improve prices for the remaining major portions of their crops.

California now has one of the best meat inspection systems in the country. The City of Los Angeles asked the department to take over their meat inspection service. This was done as of November 1st. State meat inspection service is now rendered in forty of the fifty-eight counties, insuring consumers a wholesome meat supply.

The bovine tuberculosis problem is at last about cleaned up in California and we hope for Federal certification thereto early in 1941.

After years of effort, artichoke thistle infestation has been reduced from some 18,000 acres, mostly in Solano County, to less than 200. These lands have been restored to normal production purposes.

The department, working with the University of California, is publishing a new weed-control manual for farmers. It will be of great value.

Plant quarantines have been reexamined and corrections made to facilitate movement of restricted commodities.

An outstanding achievement of the department has been the development of methyl bromide as a fumigant. It is already of enormous value to the agriculture industry of the State. It has reduced the cost of fumigation in warehouses, being more effective than older methods. Its use in treating California pears and potatoes has

broadened the market for these commodities in other States because it kills the codling moth in pears and tuber moth in potatoes. Its use as a fumigant against insect pests infesting nursery stock has been quite successful, enabling the movement and wider circulation and use thereof.

Four cattlemen, selected by their industry, have reviewed the department's administration of the hide and brand laws. They have found State enforcement to be efficient.

DEPARTMENT OF INDUSTRIAL RELATIONS

In this department, notable improvements have been made in carrying out the provisions of the Labor Code for the protection of the workers, some of which for many years had become practically dead letters for laxity of enforcement.

Responsive to the need for more prompt compensation of workers' compensation claims, the *Industrial Accident Commission* now meets every day except Saturdays, Sundays and holidays, and has accomplished many procedural improvements to expedite the handling of compensation cases, so that the beneficiaries of the Workmens' Compensation Act receive the benefits of that act when they are most needed. Experience in its administration shows the need for amendments of procedural provisions of the act so as to further facilitate the prompt application of its benefits The policies of the commission have been liberalized and its liberal interpretations of the Workmen's Compensation Laws are being sustained by court decisions. As an instance of the commission's liberalization policies, hernia cases which theretofore had been allowed medical treatment only during the first ten weeks are now treated as any other industrial injury and full benefits awarded; injured employees who must leave their home town for examination or special treatment are allowed reasonable expenses for board and lodging. Heretofore injured workmen were allowed only 50 per cent disability compensation if able to perform light work even though such work was unobtainable. Under present policies they are allowed full disability compensation unless such light work is available.

Elimination of the element of surprise at commission hearings and the saving of time of the commission and referees in reaching their decisions has been aided by making all records, such as X-rays, of injuries, available to both sides of any contest before the case comes for hearing.

This department has diligently sought to reduce the number of accidents and personal injuries in California's industries through the enforcement of safety laws and regulations and the thorough inspections needed particularly at this time, although insufficiently budgeted

for this service. The benefit of the Workmen's Compensation Law and the safety measures in accident and personal injury prevention is shown in the fact that in 1914, when California's population was less than 3,000,000, there were 691 accidental fatalities. In 1939, when the population was nearly 7,000,000, industrial fatalities were reduced to 461 in number.

* * *

More determined enforcement of the *Workmen's Compensation Act* has compelled many employers who have heretofore failed to comply with the act to carry insurance for the first time, and more than 200,000 workers not heretofore covered, have been brought under the protection of Workmen's Compensation Insurance. More than 217,000 employers are now insured. If all workmen's compensation was exclusively written by the State Compensation Insurance Fund, great savings in administrative costs could be made, the burden of workmen's compensation on the State's industries could be lessened, and the benefits of the act increased.

The *State Compensation Fund* is solvent and strong. It has experienced its greatest growth during 1939 and 1940. In this period new business amounted to over $2,000,000 in premiums and accounted for more than 18,000 new policies. The fund insures more than 40,000 employers whose employees number more than 600,000.

* * *

In the *Division of Labor Statistics and Law Enforcement,* notwithstanding serious understaffing due to insufficient appropriations, marked progress has been made in the enforcement of labor laws and improving general administration The division is handling a constantly growing and now very heavy load of labor complaints, both wage and nonwage. Laws for the protection of women and minors in industry are being fully enforced. To assist enforcement of child labor laws, a comprehensive digest of such laws has been prepared and distributed widely through school authorities, employers and others.

* * *

The Division of Industrial Welfare is charged with the welfare of women and minors in industry. Prior to 1939, due to lax interpretation of Industrial Welfare Commission orders, compliance with the minimum wage law was indifferent and "spotty." Since then, as a result of a series of law suits to enforce and a program of strict enforcement, this law is being observed to the letter throughout the State. Since February, 1939, the division has instituted 23 such suits, and won 22 of them. As a result, nearly $500,000 have been added to the earnings of women and minors.

The Division of Immigration and Housing is handling a much heavier load of immigrant aid work and rendering a much improved service.

The division assisted the Housing Authorities of Los Angeles, San Francisco, and Oakland by checking their housing plans for conformity with the State Housing Act. During 1940, some 150 plans for hotels and apartments were similarly checked. This work is increasingly important and necessary because of the unusual increase in housing construction adjacent to the Army training camps and elsewhere outside incorporated cities.

Following the Imperial Valley earthquakes, the division inspected practically all of the hotels, rooming and apartment houses in that district. As a result of the reports thereon, many of them were demolished because they were considered to be damaged beyond repair.

The division has conducted several clean-up drives on shack-housing in cities, in cooperation with local authorities, with excellent results. An outstanding example of this work is in the City of Stockton where a number of the older rooming houses have been vacated or demolished on the division's recommendations.

* * *

The law creating the *California Apprenticeship Council* was adopted in 1939 and has been in operation only since September, 1939. But it is already apparent that the council has carried its program to practically all of the industrial centers of the State and that the program has met with pronounced success

* * *

The past two years have been much the most active in the history of the *Division of Fire Safety*. Special attention has been given to correcting hazardous conditions disclosed by inspections of State institutions charged with the care and custody of some 28,000 persons, including insane, feeble-minded, narcotic addicts and juvenile delinquents. For the first time in the history of the division, exhaustive fire surveys have been made at six State Hospitals, at the Preston School and the Sonoma State Home. Recommendations have been made for corrective measures including new legislation.

Dangerous hazards discovered and revealed by the division have resulted in a new building program at the Yountville Home and the razing of two tinder-dry barracks declared unfit and unsafe for use.

Inspection revealed the existence of alarming fire hazards in the State Building at Los Angeles. These are being corrected.

Inspection at Folsom has resulted in the correction of serious hazards, improvement of equipment and increase of fire department personnel.

A fire survey of the University of California is now under way; the first in its history. Already some surprising and deplorable conditions have been disclosed. And recommendations have been made condemning certain old buildings and calling for increased water supply, more fire alarm boxes, and elimination of unsafe practices.

The Division of Fire Safety is self-supporting, out of fees collected paid by the cleaning industry in which, incidentally, a high level of fire safety is maintained.

The State Fire Marshal's salary should be paid by the State rather than by private interests. The 28,000 wards of the State, in the various hospitals and institutions should be given adequate, organized protection from fire. The State, moreover, has invested some $30,000,000 in the buildings housing them.

DEPARTMENT OF NATURAL RESOURCES

This department has initiated new and much needed programs for the conservation, development and utilization of our natural resources.

In the past the several divisions of this department operated independently of each other, and of the department. The various policy-making boards and commissions had never met together. Joint conferences of these commissions have been instituted, resulting in their closer cooperation, and in the coordination of their programs. Plans for the multiple use of the areas controlled and protected by the department are being worked out with the expectation that they will result in greater returns to the State.

• • •

Intervention by the Department has been highly instrumental in preventing great wastage of natural gas in the Montebello oil fields. By securing the cooperation of the interests involved, the owners of wells in this field have been able to make arrangements to distribute large quantities of gas into consumptive channels and to store still larger quantities underground. Otherwise, this gas would have been blown into the air and lost completely.

• • •

The *State Park Commission* now has a program for the orderly development of the State parks. Heretofore there has been no program. Park areas are now being developed and opened to the public. Obsolete accommodations are being rebuilt and modernized. New

swimming pools and camp sites are being provided. Public use of State parks has increased 45 per cent and revenues therefrom 60 per cent. In 1939 13,000,000 people and in 1940 over 20,000,000 people visited our State parks.

* * *

The *State Mining Board* heretofore but little active, has been reorganized and reenergized. The board is making a special effort to stimulate the search for minerals and ores essential to the National defense.

* * *

The *Fish and Game Commission* has improved relations with the Sportsmen's organizations and with the industries dependent upon our fisheries. Its development and conservation program is meeting wide public approval.

* * *

For the first time in the history of the State, the *Board of Forestry* has a state-wide policy and program for the control and prevention of forest fires. The Forestry Board has also initiated a program for the reforestation of devastated forest areas, and is working in close cooperation with Federal agencies for reforestation and for flood and soil erosion control and for the development of farm forestry in California.

DEPARTMENT OF PUBLIC HEALTH

California has the right to be very proud of the service rendered by its Department of Public Health. In the past two years, new low records have been established in the incidence of typhoid fever, diphtheria and smallpox, infant mortality and maternal deaths. The tuberculosis death rate is now the lowest in the history of the State.

Special researches are being conducted into the nature, cause and cure of sleeping-sickness, influenza, trichinosis and occupational diseases. County public health services have been further extended; so also public health nursing services.

Five motor clinics are now bringing dental service to pregnant women and to children living in rural areas. The crippled children's service has been extended. Mobile clinics render medical and public health service to thousands of migrants, both residents and new arrivals. Last year more than 47,000 immunizations were given to migratory agricultural workers against smallpox, typhoid and diphtheria.

Steady advance is reported in the work of controlling and stamping out syphilis and gonorrhea.

The new laws requiring premarital examination and prenatal blood tests for syphilis have already proved their worth in the discovery

of hundreds of unsuspected infections in young people, and expectant mothers. With the continuation of these laws and expansion of the venereal disease control program, we believe that syphilis in new-born babies will soon be eradicated and that the incidence of acquired syphilis and gonorrhea will be greatly reduced.

Recommendations for the improvement of health conditions in San Quentin Prison were made in a survey conducted by the State Department of Public Health in 1939, at the request of the Department of Penology. Complete studies were made of the method of purchasing, preparing and serving food, of the water supply and sewage disposal systems, and of general sanitary conditions. As a result of the survey, a chief steward was employed and the quality of food improved. Other recommendations are being put into effect.

DEPARTMENT OF INVESTMENTS

Some State banks are not large enough to afford independent audits. Therefore, the examining work of the *State Banking Department* has been expanded to include more minute inspection of banking operations. This has had a generally salutary effect and increased the safety factor protecting depositors.

Two years ago there were 25 banks in liquidation, having assets estimated at $3,420,000 as against liabilities of $6,327,000. Fifteen of these have been closed out. The remaining 10 have assets estimated at $1,182,000 as against liabilities of $3,690,000. Economical liquidation administration has, in some instances, enabled partial return of assessments paid by stockholders as well as 100 per cent return to the depositors.

Some banks are not the most favorably located for purposes of making sound commercial loans in sufficient volume. This has encouraged bond investment as an alternative. Therefore precautionary steps have been taken, for protection of depositors, to supervise their bond buying and selling operations.

Steps have been taken to encourage banks to divest themselves of real estate taken on foreclosure, so as to forestall embarrassment by too great capital tied up in this form of investment.

* * *

Two years ago the *Division of Building and Loan* had 21 associations in liquidation, all of which had been taken over in the period from 1930 to 1935. Since then, six of these associations have been closed out, four more will be closed out early this year and three more before the end of this year. These closures have had a beneficial effect upon the building and loan association business generally.

Two years ago the division was administering assets in liquidation totaling $9,000,000. They now total $10,500,000; an increase due principally to taking over the Mutual of Long Beach.

Two years ago the division was administering 411 parcels of real estate, plus two subdivisions, totaling 1,134 lots. Now there are 493 parcels, plus two subdivisions, containing 980 lots. All of this is exclusive of the Pacific States Savings and Loan Company.

In spite of this heavy increase in business transacted and assets under liquidation, the several offices of the division have been consolidated in two offices, one in Los Angeles, the other in San Francisco; the number of employees has been reduced by about one-third, the pay roll has been reduced by about 50 per cent, and overhead expenses have been reduced.

The Pacific States Savings and Loan Company was taken over in March, 1939. The association was insolvent in excess of $10,000,000. It had ceased to function as a building and loan association. For several years it had deliberately carried on policies contrary to the requirements of the Building and Loan Association Act. The greater part of its total assets had become frozen in various kinds of real property holdings and its management was engaged in purchasing at heavy discounts and losses to their owners its certificates of deposit by various and devious methods, taking advantage of their needs for their money. In the performance of his duty under the law the commissioner was compelled to take over the assets of this association for the protection of the certificate holders to whom they belong and for whose benefit they must be liquidated and distributed. Yet the take-over has been contested, and is still being contested in court by the former management. Meantime, the affairs of the company have been operated by the Building and Loan Commissioner at considerably less cost for attorney fees than the former management had been paying, at considerably less cost for administration, and with much greater profit to the company than under the former management. Two dividends totaling 12½ per cent have been paid to the investors out of accumulated profits and collections of interest and principal on loans.

Contrary to predictions, the taking over of Pacific States and the Mutual of Long Beach have had no harmful effect upon the active associations remaining in the business. In fact, the aggregate assets of the latter associations have registered substantial increases. There are now 103 of these associations doing business under State license. They are generally in a very good condition; in better condition than at any time during the past 10 years. Loan delinquencies are at a minimum. Foreclosures have practically ceased. The associations have no difficulty in obtaining new funds. Their most difficult problem is

that of finding satisfactory loans in sufficient number. In the past two years, these associations have increased and combined reserves from 14 per cent to 17 per cent of their liabilities; thus increasing the margin of safety afforded their investors. This compares most favorably with the Federal Savings and Loan Associations operating in California on a reserve of only about 4 per cent.

During the past two years, at least three associations have been saved from very serious difficulties and possible liquidation by the guidance of the division. In each instance, additional capital was brought into the business, the management was changed to some degree and the business well started on the road to success.

The investing public may now confidently rely upon the office of the Building and Loan Commissioner to do its proper duty and the building and loan associations operating under the supervision of this division may justly take pride in the possession of their license certificates entitling them to engage in the building and loan association business.

DIVISION OF CORPORATIONS

The work of the *Division of Corporations* during the past two years has shown material improvement, characterized by a decidedly larger volume of work accomplished with greater economy. New legislation added heavily to the division's duties and work. Nevertheless, it was accomplished without adding to the staff and without exceeding the budget which, when adopted, did not contemplate a drastic expansion of activities.

During the past two years, special attention has been given to fraud prevention.

Because of the sharp decline of the number and volume of security offerings, the income of the division from licenses and other sources has suffered seriously. Thus far, however, due to the assistance of the Department of Finance by way of instituting modernized office methods and other economies, the division has nevertheless been able to keep within its budget.

The new California Small Loan Act and the Personal Property Brokers Act have now been in force long enough to prove their worth to the community. One proof lies in the fact that hordes of "loan sharks" retired from this field of business just prior to these laws becoming effective. The unsuccessful attempt to defeat the California Small Loan Law by referendum had a salutary effect upon several of the nation-wide "loan shark" chains, most of which closed their offices when it became apparent that the law was to go into effect.

However, there is evidence that these lenders are still looking at California with covetous eyes. There is indication that they plan a campaign at this session of the Legislature. Few people realize the nature and extent of social problems consequent upon the unhampered operations of "loan sharks" or the general damaging effect upon the entire economic and social structure of the community.

Credit Unions, licensed by the State, have displayed a remarkable growth during the last two years due, at least in part, to the new law liberalizing the rules governing their operation. In general, these Credit Unions, some of which are very small, have been very successful and have operated with benefit to their members and borrowers alike.

There have been no "bucket shops" operating in California during the past two years.

The new Stockholders' Protective Committee Act has likewise proved its worth. Under it, racketeering promoters have been denied licenses while legitimate protective committees have found it easy to comply with the statute and have enjoyed protection against the competition of racketeering committees.

* * *

The *Division of Real Estate* reports a most substantial revival of the real estate business; especially as reflected in the large increase in the number of men and women licensed to practice as brokers and salesmen.

Added precautionary measures have been adopted to protect unwary investors against sharp practices in the sale of oil and gas leases, cemetery lots and business opportunities.

DIVISION OF INSURANCE

Broader powers to protect the public granted in 1939 to the Division of Insurance have been applied with salutary and beneficial effects already apparent. For the first time in our history the division now has competent investigators and auditors in sufficient number to supervise the conduct of agents, brokers, solicitors, as well as the insuring companies themselves.

Labor-saving equipment and procedures have been installed with most satisfying results in efficiency and economy.

Last year the bureau recovered $932,000 of policy proceeds and claim settlements for policyholders; nearly treble all previous yearly records.

Eleven of California's so-called "Chapter Nine" mutual life insurance companies, operating only in California, having $58,000,000 of life insurance in effect and some 100,000 policies outstanding, were

taken over. Investigations and hearings had disclosed misrepresentations, fraudulent claim settlements, exorbitant commissions to a few agents, inordinately high administrative expenses and excessive salaries to incompetent executives. Management has been assumed by division personnel at a cost of less than 19 per cent of salaries heretofore paid to officers and employees. Consideration is now being given to the rehabilitation of these companies so as to permit their return to independent operation. In the meantime, the policyholders are protected.

Careful studies of the worker's compensation rates proposed in 1939 accomplished a reduction of $8\frac{8}{10}$ per cent, which has now been in force one year and is saving California business over $2,500,000 a year. We can not anticipate comparable reductions every year, but it is the fixed policy of the division to keep rates at the lowest levels consistent with the stability of the carriers and adequate protection.

The people may well be satisfied with the conduct of this division in which insurance companies, agencies and the insuring public alike have the highest confidence.

DEPARTMENT OF INSTITUTIONS

Introduction of the insulin shock treatment for acute case of schizophrenia has yielded a recovery rate of 83 per cent. This disease accounts for a very high proportion of all patients in State hospitals. Heretofore the spontaneous recovery rate has been only 8 per cent.

Cooperating with the State Department of Health, our mental hospitals are giving fever treatment, by malarial inoculation, for cases of syphilis involving the central nervous system before they have progressed to the stage of insanity. At present, more than a third of all admissions of cases of this kind are admitted upon their voluntary application. They stay two or three months and are then discharged as cured, being thus saved from the destiny of death or permanent insanity from their diseases. The trend of admissions of cases of neurosyphilis indicates that before very long almost all such cases will be admitted in the early stages and that general paresis will become a rare disease instead of constituting, as it has heretofore, 7 per cent of all of our hospital admissions.

By making new special provisions for outside care, we have been able to greatly liberalize and extend the parole policy for mental patients. Two years ago there were about 2,700 patients on parole. Now there are over 4,500; a net increase of about 1,800 patients, or 67 per cent. This new policy has produced great benefits for the patients, the institutions are relieved of some of their overcrowding, and large economies are realized.

In spite of a growing admission rate, our system of outside care has enabled us to check the increase of population of our mental hospitals. In fact, recent months have produced an actual reduction, the first in the history of the department.

In the meantime new construction has increased the capacity of our mental hospitals by 1,284 beds. The net result, thus far, has been a reduction of overcrowding from 25 per cent to 20 per cent.

The medical work and the general care of our patients has been raised to a higher standard. This is perhaps best demonstrated by the sharp reduction in the death rate among patients in the seven mental hospitals.

The new activities of the department have, of course, necessitated fairly large expenditures for transportation, new equipment, and additional specially trained personnel. Nevertheless, economies growing out of our extension of extra mural care have enabled the department to restore to employees salary adjustments in the amount of over $750,000 for the current biennium.

* * *

During the past year two deaths occurred in the *Whittier State School for Boys,* which were apparently suicidal. Inquiry into the circumstances and means of discipline used in handling recalcitrant boys in the school, made by the Director of Institutions and by a committee appointed by the Governor to thoroughly investigate the case, failed to disclose any evidence of corporal punishment or abuse of the boy, or other boys in the school, and that committee selected by the Governor upon the recommendation of relatives and friends of the boy made a report exonerating the Superintendent and all persons employed in and about the school for any blame in connection with his death. When the second suicide occurred, widespread public interest and indignation was aroused, in the belief, drawn from publicized statements of former inmates of the school and others, that attendants in charge of enforcing discipline in the school customarily engaged in inflicting corporal punishment upon runaway boys and for violations of disciplinary rules. In order to have such accusations and also the disciplinary means and methods used at the school fully investigated, I appointed a committee of three outstanding citizens experienced in handling juvenile delinquents and incorrigibles and sincerely interested in their reformation and welfare. This committee has made such an investigation, has heard volumes of testimony and received reports from any and all sources from which they believed truthful information might be obtained that would help them to reach conclusions of fact and report their conclusions and recommendations to the Governor's office. This report has been made. It embraces findings and

conclusions of this committee that corporal punishment and brutal treatment has been commonly inflicted by attendants in charge of boys in the school who have been segregated for escaping or violating the rules of the school. As a result of this investigation one such attendant was tried and found guilty for violating the State law against corporal punishment in a State institution. In the light of this report, I have requested the State Personnel Board, with whom a copy has been filed in support of charges against the Superintendent of the Whittier School, to consider that report as charges affecting all persons employed in the institution for the purpose of making a thorough investigation of the matters thus reported to me as facts in regard to the treatment and handling of inmates of the school by their attendants. Inasmuch as this report would be secondary evidence before the Personnel Board in support of any charges, and in order that appropriate action justified by facts may be legally taken, a hearing and investigation of the whole matter must be held by the Personnel Board, which is the only authority to make removals of State Civil Service employees for cause. Recommendations have been made to me by said investigating committee with regard to a reformation of the system of handling the inmates of the Whitter School for Boys, and the qualifications of personnel employed at the school for that purpose, which I deem worthy of consideration and upon which I propose to act at the proper time.

DEPARTMENT OF EMPLOYMENT

The Department of Employment has two principal functions; finding jobs for workers and workers for employers, and administering unemployment insurance. The performance of both of these functions has been improved substantially during the past two years.

Specifically, the employment service to farmers and farm hands has been improved. During the past season, for the first time, workers could learn definitely where jobs were to be had, farmers could learn where to get workers on short notice, migrants were saved thousands of dollars in travel expense, there were no excess concentrations of labor, orders for workers were filled on request—even in isolated areas and, for the first time in many years, the agricultural season passed without a major strike.

Specifically, effective job-finding service is now rendered to youth, to young men discharged from the CCC's and to war veterans. California holds the record in the Nation for veteran placement.

Specifically, the department is working in closest cooperation with the National Defense Program, having placed thousands of skilled workers in the aircraft and other defense industries. The depart-

ment, with funds made available by the State Department of Education, has inaugurated job training and retraining programs in which men have been given training for both old and new occupations—to assure a continuous supply of skilled workers.

Up to date, the department has collected over $280,000,000 in contributions to the Unemployment Insurance Fund from 50,000 California employers, and disbursed over $115,000,000 in unemployment benefits. The balance in the fund exceeds $165,000,000. The fund now protects more than 1,500,000 workers. Thus far, there has been no quarter in which disbursements have exceeded income. However, there is some tendency toward equalization of income and disbursements.

A year ago at this time, charges were current that thousands of persons were obtaining insurance benefits illegally; that students were paying their way through college on unemployment insurance benefits; and that the fund was being used for health insurance. Four hundred twenty-four persons have been convicted in the California courts for obtaining money from the fund illegally. Chiseling has been stopped. The department is not financing college educations. And the department is not paying insurance to anyone who, because of sickness, can not take employment in his usual occupation.

More persons than ever before are obtaining jobs through the State Employment Service. Unemployment insurance benefits are being paid more promptly The department has strengthened its relationships with both employers and employees. The department has become the center of labor placement for the defense industries. The department has reached that level of efficiency where it can, readily and efficiently, take care of an increased load, should this Legislature decide to place all workers in California under the protection of unemployment insurance.

The activities and policies of the Department of Employment stabilize and strengthen the economic life of the State.

DEPARTMENT OF MILITARY AFFAIRS

The California National Guard has been raised to new high levels of size and efficiency. Training schedules have been made more rigid and now embrace the newer developments in military arts. Personnel standards have been raised.

Two years ago the Guard's strength was 7,501 officers and men. Today it is 10,975. Old units have been increased in size and many new units have been organized. All units are modernized.

Some armories have been remodeled; some new facilities erected. Two new armories have been built and one is now under construction. Many more are urgently needed and are in contemplation.

The Guard camp near San Luis Obispo has been enlarged by the purchase of 1,300 acres of additional land and the whole camp leased to the War Department which is building a large troop training cantonment thereon.

The schooling program for both officers and enlisted men has been enlarged.

Induction of the California National Guard into Federal service for a year of intensive training started last September 16th. It is contemplated that the entire Guard will have been called up by the end of this month.

The office of The Adjutant General is now engaged in framing plans for a State Guard to perform the normal peace-time duties of the National Guard when all of the latter shall have been inducted into the Federal Service. The State Guard will be on a voluntary basis and composed of men not subject to military service.

The National Guard is an organization of enthusiastic men animated and bound together by a high esprit de corps. It is proud of its past record and its high professional standards. As the several units pass into the Federal service, we may be sure that they will reflect great honor upon the State of California.

In anticipation of the passage of the National Selective Service and Training Act, plans for its administration in California were made through The Adjutant General's office many months in advance. These plans have since been executed with efficiency, dispatch, and great credit to the State.

* * *

The outstanding development within the *Veterans' Welfare Board* during the past two years is that its home purchase operations have come to an end, all funds placed at its disposal having been used in full. Very substantial operating economies have been effected. The board's affairs are in excellent condition.

DEPARTMENT OF MOTOR VEHICLES

In the past two years, economies have been instituted in the Department of Motor Vehicles effecting savings of nearly $500,000 a year. This has enabled payment of the long delayed salary increases due employees under the Civil Service Act. At the same time, efficiency and service have been improved.

The department carries on a continuous campaign of safety education and the Highway Patrol continues to render efficient service, but additional patrolmen are probably needed.

HORSE RACING BOARD AND ATHLETIC COMMISSION

The California Horse Racing Board and the State Athletic Commission have accomplished many reforms in aid of clean and honest races and athletics conducted by their licensees. They are performing a highly constructive service to the licensees, their patrons and the State.

BOARD OF STATE HARBOR COMMISSIONERS

The San Francisco Harbor Board, faced with a 35 per cent reduction in number of ships visiting San Francisco Harbor (due principally to war conditions), by an annual loss of $350,000 in ferry boat revenue, and by the necessity for extensive repairs (too long deferred) to the railroad equipment, buildings and piers belonging to the board, has nevertheless succeeded in reducing staff and expenses, increasing the number of freight cars moved, making extensive repairs of rolling stock, tracks, buildings and piers, developing new revenues, collecting old debts, reducing insurance rate and premium charges, improving harbor services, and giving the personnel their automatic pay increases; all with the result that the board's budget will be balanced by the end of this biennium.

The board is working in close cooperation with Army and Navy officials in the National Defense Program.

The President of the board has performed a signal service for the State by assisting west coast ship-building interests to secure contracts for the building of ships on the Pacific Coast.

Present plans contemplate converting the Ferry Building to use as a bus terminal. A start in this direction has already been made. Traffic studies indicate that a centering of all interurban bus transportation in and out of San Francisco at the Ferry Building would serve the best interests of the general public as well as most business interests.

The board contemplates redesigning the piers at the Ferry Building in order to accommodate the large passenger ships contemplated in the Federal ship-building program This development would make San Francisco the most famous and unique port in the world for the handling of ocean passenger business.

DEPARTMENT OF SOCIAL WELFARE

Under the Department of Social Welfare, 143,000 of California's elder citizens are now receiving old age assistance. They are deeply

grateful for the release of liens against their property and for the increased monthly allowance from $35 to $40. The average payment is about $38 per month.

The State has increased the proportion of costs paid for financial aid to dependent children, thus relieving the overburdened counties. Care for children in rural California has been extended and specialists made available under the Child Welfare Service.

Administration of the whole Social Security Program has been improved and mutually satisfactory arrangements between the State, as the supervising authority, and the counties have been achieved.

The State is preparing the first manual for administration of aid to the needy aged, the blind, and children, for distribution to county agencies. A State Hearing Officer has been employed so that needy persons appealing to the State Board of Social Welfare, but unable to get to the place where the board meets, can be heard in their own communities.

Thanks to cooperation with the State Fire Marshal's office, the inmates of all institutions in the State for aged persons, and children, are being given the most careful protection from fire hazards.

There has been no increase in the percentage of administrative costs.

STATE RELIEF ADMINISTRATION

Administration of State relief in the form of cash doles to the needy unemployed has been rather a hectic job in every administration, due to a number of causes but principally to the underlying cause for State relief. That is the dire distress, need and want for sustenance by so many hundreds of thousands of people in poverty and unable to find a place in which to work for their own maintenance. Organized pressure groups voicing the complaints of many in need of relief who are on the borderline of eligibility but who have not been admitted to the relief rolls have harrassed every administrator, particularly during the periods when the number needing relief was nearly three times greater than in recent months. And individual leaders with a revolutionary or social upheaval purpose have caused dissensions and made disturbances for relief administrators in disregard of the limitations of the powers of the administrators and often in disregard of the reasonableness of their protests. The number employed in the administration of relief has varied with the ups and downs of the relief case load, and administrators have been harassed by pressure groups to be retained while others were laid off, and by those who were laid off, for reemployment, all due to their dire need for employment and constituting another manifestation of the unemployment problem. Conflicting needs for retaining or obtaining

employment have often inspired unfounded criticism of individuals as being incompetent for the jobs they seek to hold. Such charges are too often erroneously accepted as facts by those disposed to criticize rather than cooperate in establishment of harmony and systematic, orderly procedure in employments and layoffs based upon a sense of fairness to all concerned.

Charges have been common that there has been a disposition on the part of this administration to give employment in the administration of relief purely as rewards for political party service in the election of this administration, regardless of their competency. But the fact is that no administrator has ever been requested—no administrator has ever been authorized by me to employ any person incompetent to perform the work for which he has applied. And it has been left to every administrator and his personnel division, working under contract with the State Personnel Board, under classifications, standards, ratings and qualifications established by it for the various employments, to determine the qualifications of each according to such standards. In order to relieve the administrator of the burden of hearing complaints as to discrimination and unfairness in layoffs and employments, there was designated under one administrator a board of personnel standards and appeals to hear such complaints and assist the administrator in dealing fairly with all persons concerned, and in all possible ways to assist in improving efficiency of this service and keeping the cost of administration within a limit of 15 per cent of the appropriation for relief, which I consistently recommended, and which recommendation was finally embraced in the relief appropriation act.

A joint legislative committee of the preceding Legislature has spent much time and money in the investigation of every relief agency in the State. In its hearings many loose, unfounded and utterly false statements have been made regarding employments in the relief administration by persons disgruntled because they have been discharged. Irrational, intemperate and false statements have been made by disappointed and vengeful individuals.

Good faith in seeking the distribution of the moneys appropriated for relief to the fullest possible extent to those for whose benefit it was intended has even been questioned by such persons in hearings of their ex parte and unsupportable statements.

Any imputation that it was ever the purpose of this administration to make a political machine of the relief administration by appointing persons as rewards for their political activities and regardless of competency and merit is disproved by the fact that I have consistently heretofore and I am today recommending that the Legislature enact

a law placing the State Relief Administration under civil service beyond the control of its employees for political purposes.

Fortunately, with the drastic drop in the relief load and the prospect of continued employment of its employables in industry due to the increased Federal expenditures in preparing for National defense, we can look forward to the need for a budget not to exceed $20,000,000 a year during the next biennium for whatever form of unemployment relief that may be provided for by the Legislature.

In my recent visit to Washington I was reliably informed that the National Administration contemplates a continuation of the WPA on approximately its present scale of WPA employments, which in California now provides for about 75,000 cases. It is to be hoped that there will be no let-down in WPA employments as there was in the latter part of 1939, when some 30,000 cases were dropped from the WPA rolls onto the State relief rolls, increasing the State relief load to an all time high in the early part of 1940.

THE STATE FAIR

The conduct of the State Fair has been attended with extraordinary success The 4-H Clubs and Future Farmers organizations now have 15 new exhibit buildings which they crowd to capacity. At last September's fair the live stock exhibits were larger than ever before; the educational exhibit buildings were filled to capacity; the night attractions were exciting and drew capacity audiences; the grounds were greatly improved; the crowds were pleased with improvements in the conduct of racing events. Exhibitors and concessionaires alike were pleased and the attendance broke all records, reaching a total of 713,625. Since closing of the Exposition at Treasure Island, several buildings and much exhibit material has been transferred to the State Fair Grounds.

DEPARTMENT OF PENOLOGY

The Department of Penology has been reestablished and made to function.

A private contract made by the old prison board with a firm of architects to do the architectural work for the Chino Prison, instead of having that work done by the State Division of Architecture, was canceled at a direct saving to the State of approximately $150,000. The architectural work is being done by the State Director of Architecture under reformed plans to conform with the original intent of the Legislature in providing for the establishment of this institution. This has resulted in further large savings

The most comprehensive and scientific study of prison feeding ever made in the United States was made in 1939 at San Quentin. The

direct result was the hiring of a chief steward, improvement in the quality and nutritive value of food served, and the elimination of waste formerly suffered from bad preparation.

Corporal punishment in connection with the enforcement of discipline in San Quentin Prison has been abolished and orderly compliance with law and prison regulations now prevails in that penal institution.

Several divisions of the Department of Penology heretofore scattered are now being consolidated in the Ferry Building at San Francisco with prospect of increased efficiency and economy.

BOARD OF PRISON TERMS AND PAROLES

Inability to find outside jobs, a condition of parole, continues to delay the parole of many prisoners. Last year 544 prisoners approved for parole were forced to remain in prison for this reason, and another 284 were discharged, having served their sentences in full, who could have been released much earlier had jobs been available.

Experience with road camps and prison farms has been most satisfactory. Their expansion is strongly urged.

The board constantly strives to improve the type of information upon which paroles are granted. Increased attention is given psychiatric findings.

Continued increase in the number of sex offenders is a matter of grave concern. Their segregation and special treatment are especially difficult. It has become apparent that prison is not the solution for the constitutional psychopathic inferior type of criminal with antisocial tendencies. The board is trying to provide for clinical psychiatric treatment and observation for paroled sex offenders.

In 1939 California became a signatory to the Interstate Parole Compact for the supervision of parolees and probationers. Experience thereunder has been quite satisfactory.

The board has established its office in the Ferry Building in San Francisco with an executive secretary. Here for the first time in the history of the State's parole system, members of the board are available to relatives, dependents, attorneys and friends of inmates and to others properly interested in parole problems. The executive secretary spends part of his time in Los Angeles for parole interviews. This service has afforded tremendous relief to hundreds of distressed relatives of prisoners in furnishing them accurate information about the length of prison terms and parole requirements.

Considerably more time than ever before is now being spent by members of the board in consideration of parole cases. Last year, 4,746 cases were considered by the board at meetings held in San Quentin

and Folsom Prisons. In each case, the inmate appeared personally before the board for the purpose of having his sentence fixed or his parole application considered.

DIVISION OF NARCOTIC ENFORCEMENT

Although in operation only a few months, the benefits of the new Narcotic Prescription Control law are already apparent. The compulsory reports thereunder disclose large amounts of narcotics being supplied to known addicts; addicts procuring prescriptions from two or more physicians at the same time; addicts using different names with different doctors and many other startling and flagrant abuses. The division is only now and for the first time in position to make individual investigations of disclosures developed by the prescription control system.

The division works in closest cooperation with Federal and local enforcement officers, and as a result the country now has a nation-wide network for the apprehension of illicit manufacturers, importers and distributors of narcotics. In the past two years, many spectacular captures have been made of marihuana, heroin, Japanese "cotton" morphine, cocaine and opium. These captures, together with the seizure of 62 automobiles have been a strong factor in crippling the narcotic traffic.

Nevertheless the prevalence of drug addiction remains astounding and alarming owing to the many difficulties encountered in its prevention. For example, it is stated that it will require a 10-year program to eradicte marihuana, because of the widespread growth and easy access to this destructive drug plant.

* * *

The new *Prison Board,* in the six months since its appointment, has sponsored and effected a series of constructive projects, betterments and reforms much needed to give California a practical, humane prison administration. The results so far achieved justify confidence that the board is proceeding in the right direction. There has been a marked improvement in prison morale and discipline, both at San Quentin and Folsom. Brutalities have been abolished. Officials and guards responsible for brutalities have been summarily discharged. Political control has been eliminated and standards of prison management materially raised.

Plans have been adopted and are under way for creating more useful work opportunity for the inmates, to expand the present prison road camps and to establish prison forestry camps in isolated sections of the State parks and forest areas.

The policy of making the new prison at Chino, in San Bernardino County, a minimum security rather than a maximum security institution, and to operate it largely as a prison farm, is being followed by the board.

The Detective License Bureau, an adjunct of the State Board of Prison Directors, is being revamped.

The State Parole Office is in the process of complete reorganization to provide more adequate supervision over parole prisoners. A merit system for the selection of employees has been inaugurated. The parole office will have a higher type of personnel and more modern facilities to meet existing conditions.

RECOMMENDATIONS

I shall not attempt in this message to recommend all the legislation which I consider is needed, but I here make the following recommendations:

Unemployment Relief

I recommend changes in the basic policy governing the handling of unemployment relief. Members of this, and of the past Legislature, and the general public as well, know that I have constantly advocated abandonment of the cash dole and the substitution therefor of work relief, including productive work, making opportunities for the unemployed to produce for their own needs.

I still oppose the dole. If I were to amplify this statement, I would only be repeating messages transmitted to you in the past and contained in your Journals.

I now recommend that the State Relief Administration should be provided with funds and empowered to give employment to the unemployed and training for employment. The Relief Administration should cooperate closely with the State Employment Service with a view to finding jobs for the unemployed in industry. The Relief Administration should sponsor public works projects providing work for those who can not be placed in industry. The Relief Administration, cooperating with the Employment Service and with our State and local educational institutions should conduct and provide vocational courses of instruction to train the unemployed for skilled and semiskilled jobs. Such courses, of course, should be equally available for *all* job-seekers, whether they be eligible for relief or not. Job training should be a definite public policy; especially as long as there are large numbers of workers seeking jobs and defense industries in need of trained workers.

Giving job training to unemployed workers will for a time cost a little more than the cash dole but to the extent that it fits them for jobs now waiting, it will in the long run be a profitable policy.

The policy of work relief will draw the line, clearly and sharply, between employable and unemployable. The giving of jobs and the doing of work will eliminate the onus of public charity. Even more, it will make certain that no chiselers will be found on the relief rolls.

Central Valleys Project

One subject of the most vital concern to the people of California is the development of our natural resources in a manner assuring maximum benefits therefrom to the people. As a part of this concern, we have the great Central Valleys Project. So very much depends upon the manner in which it shall be organized, how the costs of the various elements of the project shall be apportioned to navigation, flood control, salinity control, irrigation and electric power; how the water and power shall be distributed to the people and how much they shall cost; and how the great Central Valleys region shall be developed in order to improve the welfare of the people who live there.

If the Central Valleys Project is to be planned and operated so that its benefits shall really inure to *all* of the people, then we must develop definite, comprehensive, long-range plans and operating policies for the project. We must do this either by creating a California Authority fully empowered to serve these purposes and to help finance publicly-owned facilities for the distribution of electric power generated by the project, and to aid and promote new industrial developments and economic opportunities built upon the vast mineral, forest and farm resources of the region, *OR* by a Federal Authority clothed with ample powers by the National Congress.

Heretofore I have recommended amendments to our Central Valleys Project Act to give our Central Valleys Authority the power to proceed with such plans; particularly through the release and sale of a portion of the originally authorized revenue bonds to help finance local, publicly-owned electric power distribution systems.

But the Legislature has not seen fit to grant these powers.

And, being somewhat doubtful that the present Legislature would act favorably to such recommendations, I recently presented to the President of the United States the proposal that, since the Federal Government has assumed the cost of and is constructing the main features of the Central Valleys Project, it should go further and establish a Federal Regional Authority with full powers to secure its benefits to the people. The President's reaction was immediately favorable. He said he would favor the enactment by Congress of the

necessary legislation establishing such an authority. As a result, a bill will be introduced in Congress providing for the establishment of a regional Central Valleys Authority or a Pacific Southwest Authority which would also have similar jurisdiction in the Colorado River Basin. This solution of the Central Valleys problem will, if adopted, save time, eliminate confusion and the delays incident to divided authority, and assure the effective integration of all of the great benefits potential in the project.

In the meantime, however, as a safeguard and to facilitate the organization and construction of publicly-owned electric power distribution systems by cities and utility districts, I again recommend amendments to our Central Valleys Act, releasing revenue bonds authorized by the act and enabling their use to help finance local public utility districts.

I also recommend that memorials be addressed to the President and Congress urging further aid and the establishment of the proposed regional authority and greater speed in the construction of the Central Valleys Project.

Usury

Later on, during your session, I expect to make recommendations for further regulation and control over the small loan business, to prevent usurious charges.

Health Insurance

I repeat here a recommendation I made two years ago that California adopt a system of universal compulsory health insurance. The need and demand for such insurance is amply demonstrated by the many plans proposed or already in operation, including that advanced by the medical association. These plans are all constructive in purpose and many of them are quite useful within their limits but, by their very nature, they can not meet the broad needs of society.

There is but one method that is socially adequate. That is the method already applied to Workmen's Compensation Insurance, Old Age Insurance and Unemployment Insurance. It is the method applied to health insurance in 24 of the 27 countries having health insurance; that is, by making it both universal and compulsory. In our Department of Employment, which administers unemployment insurance in California, we already have the machinery and the organization to take over the work of administering a health insurance plan.

State Housing Authority

I again recommend the creation of a State Housing Authority.

Agricultural Legislation

I recommend still further strengthening of our agricultural marketing laws. This is needed not only to improve the farmer's economic position but also to counteract the weakening effect of recent court decisions.

The practice of submitting so-called "open-price" contracts to farmers in California still continues a source of irritation to growers and State enforcement officials. Under these so-called "open-price" plans, the grower is more or less at the mercy of the buyer in so far as the price he receives for his product is concerned. This matter should be studied by the Legislature with the hope that protective features for the growers can be devised to eliminate the losses which so frequently result from these contracts. Laws establishing and maintaining high quality standards for farm products entering the markets need strengthening.

Interstate trade barriers are hampering free movement of California's agricultural products. The California Commission on Interstate Cooperation should be empowered to move legally to help solve these problems which have such important bearing upon our relations with other States.

Soil Conservation

I again recommend legislation relating to soil conservation through the control of run-off and the prevention and control of soil erosion, establishing a State Soil Conservation Commission and providing for the organization and operation of soil conservation districts.

Reorganization of Governmental Agencies

For reasons set out in my message of May 18, 1939, I again recommend legislation and constitutional amendments providing for the reorganization of the State's fiscal operations, including tax collections, pre-audits and post-audits of expenditures, and the handling and investment of State funds.

Liquor Control

I again recommend the creation of a separate State agency to administer State control of the manufacture, transport, sale, purchase, possession and disposition of alcoholic beverages, and a restoration of the State Board of Equalization to its original status as a board of equalization of assessment of State and county taxes.

Industrial Relations

The need still exists for a State Labor Relations Act to provide machinery for the peaceful settlement of jurisdictional disputes, strikes and lockouts in intrastate commerce.

Unemployment Insurance

I recommend the broadening of the California Unemployment Insurance Act to include all industrial and agricultural employees so that no worker will be excluded from the benefits of this insurance

Workmen's Compensation Insurance

The benefits, accruing alike to workmen and employers, still warrant legislation vesting the writing of Workmen's Compensation Insurance exclusively in the State fund.

Horse Racing

The California Horse Racing Law should be amended in several respects. Greater revenue should be derived to the State from the operation of tracks licensed by the State, and numerous amendments are recommended by the Racing Board, needed to better enable the board to administer the law in accordance with its purposes, in order to increase revenue, aid horse breeding in California, and aid the enforcement of fair-dealing and honest practices in the operation of the tracks and in the conduct of racetrack employees. I commend to your careful consideration the specific amendments recommended by the Horse Racing Board.

Division of Insurance

I recommend submission to the people for vote an amendment to the State Constitution to progressively eliminate the right to deduct certain real estate taxes from gross premium taxes, and to equitably modify the premium tax rate. Under present constitutional provisions the right to deduct real estate taxes has resulted inequitably in favor of those companies which, due to the depression, have acquired by foreclosure unprecedented amounts of real estate. The mounting size of these deductions affect State revenues very adversely. The insurance companies themselves, recognizing this situation, agree in principle with a plan for equitable progressive adjustment.

Memorials to the National Government

I believe that memorials should be addressed to the President and the Congress as follows:

1. Giving assurance of California's complete support of and desire to cooperate in the National defense

2. Urging additional Federal appropriations to connect military cantonments with existing State highway systems and to improve and enlarge the capacity of highways and bridges where necessary to meet the extraordinary requirements of military use.

3. Calling attention to the large number of workers remaining unemployed and in need of relief in California; to the value of WPA

work projects to the National Defense Program; and asking for continued large WPA allocations for California.

4. Calling attention to the housing shortage emergency induced in several areas in California by the rapid expansion of war industries and urging prompt response thereto.

5. Calling attention to the need of Federal aid for low cost housing projects in certain rural areas of California.

6. Calling for a study of the effects upon our economy of foreign war purchases and of National defense spending, and of the economic repercussions which may be expected when peace comes; and calling for the formulation of policies and programs for economic readjustment to peace.

7. Declaring our belief that old age pensions should be Federally financed and administered in their entirety.

8. Urging continued and enlarged appropriations for the more rapid development of the Central Valleys Project; calling attention to the value of the project to the National defense.

9. Reminding that the migrant problem remains very serious and distressing in California; asking continued support of the studies of the Tolan Committee; and asking enlarged allocation of funds for relief and rehabilitation of migrants.

10. Calling attention to the need for further flood control and navigation work in California.

11. Calling attention to the need for measures to remove and restrain interstate trade barriers.

12. Supporting the establishment of a Federal Executive Department of Education and increased Federal aid for education and public health services including proposals for National hospitals for tuberculars.

CONCLUSION

In concluding this message I wish to make these observations:

Our most pressing and acute problems, mass unemployment and taxation for its relief, have been rendered less acute and less pressing as a result of heavy National defense spending. Nevertheless we must regard this condition as temporary. We must give serious thought to the recurrence of these problems which will attend the return of peace. They may recur in forms even more aggravated than we have experienced in the past, and when war ends, which we all fervently hope shall be soon, we shall also have to face payment of its costs. In other words, the legislative and executive branches of our government must give every aid and support to the National defense. But we should, at the same time, anticipate the disturbing realignment of social and

economic forces consequent upon the return of peace and prepare for readjustments thereto. If we can, in the preparedness for peace, preserve and apply the same high purpose and National unity which prompt and support our present efforts to prepare our National and home defenses, we shall be better prepared for the solution of our internal problems and to maintain the confidence of the people in democratic processes and democratic institutions.

Respectfully submitted.

CULBERT L. OLSON,
Governor of California

RECESS

At 11:45 a.m., on motion of Mr. Lyon, the Assembly recessed until 2:30 p.m.

REASSEMBLED

At 2:30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 26

House Resolution No. 26—Relative to the adoption of Permanent Standing Rules of the Assembly.

Resolution read.

Motion to Amend House Resolution No. 26

Mr. Lyon moved to amend House Resolution No. 26 as follows:

Amendment No. 1

In Rule 75, as printed on page 134 of the Assembly Journal, strike out
"8. A Committee on Conservation, to consist of 9 members.", and insert
"8. A Committee on Conservation, to consist of 11 members."

Amendment No. 2

In Rule 75, as printed on page 135 of the Assembly Journal, strike out
"34. A Committee on Medical and Dental Laws, to consist of 9 members", and insert
"34. A Committee on Medical and Dental Laws, to consist of 13 members."

Amendment No. 3

In Rule 75, as printed on page 135 of the Assembly Journal, strike out
"40. A Committee on Oil Industries, to consist of 9 members.", and insert
"40. A Committee on Oil Industries, to consist of 13 members."

Amendment No. 4

In Rule 75, as printed on page 135 of the Assembly Journal, strike out
"43. A Committee on Public Health and Quarantine, to consist of 9 members", and insert
"43. A Committee on Public Health and Quarantine, to consist of 13 members."

Amendment No. 5

In Rule 75, as printed on page 135 of the Assembly Journal, strike out
"50. A Committee on Social Service and Welfare, to consist of 9 members", and insert
"50. A Committee on Social Service and Welfare, to consist of 15 members."

Amendments read and adopted.

Consideration of House Resolution No. 26, as Amended

House Resolution No. 26, as amended, read.

Motion to Amend House Resolution No. 26, as Amended

Mr. Maloney moved to amend House Resolution No. 26, as amended, as follows:

Amendment No. 1

In Rule 13, page 122 of the Journal, line 5, after "Signature" and before the period, insert "after the majority vote of the members".

Amendment read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 26 (AS AMENDED)

House Resolution No. 26 (As Amended)

Relative to the adoption of Permanent Standing Rules of the Assembly.

Resolved, That the following Rules are hereby adopted as the Standing Rules of the Assembly for the Fifty-fourth Session:

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FOURTH SESSION—1941-1943

Hours of Meeting

1. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at 10 o'clock a.m. (Sundays excepted) unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at 2 o'clock p.m., daily (Sundays excepted) and Mondays at the hour of 11 o'clock a.m., unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order

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

Roll Call and Quorum

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

Order of Business

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

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

Reading of the Previous Day's Journal

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

Approval of the Journal

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

Motion to Correct Journal

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

Presentation of Petitions

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

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

Reports of Committees

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

Messages From the Governor

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

Messages From the Senate

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

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business calendar.

Bills Defined

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

Introduction and Reference of Bills

13. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same shall be stricken from the file on motion of the member whose name appears thereon without such signature after the majority vote of the members. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

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

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

Introduction of Bills After Constitutional Recess

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

Examining of Bills by Legislative Counsel Bureau

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

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

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circum-

stances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Daily Calendar

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

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

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

Motions and Resolutions

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

Adjournment

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

Duties of Assembly Officers

Duties of the Speaker

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

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

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

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

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

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

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

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

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

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

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

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

Duties of the Speaker Pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges

Order in Speaking to Questions

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

Speaker to Decide Who Is Entitled to Floor

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

Members Called to Order for Transgressing Rules

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

Members Called to Order for Offensive Words

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

Members Voting

27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote,

in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

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

Changing Vote

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

Members at Clerk's Desk

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

Tie Vote

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

Call of the Assembly

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

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter of business by unanimous consent

No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Assignment of Desks to Members

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

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

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

Appeal From Decision of the Speaker

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

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

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

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

43. A motion to lay on the table is not debatable and can not be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 43.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Consideration of Motions

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

Division of Questions

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

Resolutions

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Withdrawal of Motions

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

Motion to Be Germane

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

Bills Reported Back to Assembly

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

Motion to Withdraw and Recall Bills

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference

No bill or resolution shall be withdrawn from committee and placed upon the Calendar except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From Calendar

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

Motion to Rescind Action and Expunge Record

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

Reference of Bills to Committee

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

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

Record of Bills

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

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be

treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Committee on Engrossment and Enrollment

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

Engrossing and Enrolling Bills

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

71. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution The vote on concurrence or upon the adoption of such free conference report of the Assembly shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments

72. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such

refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

Committee on Free Conference

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any free conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any free conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such free conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Enrollment

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

Committees

Standing Committees

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

1. A Committee on Agriculture, to consist of 17 members
2. A Committee on Aviation and Aircraft, to consist of 11 members.
3. A Committee on Banking, to consist of 9 members.
4. A Committee on Building and Construction, to consist of 7 members.
5. A Committee on Building and Loan Associations, to consist of 7 members.

6. A Committee on Civil Service, to consist of 9 members.
7. A Committee on Commerce and Navigation, to consist of 9 members.
8. A Committee on Conservation, to consist of 11 members.
9. A Committee on Constitutional Amendments, to consist of 13 members.
10. A Committee on Contested Elections, to consist of 5 members.
11. A Committee on Corporations, to consist of 9 members.
12. A Committee on County Government, to consist of 15 members.
13. A Committee on Crime Problems, to consist of 7 members.
14. A Committee on Direct Legislation, to consist of 7 members.
15. A Committee on Education, to consist of 13 members.
16. A Committee on Elections, to consist of 11 members.
17. A Committee on Engrossment and Enrollment, to consist of 5 members.
18. A Committee on Exhibitions and Fairs, to consist of 7 members.
19. A Committee on Federal Relations, to consist of 7 members.
20. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members.
21. A Committee on Fish and Game, to consist of 15 members.
22 A Committee on Governmental Efficiency and Economy, to consist of 15 members.
23. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
24. A Committee on Hospitals and Asylums, to consist of 11 members.
25. A Committee on Insurance, to consist of 11 members.
26. A Committee on Introduction of Bills, to consist of 5 members.
27. A Committee on Irrigation, to consist of 17 members.
28. A Committee on Judiciary Codes, to consist of 17 members.
29. A Committee on Judiciary General, to consist of 15 members.
30. A Committee on Labor and Capital, to consist of 13 members.
31. A Committee on Libraries, to consist of 5 members.
32. A Committee on Live Stock and Dairies, to consist of 9 members.
33. A Committee on Manufactures, to consist of 7 members.
34. A Committee on Medical and Dental Laws, to consist of 13 members.
35. A Committee on Mileage, to consist of 5 members.
36. A Committee on Military Affairs, to consist of 9 members.
37. A Committee on Mines and Mining, to consist of 9 members.
38. A Committee on Motor Vehicles, to consist of 15 members.
39. A Committee on Municipal Corporations, to consist of 13 members.
40. A Committee on Oil Industries, to consist of 13 members.

41. A Committee on Prisons and Reformatories, to consist of 11 members.
42. A Committee on Public Charities and Corrections, to consist of 9 members.
43. A Committee on Public Health and Quarantine, to consist of 13 members.
44. A Committee on Public Morals, to consist of 11 members.
45. A Committee on Public Utilities, to consist of 11 members.
46. A Committee on Revenue and Taxation, to consist of 15 members.
47. A Committee on River Navigation, Reclamation and Flood Control, to consist of 13 members.
48. A Committee on Roads and Highways, to consist of 15 members.
49. A Committee on Rules, to consist of 9 members, including the Speaker.
50. A Committee on Social Service and Welfare, to consist of 15 members.
51. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
52 A Committee on State Grounds and Parks, to consist of 7 members.
53. A Committee on State Colleges, to consist of 7 members.
54. A Committee on Unemployment, to consist of 11 members.
55. A Committee on Universities, to consist of 7 members.
56. A Committee on Ways and Means, to consist of 21 members.
57. A Committee on Reapportionment, to consist of 21 members.

Committee Quorum

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

Meetings of Standing Committees

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

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

Standing Committee Rules

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

Signing Bills Out of Committee

79. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

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

Appointment of Attaches

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

Committee on Ways and Means

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly.

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

Committee of the Whole

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

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

Reconsideration of Vote

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

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be

placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, precedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

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

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Rules

Adoption of Standing Rules

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

Parliamentary Rules

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

Suspension of Rules

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

Amending Standing Rules

92. No Standing Rule of the Assembly shall be amended except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof.

Temporary Rule

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

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not

be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous

Press Privileges

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

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

Privilege of Addressing the Assembly

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

Smoking in Assembly Chamber

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

Fees for Witnesses

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars ($5) for each day such witness shall be required to appear, and the sum of three and one-half cents ($0 03½) for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon

any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided.

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

Speaker Explains Order of Business

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

Admission to Assembly Chamber

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

LYON, Chairman

House Resolution No. 26, as amended, read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

RECOMMENDATION OF COMMITTEE ON RULES

The following recommendation of the Committee on Rules was received, and, upon order of the Speaker, printed in the Journal:

Recommendations of Committee on Rules Concerning Enforcement of Rule 33 Relating to Calls of the Assembly

We recommend to the Speaker and members of the Assembly that, during the Fifty-fourth Session, it be the uniform policy of the Assembly that Rule No. 33 concerning calls of the Assembly be strictly enforced

It is our recommendation that when a call of the Assembly has been ordered no recess shall be taken, whether by unanimous consent or otherwise. We hereby give notice that the members of the Committee on Rules will join consistently in withholding unanimous consent to any recess under a call of the Assembly.

We recommend that when a call of the Assembly has been ordered, and the Sergeant-at-Arms has been furnished with a list of absent members, that portion of Rule 33 requiring the Sergeant-at-Arms to take absent members into custody be strictly enforced. It is our suggestion that immediate steps be taken to bring absent members to the Chamber, and that any member, who, being notified to return, fails to do so, shall have assessed against him any cost of returning him to the Chamber.

LYON
JOHNSON
DESMOND
BURNS, HUGH M.
CALL

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 69
And reports the same correctly engrossed.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REQUEST FOR UNANIMOUS CONSENT

Mr. Cain asked for, and was granted, unanimous consent to take up Assembly Bill No. 69, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 69

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Cain:

Resolved, That Assembly Bill No. 69 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas,

Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—75.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 69—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—73
NOES—None.

Assembly Bill No. 69—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—73.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 98

Mr. Thomas moved that Assembly Bill No. 98 be withdrawn from the Committee on Fish and Game, and re-referred to the Committee on Governmental Efficiency and Economy.

Substitute Motion to Expunge and Rescind Action

Mr. Bennett moved, as a substitute motion, that the record be expunged, and the action rescinded whereby Assembly Bill No. 98 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Fish and Game.

Substitute motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole,

Potter, Richie, Robertson, Russell, Salsman, Thomas, Turner, Voigt, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—58

NOES—Allen, Bashore, Call, Dickey, Dilworth, Hastain, Leonard, Lyon, Phillips, Sheridan, Stream, Thorp, Thurman, Watson, and Weybret—15

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1941

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

Assembly Bill No. 7

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1941

MR. SPEAKER: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 66—An act making an appropriation for the expenses of the Assembly for the Fifty-fourth Session of the Legislature, this act to take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of January, 1941, at 4 p m.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 237: By Mr. Gaffney—An act to amend Sections 2330, 2350 and 2351 of the Labor Code, relating to sanitary conditions of factories and other places of employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 238: By Mr. Crowley—An act to amend Section 1 of the California Nautical School Act, relating to the California Nautical School and the place of its maintenance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 239: By Messrs. Allen, Johnson, Sheridan, Salsman, Green, Leonard, Thurman and Doyle—An act to add Section 352.5 to the Political Code, relating to traveling expenses of State officers and employees of this State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 240: By Mr. Call—An act to amend Section 1538.5 of the Probate Code, relating to leases of wards' property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 241: By Mr. Call—An act to amend Section 764 of the Probate Code, relating to sales of real and personal property in probate.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 242: By Mr. Call—An act to add new Section 1461.5 to the Probate Code, relating to the appointment of guardians of insane or incompetent persons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 243: By Mr. Call—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 244: By Mr. Crowley—An act to amend Sections 3044, 3078, 3084 and 3088 of the Welfare and Institutions Code, relating to eligibility for aid to the blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 245: By Mrs. Daley and Messrs. Bashore, Clarke, Call, Middough, McCollister, Thorp, Watson, Stream, Kepple, Sheridan, Crowley, Poulson, Millington, Thurman, Green, Desmond, Burns, Michael J., Cronin, Weber, Garland, Wollenberg, Maloney, Hastain, Knight, John B., Salsman, Johnson, Kellems, Weybret, Howser, F. N., Burns, Hugh M., Pfaff and Leonard—An Act to add Sections 48, 49, 50 and 51 to, to amend Sections 2541, 2702, 2703, 2705, 2747, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3941, 3946, 7966, 8720, 8721 and 8722 of, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Referred to Committee on Elections.

Assembly Bill No. 246: By Mrs. Daley and Messrs. Allen, Watson, Stream, Miller, Call, Potter, Hastain, Garland, Lyon, Millington, Bashore, Leonard, Desmond, Thurman, Poulson, Turner, Sheridan, Collins, Sam L., Pfaff, Kellems and Field—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code, relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 247: By Mrs. Daley and Messrs. Watson, Garland and Poulson—An act to provide aid to the counties in addition to the aid otherwise provided, for maintaining and supporting aged persons under the provisions of the Old Age Security Law, and to provide for the payment of such aid to the counties, declaring the urgency thereof, to take effect as provided therein.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 248: By Mrs. Daley and Messrs. Watson, Garland and Poulson—An act making an appropriation for general public assistance, declaring the urgency thereof, to take effect as provided therein.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 249: By Mrs. Daley and Messrs. Watson, Poulson and Garland—An act making an appropriation for the conservation and care of all records, books, papers, offices, equipment and real and personal property of the Relief Commission and the Relief Administrator, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 250: By Mrs. Daley and Messrs. Watson, Poulson and Garland—An act making an appropriation to the State Department of Agriculture for the distribution of surplus commodities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 251: By Mrs. Daley and Messrs. Watson, Garland and Poulson—An act to establish a revolving fund for financing the Federal Stamp Plan, appropriating money therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 252: By Mrs. Daley and Messrs. Watson, Garland and Poulson—An act providing a Job Mobilization Program to stimulate and encourage private employment; including therein job creation, job finding and job training; providing for the cooperation of public and private groups; and making an appropriation.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 253: By Mrs. Daley and Messrs. Watson, Garland and Poulson—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 254: By Messrs. Kepple, Garland, Poulson, Watson and Mrs. Daley—An act establishing a Public Works Program for persons receiving public assistance, providing for the administration thereof, and an appropriation therefor.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 255: By Mr. Dilworth—An act to add a new chapter to Part 1 of Division 4 of the School Code to be known as Chapter 4, to add to Chapter 2 of Part 4 of Division 4 of said code a new article to be known as Article 2a and to add to said code two new sections to

be numbered 2.1223 and 4.766-1, all relating to the support of kindergartens.

Referred to Committee on Education.

Assembly Bill No. 256: By Mr. Heisinger—An act to amend Section 585 of the Agricultural Code, relating to the labeling of market milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 257: By Mr. Heisinger—An act to amend Section 494 of the Agricultural Code, relating to skim milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 258: By Mr. Heisinger—An act to add a new section to the Agricultural Code to be numbered 479.1, relating to closures or containers for milk and liquid milk products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 259: By Mr. Heisinger—An act to amend Section 565 of the Agricultural Code, relating to equipment used in the pasteurization of milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 260: By Mr. Heisinger—An act to add a new section to the Agricultural Code to be numbered Section 693, relating to milk products plants.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 261: By Mr. Heisinger—An act to amend Section 561 of the Agricultural Code, relating to pasteurization of milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 262: By Mr. Kepple—An act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 263: By Messrs Kilpatrick, Burkhalter, Dills and Weber—An act to provide work projects for the employable disabled and vocational training of the physically handicapped.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 264: By Messrs. Kilpatrick, Burkhalter and Crowley—An act to add Section 2264 to the Political Code, relative to field work in connection with the School for the Blind at Berkeley, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 265: By Mr. Leonard—An act to amend Sections 103.5 and 103.6 of the Fish and Game Code, relating to Fish and Game Districts 103.5 and 103.6.

Referred to Committee on Fish and Game.

Assembly Bill No. 266: By Mr. Lyon—An act to amend Sections 626 and 628 of the Agricultural Code, relating to imitation milk, oleomargarine, imitation cheese, and imitation ice cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 267: By Mr. Maloney—An act to amend Section 9 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 268: By Messrs. Pfaff, Kepple, Tenney, Potter, Waters, Johnson, Thomas, Collins, Sam L., Houser, Frederick F., and Howser, F N.—An act to amend the chapter heading of Chapter 8 of Division 9 and to amend Sections 10600, 10601, 10602, 10603, 10607, 10625 and 10626 of the Health and Safety Code, relating to vital statistics, including proceedings to establish the fact of birth, death or marriage.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 269: By Mr. Robertson—An act to add Section 2062 to the Code of Civil Procedure, relating to evidence of physical impairment in vehicle collision cases.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 270: By Messrs. Sawallisch and Burns, Hugh M.—An act to repeal Section 591 of the Vehicle Code, relating to illegal parking.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 271: By Messrs Tenney, Bashore and Phillips—An act providing for the registration of certain oath-bound societies and secret organizations.

Referred to Committee on Military Affairs

Assembly Bill No. 272: By Messrs. Thorp, Johnson, Call and Weybret—An act to provide for the control of certain live stock diseases, to prevent their spread and transmission by requiring processing of garbage and controlling live stock movements and to make an appropriation relative thereto.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 273: By Messrs. Wollenberg, Thurman, Kepple, Robertson, Houser, Frederick F., Carlson and Doyle—An act to protect property by making criminal certain unlawful entries on, injuries to and interferences with property, authorizing the closing of streets, and to provide penalties for the violation thereof, to take effect immediately.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 274: By Messrs Burkhalter and Thomas—An act to add Section 1274 5 to the Fish and Game Code, relating to the wearing of red garments, hats, or caps while deer hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 275: By Mr. George D. Collins—An act making an appropriation to pay the claim of C D. Plum against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 276: By Mr. Voigt—An act to amend Section 789 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 277: By Messrs. Dills and Bennett—An act to repeal Sections 124, 127, 3511.5, 3521, 3591, 3594, 3616, 3651, 3659, 3661, 3662, 3663, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to repeal Chapter 4.3, consisting of Sections 3534 to 3562, inclusive, and Chapter 4.6, consisting of Sections 3571 to 3578, inclusive, of, and the title of Chapter 8 of, Part 6 of Division 1 of the Revenue and Taxation Code, and to add Sections 124, 127, 3591, 3594, 3614 5, 3616, 3651, 3659, 3661, 3691, 3707.5, 3807, 4101, 4108 5, 4111, 4112, 4113 and 4147 to, and to add a title to Chapter 8 of Part 6 of Division 1 of the Revenue and Taxation Code, and to repeal Sections 3773.1, 3773 2, 3785.4, 3785.5, 3785.6, 3833 3, 3857 2 and 3859 20 of, and to repeal Chapter 9b, consisting of Sections 3860 01 to 3860 32, inclusive, and Chapter 9c, consisting of Sections 3861.1 to 3861 8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 278: By Mr. Desmond—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Referred to Committee on Judiciary General.

Assembly Bill No. 279: By Mr. King—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Joint Resolution No. 7: By Mr. Heisinger—Relative to the abolition of the electoral college and the standardization of traffic rules in the various States.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 9: By Mr. Heisinger—Relative to the desirability of representation of the State of California at the Fifth General Assembly of the Council of State Governments.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 10: By Mr. Tenney—Relative to approving two certain amendments to the charter of the City of

Redondo Beach, County of Los Angeles, State of California, voted for and ratified by the electors of the City of Redondo Beach at the general municipal election held therein on April 10, 1939.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Assembly Concurrent Resolution No. 10—Relative to approving two certain amendments to the charter of the City of Redondo Beach, County of Los Angeles, State of California, voted for and ratified by the electors of the City of Redondo Beach at the general municipal election held therein on April 10, 1939.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. George D. Collins:

House Resolution No. 29

WHEREAS, The method of appointing standing committees of the Assembly of the State of California has long since become antiquated and is undemocratic; and

WHEREAS, The Senate of this State recognized that fact in 1939, and the House of Representatives of the United States as long ago as in April, 1911, and many other States have supplanted such an out-moded and dictatorial method of appointing standing committees; and

WHEREAS, The democratic and American way of setting up such committees is by direct election by the membership of the house which they are to serve, or by a Committee on Committees, which is either elected by the legislative body itself, or by the caucuses of the political parties to which the members belong, and

WHEREAS, The method of constituting the standing committees of this House, namely, through choice and appointment by the Speaker, is open to the faults above mentioned as well as giving one man too much power and too much control of the proposed legislation submitted to this House, thereby greatly and adversely weakening the constitutional powers granted to the Legislators elected by the people of this State; and

WHEREAS, Such a one man power over and control of legislation is not indicated or contemplated by the organic law of this sovereign State and is a delegation of authority contrary and inimical to constitutional democratic government; and

WHEREAS, One of the main and chief evils of the concentration of so much power in the hands of a single individual was plainly evident and apparent here last month when during the extraordinary sessions then in progress, a swarm of agents of special interests, or lobbyists, descended upon the Capitol and showed an indecent and nefarious activity in attempting to line up votes or to get commitments for their favorite candidate, all of which is against the best interests of the people of this State and is the continuation or resuscitation of a condition which existed

during the domination of the government of this State by the Southern Pacific Railroad; and

WHEREAS, Government by and through political parties is necessary for the proper functioning of a democracy; and

WHEREAS, Section 248 of the Political Code provides that the Assembly may, by resolution, direct the method of appointment of standing committees, now, therefore, it is hereby

Resolved by the Assembly of the State of California, That the standing committees and all committees of this House be appointed by a body consisting of eight members to be known as a Committee on Committees, and each political party shall be represented thereon as follows: One member for each 10 members of the then current Assembly registered with the party at their last election, and the remaining member, or members, if there is one or more, shall be of the party having a plurality of members of said Assembly registered with it at said election; and it is further

Resolved by this Body, That the members of said committee shall be elected by a plurality vote of said Assembly members meeting in a caucus of their respective political party for that purpose and voting only for their party representation on said committee; and it is also

Resolved, That the party representation on each standing or other committee shall be as nearly as possible in the same proportion as that of the Committee on Committees.

Resolution read, and referred to Committee on Rules.

By the Committee on Rules:

House Resolution No. 30

Resolved, That the following named person be stricken from the list of Assembly attaches and her name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on January 11, 1941.

	Per day
Joyce Sanders, Assistant Journal Clerk	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

By Mr. Heisinger:

House Resolution No. 31

WHEREAS, During all the years of the period when major transportation was by horse-drawn vehicles, the country was sparsely settled and roads, in many instances, were mere trails almost impassable and the need of better roads forced the people to band together to work the roads so as to fit them for better transportation facilities; and

WHEREAS, When the population increased, it was found to be advisable to place a tax upon the farms and other property for the purpose of providing improved roads so that the farmers could haul their crops to market at lower costs; and

WHEREAS, Since motor transportation has become almost universal, it has driven horse-drawn vehicles from the roads and the farmers and other taxpayers must now hire commercial motor vehicles to transport their products to and from market; and

WHEREAS, The old method of the road tax upon real estate to assist the farmer to get his products to market is, in fact, now a double tax upon him because, in addition to the road tax, he must now pay regular commercial rates for his hauling the same as those who have no road tax; and

WHEREAS, Real estate in California is very heavily taxed and should not bear any tax burden other than what is just and right; and

WHEREAS, Farmers as a class, are in no position to pass on to others the costs of production and delivery to markets of their products; and

WHEREAS, Such apparent double cost of road and highway maintenance, in many instances, forces an actual loss upon the business of such taxpayers; and

WHEREAS, It is the general custom in this State that certain lines of business should not be subsidized by taxes upon other lines of business; and

WHEREAS, It appears that the motor transportation business in California is in a position to pay its own way without being subsidized by real estate taxes; and

WHEREAS, It appears that legislation should be enacted to fairly equalize such taxes upon real estate and motor vehicles relative to highway maintenance; and

WHEREAS, The members of the Legislature are not sufficiently informed upon this general subject to act intelligently; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker appoint a committee of five members to make an investigation to ascertain and report to the Assembly the following matters:

(1) The total cost of the construction and maintenance of all highways in this State and the total cost of the supervision of operations of motor vehicles on such highways

(2) The sources from which the funds are derived at the present time for the construction and maintenance of such highways and the supervision of the motor vehicles thereover, such sources to be divided between funds secured for such purposes from real estate taxes on the one hand, and funds secured for such purposes from taxes collected from motor vehicles and motor vehicle operation and other sources on the other hand

(3) The extent to which the distribution of real estate taxes are used in the construction and maintenance of highways and supervision of the operation of motor vehicles thereover on the one hand, and taxes, licenses, registration fees, weight fees and other charges against motor vehicles on the other hand, is an equitable distribution.

(4) The extent to which the taxes, licenses, registration fees, weight fees, and other charges collected from motor vehicles as a whole, for the construction and maintenance of highways and the supervision of operations of motor vehicles thereover, is an equitable distribution as between various classes of motor vehicles using such highways.

(5) The extent to which taxes, license fees, registration fees, weight fees, and other charges assessed against motor vehicles and motor vehicle operations are used for purposes other than the construction and maintenance of highways and the supervision of the operations of motor vehicles thereover, and the extent to which revenue from taxes on real estate is used for purposes other than construction and maintenance of highways and the supervision of operations of motor vehicles thereover, as compared with such revenue used for the construction and maintenance of highways and the supervision of operations of motor vehicles thereover.

(6) The costs which are paid by municipalities for traffic control arising out of the requirement for such control as a result of motor vehicle operations over streets and highways within such municipalities; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon legislative committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such Rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;
(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;
(9) To file a report or reports with the Assembly as soon as possible after the constitutional recess and during any session of the Fifty-fourth Legislature and with the Assembly during the regular session of the Fifty-fifth Legislature;
(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and
(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths, and be it further

Resolved, That the Sergeant-at-Arms of the Assembly and other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

COMMUNICATION

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1941

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

Los Angeles Chamber of Commerce—Charles P. Bayer
Sacramento Bee—Herbert L. Phillips, Johnson Hill, Bert Vaughn, Walter P. Jones, Alex Ashen, Rudy Hickey, Hamilton Hintz, Myron V. Depew, George Helmer, Joseph Barber.
Governmental Research Bureau—Walter B. Fawcett, Merrill D. Davis, Eleanor Fait, Leonard W. Witt, Jack Whalley.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 98

Mr. Watson moved that Assembly Bill No. 98 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Fish and Game.

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

AYES—Allen, Bashore, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Field, Green, Kellems, Kepple, Knight, T. Fenton, Leonard, Lyon,

Maloney, McCollister, Miller, Potter, Poulson, Robertson, Sheridan, Stream, Tenney, Thurman, Watson, Weybret, and Mr. Speaker—30.

NOES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Johnson, King, Knight, John B., Lowrey, Massion, Meehan, Middough, Pelletier, Pfaff, Poole, Richie, Russell, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—38.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1941

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

Senate Bill No. 13

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 13—An act increasing the Revolving Fund of the San Diego Industrial Workshop for the Blind from five thousand dollars ($5,000) to twenty thousand dollars ($20,000), making an appropriation therefor and declaring the urgency thereof.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up Senate Bill No. 13, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE BILL NO. 13

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 13:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 9, 1941

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: Senate Bill No. 13, "An act increasing the Revolving Fund of the San Diego Industrial Workshop for the Blind from five thousand dollars ($5,000) to twenty thousand dollars ($20,000), making an appropriation therefor and declaring the urgency thereof," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 13 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mrs. Daley:

Resolved, That Senate Bill No. 13 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—72

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 13—An act increasing the Revolving Fund of the San Diego Industrial Workshop for the Blind from five thousand dollars ($5,000) to twenty thousand dollars ($20,000), making an appropriation therefor and declaring the urgency thereof.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—72.

NOES—None

Senate Bill No. 13—An act increasing the Revolving Fund of the San Diego Industrial Workshop for the Blind from five thousand dollars ($5,000) to twenty thousand dollars ($20.000), making an appropriation therefor and declaring the urgency thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

PETITION

The following petition was received, and referred to the Committee on Rules:

From Mack Murray, regarding the Industrial Accident Commission of the State of California.

Speaker Presiding

At 5.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

APPOINTMENT OF MEMBERSHIP OF STANDING COMMITTEES

The Speaker announced the appointment of the following membership of Standing Committees:

Agriculture—Weybret (Chairman), Andreas, Clarke, Cooke, Desmond, Dilworth, Donnelly, Hastain, Heisinger, Houser, Frederick F, Knight, T. Fenton; Lowrey, McCollister, Millington, Stream, Thorp and Watson.

Aviation and Aircraft—Green (Chairman), Allen, Burkhalter, Dills, Field, Kellems, Pelletier, Pfaff, Potter, Russell and Tenney.

Banking—Call (Chairman), Burns, Hugh M, Crowley, Green, McCollister, Salsman, Voigt, Waters and Wollenberg.

Building and Construction—Sheridan (Chairman), Knight, John B., Maloney, Massion, Middough, Pelletier and Welch.

Building and Loan Associations—Voigt (Chairman), Bennett, Burns, Hugh M., Call, Middough, Salsman and Stream.

Civil Service—Bashore (Chairman), Crowley, Gaffney, Gallagher, Gunlock, Johnson, Leonard, Middough and Sheridan.

Commerce and Navigation—Maloney (Chairman), Carlson, Daley, Dills, Howser, F. N, Sheridan, Thomas, Thurman and Welch.

Conservation—Dilworth (Chairman), Bashore, Crowley, Doyle, Heisinger, Houser, Frederick F., Knight, T. Fenton, Lyon, Russell, Thurman and Weber.

Contested Elections—Hastain (Chairman), Cooke, Del Mutolo, Evans and Massion.

Constitutional Amendments—Crowley (Chairman), Allen, Call, Clarke, Cronin, Daley, Hawkins, Maloney, McCollister, Miller, Sawallisch, Tenney and Wollenberg

Corporations—Wollenberg (Chairman), Bennett, Collins, George D, Evans, Kilpatrick, Knight, T. Fenton; O'Day, Potter and Voigt

County Government—Johnson (Chairman), Andreas, Clarke, Kilpatrick, King, Maloney, Meehan, Middough, O'Day, Phillips, Poole, Richie, Russell, Stream and Waters.

Crime Problems—Poole (Chairman), Bennett, Gallagher, Johnson, Wollenberg, Lowrey and Miller.

Direct Legislation—Dickey (Chairman), Cain, Gaffney, Gallagher, Gunlock, Pfaft and Thomas.

Education—Miller (Chairman), Burns, Hugh M, Burns, Michael J., Cronin, Dills, Dilworth, Doyle, Gallagher, Green, Hastain, Johnson, Leonard and Weber.

Elections—Carlson (Chairman), Cassidy, Collins, George D., Dills, Houser, Frederick F., Howser, F. N, Kilpatrick, Maloney, Poulson, Robertson and Sheridan

Engrossment and Enrollment—Knight, John B. (Chairman), Burkhalter, Cassidy, Heisinger and Richie

Exhibitions and Fairs—Leonard (Chairman), Dilworth, Evans, Hastain, Lowrey, Poole and Thorp.

Federal Relations—Heisinger (Chairman), Collins, Sam L., Johnson, Kepple, Knight, John B., Tenney and Weybret.

Financial Institutions—Salsman (Chairman), Call, Green, Lyon, Massion, Millington and Turner.

Fish and Game—Watson (Chairman), Call, Dickey, Doyle, Hawkins, Leonard, Pelletier, Phillips, Poulson, Robertson, Lyon, Thorp, Thurman, Voigt and Weybret.

Governmental Efficiency and Economy—Field (Chairman), Allen, Carlson, Daley, Doyle, Kellems, Leonard, Middough, Miller, Poulson, Stream, Tenney, Turner, Waters and Wollenberg.

Governmental Revenues and Expenditures—Collins, Sam L. (Chairman), Heisinger, Massion, O'Day and Richie.

Hospitals and Asylums—Weber (Chairman), Andreas, Cassidy, Crowley, Dickey, Doyle, Knight, T. Fenton; Miller, Poulson, Richie and Voigt.

Insurance—Sawallisch (Chairman), Cronin, Crowley, Desmond, Lyon, Maloney, McCollister, Meehan, Pelletier, Phillips, Potter, Robertson and Salsman.

Introduction of Bills—Middough (Chairman), Howser, F. N., Evans, Pfaff and Poole

Irrigation—Clarke (Chairman), Allen, Bashore, Cain, Del Mutolo, Dilworth, Donnelly, Gunlock, Hastain, Kepple, King, Knight, T. Fenton; Russell, Stream, Turner, Watson and Weber

Judiciary Codes—Phillips (Chairman), Carlson, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Green, Howser, F. N., Millington, Pfaff, Potter, Richie, Sawallisch, Sheridan, Kepple and Wollenberg.

Judiciary General—Tenney (Chairman), Bennett, Collins, George D., Crowley, Del Mutolo, Dills, Donnelly, Houser, Frederick F., Johnson, Waters, Meehan, O'Day, Poulson, Robertson and Salsman.

Labor and Capital—Pelletier (Chairman), Bashore, Burns, Michael J., Cronin, Hastain, Hawkins, Lyon, Maloney, Richie, Stream, Tenney, Thorp and Watson

Libraries—Meehan (Chairman), Cain, Gaffney, Kilpatrick and King

Live Stock and Dairies—Thorp (Chairman), Burns, Michael J., Clarke, Desmond, Dills, Heisinger, McCollister, Sawallisch and Weybret.

Manufactures—Howser, F. N. (Chairman), Burns, Michael J., Carlson, Evans, Gaffney, Gunlock and Thomas.

Medical and Dental Laws—Cronin (Chairman), Andreas, Burns, Hugh M., Evans, Gallagher, Green, Leonard, Lowrey, O'Day, Pelletier, Potter, Poulson and Watson.

Mileage—Pfaff (Chairman), Bashore, Collins, George D., Gaffney and Thomas.

Military Affairs—King (Chairman), Allen, Collins, Sam L., Cooke, Dilworth, Kellems, Poole, Welch and Weybret

Mines and Mining—Thurman (Chairman), Andreas, Burkhalter, Clarke, Daley, Leonard, Russell, Turner and Weber.

Motor Vehicles—Burns, Michael J. (Chairman), Andreas, Bashore, Bennett, Clarke, Cronin, Dickey, Doyle, Field, Phillips, Sawallisch, Thurman, Voigt, Waters and Welch.

Municipal Corporations—Kepple (Chairman), Allen, Cain, Carlson, Hawkins, Kellems, Knight, T. Fenton; Lyon, Meehan, O'Day, Pfaff, Phillips and Sheridan.

Oil Industries—Dills (Chairman), Burns, Hugh M., Call, Collins, Sam L., Daley, Doyle, Field, Houser, Frederick F., Kepple, Middough, Millington, Sawallisch and Turner.

Prisons and Reformatories—Waters (Chairman), Cassidy, Collins, George D., Cooke, Massion, McCollister, Middough, Miller, Pfaff, Phillips and Welch.

Public Charities and Corrections—Knight, T. Fenton (Chairman), Burns, Michael J., Cain, Gunlock, Meehan, Richie, Salsman, Thurman and Weber.

Public Health and Quarantine—Poulson (Chairman), Allen, Bennett, Burns, Hugh M., Cronin, Field, Gallagher, Hawkins, Knight, John B., Massion, Potter, Tenney and Waters

Public Morals—Burns, Hugh M (Chairman), Call, Collins, Sam L., Howser, F. N., Kellems, Maloney, Meehan, Miller, Sawallisch, Tenney and Thorp.

Public Utilities—Allen (Chairman), Donnelly, Green, Hawkins, Kellems, Millington, Robertson, Stream, Watson, Weybret and Wollenberg.

Reapportionment—Houser, Frederick F. (Chairman), Bennett, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Field, King, Lyon, Maloney, Millington, Pelletier, Phillips, Poole, Sawallisch, Thurman, Turner and Waters.

Revenue and Taxation—Turner (Chairman), Burns, Hugh M., Call, Carlson, Collins, Sam L., Desmond, Dilworth, Green, Kellems, Lyon, Sawallisch, Tenney, *Thorp, Voigt and Wollenberg.*

River Navigation, Reclamation and Flood Control—Potter (Chairman), Bashore, Burkhalter, Cain, Donnelly, Gunlock, Kilpatrick, Lowrey, Millington, Russell, Thomas, Thorp and Welch.

Roads and Highways—Stream (Chairman), Andreas, Bashore, Carlson, Crowley, Del Mutolo, Dickey, Hastain, Howser, F. N., Knight, John B., Lowrey, Poole, Weber, Weybret and Leonard.

Social Service and Welfare—Daley (Chairman), Burkhalter, Cooke, Field, Hawkins, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Phillips, Poulson, Turner, Watson, Weybret and Wollenberg

Soldiers and Sailors Affairs—Doyle (Chairman), Cain, Cassidy, Collins, George D., Collins, Sam L., Donnelly, Gunlock, King, Knight, John B., McCollister, Thorp, Thurman and Weber.

State Grounds and Parks—McCollister (Chairman), Cassidy, Cooke, Hastain, Kepple, Pelletier and Potter.

State Colleges—Del Mutolo (Chairman), Burns, Michael J., Dills, Heisinger, Richie, Robertson and Salsman

Unemployment—Desmond (Chairman), Carlson, Green, Howser, F. N., Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Pelletier, Robertson, Stream and Welch

Universities—Kellems (Chairman), Evans, Houser, Frederick F., Johnson, Knight, John B., O'Day and Sheridan

Ways and Means—Millington (Chairman), Allen, Bashore, Burns, Michael J., Crowley, Del Mutolo, Dickey, Doyle, Field, Hastain, Houser, Frederick F., Kepple, Knight, John B., Leonard, Pfaff, Potter, Salsman, Sheridan, Thurman, Watson and Weybret.

ADJOURNMENT

At 5.40 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., January 15, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 15, 1941

The Assembly met at 11 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cromm, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—75

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Clarke.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Sawallisch, on motion of Mr. Hugh M. Burns.
Mr. F. N. Howser, on motion of Mr. Pfaff.
Mr. Sheridan, on motion of Mr. Carlson.
Mr. King, on motion of Mr. Evans.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 280: By Mr. Bashore—An act to make an appropriation to pay off the amount of outstanding bonds issued under "An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, and to repeal "An act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an act of the Legislature of the State of California, approved March 4, 1881, entitled 'An act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 281: By Mr. Call—An act to amend Section 691 of the Fish and Game Code, relating to striped bass and angling therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 282: By Mr. Desmond—An act to amend Section 10203 of the Insurance Code, relating to group life insurance, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Insurance.

Assembly Bill No. 283: By Mr. Dickey—An act making an appropriation for the construction of an armory at Alameda in the County of Alameda.

Referred to Committee on Ways and Means.

Assembly Bill No. 284: By Mr. Doyle—An act to authorize counties, cities and counties, and cities to license and regulate bookmaking and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 285: By Messrs. Doyle, Desmond and Dilworth—An act to add Section 395.4 to the Military and Veterans Code, relating to leaves of absence of public employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Civil Service.

Assembly Bill No. 286: By Mr. Hawkins—An act to amend Section 2020 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 287: By Mr. Hawkins—An act to amend Section 112 of the State Civil Service Act, relating to certifications.

Referred to Committee on Civil Service.

Assembly Bill No. 288: By Mr. Heisinger—An act to amend Section 458.1 of the Agricultural Code, relating to the qualifications of milk and dairy inspectors.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 289: By Mr. Heisinger—An act to amend Sections 630 and 631 of the Agricultural Code, relating to licenses for milk testers, samplers and weighers, technicians and pasteurizers.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 290: By Mr. Robertson—An act to add Section 57 3 to the Unemployment Insurance Act, relating to benefits for persons in the armed forces.

Referred to Committee on Unemployment.

Assembly Bill No. 291: By Mr. Voigt—An act to create the California Aviation Commission, to prescribe its duties and functions, to establish the California Aviation Commission Fund, and to levy a tax upon motor vehicle fuel used in aircraft.

Referred to Committee on Aviation and Aircraft

Assembly Bill No. 292: By Mr. Voigt—An act to amend Sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees and commissions.

Referred to Committee on Public Morals.

Assembly Bill No. 293: By Mr. Voigt—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State for commercial purposes, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 294: By Mr. Voigt—An act to promote employment, prescribing the duties of the State Relief Administrator, providing relief and training and employment for the unemployed.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 295: By Mr. Voigt—An act relating to the rate of interest and other compensation which may be charged or received for the loan or forbearance of money, goods, or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Referred to Committee on Financial Institutions.

Assembly Bill No. 296: By Mr. Voigt—An act to amend Section 10482, and to add Chapter 7.5, comprising Sections 10615.1 to 10625 1, to Part 2 of Division 2 of the Insurance Code, relating to savings bank life insurance.

Referred to Committee on Banking.

Assembly Bill No. 297: By Mr. Clarke—An act making an appropriation to pay the claim of the Cabin Trucking Company of Madera against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 298: By Messrs. Hawkins and Phillips—An act relating to the use of convict labor in the State parks, forests, public lands and fish and game preserves, and National forests or parks in the State of California; and making an appropriation.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 299: By Mr. Houser—An act to add Section 90 to the Political Code, relating to Assembly districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 300: By Mr. Houser—An act to add Section 86.2 to the State Civil Service Act, relating to an oath for civil service employees, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Civil Service.

Assembly Bill No. 301: By Mr. Cronin—An act to amend Sections 17050, 17083 and 17086 of, and to add Sections 17087 and 17088 to, the Business and Professions Code or to amend Sections 6 and 10 of, and to add Sections 6.2 and 6 3 to, an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to closeout sales.

Referred to Committee on Judiciary General.

Assembly Bill No. 302: By Mr. Cronin—An act to add Section 17703 to the Business and Professions Code, or to add Section 4 to an act entitled "An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares

or merchandise and providing a penalty for violation thereof," approved June 15, 1933, relating to unfair trade practices in the use of redeemable coupons.

Referred to Committee on Judiciary General.

Assembly Bill No. 303: By Mr. Cronin—An act to add Section 2457.5 to the Business and Professions Code, relating to fee and tax exemptions under the Chapter on Medicine thereof, declaring the urgency thereof to take effect immediately.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 304: By Mr. Cronin—An act to add Chapter 7 to Part 3 of Division 2 of the Labor Code, limiting and defining the jurisdiction of courts over matters arising out of or involving labor disputes.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 305: By Mr. Thorp—An act to add Section 479 to the Vehicle Code, relating to signs.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 306: By Mr. Hastain—An act to amend Section 326 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 307: By Mr. Bashore—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Referred to Committee on Labor and Capital.

Assembly Bill No. 308: By Mr. Kilpatrick and Mrs. Daley—An act to amend Sections 92 and 146 of, and to add Sections 108, 108.1, 108.2, 108.3, 108.4, 108.5 and 108.6 to, the Civil Code, relating to suits for divorce.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 309: By Mr. Lyon—An act declaring all buildings and places nuisances wherein or upon which any of the acts which are offenses under Section 337a of the Penal Code, relating to pool-selling and book-making, are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances.

Referred to Committee on Public Morals.

Assembly Bill No. 310: By Mr. Kilpatrick—An act to amend Section 3935 of the Elections Code, relating to the order of names of candidates on primary ballots.

Referred to Committee on Elections.

Assembly Bill No. 311: By Mr. Tenney—An act to amend Section 44.1 of the Vehicle Code, relating to authorized emergency vehicles, including those operated by constables and deputy constables.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 312: By Messrs. Tenney and Pfaff—An act to amend Sections 10600, 10601 and 10602 of the Health and Safety Code, relating to vital statistics, and including proceedings to establish the fact of birth, death or marriage.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 313: By Mr. Salsman—An act to amend School Code Section 2.21, relating to the interdistrict attendance of pupils of the public schools.

Referred to Committee on Education.

Assembly Bill No. 314: By Mr. Stream and Mrs. Daley—An act to amend School Code Section 6.471, relating to the purchase of articles by governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 315: By Mr. Stream and Mrs. Daley—An act to amend School Code Section 3.180 and to add Section 3.223 to the School Code, relating to schools and classes of school districts.

Referred to Committee on Education.

Assembly Bill No. 316: By Mr. Michael J. Burns—An act to amend Section 241 of the Code of Civil Procedure, relating to grand juries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 317: By Mr. Poulson—An act to add Sections 143.3 and 160.5 to the Vehicle Code, relating to certificates of inspection in respect to the escape of gases and fumes into vehicle cab or passenger compartment.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 318: By Mr. Poulson—An act to repeal Section 791 of the Fish and Game Code, relating to the possession and transportation of crabs in Districts 1½, 2½, 5, 6, 7, 8, and 9.

Referred to Committee on Fish and Game.

Assembly Bill No. 319: By Mr. Poulson—An act to amend Section 162 of the Vehicle Code and to add Section 686.5 thereto, relating to publicly owned vehicles, including license plates issued therefor, and designations on such vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 320: By Mr. Poulson—An act to repeal Section 661 of the Political Code, relating to deficiencies in appropriations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 321: By Mr. Poulson—An act to add Section 5.5 to The Personal Income Tax Act, relating to taxes imposed on compensation received for personal services rendered for a period of five years or more.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 322: By Mr. Poulson—An act to amend Section 17531 of the Business and Professions Code or Section 354c of the Penal Code, relating to advertising.

Referred to Committee on Crime Problems.

Assembly Bill No. 323: By Mr. Poulson—An act to amend Section 418 of, and to add Section 410.3 to, the Vehicle Code, and to amend Sections 11731, 11732, 11738, 11739, 11740, 11770, 11778, 11784, 11820, and 11840 of, and to add Section 11736.5 to, the Insurance Code, all relating to compulsory liability insurance on motor vehicles.

Referred to Committee on Insurance.

Assembly Bill No. 324: By Mr. Poulson—An act to amend Section 60 of the Civil Code, relating to marriages.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 325: By Mr. Lyon—An act to add Section 996 to the Civil Code, relating to property and other rights in and to fur bearing animals.

Referred to Committee on Fish and Game.

Assembly Bill No. 326: By Mr. Voigt—An act to add Sections 141, 142, and 7024 to, and to add Chapter 4 to Division 1 of, and to amend Sections 7103 and 7134 of, the Elections Code, relating to compulsory registration and compulsory voting.

Referred to Committee on Elections.

Assembly Bill No. 327: By Messrs. Kilpatrick, Middough, Hawkins and Burkhalter—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4084, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons, and making an appropriation therefor.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 328: By Messrs. Desmond, Turner and Thorp—An act to add Section 500 to the Fish and Game Code, relating to the prohibition of fishing at certain periods in a portion of the San Joaquin River and in sloughs and other waters connected therewith.

Referred to Committee on Fish and Game.

Assembly Constitutional Amendment No. 11: By Mr. Michael J. Burns—Proposed amendment to Article I of the Constitution, relative to prosecution of offenses by indictment or information, and the drawing and summoning of grand juries.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 32

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly for the Fifty-fourth Session, as adopted January 14, 1941, be amended as follows:

(1) That the membership of the Committee on Insurance is hereby changed from 11 to 13 members.

(2) That the membership of the Committee on Unemployment is hereby changed from 11 members to 13 members.

Resolution read, and ordered on file.

Speaker Presiding

At 11.25 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 218 AND 219

Mr. Salsman moved that Assembly Bills Nos. 218 and 219 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Municipal Corporations

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 323

Mr. McCollister moved that Assembly Bill No. 323 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Insurance.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—61.

NOES—Robertson—1.

ADJOURNMENT

At 11.45 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., January 16, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 16, 1941

The Assembly met at 11 a m.
Hon Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cam, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Gunlock.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Poulson, on motion of Mr. Waters.
Mr. Salsman, on motion of Mr. Clarke.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined **Assembly Bill No. 7**—An act to amend Section 3259 of the Welfare and Institutions Code, relating to the Industrial Home for the Adult Blind Revolving Fund,

making an appropriation, and declaring the urgency thereof;
And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1941, at 1 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City of Pasadena, a municipal corporation of the County of Los Angeles, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein on November 5, 1940;
And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1941, at 3 30 p m.

JOHN B. KNIGHT, Chairman

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 89
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred.
Assembly Joint Resolution No. 2
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold or to be issued and sold by municipalities for flood control purposes under an act, or under color of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became law under constitutional provision without Governor's approval on February 25, 1901, where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Joint Resolution No. 2—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded persons receiving old age assistance.

Resolution read, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Assembly Bill No. 69

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 15, 1941

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

Senate Bill No. 107

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 15, 1941

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

Senate Concurrent Resolution No. 5

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 107—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of school districts, to take effect imediately.

Referred to Committee on Education.

Senate Concurrent Resolution No. 5—Approving a certain amendment to the charter of the City of Santa Clara, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the first day of April, 1940.

Request for Unanimous Consent

Mr. Del Mutolo asked for, and was granted, unanimous consent to have Senate Concurrent Resolution No. 5 placed on calendar, at this time, without reference to committee.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 329: By Messrs. Burkhalter, Cooke and Welch—An act to amend Sections 1277 and 1281 of the Fish and Game Code, relating to deer tags.

Referred to Committee on Fish and Game.

Assembly Bill No. 330: By Mr. Burkhalter—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 331: By Mr. Burkhalter—An act to amend Section 7028 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 332: By Messrs Dilworth and Hastain—An act to add Section 508 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 333: By Messrs. Dills and Bennett—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 334: By Messrs. Knight, John B., Pfaff, Johnson, Kepple, Middough, Dickey, Potter, Call, Cronin, Phillips, Wollenberg, Green, Bennett, Waters, Kellems, Allen, Cooke, Poole and Mrs. Daley—An act to amend Section 4300b of the Political Code, relating to fees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 335: By Mr. Lyon—An act to repeal Sections 2186 and 2193 of, and to amend Section 2194 of the Revenue and Taxation Code, relating to property taxation, including the effect of the tax and the lien thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 336: By Mr. Lyon—An act to repeal Sections 3519 and 3520 of, and to add Section 3520 to the Revenue and Taxation Code, relating to property taxation and property deeded to the State for taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 337: By Mr. Lyon—An act to amend Sections 107, 121, 252, 260, 531, 2905, 4337, 4990 and 5138 of, and to repeal Section 261 of the Revenue and Taxation Code, relating to property taxation, including the assessment and collection of taxes, installment payment of taxes, exemptions, cancellation of taxes, suits to recover taxes, and the definitions of real estate, real property, possessory interests, and taxing agency, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 338: By Miss Miller—An act to add Section 3.265 to the School Code, relating to the average daily attendance of junior high school pupils.

Referred to Committee on Education.

Assembly Bill No. 339: By Mr. Poole—An act to add a new section to the Penal Code of the State of California to be known as Section 1309, relating to the escheat of certain money deposited as bail.

Referred to Committee on Judiciary General.

Assembly Bill No. 340: By Mr Sawallisch—An act to amend School Code Sections 2.90 and 2.92, relating to superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 341: By Mr. Sawallisch—An act to amend School Code Sections 2.1230 and 2.1231, and to add Section 2.1252 to the School Code, relating to the traveling expenses of county, and deputy county, superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 342: By Mr. Welch—An act to add Section 12108 to the Business and Professions Code, relating to specifications and standards for weighing devices.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 343: By Mr. Michael J. Burns—An act to establish a State highway from Westport in Mendocino County to Ferndale in Humboldt County, and classifying it as a secondary State highway.

Referred to Committee on Roads and Highways.

Assembly Bill No. 344: By Mr. Michael J. Burns—An act to add Section 623 to the Streets and Highways Code, relating to State highway routes.

Referred to Committee on Roads and Highways.

Assembly Bill No. 345: By Mr. Clarke—An act to amend Section 14a of the California Irrigation District Act, relating to annual statements by the board of directors.

Referred to Committee on Irrigation.

Assembly Bill No. 346: By Mr. Desmond—An act making an appropriation to pay the claim of Floyd E. Warner against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 347: By Mr. Desmond—An act to amend Section 726 of the Welfare and Institutions Code, relating to serving of notice of hearing by mail.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 348: By Mr. Desmond—An act to amend Sections 633 and 641 of the Welfare and Institutions Code, relating to term of office, compensation, powers and duties of probation officers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 349: By Mr. Desmond—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 350: By Mr. Desmond—An act to amend Section 1871 of the Code of Civil Procedure, relating to expert witnesses.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 351: By Mr Desmond—An act to amend Section 631 of the Welfare and Institutions Code, relating to probation officers, assistant probation officers and deputy probation officers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 352: By Mr. Desmond—An act making an appropriation to pay the claim of Lillian Larkin against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 353: By Mr. Dickey—An act to amend Section 651 6 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 354: By Mr. Field—An act to add Chapter 11, comprising Sections 22000 to 22001, inclusive, to Division 8 of the Business and Professions Code, relating to unfair trade practices in the jewelry business.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 355: By Mr. Green—An act to amend Section 256 of the Probate Code, relating to estates of illegitimate children

Referred to Committee on Judiciary General.

Assembly Bill No. 356: By Mr. Green—An act to amend Section 1032a of the Code of Civil Procedure, relating to the cost of depositions as costs.

Referred to Committee on Judiciary General.

Assembly Bill No. 357: By Mr. F. N. Howser—An act to amend Section 202 of the Welfare and Institutions Code, relating to contracts for care of indigents; emergency service authorized; nonemergency services authorized; hospitals with which agreements may be made.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 358: By Mr. Robertson—An act to repeal Section 400.5 and to amend Section 404 of the Civil Code, relating to dissolution of corporations.

Referred to Committee on Corporations.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 358

Mr. Robertson moved that Assembly Bill No. 358 be withdrawn from the Committee on Corporations, and re-referred to the Committee on Judiciary Codes.

Motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Muldough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 359: By Mr. Stream—An act to repeal School Code Section 2.889 and to amend School Code Section 2.891, relating to the conducting of elections for members of governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 360: By Mr. Stream—An act to amend School Code Sections 2.870, 2.871, 2.879 and 2.879½, all relating to the election of members of governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 361: By Mr. Wollenberg—An act to amend Section 8 of the Bank and Corporation Franchise Tax Act, relating to deductions for net income, including dividends received from other banks or corporations.

Referred to Committee on Banking.

Assembly Bill No. 362: By Mr. Bennett—An act to add Section 6.752 to the School Code, relating to school assemblies and the use of school property for other educational and recreational purposes.

Referred to Committee on Education.

Assembly Bill No. 363: By Mr. Bennett—An act to amend Section 5600 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Building and Construction.

Assembly Bill No. 364: By Messrs. Hastain and Dilworth—An act to add Section 520 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 365: By Mr. Hastain—An act to amend Section 4247 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighteenth class.

Referred to Committee on County Government.

Assembly Bill No. 366: By Messrs. Kilpatrick and Burkhalter—An act to amend Section 801 of the Political Code, relating to misconduct of notaries public.

Referred to Committee on Judiciary General.

Assembly Bill No. 367: By Mr. John B. Knight—An act to amend Sections 2, 13 and 15 of, and to add Section 12.5 to, the Subdivision Map Act, relating to subdivisions and to the examination of maps by public officers and charging fees therefor.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 368: By Mr. Pfaff—An act to amend Sections 7301, 7303, 7314, 7315, 7393, 7400 and 7414 of, and to add Sections 7385 and 7417 to, the Business and Professions Code, relating to the practice, the training for, and the government of cosmetology.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 369: By Mr Phillips—An act to add Section 1619 to the Penal Code, relating to discharge of prisoners from the county jail.

Referred to Committee on Crime Problems.

Assembly Bill No. 370: By Mr. Potter—An act to amend School Code Section 6.731, relating to cafeterias maintained by school districts.

Referred to Committee on Education.

Assembly Bill No. 371: By Mr. Potter—An act to add Section 1.5 to an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to the liability in damages of public officers when the agency which they represent is not liable.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 372: By Mr. Potter—An act to add Section 1.5 to an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers and/or liability in damages of such officers in the case of injuries to persons or property resulting from the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State in such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved May 11, 1937, relating to the liability in damages of public officers when the agency which they represent is not liable.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 373: By Messrs. Phillips, Andreas, Desmond, Knight, T. Fenton; and Waters—An act to amend Section 1202a of the Penal Code and to repeal Section 2 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to the execution of a sentence of imprisonment.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 374: By Mr. Weybret—An act to amend Section 241 of the Code of Civil Procedure, relating to grand juries and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions

Referred to Committee on County Government.

Assembly Bill No. 375: By Messrs. Field, Call, Millington, Thurman, Leonard, Bashore, Welch, Watson, Heisinger, Sheridan, Allen, Phillips, Dills, Houser, Frederick F., Lyon, Doyle, Andreas, Del Mutolo, Dilworth, Gallagher, Gaffney, Evans, Salsman, Robertson, Poulson, Weybret, Burns, Hugh M., Thorp, Stream, Cooke, Tenney, Desmond, Middough, Sawallisch, Maloney, Hastain, Johnson, Waters, Dickey, Howser, F. N., McColister, Turner, Burns, Michael J., Potter, Green, Poole, Weber, Kellems, Collins, Sam L., Clarke and Pelletier—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 376: By Mr. Weybret—An act to amend Section 212 of the Agricultural Code, relating to bringing goats into this State.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 377: By Mr. Weybret—An act to amend Sections 925 and 1008 of the Penal Code, relating to accusations against district, county, township or municipal officers

Referred to Committee on Judiciary General.

Assembly Bill No. 378: By Mr. Bashore—An act to repeal Section 4½ of, and to add Section 4.5 to, the California Toll Bridge Authority Act, relating to transportation facilities.

Referred to Committee on Public Utilities.

Assembly Bill No. 379: By Mr. Call—An act to amend Sections 226 and 227a of the Civil Code, relating to adoption.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 380: By Mr. Cronin—An act to add Section 2383.5 to the Business and Professions Code, relating to grounds for disciplinary action under the chapter on medicine thereof.

Referred to Committee on Medical and Dental Laws

Assembly Bill No. 381: By Mrs. Daley—An act to add Sections 2607, 2608, 2609 and 2610 to the Welfare and Institutions Code, relating to the property of indigents.

Referred to Committee on Public Charities and Corrections.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 381

Mrs. Daley moved that Assembly Bill No. 381 be withdrawn from the Committee on Charities and Corrections, and re-referred to the Committee on Social Service and Welfare.

Motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 382: By Mr. Dills—An act to amend Sections 2020 and 2021 and to repeal Section 2025 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 383: By Mr. Dickey—An act to add Section 5 to, and repeal Section 844 of, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 384: By Mr. Hawkins—An act to amend Section 697.5 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 385: By Mr. Hawkins—An act to add Section 2671.5 to the Elections Code, relating to fees for filing declaration of candidacy.

Referred to Committee on Elections.

Assembly Bill No. 386: By Mr. Pfaff—An act to amend Section 609 of the Probate Code, relating to the compensation of appraisers.

Referred to Committee on Judiciary General.

Assembly Bill No. 387: By Mr. Pfaff—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates.

Referred to Committee on Judiciary General.

Assembly Bill No. 388: By Mr. Pfaff—An act to amend the Probate Code, by adding Section 684 thereto, relating to the stay of payment of family allowances.

Referred to Committee on Judiciary General.

Assembly Bill No. 389: By Mr. Phillips—An act to add Section 647.1 to the Code of Civil Procedure, relating to objection to comment on the evidence.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 390: By Messrs. Tenney, Bashore, King, Knight, T. Fenton; Phillips and Miss Miller—An act to amend Section 13105 of the Health and Safety Code, and to add Chapter 1.5 (embracing Sections 13150 to 13156, inclusive) to Part 2 of Division 12 thereof, relating to duties of the State Fire Marshal in encouraging, sponsoring and cooperating in the adoption of fire protection measures, including methods for protecting against sabotage effected through arson or explosion, and to his duties in preparing and disseminating information relative to methods of protecting against sabotage effected through arson or explosion; authorizing investigations by the State Fire Marshal and his subordinates of buildings and premises where fires and explo-

sions have occurred, of persons guilty or having knowledge thereof, and of arson and other crime committed in connection therewith

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 391: By Messrs. Tenney, Bashore, Miller, King, Crowley and Knight, T. Fenton—An act to add Section 13109.5 to the Health and Safety Code, relating to the powers and duties of the State Fire Marshal in the furnishing of fire protection and prevention service at the hospitals, institutions and schools in the State Department of Institutions, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 392: By Mr. Tenney—An act to add Section 20 to the California Unemployment Relief Act of 1935 relating to the expenditure of funds thereunder for Mexican Nationals.

Referred to Committee on Social Service and Welfare.

RESOLUTIONS

The following resolutions were offered:

By Mr Voigt:

House Resolution No. 33

Relating to the Fifth General Assembly of the Council of State Governments

WHEREAS, The Fifth General Assembly of the Council of State Governments will be held in Washington, D. C, at the Mayflower Hotel upon the twenty-first, twenty-second, and twenty-third days of January, 1941, to deliberate upon various problems requiring cooperative action by the States with each other and with the Federal Government; and

WHEREAS, Various affiliates of the Council of State Governments are ready to present tangible recommendations, some in the form of model legislative measures, based on their studies during the interim since the Assembly of 1939; and

WHEREAS, The Fifth General Assembly offers an opportunity through section meetings for the consideration by Delegates of other matters requiring cooperative action; and

WHEREAS, It is believed that considerable benefits would result from this State's representation at the Fifth General Assembly, and that such Assembly offers a means of solving obvious difficulties arising in governmental activities due to the absence of facilities for conference between governmental units; and

WHEREAS, The Assembly of this State is invited to send a Delegate to this Fifth General Assembly; now, therefore, be it

Resolved that the Assembly of the State of California, hereby authorizes and instructs the Speaker of the Assembly to appoint a Delegate to the Fifth General Assembly of the Council of State Governments convening in Washington, D. C, upon the twenty-first day of January, 1941. The Delegate shall be and is hereby instructed to return to this Assembly and report the definite recommendations of the Fifth General Assembly; and be it further

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of five hundred dollars ($500) from the Contingent Fund of the Assembly for the purpose of paying the expenses of the Delegate to the Assembly appointed pursuant to the terms of this resolution. The sum so drawn shall be subject to audit by the Controller of the State of California.

Resolution read, and referred to the Committee on Rules.

By Mr. Heisinger:

House Resolution No. 34

WHEREAS, The Fifth General Assembly of the Council of State Governments will be held in Washington, D. C, at the Mayflower Hotel upon the twenty-first, twenty-second and twenty-third days of January, 1941; and

WHEREAS, California is vitally interested in matters which come before this Assembly; and

WHEREAS, There appears to be a great need and universal sentiment for the abolishment of the practice of electing Presidents of the United States through the election of Presidential Electors; and

WHEREAS, The procedure of electing Presidents of the United States through Presidential Electors may not be abolished in any State until concerted action is taken through Congress and the various States in the adoption of a constitutional amendment; and

WHEREAS, The California Legislature has gone as far as is possible toward the abolishment of Electors by the enactment of a law which has stricken from the general election ballot the names of all of the Electors for President of the United States; and

WHEREAS, Through the adoption of such law shortening the ballot large sums of money have been saved to the taxpayers, the convenience of the individual voter has been served through the simplicity of the ballot, and savings in time and labor have accrued to the election boards and the election officers in the computation and compilation of election returns; now, therefore, be it

Resolved by the Assembly of the State of California, That we respectfully urge the Fifth General Assembly of the Council of State Governments to go on record by resolution recommending to the several States and to the Congress of the United States that action be taken to institute the adoption of a constitutional amendment abolishing the practice of electing Presidents of the United States through voting for Electors, and substituting in its place the election of Presidents of the United States through direct vote; and be it further

Resolved, That the Chief Clerk of the Assembly is authorized and directed to send a copy of this resolution to the Fifth General Assembly of the Council of State Governments.

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up House Resolution No. 34, at this time, without reference to committee.

Resolution read and adopted.

By Mr Heisinger:

House Resolution No. 35

WHEREAS, The Fifth General Assembly of the Council of State Governments will be held at the Mayflower Hotel, Washington, D. C., Tuesday, Wednesday and Thursday, January 21, 22 and 23, 1941, to deliberate upon important interstate problems requiring cooperative action by the States with each other, and with the Federal Government; and

WHEREAS, California is vitally interested in matters which come before this Assembly; and

WHEREAS, It is essential to the welfare of the United States that we proceed with the greatest rapidity in the accomplishment of our National Defense Program; and

WHEREAS, The Motor Vehicle Laws of the several States are so conflicting and at such great variance that the transportation of material and equipment necessary for National defense is hampered and retarded at State lines; and

WHEREAS, The President of the United States has called upon the people of this Nation to do all things possible toward the accomplishment of the Defense Program; now, therefore, be it

Resolved by the Assembly of the State of California, That we respectfully urge the Fifth General Assembly of the Council of State Governments to recommend to the several States that they each enact legislation designed to bring greater uniformity in their Motor Vehicle Laws; and be it further

Resolved, That the Chief Clerk of the Assembly is authorized and directed to send a copy of this resolution to the Fifth General Assembly of the Council of State Governments

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up House Resolution No. 35, at this time, without reference to committee.

Resolution read and adopted.

By the Committee on Rules:

House Resolution No. 36

Resolved, By the Assembly of the State of California, That the compensation of Michael Connolly, heretofore appointed Assistant Sergeant-at-Arms, be upon a 7-day

per week basis, instead of a 6-day per week basis, said compensation to commence from Monday, January 13, 1941, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Ptaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62

NOES—None.

By the Committee on Rules:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, upon a 6-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same

Commencing January 6, 1941:	*Per day*
Paul Silva, Page	$2 50

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Ptaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 393: By Mr. Voigt—An act to amend Sections 2793, 2893, 2894, 2896, 2899, of, to add Section 3929.5 to, and to repeal Sections 2674, 2742 and 2794 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections.

Assembly Bill No. 394: By Mr. Waters—An act to pay the claim of M. Henriques against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 395: By Mr. Weybret—An act to add Chapter 3 to Division 4 of the Fish and Game Code, relating to trapping wild bear.

Referred to Committee on Fish and Game.

Assembly Bill No. 396: By Messrs. Bashore, Tenney, King, Dills and Cooke—An act to amend Section 13101 of the Health and Safety Code, relating to the compensation of the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 397: By Mr. George D. Collins—An act to amend Section 9.8 and to repeal Sections 39, 40, 41, 41.5, 42, 47, 48, 49, 50 and 51 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committeee on Unemployment.

Assembly Bill No. 398: By Mr. Lyon—An act to add Section 1985.5 to the Code of Civil Procedure, relating to subpena.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 399: By Mr. Lyon—An act to amend Section 1991 of the Code of Civil Procedure, relating to disobedience of subpena.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 400: By Mr. Potter—An act to add Article 3, consisting of Sections 22175 to 22181, inclusive, to Chapter 12 of Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of gold or its alloys.

Referred to Committee on Mines and Mining.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 400

Mr. Potter moved that Assembly Bill No. 400 be withdrawn from the Committee on Mines and Mining, and re-referred to the Committee on Judiciary Codes.

Motion carried.

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 400

Mr. Potter requested that 500 extra copies of Assembly Bill No. 400 be printed.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 401: By Mr. Maloney—An act to add Section 1263.1 to the Agricultural Code, relating to loans and advances by licensed commission merchants and dealers.

Referred to Committee on Agriculture.

Assembly Bill No. 402: By Mr. Andreas—An act to add Section 719 to the Fish and Game Code, relating to shad and shad roe.

Referred to the Committee on Fish and Game.

Assembly Bill No. 403: By Mr. Andreas—An act relating to alcoholic beverages, providing for the creation of the California Liquor Commission, granting said commission the sole right to sell alcoholic beverages other than malt liquors to retailers, and providing for the

disposition of funds derived from the sale of alcoholic beverages, prescribing penalties, and making an appropriation for the purposes of this act.

Referred to Committee on Public Morals.

Assembly Bill No. 404: By Mr. King—An act to amend Sections 13215 and 13388 of the Health and Safety Code, relating to boilers and boiler rooms in clothes cleaning establishments.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 405: By Mr. King—An act to amend Section 13314 of the Health and Safety Code, and to add Section 13314.5 thereto, relating to clothes cleaning establishments, including licenses and license fees and penalties.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 406: By Mr. King—An act to amend Section 13203 of the Health and Safety Code, relating to clothes cleaning establishments, including the definition of solvents used therein.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 407: By Mr. King—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 408: By Mr. Weybret—An act to amend Section 63 of the Civil Code, relating to marriages contracted outside of the State by residents of California.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 409: By Messrs. Dills, Bennett and Tenney—An act to add Section 81.5 to the Code of Civil Procedure, relating to justices' courts of Class A.

Referred to Committee on Judiciary General.

Assembly Constitutional Amendment No. 12: By Mr. Weybret—Proposed amendment to Article I, Section 8, of the Constitution, relative to grand juries.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 13: By Messrs. Houser, Frederick F., Stream, Middough, Maloney, Poulson, Allen, Gunlock, Cooke, Turner, Lowrey, Kellems, Tenney, Poole, Lyon, Hawkins, Andreas, Salsman, Cronin, Clarke, Wollenberg, McCollister, Crowley, Miss Miller and Mrs. Daley—Proposed amendment to Article I of the

Constitution, by adding a new section numbered 27, relative to equal rights for men and women.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 14: By Messrs. Meehan and Cassidy—Proposed amendment to Article IV, Section 26, of the Constitution, relative to State lotteries.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 38

WHEREAS, The proper enforcement of our Narcotic Laws is one of the most important phases of law enforcement in this State; and

WHEREAS, The Governor has during the present biennium seen fit to supply the State Division of Narcotic Enforcement with certain funds, transferred from the Governor's Emergency Fund, after legislative disapproval of the same; and

WHEREAS, The State maintains a Narcotic Hospital at Spadra, California, supposedly for the cure of narcotic addicts, and

WHEREAS, It is alleged that said Narcotic Hospital is overstaffed and as presently conducted a waste of public funds; and

WHEREAS, The true facts may best be determined by a thorough and impartial investigation; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to be known as the Committee on Narcotic Enforcement and Hospitalization, is hereby created, which committee is hereby authorized and directed to make a complete investigation, analysis and appraisal of all facts relating to the conduct of the Division of Narcotic Enforcement and the Spadra State Hospital with particular reference to the efficiency and economy of continued operation of certain phases of the work carried on by these agencies, so that the committee may present to the Legislature a plan whereby the Legislature may impose conditions upon the expenditure of additional revenues as it may provide by legislation, and thus assure that the minimum burden necessary will be imposed upon the people of the State; and be it further

Resolved, That the committee shall consist of three members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee is hereby authorized to create subcommittees of one or more members and to delegate to such subcommittees all the powers, purposes, responsibilities, duties and jurisdiction conferred upon such committee, and that such subcommittees are hereby expressly authorized to administer oaths and to issue subpenas requiring the attendance of witnesses and the production of books, papers and documents, and to do all other acts and things that may be done by the committee as a whole; and be it further

Resolved, That the committee may employ, prescribe the duties of, and fix the compensation of, a secretary and such other clerical and professional assistants as it finds necessary for the conduct of its work as will best assist it to effectuate the purposes for which it was created; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California at which hearings the people are to have an opportunity to present their views to the committee; and be it further

Resolved, That the committee is hereby authorized to act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature. The committee may file a report with the Legislature during any session of the Fifty-fourth Legislature and with the Legislature during the regular session of the Fifty-fifth Legislature; and be it further

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

Resolved, That no witness summoned to appear before the committee shall be entitled to receive either witness fees or mileage in advance, but any such witness who appears before the said committee at the time and place designated in the

subpena and testifies shall be entitled to receive witness fees and mileage in accordance with the provisions of Standing Rule No. 97 of the Assembly; and be it further

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or by its chairman is authorized and empowered to administer oaths. All of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created; and be it further

Resolved, That every department, commission, board, agency, officer, and employee of the State Government and of the political subdivisions, the counties, the cities and the districts shall furnish the committee, upon request, such information, records and documents as the committee deems proper for the effectuation of the purposes for which it was created; and be it further

Resolved, That the committee is further authorized and empowered to make a complete investigation and study of every phase of the subject hereinabove mentioned and any and all matters incidental thereto and to do any and all things necessary or convenient to enable it fully and completely to exercise its powers and perform its duties; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly and the Deputies Sergeant-at-Arms of the Assembly are hereby directed to serve any and all subpenas, orders and other process that may be issued by the committee, when directed so to do by the chairman or upon a vote of the majority of the membership of the committee; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 47

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LYON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race-track officials, or other or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 337f, 337g and 337h to the Penal Code," and strike out lines 2, 3, 4 and 5 thereof, and in line 6

strike out "appliances", and insert "amend Sections 337b, 337c, 337d and 337e of, and to add Section 337f to, the Penal Code, relating to crimes in connection with sporting events, contests and exhibitions, including horse racing, baseball, football, boxing and wrestling".

Amendment No. 2

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 337b of the Penal Code is hereby amended to read as follows.

337b. Any person who gives, or offers or promises to give, or attempts to give or offer, any money, bribe or thing of value, to any participant or player in any sporting event, contest, or exhibition of any kind whatsoever, where admission is charged, and specifically including but without being limited to such sporting events, contests, and exhibitions as baseball, football, boxing, wrestling and horse racing, with the intention or understanding or agreement that such participant or player shall not use his best efforts to win such sporting event, contest or exhibition, or so conduct himself in such sporting event, contest or exhibition that any other player, participant or team of players or participants shall thereby be assisted or enabled to win such sporting event, contest or exhibition, is guilty of a felony, and shall be punished by imprisonment in the State prison for a period not exceeding five years, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment.

SEC. 2. Section 337c of the Penal Code is hereby amended to read as follows:

337c. Any person who accepts, or attempts to accept, or offers to accept, or agrees to accept, any money, bribe or thing of value, with the intention or understanding or agreement that he will not use his best efforts to win any sporting event, contest or exhibition of any kind whatsoever, and specifically including but without being limited to, such sporting events, contests or exhibitions as baseball, football, boxing, wrestling and horse racing, in which he is playing or participating or is about to play or participate in, or to so conduct himself in such sporting event, contest or exhibition that any other player or participant or team of players or participants shall thereby be assisted or enabled to win such sporting event, contest or exhibition, is guilty of a felony, and shall be punished by imprisonment in the State prison for a period not exceeding five years, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment.

SEC. 3. Section 337d of the Penal Code is hereby amended to read as follows:

337d. Any person who gives, or offers to give, or promises to give, or attempts to give, any money, bribe or thing of value to any person who is umpiring, managing, directing, refereeing, supervising, judging, presiding or officiating at, or who is about to umpire, manage, direct, referee, supervise, judge, preside or officiate at any sporting event, contest or exhibition of any kind whatsoever, and specifically including but without being limited to, such sporting events, contests and exhibitions as baseball, football, boxing, wrestling and horse racing, with the intention or agreement or understanding that such person shall corruptly or dishonestly umpire, manage, direct, referee, supervise, judge, preside or officiate at, any such sporting event, contest or exhibition, or the players or participants thereof, with the intention or purpose that the result of the sporting event, contest or exhibition will be affected or influenced thereby, is guilty of a felony and shall be punished by imprisonment in the State prison for a period not exceeding five years, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment.

SEC. 4. Section 337e of the Penal Code is hereby amended to read as follows:

337e. Any person who as umpire, manager, director, referee, supervisor, judge, presiding officer or official receives or agrees to receive, or attempts to receive any money, bribe or thing of value, with the understanding or agreement that such umpire, manager, director, referee, supervisor, judge, presiding officer or official shall corruptly conduct himself or shall corruptly umpire, manage, direct, referee, supervise, judge, preside or officiate at, any sporting event, contest or exhibition of any kind whatsoever, and specifically including but without being limited to, such sporting events, contests and exhibitions as baseball, football, boxing, wrestling and horse racing, or any player or participant thereof, with the intention or purpose that the result of the sporting event, contest or exhibition will be affected or influenced thereby, is guilty of a felony and shall be punished by imprisonment in the State prison for a period not exceeding five years, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment.

SEC. 5."

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 21, inclusive, and on page 2, strike out lines 1 to 25, inclusive, and insert

"377f. Any person:

(a) Who influences, or induces, or conspires with, any owner, jockey, groom or other person associated with or interested in any stable, horse, or race in which a horse participates, to affect the result of such race by stimulating or depressing a horse through the administration of any hypnotic or narcotic to such horse, or the use of an electric whip, or

(b) Who so stimulates or depresses a horse, or

(c) Who knowingly enters any horse in any race within a period of 24 hours after any hypnotic or narcotic has been administered to such horse for the purpose of increasing or retarding the speed of such horse, is guilty of a felony and punishable by a fine of not more than five thousand dollars ($5,000), or by imprisonment in a State prison or a county jail for not less than one nor more than two years or by both such fine and imprisonment.

The term "hypnotic" shall include all barbituric acid preparations and derivatives.

The term "narcotic" shall include opium and all its alkaloids, salts, preparations and derivatives, cocaine and all its salts, preparations and derivatives and substitutes."

Amendments read and adopted.

Bill ordered printed and engrossed.

COMMUNICATIONS

The following communication was received, read, and ordered filed with the Secretary of State:

By the Chief Clerk:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 15, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol Sacramento, California

Subject: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session

DEAR MR OHNIMUS: Handed you herewith for filing are the following reports of the State Engineer:

A-1	County of Santa Cruz.	File No. S Cr 40-1. Reconstruction of bridges.
A-30	County of Colusa	File No. Col. 40-4. Repair or restoration of roads.
A-68	County of Solano.	File No. Sol. 40-2. Repair of levee roads.

These reports are upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and are transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. W. EDMONSTON, Deputy State Engineer

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1941

MR SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name.

San Francisco News—Brooke Clyde.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs Burns, Hugh M., and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George Harr, George R. Sykes of Fresno and Hon. Lloyd E Griffin, Associate Justice, Fourth District Court of Appeal, of San Diego.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Victoria G. Lowell, Miss Mercedes Lowell and Miss Lolitan Lowell

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rossi of Sacramento and Mrs. Rose Segale, of Glendale.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Elmer W. Heald, of El Centro.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas Riordon and Mr. John McLaughlin, of San Francisco.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ross Lanterman, of Long Beach.

ADJOURNMENT

At 12 20 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., January 17, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 17, 1941

The Assembly met at 10 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—69.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Burkhalter.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. Sawallisch, on motion of Mr. Hugh M. Burns.
Mr. Phillips, on motion of Mr. Dickey.
Mr. Del Mutolo, on motion of Mr. Meehan.
Mr. Middough, on motion of Mr. Frederick F. Houser.
Mr Kellems, on motion of Mr. Waters.
Mr. Poulson, on motion of Mr. Waters.
Mr. Tenney, on motion of Mr. Evans.
Mr. Wollenberg, on motion of Mr. Maloney.
Mr. Cronin, on motion of Mr. Maloney.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 5—Relative to the approval of five certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon the fourth day of June, 1940;
And reports that the same has been correctly enrolled, and presented to the Governor on the sixteenth day of January, 1941, at 12.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 69—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately;
And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of January, 1941, at 10 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 89
Assembly Joint Resolution No. 2
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold or to be issued and sold by municipalities for flood control purposes under an act, or under color of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became law under constitutional provision without Governor's approval on February 25, 1901, where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Russell moved a call of the Assembly.

Motion carried. Time, 10.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 89

At 10.20 a.m., on motion of Mr. Russell, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No 89 adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 16, 1941

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

Assembly Concurrent Resolution No. 6
Assembly Concurrent Resolution No. 7
Assembly Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 410: By Messrs. Donnelly, Cain, Cooke, Lowrey, Heisinger, Gunlock, Gaffney, Collins, George D., and Russell—An act to repeal Article 6 of Chapter 2, Title 1, Part 3, of the Political Code, and to add a new Article 6 thereto, comprising Sections 270 to 281, inclusive, relating to persons promoting or opposing legislative measures.

Referred to Committee on Rules.

Assembly Bill No. 411: By Messrs. Desmond and Cain—An act to add Sections 11b and 11c to the Municipal Courts Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 412: By Mr. Michael J. Burns—An act to add Section 788.5 to the Fish and Game Code, relating to the possession of crabs on boats.

Referred to Committee on Fish and Game.

Assembly Bill No. 413: By Mr. Pfaff—An act to amend Section 2112 of the Business and Professions Code, relating to the directory under the chapter on medicine thereof.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 414: By Messrs. Hastain and Dilworth—An act to add Section 517 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways

Assembly Bill No. 415: By Miss Miller—An act to add Section 66.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages to incompetent or insane persons

Referred to Committee on Public Morals.

Assembly Bill No. 416: By Mr. Phillips—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Referred to Committee on Judiciary General.

Assembly Bill No. 417: By Mr. Phillips—An act to add Section 739.1 to the Vehicle Code, relating to notices to appear in court and to the filing of complaints and amended complaints charging offenses under said code.

Referred to Committee on Judiciary General.

Assembly Bill No. 418: By Mr. Phillips—An act to add Section 741.1 to the Vehicle Code, relating to the entry of pleas of guilty of offenses under said code, the pronouncement of judgment in such cases, the notification of the defendant of the terms and provisions thereof, and the issuance of bench warrants in such cases.

Referred to Committee on Judiciary General.

Assembly Bill No. 419: By Mr. Weybret—An act to add Section 1432 1 to the Penal Code, relating to the procedure in a justice's court when a complaint is filed against the justice of said court.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 420: By Messrs. Thorp and Hawkins—An act to add Chapter 3, comprising Sections 2700 to 2766, inclusive, to Division 4 of the Welfare and Institutions Code, relating to resettlement, and making an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 421: By Mr. Gallagher—An act to amend Sections 7 and 15 of the Unemployment Insurance Act relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 422: By Messrs. Collins, Sam L., and Watson—An act to add Sections 3 808 and 3 809 to Article 1, Chapter 4, Part 5, Division 3 of the School Code, relating to prescribed courses of study in high school.

Referred to Committee on Education.

Assembly Bill No. 423: By Mr. Voigt—An act to amend Section 59.5 of the Alcoholic Beverage Control Act and to add Section 59 6 thereto, relating to on-sale licenses and to the hours of sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 424: By Mr. Voigt—An act to add Section 5.2 to the Alcoholic Beverage Control Act, relating to on-sale licenses for the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 425: By Mr. Salsman—An act to amend Section 454 of, and to add Sections 455.1 and 455 2 to, the Code of Civil Procedure, relating to bills of particulars, pleading and evidence.

Referred to Committee on Judiciary Codes

Assembly Bill No. 426: By Mr. Lyon—An act making an appropriation to pay the claim of Carl T. Rose against the State of California.

Referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 15: By Mr. Kepple—Proposed amendment to Article VI, Section 18, of the Constitution, relative to eligibility of justices and judges to other office.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 16: By Mr. Waters—Proposed amendment to Article VI, Section 23, of the Constitution, relative to eligibility of justices and judges.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 17: By Messrs. Kilpatrick and Burkhalter—Proposed amendment to Articles IV and V of the Constitution, proposing to amend Sections 1, 2, 3, 4, 5, 6, 7, 17, 23 and 34 of Article IV and Sections 15 and 19 of Article V of the Constitution of the State of California, and to add to said Article IV new Section 14a, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 18: By Mr. Kilpatrick—Proposed amendment to Section 10½ of Article XIII of the Constitution, relative to householder's exemption.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 19: By Mr. Kepple—Proposed amendment to Section 31c of Article IV of the Constitution, relative to ownership of stock by school districts.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 2—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded persons receiving old age assistance.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read:

From the State Relief Administrator to the Assembly.

Communication referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Doyle:

House Resolution No. 39

Resolved by the Assembly of the State of California, That Rule No. 4.5 is hereby added to the Permanent Standing Rules of the Assembly, to read as follows:

Pledge of Allegiance

4.5 On each Monday morning during the session, following the prayer by the Chaplain, the members of the Assembly and its officers, attaches and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Resolution read, and referred to Committee on Rules.

By Mr. Dilworth:

House Resolution No. 40

Resolved by the Assembly of the State of California, That Rule 75 of the Permanent Standing Rules of the Assembly, as printed on pages 211, 212 and 213 of the Assembly Daily Journal for January 14, 1941, be amended as follows:

That the name of the Committee on Conservation is hereby changed to "Committee on Natural Resources."

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

House Resolution No. 32

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly for the Fifty-fourth Session, as adopted January 14, 1941, be amended as follows.

(1) That the membership of the Committee on Insurance is hereby changed from 11 members to 13 members

(2) That the membership of the Committee on Unemployment is hereby changed from 11 members to 13 members

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Mr. Speaker—60.

NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr. Salsman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Approving a certain amendment to the charter of the City of Santa Clara, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the first day of April, 1940.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1941

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

The Claremont Press—M. M. Newmark
Underwriters' Report and Shipping Register—John C. Piver.
Variety—Arthur Ungar and W. H. Lollier.
Calif. Real Estate Magazine—Glenn W. Willaman, Fred Russell, Paul S. Bomberger, Charles B. Shattuck and Hayden F. Jones.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

The following communication from the superior court of Alameda County, relative to bonded indebtedness, was presented by Mr. Johnson, ordered printed in the Journal, and referred to the Committee on Rules:

OAKLAND, CALIFORNIA, January 15, 1941

To the Honorable the Superior Court of the State of California, in and for the County of Alameda

In view of the new and imperative needs for National defense which must be undertaken by the United States Government, we, the grand jury of Alameda County for the year 1940-41, respectfully submit the following partial report.

The present National debt, plus defense appropriations to date, amounts to $57,227,497,749.

It has been estimated by competent authority that Alameda County's share or pro rata thereof is $222,969,971.

Further, we find that our pro rata of the State bonded indebtedness and deficiency is $18,596,649.

The county's bonded debt is $4,917,000, an amount that reflects conservative policies over the years.

The bonded debts of the incorporated cities of Alameda County follow.

Alameda	$544,498 00	Livermore	$43,000 00
Albany	18,000 00	Oakland	8,793,160 00
Berkeley	1,030,168 00	Piedmont	83,500 00
Emeryville	None	Pleasanton	39,000 00
Hayward	264,093 00	San Leandro	180,000 00

The aggregate of all district school bonds in the county is $12,696,250

Alameda County's share of the East Bay Municipal Utility District bonds is $51,323,958.

The total, therefore, of all public debt resting directly and indirectly on Alameda County is $321,499,247.

The taxable assessed valuation of the county is $455,205,215.

In other words, government debt, at this time, amounts to 70 per cent of our taxable assessed valuation. This means a burden of $1,400 on every home assessed at $2,000, or an average of $2,131 for every family in the county, or $627 for every individual.

In addition to this are the current tax levies, Federal, State and local, which already are of consequential proportions.

The foregoing is submitted as an estimate of the situation confronting Alameda County, one that is to be seriously pondered by all citizens. The burden must be sustained by the productive energies of the people, all of whom have a definite part in the responsibility. We believe it to be timely to give greater consideration to the taxpayer's capacity to pay.

We, therefore, commend to State and local tax-fixing authorities and to those expending these public funds the caution and thoughtful restraint that conditions so definitely warrant.

It is gratifying to report that some of the taxing agencies in Alameda County already have given recognition to the stern realities of the new development and we feel assured of their further cooperation.

Particularly as regards pressure groups, political and otherwise, are we persuaded that a warning should be uttered.

Respectfully submitted by the grand jury.

M. R BRONNER, *Foreman*
LOUISE M. GLASIER, Secretary

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Blanche De Soto of Los Angeles.

ADJOURNMENT

At 10.55 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.45 a.m., January 20, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY
FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 20, 1941

The Assembly met at 10.45 a m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Gaffney

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. King, on motion of Mr Evans.
Mr. Cassidy, on motion of Mr. Carlson.
Mr. John B Knight, on motion of Mr Pfaff

MOTION TO PRINT STATEMENT AND PRAYER IN JOURNAL

On motion of Mr Doyle, the following statement by the Speaker and prayer by the Chaplain were ordered printed in the Journal:

Statement by the Speaker

Today the President of our United States is being inaugurated. I feel therefore that it is fitting and proper that each one of us should pray with our Chaplain

this morning that our President, Franklin Delano Roosevelt, may be granted the divine wisdom, courage and strength which are so necessary to guide us through these perilous and troublesome times, and that peace may be restored again 'ere we close this session to a world aggrieved and torn asunder by the despots of Europe.

Prayer

O God, this day we have inaugurated the President of our United States. We recognize that all power of government comes from Thee. Bless our President. Sanctify the pledges which he has made this day.

Grant him grace and strength to guide our country through these perilous times according to Thy Holy Will.

Amen

ALLEGIANCE PLEDGED TO THE FLAG

Pursuant to a previous motion, the Speaker ordered allegiance pledged to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 47

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 47 re-referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 17, 1941

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

Assembly Bill No. 89

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

MOTION TO GRANT USE OF ASSEMBLY CHAMBER

On motion of Mr. Lyon, and in accordance with Rule 98, permission was granted to Governor Culbert L. Olson to have the Assembly Chamber made available to the public on Wednesday, January 22d, at 8.30 p.m., to view the patriotic picture, "Land of Liberty."

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 16, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: The Motion Picture Producers of Hollywood jointly have made an outstanding patriotic picture "The Land of Liberty" directed by Cecil B. DeMille, which is a cavalcade of American life.

This picture is to be released by MGM Studios in California through the Fox West Coast Theaters. All of the profits made from the showing of this picture will be donated by the Motion Picture Producers Association to war relief charity.

At the request of both MGM Studios and the Fox West Coast Theaters, I have agreed to cosponsor with the Pals Club a showing of this picture Wednesday evening, January 22d, 8.30 p.m., to both houses of the Legislature in the Assembly Chambers.

During these times when National unity is so important to our National defense and because of the educational value of this picture depicting the life and spirit which has made the United States the greatest democratic Nation in the world, I would like to invite all the members of the Senate and Assembly, the attaches of both houses, their wives and friends to attend the preview showing of this picture Wednesday evening, January 22d.

Sincerely,

CULBERT L. OLSON, Governor of California

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 416, 417 AND 418

Mr. Phillips moved that Assembly Bills Nos. 416, 417 and 418 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Motor Vehicles.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Millet, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 303

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRONIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 303—An act to add Section 2457.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on medicine thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 427: By Mr. Burkhalter—An act to add Section 39 to the Fish and Game Code, relating to bounties on predatory animals.

Referred to Committee on Fish and Game.

Assembly Bill No. 428: By Mr. Burkhalter—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to sales to minors.

Referred to Committee on Public Morals.

Assembly Bill No. 429: By Mr. Burkhalter—An act to add Section 7.7 to the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals

Assembly Bill No. 430: By Mr. Desmond—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 431: By Messrs. Howser, F. N., Bashore, Kellems and Miss Miller—An act to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same.

Referred to Committee on Judiciary General.

Assembly Bill No. 432: By Messrs. Howser, F. N., Bashore, Kellems and Miss Miller—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge.

Referred to Committee on Judiciary General.

Assembly Bill No. 433: By Mr. Field—An act to amend Section 11a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 434: By Mr. Maloney—An act to amend Section 1593 of the Labor Code, relating to employment agency licenses.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 435: By Mr. Maloney—An act to amend Section 1394 of the Labor Code, relating to the hours and places of work of minors.

Referred to Committee on Labor and Capital.

Assembly Bill No. 436: By Mr. Maloney—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Referred to Committee on Labor and Capital.

Assembly Bill No. 437: By Mr. Maloney—An act to add Section 1397.5 to the Labor Code, relating to the employment of minors and establishing a penalty.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 438: By Mr. Maloney—An act to repeal Section 1588.5 of the Labor Code, relating to labor contractor's license fees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 439: By Mr. Maloney—An act to amend Section 26½ of the Retail Sales Tax Act of 1933 and Section 20.7 of the Use Tax Act of 1935, relating to priority of the sale and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 440: By Mr. McCollister—An act to add Section 670.7 to the Vehicle Code, relating to bumpers.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 441: By Messrs O'Day, Gaffney and Wollenberg—An act to add Section 647 to the Streets and Highways Code, relating to State highways, and creating the "Divisional Highway," in the City and County of San Francisco

Referred to Committee on Roads and Highways

Assembly Bill No. 442: By Mr. Robertson—An act to amend Section 170 of, to repeal Section 170.5 of, and to add Section 170.5 to the Code of Civil Procedure, relating to the disqualification of judges.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 443: By Mr. Robertson—An act to amend Section 374.5 of the Vehicle Code, relating to license plates for exempt vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 444: By Messrs. Thomas and Evans—An act to amend Section 4 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 445: By Mr. Meehan—An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sale and lease contracts

Referred to Committee on Financial Institutions.

Assembly Bill No. 446: By Messrs. Thomas and Evans—An act to add Section 926.5 to the Fish and Game Code, relating to nets in District 20.

Referred to Committee on Fish and Game.

Assembly Bill No. 447: By Messrs. Thomas and Evans—An act to amend Section 926 of the Fish and Game Code, relating to nets in District 19A.

Referred to Committee on Fish and Game.

Assembly Bill No. 448: By Messrs. Thomas and Evans—An act to add Section 847.5, and to repeal Section 929 of the Fish and Game Code, relating to use of nets in District 118.5.

Referred to Committee on Fish and Game.

Assembly Bill No. 449: By Mr. Turner—An act to add Division 2, consisting of Part 1, comprising Sections 6001 to 7176, inclusive, and Section 50006 to the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Retail Sales Tax Act of 1933 and the Use Tax Act of 1935, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 450: By Mr. Turner—An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 451: By Mr. Turner—An act to add Part 3, comprising Sections 8601 to 9354, inclusive, to Division 2 of, and to add Section 50009 to, the Revenue and Taxation Code, thereby consolidating and revising the laws relating to taxation and the raising of revenue, including the provisions of the Use Fuel Tax Act of 1937, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 452: By Mr. Turner—An act to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of, and to add Section 50010 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 453: By Mr. Turner—An act to add Part 5, comprising Sections 10701 to 11005, inclusive, to Division 2 of, and to add Section 50011 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, as amended, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 454: By Mr. Turner—An act to add Part 6, comprising Sections 11201 to 11752, inclusive, to Division 2 of, and to add

Section 50012 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Private Car Tax Act of 1937, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 455: By Mr. Meehan—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 456: By Mr. Lyon—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 457: By Mr. Andreas—An act to amend Section 1063 of the Fish and Game Code, relating to grades of fish and fish products.

Referred to Committee on Fish and Game.

Assembly Bill No. 458: By Mr. Andreas—An act to add Article 2 to Chapter 8 of Division 5 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 459: By Mr. Andreas—An act to add Section 13.4 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys derived from horse racing license fees.

Referred to Committee on Public Morals.

Assembly Bill No. 460: By Mr. Andreas—An act to amend Section 337a of, and to add Section 337f to the Penal Code, relating to gaming and gambling by pool-selling, bookmaking, bets and wagers, and providing the punishment for the violation thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 461: By Messrs. Allen and Green—An act to add Section 352.9 to the Political Code, relating to mileage expenses of officers and employees of this State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 462: By Messrs. Allen and Green—An act to amend Section 1.91 of, and to add Sections 1.92, 1.93 and 1.94 to, the School Code, relating to the construction, color, design, equipment and operation of school buses.

Referred to Committee on Education.

Assembly Bill No. 463: By Messrs. Allen and Green—An act to add Section 686.7 to the Vehicle Code, relating to designations on State-owned vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 464: By Mr. Allen—An act to add Section 106 5 to the Vehicle Code, relating to the pooling, assignment and use of State-owned vehicles, and providing for the supervision thereof.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 465: By Mr. Allen—An act to amend Sections 755, 760, 780. 788 and 1200 of the Probate Code, and to add Sections 757a, 794, 795, 796, 797, 798 and 799 thereto, relating to sales of real property of estates in probate.

Referred to Committee on Judiciary General.

Assembly Bill No. 466: By Mr. Dilworth—An act to add Section 509 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 467: By Mr. Frederick F. Houser—An act to add Section 100 to Chapter 3, Title 1, Part 1, of, and to repeal Section 117 of, the Political Code, relating to Congressional Districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 468: By Mr. Potter—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments

Referred to Committee on Judiciary General.

Assembly Bill No. 469: By Mr. Potter—An act to add Section 4132.5 to the Political Code, relating to the indexing of instruments or documents recorded.

Referred to Committee on Judiciary General.

Assembly Bill No. 470: By Mr. Potter—An act to amend Section 112 of the Code of Civil Procedure, relating to original jurisdiction of justices' courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 471: By Mr. Potter—An act to amend Section 89 of the Code of Civil Procedure, relating to original jurisdiction.

Referred to Committee on Judiciary General.

Assembly Bill No. 472: By Mr. Potter—An act to amend Section 329 of the Code of Civil Procedure, relating to the limitation of the time within which actions for the foreclosure of street improvement assessment liens against real property may be commenced, when the assessments are made payable in installments pursuant to bonds or other written obligations.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 473: By Mr. Potter—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Referred to Committee on Judiciary General.

Assembly Bill No. 474: By Mr. Potter—An act to repeal Section 117f of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 475: By Mr. Salsman—An act to amend Section 1590 of the Labor Code, relating to the conditions of employment agency surety bonds.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 476: By Mr. Andreas—An act to amend Section 254 of the Fish and Game Code, relating to fish and game refuges and preserves.

Referred to Committee on Fish and Game.

Assembly Bill No. 477: By Mr. Andreas—An act to add Section 1010.5 to the Fish and Game Code, relating to licenses to can, cure, preserve, or pack fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 478: By Mr. Andreas—An act to amend Section 1077 of the Fish and Game Code, relating to rules and regulations of the Fish and Game Commission concerning commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 479: By Mr. Andreas—An act to amend Section 85 of the Agricultural Code, relating to district agricultural fairs.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 480: By Mr. Andreas—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 481: By Mr. Andreas—An act to amend Section 2100 of the Business and Professions Code, relating to the practice of medicine.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 482: By Mr. Andreas—An act to amend Section 1702 of the Business and Professions Code, relating to the practice of dentistry.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 483: By Mr. Andreas—An act to add Section 580 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways

Assembly Bill No. 484: By Mr. Andreas—An act to amend Section 2750 of the Labor Code, relating to employer and employee relationships.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 485: By Mr. Andreas—An act to amend Section 4253 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 486: By Mr. Andreas—An act to amend Section 450 of the Vehicle Code, relating to traffic laws.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 487: By Mr. Andreas—An act to amend Section 376 of the Vehicle Code, relating to vehicle registration and license fees.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 488: By Mr. Andreas—An act to amend Section 101 of the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 489: By Mr. Andreas—An act to amend Section 1603 of the Streets and Highways Code, relating to highway funds.

Referred to Committee on Roads and Highways.

Assembly Bill No. 490: By Mr. Andreas—An act to amend Section 516 of the Agricultural Code, relating to milk and milk products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 491: By Mr. Andreas—An act to amend Section 109 of the Agricultural Code, relating to plant quarantine and pest control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 492: By Mr. Andreas—An act to amend Section 25 of the Agricultural Code, relating to the Department of Agriculture.

Referred to Committee on Agriculture.

Assembly Bill No. 493: By Mr. Andreas—An act to amend Section 50 of the Streets and Highways Code, relating to the Division of Highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 494: By Mr. Andreas—An act to amend Section 401 of the Fish and Game Code, relating to licenses for the taking of fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 495: By Mr. Andreas—An act to amend Section 68 of the Fish and Game Code, relating to fish and game districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 496: By Mr. Andreas—An act to amend Section 22 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 497: By Mr Andreas—An act to amend Section 302 of the Agricultural Code, relating to meat inspection.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 498: By Mr. Andreas—An act to amend Section 735.5 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 499: By Messrs. Clarke and Donnelly—An act to amend Section 21 of the California Irrigation District Act, relating to irrigation district elections.

Referred to Committee on Irrigation.

Assembly Bill No. 500: By Messrs. Kellems, Lyon, Turner, Kepple, Allen, Watson, Cooke, Dilworth, Pfaff, Tenney, Knight, T. Fenton; Robertson, King, Salsman, Poulson, Heisinger, Houser, Frederick F., Voigt, McCollister, Del Mutolo, Johnson, Weybret, Thorp, Sheridan, Stream, Desmond, Phillips, Weber, Dills, Clarke, Thomas, Gallagher, Burns, Michael J., Gunlock, Bashore, Pelletier, Massion, Russell, Bennett, Green, Meehan, Call, Thurman, Wollenberg, Burns, Hugh M., Knight, John B., Maloney, Potter, Field, Doyle, Donnelly, Evans, Howser, F. N., Andreas, Waters, Middough, Hastain, Burkhalter, Cassidy, Kilpatrick, Hawkins, Garland, Cronin, Leonard, Poole, Miss Miller and Mrs. Daley—An act appropriating money for the purchase of a California bell to be installed in the Washington Memorial National Carillon at Valley Forge.

Referred to Committee on Ways and Means.

Assembly Bill No. 501: By Mr. Bennett—An act to amend the title and Sections 1, 2 and 3 of an act entitled "An act providing that, in any city of the first or second and one-half class or city and county in this State, where by general law or by charter the board of police commissioners of such city, or city and county, are authorized and empowered to appoint, promote, suspend, disrate or dismiss any police officer or member of the police department, and to prescribe rules and regulations for the government, discipline, equipment and uniform of such police department, and from time to time to alter or repeal the same, and to prescribe penalties for the violation of any such rules and regulations, all such rules and regulations must be reasonable and couched in plain and concise language, and providing that such board of police commissioners shall prescribe a separate and distinct penalty for the violation of each of such rules and regulations which shall be graded according to the importance and nature of the rule or regulation violated, and providing that such penalty shall in all cases be reasonable, and that the same shall be couched in plain and concise language, and printed or published, as the case may be, in the manual or guide published for the guidance and information of the police officers or members of such police department and in connection with the rule or regulation to which the same is intended to apply, and providing further that such board of police commissioners shall not have power to inflict unreasonable penalties for the violation of such rules and regulations; nor to inflict penalties for the violation of such rules and regulations arbitrarily, nor unless justified by proper and competent evidence, also providing certain procedure in hearings for the violation of such rules and regulations, and that courts of competent jurisdiction may review the proceedings had upon such hearings for certain purposes, and that all acts and parts of acts in conflict herewith are hereby repealed," approved March 23, 1907, relating to police officers and members of police departments of cities, and cities and counties.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 502: By Mr. Cronin—An act to amend Section 2458 of, and to add Sections 2455 3 and 2455.6 to, the Business and Professions Code, relating to fees and certificates under the chapter on medicine thereof.

Referred to Committee on Medical and Dental Laws

Assembly Bill No. 503: By Mr. Cronin—An act to amend Section 2286 of the Business and Professions Code, relating to medical examinations.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 504: By Mr. Cronin—An act to add Section 2454.5 to the Business and Professions Code, relating to the use of the addressing facilities of the administrative board under the chapter on medicine thereof.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 505: By Mr. Cronin—An act to amend Section 2120 of the Business and Professions Code, relating to reports under the chapter on medicine thereof.

Referred to Committee on Medical and Dental Laws

Assembly Bill No. 506: By Mr. Cronin—An act to add Section 743 7 to the Vehicle Code, relating to waiver of filing of written complaint.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 507: By Mr. Cronin—An act to amend Section 1426 of the Penal Code, relating to the filing of complaints in a justice, police or municipal court.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 508: By Mr. Cronin—An act to amend Section 1589 of the Labor Code, relating to surety bonds of employment agencies.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 509: By Mr. Cronin—An act to amend Section 1588 of the Labor Code, relating to license fees of employment agencies and labor contractors.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 510: By Messrs. Dilworth and Allen—An act to amend Section 1082 of the Military and Veterans Code, relating to the Woman's Relief Corps Home of California.

Referred to Committee on Military Affairs.

Assembly Bill No. 511: By Mr. Gallagher—An act to add Section 194.5 to the State Civil Service Act, relating to orders and decisions of the State Personnel Board and enforcement of the provisions thereof.

Referred to Committee on Civil Service.

Assembly Bill No. 512: By Mr. Gallagher—An act to add Section 1353.5 to the Labor Code, relating to enforcement of the laws concerning the working hours of female employees, and prohibiting employers

from discriminating against employees who may be witnesses in proceedings relative thereto.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 513: By Mr. Gallagher—An act to amend Section 1350 of the Labor Code, relating to hours of labor of females in certain employments.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 514: By Mr. Gallagher—An act to add Section 1351.5 of the Labor Code, relating to hours of rest of female employees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 515: By Mr. Frederick F. Houser—An act making an appropriation to pay the claim of Nell E. Whitaker against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 516: By Mr. Kellems—An act to add Section 543 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 517: By Mr. Phillips—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 518: By Mr. Phillips—An act to amend Section 337 of the Code of Civil Procedure, relating to time of commencing actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 519: By Mr. Tenney—An act to amend Sections 3353, 3501, 4452, 4453, 4458, 4553, 4554, 4652, 4657, 4661, 4701, 4702, 5405, 5410, 5705, 5800, 5801, 5902, 5903, 5905 and 5950 of, and to add Sections 3760, 3762, 3763, 4910, 5701 1 and 5701 2 to the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 520: By Messrs. Wollenberg, O'Day and Collins, George D—An act to add Section 580.3 to the Code of Civil Procedure, relating to the abolition of deficiency judgments.

Referred to Committee on Judiciary General.

Assembly Bill No. 521: By Mr. Andreas—An act to add Part 2, comprising Chapter 2, Sections 4100 to 4183, inclusive, to Division 5 of the Welfare and Institutions Code, relative to aid for convalescing tubercular persons.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 522: By Mr. Andreas—An act to add Article 2 to Chapter 8 of Division 5 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 523: By Mr Andreas—An act to amend Sections 2600, 2601, 2603 and 2604 of the Welfare and Institutions Code, relating to county aid to indigents.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 524: By Mr. Andreas—An act to amend Section 789 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 525: By Mr. Andreas—An act to amend Sections 800 and 801 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 526: By Mr. Andreas—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 527: By Messrs. Dills and Tenney—An act to amend Section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 528: By Mr. Call—An act to add Section 4303 to the Political Code, relating to fees of public officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 529: By Messrs. Tenney and Call—An act to add Section 1032.1 to the Military and Veterans Code, relating to veterans' bands.

Referred to Committee on Military Affairs.

Assembly Bill No. 530: By Messrs. Cronin, Maloney, Wollenberg, Gallagher, Gaffney, O'Day, Collins, George D., Welch, Green and McCollister—An act to add Sections 205, 206 and 207 to, and to amend Sections 251 and 301 of, the Streets and Highways Code, relating to State highways, including an addition to the primary State highway on Route 1, and providing for the maintenance thereof and for the cost of such maintenance.

Referred to Committee on Roads and Highways.

Assembly Bill No. 531: By Messrs. Cronin, Maloney, Wollenberg, Gallagher, O'Day, Collins, George D., Gaffney, Welch, Green and McCollister—An act directing the State Department of Public Works to maintain the toll bridge across the Bay of San Francisco from the City and County of San Francisco to the County of Marin and to maintain the approaches to such bridge, declaring such bridge and the approaches thereto to be a State highway, and providing for the payment of such maintenance.

Referred to Committee on Roads and Highways.

Assembly Bill No. 532: By Messrs. Cronin, Wollenberg, Gallagher, O'Day, Collins, George D. Maloney, Gaffney, Welch, Green and McCollister—An act to add Section 9 5 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to the maintenance of toll bridges and the approaches thereto of bridge and highway districts by the State Department of Public Works.

Referred to Committee on Roads and Highways.

Assembly Bill No. 533: By Messrs. Pfaff, Knight, T. Fenton; Kepple, Houser, Frederick F., and Bashore—An act to amend Section 1007 of the Civil Code, relating to prescription; exemption.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 534: By Mr. Thorp—An act to add Section 14 5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to equipment required in connection with horse racing and making an appropriation therefor.

Referred to Committee on Public Morals,

Assembly Bill No. 535: By Mr. Thorp—An act to add Section 19564 to the Business and Professions Code, relating to equipment required in connection with horse racing and making an appropriation therefor.

Referred to Committee on Public Morals.

Assembly Bill No. 536: By Messrs. Poole, Bashore and Tenney—An act to add Section 945.1 to the Military and Veterans Code, relating to State contributions to burial expenses of veterans and widows of veterans.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 537: By Mr. Poulson—An act imposing a license fee upon sport and pleasure boats, providing for the exemption of such boats from all taxes according to value for State, county, or municipal purposes, providing for the administration and enforcement of this act and creating a Marine Authority for that purpose, creating a fund to be known as the Boat License Fee Fund, and making an appropriation of the moneys therein

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 538: By Mr. Poulson—An act to add Section 628 to the Vehicle Code, relating to lighting equipment for revealing hand signals.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 539: By Mr. Poulson—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to the support of persons receiving old age assistance.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 540: By Mr. Robertson—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 541: By Messrs. Doyle and Gunlock—An act to amend Section 7000 of the Labor Code, relating to pusher engines on railroad trains.

Referred to Committee on Public Utilities.

Assembly Bill No. 542: By Mr. Green—An act to establish a Legislative Budget Bureau, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 543: By Messrs Hastain, Stream and Mrs. Daley—An act to add Sections 3.123, 3.174, 3.302, and 3.372 to the School Code, all relating to the admission of persons to the public schools of this State.

Referred to Committee on Education.

Assembly Bill No. 544: By Mr. Hastain—An act to add Section 544 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 545: By Mr. F. N. Howser—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide resulting from the operation of motor vehicles.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 546: By Mr. Donnelly—An act to add Section 5.143 to the School Code, relating to the issuance of teachers' credentials to blind or partially blind persons.

Referred to Committee on Education.

Assembly Bill No. 547: By Mr. Donnelly—An act to add Chapter 2a to Division 6 of the Agricultural Code, relating to the establishment and operation of State markets for agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 548: By Mr. Donnelly—An act to add Section 410.3 to the Vehicle Code, relating to motor vehicle accidents, including

suspension of licenses, failure to pay judgment and financial responsibility where person causing accident was employed by uninsured person at time of such accident.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 549: By Messrs. Donnelly, Clarke and Thorp—An act to amend Section 828 65 and 829 45 of, to add Section 828 76 to, the Agricultural Code, relating to containers for sweet potatoes.

Referred to Committee on Agriculture.

Assembly Bill No. 550: By Mr. Donnelly—An act to amend Sections 10600 and 10602 of the Health and Safety Code, relating to proceedings to establish the fact of birth, death, or marriage.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 551: By Mr. Donnelly—An act to amend Section 410 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 552: By Mr. Donnelly—An act to add Section 607 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 553: By Mr. Donnelly—An act to add Section 422.5 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 554: By Mr. Donnelly—An act to amend Section 251 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 555: By Messrs Stream and Gunlock—An act to amend Sections 106, 107, 108 and 109 of the Streets and Highways Code, relating to cooperative agreements as to bridges, to take effect immediately.

Referred to Committee on Roads and Highways.

Assembly Bill No. 556: By Mr. Donnelly—An act to add Section 4015a to the Political Code, relating to justices of the peace.

Referred to Committee on Judiciary General.

Assembly Bill No. 557: By Mr. Donnelly—An act to amend Sections 2021, 2160, 2160 5, 2186, 2187 and 2188 and to repeal Section 2200 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 558: By Mr. Desmond—An act to amend Section 736 11 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 559: By Mr Desmond—An act to amend Section 501 of the Agricultural Code, relating to modified milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 560: By Mr. Desmond—An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 58, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 41.1, 63, 67, 68, 69, 70 and 71 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 561: By Mr. Frederick F. Houser—An act to amend Section 800 of the Penal Code, relating to the limitation of time within which prosecution for murder, embezzlement of public moneys, bribery, and the falsification of public records must be commenced.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 562: By Mr. Cronin—An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 563: By Mr. Cronin—An act to amend Section 593 of the Civil Code, relating to the formation and purposes of nonprofit corporations.

Referred to Committee on Corporations.

Assembly Bill No. 564: By Mr. Tenney—An act to amend Section 4300b of the Political Code, relating to fees of the sheriff.

Referred to Committee on County Government.

Assembly Bill No. 565: By Messrs. Dills and Bennett—An act to add Section 10601.5 to the Elections Code, relating to filing of declaration of intention to become a candidate for a judicial office.

Referred to Committee on Elections.

Assembly Bill No. 566: By Mr. Hastain—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 567: By Mr. Poulson—An act to add Section 531 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 568: By Mr. Poulson—An act to add Section 535 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 569: By Messrs. Knight, T. Fenton; Andreas, Bashore, Kepple, Collins, Sam L., and Watson—An act to add Section 828.9 to the Agricultural Code, and to repeal Section 795.6 of said code, relating to standards for field picking boxes for citrus fruits.

Referred to Committee on Agriculture.

Assembly Bill No. 570: By Messrs. Crowley, Sawallisch, Weybret, Richie, Stream and Mrs Daley—An act making an appropriation for elementary and secondary education and facilities in connection therewith, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 571: By Mr. Green—An act to amend Section 4251 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 572: By Mr. Hugh M. Burns—An act to amend Section 5.546 of the School Code, relating to teachers' reports.

Referred to Committee on Education.

Assembly Bill No. 573: By Mr. Hugh M. Burns—An act to amend Section 3 301 of the School Code, relating to payments for nonresident high school students.

Referred to Committee on Education.

Assembly Bill No. 574: By Mr. Hugh M. Burns—An act to amend Section 2 175 of the School Code, relating to lapsed districts and the annexation of the territory thereof.

Referred to Committee on Education.

Assembly Bill No. 575: By Mr. Hugh M. Burns—An act to add Section 817.5 to the Penal Code, relating to peace officers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 576: By Mr. Hugh M. Burns—An act relating to the acquisition by the State of an existing building or buildings in the City of Fresno, or to the acquisition by the State of a site or sites in the City of Fresno, the erection thereon of a building or buildings to house State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 577: By Mr. Hugh M. Burns—An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601, 5602 and 5603, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 578: By Mr. Hugh M. Burns—An act making an appropriation for the acquisition of land and for the construction of a building thereupon suitable for a gymnasium at Fresno State College.

Referred to Committee on State Colleges.

Assembly Bill No. 579: By Messrs Burns, Hugh M., and Sawallisch—An act to add Section 8752 to the Health and Safety Code, relating to the investment of perpetual care funds of cemeteries.

Referred to Committee on Insurance.

Assembly Bill No. 580: By Mr. Call—An act to amend Section 36 of the Civil Code, relating to the contracts of minors.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 581: By Mr. Call—An act to add Section 19480.5 to the Business and Professions Code, relating to compensation insurance for jockeys, exercise boys and harness race drivers.

Referred to Committee on Public Morals.

Assembly Bill No. 582: By Mr. Call—An act to add Section 11.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to compensation insurance for jockeys, exercise boys and harness race drivers.

Referred to Committee on Public Morals.

Assembly Bill No. 583: By Mr. Call—An act to add Section 1020 to the Fish and Game Code, relating to loans and advances by licensed fish canners, packers, processors, or dealers.

Referred to Committee on Fish and Game.

Assembly Bill No. 584: By Mr. Call—An act to add Section 10.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the regulation of horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 585: By Mr. Call—An act to add Section 19464 to the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 586: By Mr. Cain—An act to repeal Section 3721 of the Political Code, relating to assessment and taxation of property affected by the annexation, incorporation, and inclusion of territory by municipal corporations.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 587: By Mr. Allen—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, designated Section 16¼, relating to the power of the Los Angeles County Flood Control

District to condemn or acquire property and to use or exchange same for other property required by the district.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 588: By Mr. Carlson—An act to amend Sections 581 and 582, and to amend and renumber Sections 581a, 581b and 583 of, and to add Sections 581a, 581e and 581f to, the Code of Civil Procedure, relating to the dismissal and rendition of judgment in civil actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 589: By Mr. Voigt—An act to amend Section 10750 of the Insurance Code, relating to life insurance.

Referred to Committee on Insurance.

Assembly Bill No. 590: By Mr. Voigt—An act to amend Section 10723 of the Insurance Code, relating to life insurance.

Referred to Committee on Insurance

Assembly Bill No. 591: By Mr. Voigt—An act to add Sections 2057 and 2058 to the Insurance Code, relating to fire insurance.

Referred to Committee on Insurance.

Assembly Bill No. 592: By Mr. Voigt—An act to amend Sections 5 and 8 of, and to add Section 9 6 to, the Personal Income Tax Act, relating to net income and providing for the computation thereof and the rates thereon.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 20: By Messrs. Kilpatrick and Burkhalter—Proposed amendment to Article I of the Constitution, relative to an amendment to the Constitution of the State, by adding to Article I thereof a new section to be numbered 14¼, relating to eminent domain.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 21: By Mr. Donnelly—Proposed amendment of Section 5 of Article XI of the Constitution, relative to fixing salaries of township officers.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 22: By Mr. Doyle—Proposed amendment to Article XI of the Constitution, by adding Section 10, relating to the licensing and regulation of wagering upon horse races.

Referred to Committee on Constitutional Amendments

Assembly Concurrent Resolution No. 11: By Mr. Field—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR SPEAKER: Your Committee on Rules, to which were referred.
Assembly Concurrent Resolution No 11
Senate Concurrent Resolution No 3
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to Joint Rules of the Senate and Assembly.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 3

Relative to Joint Rules of the Senate and Assembly

Resolved by the Senate of the State of California, the Assembly concurring, That the following be, and the same are, hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the Fifty-fourth Session:

JOINT RULES OF THE SENATE AND ASSEMBLY

Committees and Committee Meetings

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2. The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairman of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills and Resolutions

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

Preparation and Introduction of Bills

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments

may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10 point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each member of the Senate and Assembly shall be permitted to submit a list of 10 libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of forty-five dollars ($45), nor shall more than five copies of bills or other legislative publications be distributed free except to members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the Clerk of the District Court of Appeal for each district; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

Other Legislative Printing

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including

the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The Superintendent of State Printing shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

Record of Bills

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Indorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall indorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

Action in One House on Bill Transmitted From the Other

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

Passage and Enrolling of Bills

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate, and no Assembly bill shall be passed by the Assembly within the time specified in the

resolution prior to the adjournment sine die of the two houses of the Legislature at a regular session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal.

Amendments and Conferences

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or

amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Miscellaneous Provisions

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Desks may be assigned to the representatives of the press in the Senate and Assembly in such manner as shall be directed by the house or by the rules thereof.

(b) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which room shall be known as the Press Room. The Press Room shall be under the control of the Superintendent of the Capitol Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Adjournment

33. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Dispensing With Joint Rules

34. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Investigating Committees

35. In order to expedite the work of the Legislature either house, or both houses jointly may by resolution provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject with which it is to act and may authorize it to act either during sessions of the Legislature or after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees

The Sergeant-at-Arms of the Senate or Assembly, or other person designated by such Sergeant-at-Arms or by the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee

All officers of the State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may either during the session or during the constitutional recess, meet at the State Capitol or at any other place in the State of California and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor. Members shall not be entitled to any salary because of membership on any such committee but shall be entitled to actual necessary expenses, not to exceed eight dollars ($8) per day and actual travel expenses which shall be deemed to be five and one-half cents ($0 05½) per mile. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 28

House Resolution No. 28

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

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of forty-five dollars ($45) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500).

Resolution read and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 12: By Mr. Phillips—Relative to the reports of the Joint Fact-Finding Committee on Work Relief Projects at Chino, California.

Request for Unanimous Consent

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

Assembly Concurrent Resolution No. 12—Relative to the reports of the Joint Fact-Finding Committee on Work Relief Projects at Chino, California.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 8: By Messrs. Turner and Thurman—Relative to excess profits tax legislation.

Referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR. SPEAKER: Your Committee on Rules recommends that the request of Assemblyman Potter for the printing of 500 additional copies of Assembly Bill No. 400 be granted.

LYON, Chairman

Committee report adopted.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR. SPEAKER: Your Committee on Rules recommends that the request of Assemblyman Gardiner Johnson for the printing in the Journal of a resolution of the Alameda County Grand Jury with relation to the outstanding indebtedness of the Nation and of certain of the counties of the State, be granted, and that the same be printed in the Journal.

LYON, Chairman

Committee report adopted.

Resolution of Alameda County Grand Jury

(Copy)

OFFICE OF DISTRICT ATTORNEY OF ALAMEDA COUNTY
OAKLAND, CALIFORNIA, January 15, 1941

Hon. Gardiner Johnson, Member of the Assembly
State Capitol, Sacramento, California

DEAR MR. JOHNSON: At the request of the Grand Jury of Alameda County, I am inclosing herewith a copy of a partial report filed this day by them with the Superior Court of Alameda County, relating to taxation.

Very truly yours,

(Signed) RALPH E. HOYT, District Attorney

OAKLAND, CALIFORNIA, January 15, 1941

To the Honorable the Superior Court of the State of California,
in and for the County of Alameda

In view of the new and imperative needs for National defense which must be undertaken by the United States Government, we, the Grand Jury of Alameda County for the year 1940-41, respectfully submit the following partial report:

The present National debt, plus defense appropriations to date, amounts to $57,227,497,749.

It has been estimated by competent authority that Alameda County's share or pro rata thereof is $222,969,971.

Further, we find that our pro rata of the State bonded indebtedness and deficiency is $18,596,649

The county's bonded debt is $4,917,000, an amount that reflects conservative policies over the years.

The bonded debts of the incorporated cities of Alameda County follow:

Alameda	$544,498	Livermore	$43,000
Albany	18,000	Oakland	8,793,160
Berkeley	1,030,168	Piedmont	83,500
Emeryville	None	Pleasanton	39,000
Hayward	264,093	San Leandro	180,000

The aggregate of all district school bonds in the county is $12,696,250.

Alameda County's share of the East Bay Municipal Utility District bonds is $51,323,958

The total, therefore, of all public debt resting directly and indirectly on Alameda County is $321,499,247.

The taxable assessed valuation of the county is $455,205,215

In other words, government debt, at this time, amounts to 70 per cent of our taxable assessed valuation. This means a burden of $1,400 on every home assessed at $2,000, or an average of $2,131 for every family in the county, or $627 for every individual.

In addition to this are the current tax levies, Federal, State and local, which already are of consequential proportions.

The foregoing is submitted as an estimate of the situation confronting Alameda County, one that is to be seriously pondered by all citizens. The burden must be sustained by the productive energies of the people, all of whom have a definite part in the responsibility. We believe it to be timely to give greater consideration to the taxpayer's capacity to pay.

We, therefore, commend to State and local tax-fixing authorities and to those expending these public funds the caution and thoughtful restraint that conditions so definitely warrant.

It is gratifying to report that some of the taxing agencies in Alameda County already have given recognition to the stern realities of the new development and we feel assured of their further cooperation

Particularly as regards pressure groups, political and otherwise, are we persuaded that a warning should be uttered.

Respectfully submitted by the grand jury

M R BRONNER, Foreman
LOUISE M GLASIER, Secretary

RESOLUTIONS

The following resolutions were offered:

By Mr. Allen:

House Resolution No. 41

WHEREAS, The Governmental Efficiency and Economy Fact-Finding Committee created by House Resolution No. 67 of the First Extraordinary Session of the

Fifty-third Legislature has heretofore exercised the functions conferred upon it, and has made report to the Legislature on the result of its investigations; and

WHEREAS, It appears from those investigations and reports that the best interests of the people of this State will be served by establishing a similar committee to function for the Fifty-fourth Legislature; and

WHEREAS, The people on November 5, 1940, adopted an amendment to the Constitution of this State authorizing the Legislature or either house thereof to provide for the appointment of committees to act after final adjournment of the session creating them; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated the "Governmental Efficiency and Economy Fact-Finding Committee," is hereby created, which committee shall consist of 11 members of the Assembly appointed by the Speaker thereof. The committee hereby created shall have and exercise all of the powers, duties and functions conferred upon said former committee by Assembly House Resolution No. 67 adopted by the First Extraordinary Session of the Fifty-third Legislature, and all of the provisions of the said resolution are incorporated herein by reference and made applicable to the committee hereby created except as herein otherwise provided; and be it further

Resolved, That the committee created by this resolution is hereby authorized to act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the regular session of the Fifty-fifth Legislature, and may file a report at said regular session as well as at this session; and be it further

Resolved, That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

By Messrs Phillips and Dickey:

House Resolution No. 42

WHEREAS, One of the most pressing problems facing the State of California today is the returning of tax-delinquent property to the tax rolls, thus making such property bear its fair share of the costs of government and lightening the burden now imposed on property which is not tax-delinquent The solution to this problem may only be reached through well-founded legislation, far reaching in scope and vision, which is designed to make all property bear its share of taxes, to provide an incentive for the original owner or his successor to redeem delinquent property, to supply encouragement for the sales of tax-delinquent property, and to furnish a sound management of delinquent property while it remains tax-deeded so that the greatest return may be obtained therefrom This legislative program can best be studied by a competent and impartial committee of members of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to be known as the Tax-Delinquent Property Committee is hereby created, which committee is hereby authorized and directed to make a complete investigation into the extent of tax delinquency in California, with a view to recommending to the legislators such legislation as will tend to make all property bear its fair share of taxes, to return tax-delinquent property to the tax rolls, and to furnish sound management of delinquent property while it remains tax-deeded; and be it further

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker.

The committee in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon Assembly committees by the Rules of the Assembly, and the Joint Rules of the Senate and Assembly, as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full The powers specified in such Rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, until the final adjournment of the Fifty-fourth Legislature;

(9) To file a report with the Assembly as soon after the end of the constitutional recess as is possible

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procedure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths and the Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to the Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the *Journal*:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Los Angeles Chamber of Commerce—Wm. J. Dunkerley.

ARTHUR A OHNIMUS, Chief Clerk of the Assembly

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, January 13, 1941, Tuesday, January 14, 1941, Wednesday, January 15, 1941, Thursday, January 16, 1941, and Friday, January 17, 1941, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carlyle Lynton of Los Angeles, Southern Treasurer of Republican State Central Committee

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. R. V. Tucker of Visalia.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Frederick Merrell and Gurney Breckenfeld of Berkeley.

ADJOURNMENT

At 12.15 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., January 21, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY
SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 21, 1941

The Assembly met at 11 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Lowrey.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:
Mr. King, on motion of Mr. Evans.
Mr. Dills, on motion of Mr. Evans.
Mr. Cassidy, on motion of Mr. Carlson.
Mr. Sheridan, on motion of Mr. Carlson.

REPORTS OF STANDING COMMITTEES

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR SPEAKER. Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 555
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 555—An act to amend Sections 106, 107, 108 and 109 of the Streets and Highways Code, relating to cooperative agreements as to bridges, to take effect immediately.

Bill read second time.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Bill No. 555, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 555

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr Stream:

Resolved, That Assembly Bill No. 555 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 555—An act to amend Sections 106, 107, 108 and 109 of the Streets and Highways Code, relating to cooperative agreements as to bridges, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey,

Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 303

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 6—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the seventh day of May, 1940.

Assembly Concurrent Resolution No. 10—Approving two certain amendments to the charter of the City of Redondo Beach, County of Los Angeles, State of California, voted for and ratified by the electors of the City of Redondo Beach at the general municipal election held therein on April 10, 1939.

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of January, 1941, at 4:30 p.m.

JOHN B. KNIGHT, Chairman

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which were referred:

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 5—Relative to the preparation of a mortality table by the Federal Government.

Resolution read, and ordered engrossed.

Assembly Joint Resolution No. 8—Relative to excess profits tax legislation.

Resolution read, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 20, 1941

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

Senate Concurrent Resolution No. 4

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 20, 1941

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

Senate Bill No. 96

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Concurrent Resolution No. 4—Relative to a Joint Fact-Finding Committee, and defining its powers and duties.

Referred to Committee on Rules.

Senate Bill No. 96—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 31, relating to assessment, 34, relating to tax levies, 37.1, relating to segregation of assessments, 38, relating to cancellation of assessments, 39, relating to tax payments, 41, relating to costs, 44, relating to tax sales, 45, relating to redemption and 46, relating to partial redemption and adding new Sections 29.1, relating to optional tax system, 45.1, relating to disposal of tax-deeded land, 45.2, relating to resale plans, 45.3, relating to quieting title, 45.4, relating to acquisition of claims, 45.5, relating to actions and defenses as to tax deeds, 45.6, relating to actions and defenses as to sales of tax-deeded land and 47.1, relating to correction of certificates of sale and deeds, and declaring the urgency of this act and providing that it take effect immediately.

Referred to Committee on Irrigation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 593: By Mr. Burkhalter—An act to add Section 103.5 to the Welfare and Institutions Code, relating to the State Board of Social Welfare.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 594: By Mr. Burkhalter—An act to amend Section 1501 of the Welfare and Institutions Code, relating to children receiving aid to needy children.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 595: By Mr. Cain—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Request for Unanimous Consent

Mr. Cain asked for, and was granted, unanimous consent to take up Assembly Bill No. 595, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 595

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Cain:

Resolved, That Assembly Bill No. 595 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended

Assembly Bill No. 595—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 595—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans,

Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 596: By Mr. Hugh M. Burns—An act to add Chapter 3, comprising Sections 1200 to 1305, inclusive, to Division 2 and to add Section 30035 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of clinical laboratory technologists and clinical laboratory technicians, and repealing acts and parts of acts specified herein.

Assembly Bill No. 597: By Mr. Hugh M. Burns—An act to add Chapter 11, comprising Sections 7500 to 7593, inclusive, to Division 3 and to add Section 30039 to Division 30 of the Business and Professions Code, relating to the licensing and regulation of private detectives, investigators, and detective agencies and repealing acts and parts of acts specified herein.

Assembly Bill No. 598: By Mr. Hugh M. Burns—An act to add Division 8, comprising Chapter 1, Section 18400 to 18413, inclusive, and to add Section 30032 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sales of motor vehicles, and repealing acts and parts of acts specified herein.

Assembly Bill No. 599: By Mr. Hugh M. Burns—An act to add Chapter 2, comprising Sections 18600 to 18782, inclusive, to Division 8, and to add Section 30031 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of boxing contests and sparring and wrestling matches and exhibitions, and repealing acts and parts of acts specified herein.

Assembly Bill No. 600: By Mr. Hugh M. Burns—An act to add Chapter 3, comprising Sections 19000 to 19221, inclusive, to Division 8, and to add Section 30030 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to the regulation of persons engaged in the business of manufacturing and selling at wholesale and retail, repairing, renovating and sterilizing upholstered furniture and bedding and repealing acts and parts of acts specified herein.

Assembly Bill No. 601: By Mr. Hugh M. Burns—An act to add Chapter 4, comprising Sections 19400 to 19663, inclusive, to Division 8 and to add Section 30034 to the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of horse racing, horse race meetings and wagering on the results thereof, and repealing acts and parts of acts specified herein.

Assembly Bill No. 602: By Mr. Hugh M. Burns—An act to add Chapter 6, comprising Sections 20500 to 20502, inclusive, to Division 8, and to add Section 30035 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the adulteration of paints, oil, varnishes and pigments, and repealing acts and parts of acts specified herein.

Assembly Bill No. 603: By Mr. Hugh M Burns—An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein.

Assembly Bill No. 604: By Mr. Hugh M. Burns—An act to add Chapter 8, comprising Sections 21200 to 21290, inclusive, to Division 8 and to add Section 30037 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the sale, disposition of, and regulation of prophylactics, and repealing acts and parts of acts specified herein.

Assembly Bill No. 605: By Mr. Hugh M. Burns—An act to add Chapter 9, comprising Sections 21500 to 21556, to Division 8, and to add Section 30038 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sale or disposition of secondhand goods, and repealing acts and parts of acts specified herein.

Request for Unanimous Consent

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to have Assembly Bills Nos. 596, 597, 598, 599, 600, 601, 602, 603, 604 and 605 placed on file, at this time, without reference to committee.

Assembly Bill No. 606: By Mr. Hugh M. Burns—An act to add a new section to the Alcoholic Beverage Control Act, to be numbered 6.9, relating to the terms and conditions for the sale of wine and providing penalties for violation thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 607: By Mr. Burkhalter—An act to amend Section 1 of an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom," approved June 11, 1913, relating to the changing of the boundaries of cities and municipal corporations and to exclude uninhabited territory therefrom.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 608: By Mr. Bennett—An act to amend Section 681 of the Streets and Highways Code.

Referred to Committee on Roads and Highways.

Assembly Bill No. 609: By Messrs. Cain, Lowrey, Gunlock, Collins, George D., Cooke, Burkhalter, Kilpatrick, Meehan, Pelletier, O'Day, Gaffney, Welch, Thomas and Russell—An act to add to the Welfare

and Institutions Code Chapter 4 of Division 3, comprising Sections 2370 to 2374, inclusive, relating to the issuance by the Social Welfare Board of revenue bonds for the construction of homes for aged persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 610: By Mr. Gunlock—An act to add Section 546 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 611: By Messrs. Gunlock and Doyle—An act to amend Sections 6901, 6902 and 6903 of the Labor Code, relating to train crews.

Referred to Committee on Public Utilities.

Assembly Bill No. 612: By Messrs. Gunlock and Doyle—An act to add Section 6903.5 to the Labor Code, relating to train crews on gas, gas-electric, diesel, or diesel-electric cars and locomotives operated by railroad common carriers.

Referred to Committee on Public Utilities.

Assembly Bill No. 613: By Messrs. Gunlock, Cain and Lowrey—An act to add a new article to Chapter 3 of Title 1 of Part 3 of the Political Code to be numbered 2c, embracing Sections 362 to 362*l*, both inclusive, relating to the Department of Alcoholic Beverage Control and the licensing, regulation and control of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 614: By Mr. Kilpatrick—An act to amend Section 2007 of the Welfare and Institutions Code, relating to aid to aged persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 615: By Mr. Kilpatrick—An act to amend Sections 3080 and 3081 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 616: By Mr. Kilpatrick—An act to amend Sections 1526 and 1527 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 617: By Mr. Kilpatrick—An act to amend Section 2160 of the Welfare and Institutions Code, relating to qualifications for aid to the aged.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 618: By Mr. Poulson—An act to amend Section 4041 22 of the Political Code, relating to the power of the board of supervisors to direct and control the prosecution and defense of suits, including compromise thereof

Referred to Committee on County Government.

Assembly Bill No. 619: By Mr. Thurman—An act to amend Section 650.6 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 620: By Messrs. Carlson and Dickey—An act to amend Section 1203a of the Penal Code, relating to probation in misdemeanor cases and providing for reference to the probation officer, to take effect immediately.

Referred to Committee on Judiciary Codes

Assembly Bill No. 621: By Mr. Desmond—An act to create and establish in the City of Sacramento a college of vocational and technical training to be known as the California College of Vocational Arts; providing for its government, curricula and control, and authorizing the use of the buildings, grounds and facilities of the Sacramento Junior College district by said vocational college upon such terms and conditions as may be agreed upon.

Referred to Committee on State Colleges.

Assembly Bill No. 622: By Mr. Dilworth—An act to amend Section 834 of the Welfare and Institutions Code, relating to second offenses

Referred to Committee on Judiciary Codes.

Assembly Bill No. 623: By Messrs. Doyle and Lyon—An act to amend Section 1062 of the Agricultural Code, relating to economic poisons.

Referred to Committee on Agriculture.

Assembly Bill No. 624: By Mr. Bennett—An act to amend Section 5539 of the Business and Professions Code, relating to partnerships for practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 625: By Messrs. O'Day and Collins, George D.—An act to amend Section 1946 of the Civil Code, relating to hiring of real property.

Referred to Committee on Judiciary General.

Assembly Bill No. 626: By Mr. T. Fenton Knight—An act to amend Section 745 of the Welfare and Institutions Code, relating to the modification of commitment orders of juvenile delinquents.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 627: By Mr. T. Fenton Knight—An act to amend Section 869 of the Welfare and Institutions Code, relating to the liability of the committing county for maintenance of juvenile delinquents.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 628: By Mr. T. Fenton Knight—An act to amend Section 6700 of the Welfare and Institutions Code, relating to the transfer of inmates of State institutions.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 629: By Mr. T. Fenton Knight—An act to amend Section 6701 of the Welfare and Institutions Code, relating to the transfer of inmates at the request of relatives or friends.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 630: By Mr. T. Fenton Knight—An act to add Section 6702 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 631: By Mr. T. Fenton Knight—An act to add Section 6703 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 632: By Mr. T. Fenton Knight—An act to repeal Chapter 1, Part 1, Division 2, of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research.

Referred to Committee on Judiciary General.

Assembly Bill No. 633: By Mr. T. Fenton Knight—An act to amend Section 1008 of the Welfare and Institutions Code, relating to establishment of a Laboratory of Juvenile Research.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 634: By Mr. T. Fenton Knight—An act to amend Section 1129 of the Welfare and Institutions Code, relating to the establishment of feeble-mindedness.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 635: By Mr. T. Fenton Knight—An act to repeal Sections 6622 and 6623 of the Welfare and Institutions Code, relating to dental services at State institutions.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 636: By Mr. T. Fenton Knight—An act to add Section 160.5 to the Welfare and Institutions Code, relating to the transportation of nonresident or alien criminal insane persons.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 637: By Mr. Lyon—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 638: By Mr. Lyon—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 639: By Mr. Lowrey—An act to amend Section 7101 of the Labor Code, relating to safety in employment

Referred to Committee on Public Utilities.

Assembly Bill No. 640: By Mr. Maloney—An act to add Section 132a to the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Judiciary General.

Assembly Bill No. 641: By Miss Miller—An act to amend Section 7102 of the Welfare and Institutions Code, pertaining to the purpose of the State Inebriate Colony

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 642: By Miss Miller—An act to add Section 7101.5 to the Welfare and Institutions Code, relating to the qualifications of superintendents of inebriate colonies

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 643: By Miss Miller—An act to amend and renumber the title of Chapter 4, Part 4, of Division 6, of the Welfare and Institutions Code, as added by Chapter 994 of the Statutes of 1939, relating to State inebriate colonies.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 644: By Miss Miller—An act to add Section 7110.5 to the Welfare and Institutions Code, relating to employees of the Inebriate Colony.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 645: By Miss Miller—An act to amend Section 5404 of the Welfare and Institutions Code, relating to the commitment of inebriates.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 646: By Miss Miller—An act to amend Section 5406 of the Welfare and Institutions Code, relating to the commitments of inebriates

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 647: By Miss Miller—An act to amend and renumber the title of Chapter 5, Part 4, of Division 6, of the Welfare and Institutions Code, relating to State Narcotic Hospital.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 648: By Miss Miller—An act to amend Section 7057 of the Welfare and Institutions Code, relating to the determination of the alleged defective or psychopathic delinquencies.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 649: By Miss Miller—An act to amend Section 7001 of the Welfare and Institutions Code, relating to purposes of State homes for the feeble-minded.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 650: By Miss Miller—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support, and maintenance of persons in State institutions.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 651: By Miss Miller—An act to add Section 6564 to the Welfare and Institutions Code, relating to the maintenance of stores on State institutions' grounds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 652: By Miss Miller—An act to amend Section 152 of the Welfare and Institutions Code, relating to the appointment, salary, and bond of the Director of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 653: By Miss Miller—An act to amend Section 151 of the Welfare and Institutions Code, relating to the designation of the Director of Institutions, and providing for his qualifications.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 654: By Miss Miller—An act to amend Sections 154 and 157 and to repeal Section 155 of the Welfare and Institutions Code, relating to the institutions subject to the jurisdiction of the Department of Institutions and appointment of superintendents of those institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 13: By Messrs. Tenney, Bashore, Phillips and Kellems—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 14: By Mr. Michael J. Burns—Relative to approving certain charter amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of such city at a special election held therein on the fifth day of November, 1940.

Request for Unanimous Consent

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

Assembly Concurrent Resolution No. 14—Relative to approving certain charter amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of such city at a special election held therein on the fifth day of November, 1940.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 655: By Mr. Tenney—An act relating to the operation of motor vehicles in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 655, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 655

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Tenney:

Resolved, That Assembly Bill No. 655 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 655—An act relating to the operation of motor vehicles in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—56.

NOES—Carlson, Hastain, Miller, and Weybret—4.

Assembly Bill No. 655—An act relating to the operation of motor vehicles in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—56.

NOES—Carlson, Hastain, Miller, and Weybret—4.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 656: By Mr. Phillips—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustees affecting real property.

Referred to Committee on Judiciary General.

Assembly Bill No. 657: By Mr. Phillips—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Referred to Committee on Insurance.

Assembly Bill No. 658: By Mr. Phillips—An act to repeal Sections 376 to 376f, inclusive, of the Political Code, to amend Section 11100 of the Health and Safety Code, to repeal Section 5 of an act entitled "An act creating the California Crime Commission, defining its duties and making an appropriation for its expenses, and repealing all acts and parts of acts in conflict with this act," approved May 28, 1929, to amend the title and Section 1 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, to amend

Section 3 of an act entitled "An act to establish an institution for the punishment, treatment, supervision, custody and care of females convicted of felonies; to provide for its government, charge and superintendence, and to make an appropriation therefor," approved May 9, 1929, relating to the Department of Penology.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 659: By Mr. Potter—An act to amend Section 161a of the Civil Code, relating to interests in community property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 660: By Mr. Sheridan—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 661: By Mr. Sheridan—An act making an appropriation to pay the claim of Charles Rubenaker against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 662: By Mr. Sheridan—An act to amend Section 1093 of the Penal Code, relating to the reading of an indictment or information and stating the plea of the defendant.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 663: By Mr. Stream—An act to amend Section 3463 of the Political Code, relating to the lien of assessments for reclamation districts.

Referred to Committee on Judiciary General

Assembly Bill No. 664: By Messrs. Robertson and Waters—An act to add Article 4 to Chapter 6 of Part 2 of Division 6 of the School Code, relating to the providing of educational facilities for pupils in the public schools.

Referred to Committee on Education.

Assembly Bill No. 665: By Mr Weybret—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 666: By Mr. Wollenberg—An act to amend Section 118 of the Welfare and Institutions Code, relating to records of persons receiving public assistance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 667: By Mr. Wollenberg—An act to amend Section 3005 of the Welfare and Institutions Code, relating to aid to needy blind persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 668: By Messrs. Wollenberg and Johnson—An act to amend the title of Chapter 2 of Division 4 of, to add Article 2.5,

comprising Sections 2560 to 2565, inclusive, Article 6, comprising Sections 2625 to 2630, inclusive, Article 7, comprising Sections 2650 to 2660, inclusive, Article 8, comprising Sections 2675 to 2683, inclusive, to Chapter 2 of Division 4 of, to amend Sections 124, 2500, 2503, 2505, 2506, 2555 and 2556 of, to repeal Sections 2501, 2502, 2504 and 2600 of, and to add Sections 2501, 2502, 2507 and 2557 to, the Welfare and Institutions Code, to repeal Section 530a of the Penal Code, to repeal the Unemployment Relief Appropriation Act of 1940, the California Unemployment Relief Act of 1935, an act entitled "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, providing the conditions and terms upon which any expenditure for such relief may be made and declaring that this act shall take effect immediately," enacted over the Governor's veto, February 24, 1940, an act entitled "An act to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare and declaring the urgency thereof, to take effect immediately," approved May 8, 1937, and other acts and parts of acts specified herein; establishing an Integrated Program of State and County Administration of Relief, defining the scope of the powers and duties of the State and the counties in regard thereto, apportioning funds for the direct and administrative costs thereof, determining eligibility for relief, prohibiting political activities, penalizing persons violating its provisions, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare, and transferring relief cases to county administration

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 669: By Mr. Allen—An act to add Section 439.5 to the Political Code, relating to traveling expenses of officers and employees of this State, providing for the auditing, examination and investigation of such expenses, providing for studies and reports on traveling expenses, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 670: By Mr. Allen—An act to add Section 615 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 671: By Mr. Hugh M. Burns—An act to add Section 755.7 to the Vehicle Code, relating to violations of the code by persons under the influence of intoxicating liquor, and the admissibility of evidence in connection therewith.

Referred to Committee on Judiciary General.

Assembly Bill No. 672: By Mr Hugh M. Burns—An act making an appropriation to the University of California for establishing a branch of the College of Agriculture at Fresno.

Referred to Committee on Universities.

Assembly Bill No. 673: By Mr. Hugh M. Burns—An act to add Sections 802 6 and 828.53 to, and to amend Sections 828.1, 828 45 and 829 15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 674: By Messrs. Bashore, Knight, T. Fenton; and Miss Miller—An act to add Section 330b to the Penal Code, relating to the possession of certain mechanically operated games or devices

Referred to Committee on Public Morals

Assembly Bill No. 675: By Mr. Cronin—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide home aid for resident citizens of this State in accordance with the provisions of the Home Purchase Act, as passed by the Assembly and Senate at the Fifty-fourth Session of the Legislature and approved by the Governor and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State officers in respect to the administration of the provisions hereof; providing ways and means exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 676: By Mr. Cronin—An act to provide for home aid to resident citizens of this State and defining the powers and duties of the Veterans' Welfare Board in respect thereto.

Referred to Committee on Military Affairs

Assembly Bill No. 677: By Mr. Call—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be brought upon a promissory note.

Referred to Committee on Judiciary General.

Assembly Bill No. 678: By Mr Call—An act to add a new section to the Civil Code to be numbered 955, relating to the assignment of accounts receivable and conditional contracts of sale.

Referred to Committee on Financial Institutions

Assembly Bill No. 679: By Mr Call—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435 1, 1435 2, 1435.3, 1435.4, 1435 5, 1435.6, 1435.7, 1435.8, 1435 9 and 1435.10 to Division 4, Chapter 2 thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or

incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Referred to Committee on Judiciary General.

Assembly Bill No. 680: By Mr. Dilworth—An act to add Section 3 103 to the School Code, relating to the observance of Bill of Rights Week in public schools.

Referred to Committee on Education.

Assembly Bill No. 681: By Messrs. Evans and Bennett—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Referred to Committee on Judiciary Codes

Assembly Bill No. 682: By Mr. Meehan (By request)—An act relating to common carriers, to their tickets and cash registers, and to information furnished their employees of sales and collections

Referred to Committee on Public Utilities.

Assembly Bill No. 683: By Miss Miller, Messrs. Knight, T. Fenton; Knight, John B , Pelletier, Doyle, Houser, Frederick F., and Poulson—An act regulating travel on certain described State highway routes

Referred to Committee on Motor Vehicles

Assembly Bill No. 684: By Messrs. Hawkins and Pelletier—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, Section 3 of the Retail Sales Tax Act of 1933, and Section 3 of the Use Tax Act of 1935, relating to the rate of sales and use taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 685: By Mr. Tenney—An act to amend Section 19597 of the Business and Professions Code or Section 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relative to the commission of licensees conducting horse racing meetings.

Referred to Committee on Public Morals.

Assembly Bill No. 686: By Mr. Watson—An act to add Section 1011 5 to the Fish and Game Code, relating to sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 687: By Messrs. Wollenberg, Gallagher, Johnson, Welch, Maloney, Thurman, Dilworth, Thomas, Cronin, Carlson, Pfaff, Phillips, McCollister, Doyle and Meehan—An act providing that during a National emergency peace officers, members of fire departments, and health officers and their deputies shall have and be entitled to certain privileges, immunities, exemptions and benefits while exercising

their powers and performing their duties outside the territorial limits of their respective public agencies, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 688: By Mr. Welch—An act to amend Section 19595 of the Business and Professions Code, and Section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to wagering on the result of horse racing meetings.

Referred to Committee on Public Morals.

Assembly Bill No. 689: By Mr. Watson—An act to create a Division of Shore Protection, defining its powers and duties, and making an appropriation for the purpose of this act.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 690: By Mr. Sawallisch—An act to amend Section 454 of the Vehicle Code, to provide for the inclusion within the exemptions granted to authorized emergency vehicles of licensed physicians when traveling in response to emergency calls.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 691: By Messrs. Cronin and Gallagher—An act to amend Section 5705 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 692: By Messrs. Cronin and Gallagher—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance

Assembly Bill No. 693: By Mr. Evans—An act to amend Section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed four rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California.

Referred to Committee on Public Morals.

Assembly Bill No. 694: By Mr. Evans—An act to repeal Section 18713 of the Business and Professions Code, relating to exemptions from the tax levied upon admissions to boxing contests or sparring or wrestling matches or exhibitions.

Referred to Committee on Public Morals.

Assembly Bill No. 695: By Mr Evans—An act to amend Section 36 of the Civil Code, relating to the contracts of minors.

Referred to Committee on Public Morals.

Assembly Bill No. 696: By Mr. Evans—An act to amend Sections 337b, 337c, 337d and 337e of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions.

Referred to Committee on Public Morals.

Assembly Bill No. 697: By Mr. Evans—An act to amend Sections 18636, 18673, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of the Business and Professions Code, relating to the regulation of boxing and wrestling.

Referred to Committee on Public Morals

Assembly Bill No. 698: By Mr. Green—An act to add Section 19123 to the Health and Safety Code, to add Article 2a to Chapter 2, Part 3, Division 3 of said code, consisting of Sections 19130 to 19138, inclusive, and to amend Section 19170 of said code, relating to requirements for earthquake protection in the design and construction of buildings, including the enforcement thereof, the securing of building permits, and the violation thereof.

Referred to Committee on Building and Construction.

Assembly Bill No. 699: By Mr. Green—An act to amend Section 970 of, and to add Section 970.5 to, the Fish and Game Code, relating to the taking and possession of crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 700: By Messrs. Hastain, Houser, Frederick F., Johnson, Doyle and Mrs. Daley—An act to add Section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 701: By Messrs. Hastain, Watson, Kepple, Allen, Burkhalter, Houser, Frederick F., and Mrs. Daley—An act to add Section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Referred to Committee on Public Morals.

Assembly Bill No. 702: By Mr. Hawkins—An act to add Section 2181.5 to the Welfare and Institutions Code, relating to threatening applicants for old age aid.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 703: By Messrs. Hawkins and Richie—An act relating to a Commission on Race Relations and making an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 704: By Mr. Hawkins—An act to add Section 7257 to the Water Code and to add Section 14.5 to the Central Valley

Project Act of 1933, relating to discrimination because of race, color, or religion.

Referred to Committee on Public Utilities.

Assembly Bill No. 705: By Mr. Hawkins—An act making an appropriation to pay the claim of Leila Brewington against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 706: By Mr. Maloney—An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 707: By Mr O'Day—An act to amend Section 7113 of the Labor Code, relating to safety of employment.

Referred to Committee on Public Utilities.

Assembly Bill No. 708: By Messrs Sawallisch, Burns, Hugh M., and Desmond—An act for the preservation of certain lands in the State of California for agriculture purposes, and fixing penalties for violation of the provisions thereof.

Referred to Committee on Mines and Mining.

Assembly Bill No. 709: By Messrs Thorp, Stream and Cassidy—An act to add Section 673 9 to the Vehicle Code, relating to devices for arresting burning carbon or sparks emitted from exhausts of vehicles operated over private property.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 710: By Messrs. Bashore and Kepple—An act making an appropriation for construction, improvements, and equipment at the State Inebriate Colony in southern California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 711: By Mr Bashore—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals.

Referred to Committee on Public Morals.

Assembly Bill No. 712: By Mr. Bashore—An act to amend Section 576 of the Vehicle Code, relating to stopping vehicles at railway crossings.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 713: By Mr. Evans—An act to add Sections 12.4 and 12.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 714: By Mr. Evans—An act to amend Section 7 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under Section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases where an admission fee is charged spectators to witness such amateur boxing contests," approved by electors on November 4, 1924, relating to boxing and wrestling.

Referred to Committee on Public Morals.

Assembly Bill No. 715: By Mr. Evans—An act to amend Sections 2, 3, 4, 7, 10 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under Section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases where an admission fee is charged spectators to witness such amateur boxing contests," approved by electors on November 4, 1924, relating to boxing and wrestling.

Referred to Committee on Public Morals.

Assembly Bill No. 716: By Mr. Hastain—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax deeded property, and making an appropriation," approved June 1, 1940, and to repeal an act entitled "An act to amend Section 33 of an act entitled 'An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5

and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof,'' approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 717: By Messrs. Bennett, Kepple, Richie, Evans, Robertson and Thomas—An act to amend Section 4131 of the Political Code, relating to the county recorder.

Referred to Committee on County Government.

Assembly Bill No. 718: By Messrs. Sawallisch, Cronin, Stream and Bashore—An act to amend Section 217 of the Vehicle Code, relating to fees upon foreign vehicles, and declaring the urgency hereof.

Referred to Committee on Motor Vehicles

Assembly Bill No. 719: By Mr. Green—An act to repeal Article 2.5 of Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects.

Referred to Committee on Insurance.

Assembly Bill No. 720: By Mr. Call—An act to add Section 154.5 to the State Civil Service Act, relating to medical examination of State employees.

Referred to Committee on Civil Service.

Assembly Bill No. 721: By Mr. Call—An act to add Section 104.8 to the Streets and Highways Code, relating to the custody of evidences of title to property acquired for State highway purposes.

Referred to Committee on Roads and Highways.

Assembly Bill No. 722: By Mr. Doyle—An act imposing an annual license fee for the privilege of installing or using cigarette or cigar vending machines in public places.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 723: By Messrs. Massion, Hawkins, Bennett, Pelletier, Thomas, Russell, Doyle, Evans, Burkhalter, Lowrey, Collins, George D., and Cain—An act to add Section 6363 to the Revenue and Taxation Code, Section 5 24 to the Retail Sales Tax Act of 1933, and Section 4.16 to the Use Tax Act of 1935, relating to the exemption of medicines and drugs.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 724: By Mr. Massion—An act to amend Section 89 of the Agricultural Code, relating to expenditures of District Agricultural Associations.

Referred to Committee on Exhibitions and Fairs.

Assembly Constitutional Amendment No. 23: By Mr. Cronin—Proposed amendment to the Constitution by adding Section 31 2 to Article IV, and Section 9 5 to Article XVI thereof, providing aid to citizens of the United States who have been residents of the State for 10 years in the acquisition of or payment for, homes, and validating certain acts of the Legislature defining the powers and duty of the Veterans' Welfare Board in respect to such resident citizens and providing for the issuance of bonds in the amount of twenty million dollars ($20,000,000) for the purpose of creating a fund to be used to provide home aid to such resident citizens.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 24: By Mr. Evans—Proposed amendment to Article IV, Section 25¾, of the Constitution, relative to boxing, sparring and wrestling matches or exhibitions

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 25: By Messrs. Gunlock, Cain and Lowrey—Proposed amendment to Article XX of the Constitution by adding Section 24 to Article XX of said Constitution, relating to a Department of Alcoholic Beverage Control, and the licensing, regulating and control of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 26: By Mr. Voigt—Proposed amendment to the Constitution, by adding Article XXVIII thereto, relating to a court of conciliation and arbitration and the settlement of industrial disputes.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 27: By Mr. Massion—Proposed amendment to Article XIII of the Constitution, by adding Section 1c, relative to exemptions from taxation.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 9: By Mr. Del Mutolo—Relative to the naming of the new airport on Treasure Island the John J. Montgomery Aviation Field

Request for Unanimous Consent

Mr. Del Mutolo asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 9, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 9

Assembly Joint Resolution No. 9—Relative to the naming of the new airport on Treasure Island the John J. Montgomery Aviation Field.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lyon, Maloney, Massion,

McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—56

NOES—None

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 10: By Mr. Heisinger—Relative to memorializing the President and the Congress to provide for the submission to the several States for their ratification of an amendment to the United States Constitution to provide for the direct election of the President and Vice President of the United States

Referred to Committee on Rules.

Assembly Joint Resolution No. 11: By Mr. Heisinger—Relative to memorializing the President and Congress to enact legislation to secure all aged citizens against want or poverty by means of a system of Federal old-age pensions

Referred to Committee on Federal Relations.

Assembly Joint Resolution No. 12: By Mr. Poulson—Relative to discrimination in steamship service and freight rates between New York and California ports to the Panama Canal Zone.

Referred to Committee on Federal Relations.

Assembly Joint Resolution No. 13: By Messrs Meehan and Phillips—Relative to memorializing the Secretary of the Navy to establish an airdrome at San Francisco Bay.

Request for Unanimous Consent

Mr Meehan asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 13, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 13

Assembly Joint Resolution No. 13—Relative to memorializing the Secretary of the Navy to establish an airdrome at San Francisco Bay.

Resolution read.

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

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57

NOES—Bashore, Call, Cooke, Howser, F. N., and Middough—5.

Resolution ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 12:50 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 21

House Resolution No. 21

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-five (85) sets of the 1940 edition of Deering's Codes of the State of California, consisting of the following:

Civil Code (Deering) 1940, 1 volume.
Code of Civil Procedure, including Probate Code (Deering) 1940, 1 volume
Penal Code (Deering) 1940, 1 volume
Political Code (Deering), 1940, 1 volume.
Commission's Code (Deering), 1 volume
General Laws (Deering), 1940, 2 volumes.
Constitution (Treadwell), 6th Ed. 1931, with amendments to 1935, 1 volume.

Resolved further, That the Chief Clerk of the Assembly purchase eighty-five (85) copies of Roberts Rules of Order, and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to deliver one (1) complete set of the codes (nine volumes), also one (1) copy of Roberts Rules of Order, to each member of the Assembly; one (1) to each Committee on Judiciary, and one to the Committee on Ways and Means, and two (2) copies to the Chief Clerk of the Assembly

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 175

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 175—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6

of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857 2 and 3859 20 of, to repeal Sections 3773.1, 3833 and 3859 18 of, and to add Sections 3773.1, 3773 2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861 8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,'' approved June 1, 1940, and to repeal an act entitled ''An act to amend Section 33 of an act entitled 'An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773 1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773 2, 3785 4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861 1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof,'' approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately

Bill read second time

Request for Unanimous Consent

Mr. Bennett asked for, and was granted, unanimous consent to take up Assembly Bill No. 175, at this time, without reference to file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY BILL NO. 175

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bennett:

Resolved, That Assembly Bill No 175 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney,

Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 175—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation," approved June 1, 1940, and to repeal an act entitled "An act to amend Section 33 of an act entitled 'An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof," approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 303—An act to add Section 2457.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on medicine thereof, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Burns, Hugh M.—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Burns, Hugh M.—1

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Concurrent Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to a comprehensive survey of the State Highway System.

Resolution read.

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

AYES—Burns, Michael J., Carlson, Cronin, Dickey, Hawkins, Houser, Frederick F., Howser, F. N., Knight, John B, Lyon, Middough, Pelletier, Poole, Richie, Russell, Stream, Tenney, Thomas, Turner, Waters, and Mr Speaker—20

NOES—Allen, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Heisinger, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pfaff, Phillips, Potter, Robertson, Salsman, Thorp, Watson, Weber, Welch, Weybret, and Wollenberg—42.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 373

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 160

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR SPEAKER Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 336	Assembly Bill No. 451
Assembly Bill No. 337	Assembly Bill No. 452
Assembly Bill No 449	Assembly Bill No. 453
Assembly Bill No. 450	Assembly Bill No. 454

Has had the same under consideration, and reports the same back with the recommendation: Do pass

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 282

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 373—An act to amend Section 1202a of the Penal Code and to repeal Section 2 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to the execution of a sentence of imprisonment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Prisons and Reformatories:

Amendment No. 1

On page 2, line 1, of the printed bill, after "prisoner" insert ", his court record and case history".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 160—An act to amend Sections 454, 456, 457, 458, 693, 471, 471.5, 472, 478.1, 480, 478, 479, 481, 482, 483, 484, 485, 486, 487, 488, 490, 493, 585, 586, 587, 491, 458.1, 452, 492, 510, 511, 512, 513, 514, 515, 516, 592, 593, 656, 502, 589, 590, 725, 727, 728, 729, 730, 731, 732, 733, 504, 505, 506, 507, 508, 509, 591, 477, 494, 495, 588, 496, 497, 498, 499, 500, 501, 625, 473, 503, 534, 535, 536, 596, 597, 598, 599, 600, 601, 531, 532, 533, 594, 595, 538, 539, 540, 541, 542, 602, 626, 627, 628, 629, 653, 654, 655, 657, 658, 476, 543, 561, 562, 563, 564, 565, 583, 701, 459, 460, 691, 692, 692.5, 697, 698, 699, 474, 651, 652, 461, 584, 582, 581, 621, 622, 623, 630, 631, 632, 633, 455, 635, 636, 671, 672, 673, 674, 675, 676, 677, 678, 679, 694, 696, 453, 624 and 637 of the Agricultural Code, and to renumber them to be Sections 452, 453, 454, 455, 456, 466, 467, 468, 469, 470, 471, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 497, 498, 499, 501, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 541, 542, 543, 544, 545, 546, 547, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 591, 592, 593, 595, 596, 601, 602, 603, 604, 605, 606, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 631, 632, 633, 634, 635, 636, 637, 641, 642, 643, 644, 645, 646, 647, 648, 656, 661, 662, 663, 664, 665, 666, 671, 672, 673, 676, 677, 681, 682, 683, 686, 687, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 721, 722 and 723 thereof, to amend Section 451, and the headings of Chapter 2, and of Article 1 of Chapter 2, of Division 4 thereof, to add Sections 496, 500 and 724, and the headings of Chapters 1, 3, 4, 5 and 6, and of Articles 2, 3, 4, 5, 6 and 7 of Chapter 2, Articles 1, 2, 3 and 4 of Chapter 3, and Articles 1, 2, 3, 4, 5, 6, 7 and 8 of Chapter 4, of Division 4 thereof, and to repeal Sections 475, 537, 589.5, 726 and 734 and the headings of Chapters 1, 3, 4, 5, 6, 7, 8 and 9

and of Articles 2 and 3 of Chapter 2, of Division 4 of the said code, relating to dairies and dairy products and imitations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In the last line of the title of the printed bill, strike out the period, and insert ", declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 53 of the printed bill, after line 30, insert:

"Sec. 178. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore take effect immediately. The facts constituting such necessity are as follows:

This act relates to milk and dairy products and imitations thereof and is designed to facilitate amendments to and to rearrange the provisions of law relating thereto. The regulation of milk and dairy products, including imitations thereof, is essential for the protection of the public health. If this bill is required to await the passage of the regular period before it takes effect, other amendments to the provisions covered by this bill will be rendered difficult and in the resulting confusion measures essential to the protection of the public health through regulation of the milk supply and associated food products will be retarded or prevented. In order to eliminate this hazard to the public health and welfare it is necessary that this act take immediate effect."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 336—An act to repeal Sections 3519 and 3520 of, and to add Section 3520 to, the Revenue and Taxation Code, relating to property taxation and property deeded to the State for taxes, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 337—An act to amend Sections 107, 121, 252, 260, 531, 2905, 4337, 4990 and 5138 of, and to repeal Section 261 of the Revenue and Taxation Code, relating to property taxation, including the assessment and collection of taxes, installment payment of taxes, exemptions, cancellation of taxes, suits to recover taxes, and the definitions of real estate, real property, possessory interests, and taxing agency, to take effect immediately

Bill read second time, and ordered engrossed.

Assembly Bill No. 449—An act to add Division 2, consisting of Part 1, comprising Sections 6001 to 7176, inclusive, and Section 50006 to the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Retail Sales Tax Act of 1933 and the Use Tax Act of 1935, and repealing acts and parts of acts specified herein

Bill read second time, and ordered engrossed.

Assembly Bill No. 450—An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, includ-

ing the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein

Bill read second time, and ordered engrossed

Assembly Bill No. 451—An act to add Part 3, comprising Sections 8601 to 9354, inclusive, to Division 2 of, and to add Section 50009 to, the Revenue and Taxation Code, thereby consolidating and revising the laws relating to taxation and the raising of revenue, including the provisions of the Use Fuel Tax Act of 1937, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed

Assembly Bill No. 452—An act to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of, and to add Section 50010 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 453—An act to add Part 5, comprising Sections 10701 to 11005, inclusive, to Division 2 of, and to add Section 50011 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, as amended, and repealing acts and parts of acts specified herein

Bill read second time, and ordered engrossed

Assembly Bill No. 454—An act to add Part 6, comprising Sections 11201 to 11752, inclusive, to Division 2 of, and to add Section 50012 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Private Car Tax Act of 1937, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed

Assembly Bill No. 282—An act to amend Section 10203 of the Insurance Code, relating to group life insurance, and declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 21, 1941

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

Assembly Concurrent Resolution No. 12

J. A. BEEK, Secretary of the Senate

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 21, 1941

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

Senate Bill No. 147
Senate Bill No. 251
Senate Bill No. 252
Senate Bill No. 290
Senate Bill No. 291
Senate Bill No. 300

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 147—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Referred to Committee on Military Affairs

Senate Bill No. 251—An act to amend the Metropolitan Water District Act, as amended, by amending Sections 2, 9 and 10, and by adding new sections numbered 9.1 and 9.2, all relating to the definitions of certain terms as used in said Metropolitan Water District Act and in other acts applicable to metropolitan water districts, providing for the addition of area to such districts and for the exclusion of area therefrom and providing the effects of such addition or exclusion, providing for the inclusion within metropolitan water districts of the corporate areas of municipal water districts, municipal utility districts, public utility districts and county water districts, and providing for the addition of area to any such municipal water district, municipal utility district, public utility district or county water district, so included within any such metropolitan water district and providing the effects thereof, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Referred to Committee on Municipal Corporations.

Senate Bill No. 252—An act to amend an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition and construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended, by amending Sections 2, 3, 4, 5, 7, 8, 10, 12 and 27, relating to incorporation, organization, government and management of

such districts, the holding of directors' and other elections therein, the establishment of divisions, providing for recalls, setting forth the powers of such districts and the manner and effect of annexing territory thereto, and adding new sections to be known as Sections 6a, 32, 33, 34, 35 and 36, providing for the calling, holding and conducting of elections, the reestablishment of divisions, providing the manner and effect of annexation to such districts, granting additional powers of taxation to such districts when included in metropolitan water districts, designating a short title, repealing conflicting laws, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Referred to Committee on Municipal Corporations.

Senate Bill No. 290—An act to validate the organization and boundaries of fire protection districts, the acts and proceedings of the governing bodies thereof, and taxes and assessments levied in connection therewith, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 291—An act to add Section 4004 5 to the Political Code, relating to loans by counties to fire districts, validating loans heretofore made, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 300—An act to amend the Coachella District Merger Act, approved June 21, 1937, by adding thereto a new section, to be numbered 13 1, relating to taxation for repair, operation and maintenance of improvements and declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Municipal Corporations.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name

Mining and Industrial News—Claude M. Chaplin

ARTHUR A OHNIMUS Chief Clerk of the Assembly

REPORT

The following Report of State Lands Commission was received and ordered printed in the Journal:

STATE LANDS COMMISSION, January 15, 1941

To the Assembly of the State of California

Pursuant to the provisions of Chapter 800, Statutes of California, 1917, we respectfully report that, according to advices received, certificates of title have been

issued to August 1, 1940, by the registrars of land titles under the Torrens Law in 16 of the 58 counties as follows.

Alameda	176	San Bernardino	6,560
Fresno	107	San Diego	6,695
Humboldt	339	San Luis Obispo	1
Imperial	512	Santa Barbara	775
Kern	155	Santa Cruz	246
Los Angeles	108,430	Sonoma	601
Orange	8,648	Tulare	91
Riverside	293	Ventura	6

The Torrens Act provides that upon the original registration of any land a sum equal to one-tenth of 1 per cent of the assessed value of the land, including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition, shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund." The books of the State Treasurer show at the close of business June 30, 1940, combined total receipts of $47,476.47 and total payments during the Eighty-ninth Fiscal Year on account of defective titles of $47,474.69, with a cash balance of $1.78, indicating that only $0.55 was received into the "Torrens Title Assurance Fund" during the fiscal year ending June 30, 1940.

A copy of Chapter 800, Statutes of 1917, requiring this report, is herewith.

For further information relative to the status of the "Torrens Title Assurance Fund," we respectfully direct your attention to the Report of the Honorable State Treasurer for the period ending June 30, 1940.

Respectfully submitted.

WEBB SHADLE, Executive Officer
State Lands Commission

REQUEST FOR UNANIMOUS CONSENT TO HAVE ASSEMBLY BILL NO. 1 WITHDRAWN FROM COMMITTEE

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bill No. 1 withdrawn from the Committee on Governmental Efficiency and Economy, and placed on file.

Assembly Bill No. 1 Stricken From the File

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bill No. 1 stricken from the file.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edward J. Walton of Alameda.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bert Atkinson of Gilroy, and Mr. W. John Whisenant of Los Gatos.

ADJOURNMENT

At 1:35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., January 22, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY
SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 22, 1941

The Assembly met at 10 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—80.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Potter.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 373
And reports the same correctly engrossed.

JOHN B KNIGHT, *Chairman*

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 282
Assembly Bill No 336
Assembly Bill No. 337
Assembly Bill No. 453
Assembly Bill No. 454
Assembly Joint Resolution No 5
Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold or to be issued and sold by municipalities for flood control purposes under an act, or under color of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became law under constitutional provision without Governor's approval on February 25, 1901, where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring that this act shall take effect immediately;

Assembly Concurrent Resolution No. 7—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the fifth day of November, 1940;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1941, at 3 p m.

JOHN B KNIGHT, Chairman

Committee on Civil Service

ASSEMBLY CHAMBER SACRAMENTO, January 21, 1941

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 285

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BASHORE, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 285—An act to add Section 395.4 to the Military and Veterans Code, relating to leaves of absence of public employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 725: By Mr. Del Mutolo—An act to amend Section 2672 of the Elections Code, relating to a filing fee for a declaration of candidacy for an office to be voted for wholly within one county with certain exceptions.

Referred to Committee on Elections.

Assembly Bill No. 726: By Mr. Doyle—An act to amend Section 4.310 of the School Code, relating to the bond of school district employees.

Referred to Committee on Education.

Assembly Bill No. 727: By Mr. Doyle—An act to add Section 1.92 to the School Code, relating to school buses.

Referred to Committee on Education.

Assembly Bill No. 728: By Messrs. Doyle, Kepple and Weybret—An act to amend Sections 541 and 542 of the Political Code, relating to State printing and the preparation of copy therefor.

Referred to Committee on Rules.

Assembly Bill No. 729: By Mr. Leonard—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 730: By Mr. Leonard—An act making an appropriation to pay the claim of the Comptroller of the Department of Public Works against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 731: By Mr. Phillips—An act to amend Sections 689a and 689b of the Code of Civil Procedure, relating to third party claims.

Referred to Committee on Judiciary General.

Assembly Bill No. 732: By Mr. Phillips—An act to amend Section 2969 of the Civil Code, relating to the levy of attachments and executions.

Referred to Committee on Judiciary General.

Assembly Bill No. 733: By Mr. Potter—An act to amend Section 740 of the Welfare and Institutions Code, pertaining to the order of commitment of juvenile delinquents.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 734: By Mr. Potter—An act to amend Section 742 of the Welfare and Institutions Code, relating to prohibited commitments of wards of the juvenile court.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 735: By Mr. Potter—An act to amend Section 901 of the Welfare and Institutions Code, relating to establishment of juvenile camps.

Referred to Committee on Judiciary Codes

Assembly Bill No. 736: By Mr. Potter—An act to amend Section 5075 of the Welfare and Institutions Code, pertaining to the commitment of mentally disordered persons.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 737: By Mr. Potter—An act to amend Section 5100 of the Welfare and Institutions Code, pertaining to the order of commitment of mentally ill persons

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 738: By Mr. Potter—An act to amend Section 5101 of the Welfare and Institutions Code, relating to the county clerk's index.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 739: By Mr. Potter—An act to amend Section 5102 of the Welfare and Institutions Code, relating to the prohibition of commitment to State hospitals of certain persons.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 740: By Mr. Potter—An act to amend Section 5103 of the Welfare and Institutions Code, relating to delivery to State hospitals of persons committed.

Referred to Committee on Hospitals and Asylums

Assembly Bill No. 741: By Mr. Potter—An act to amend Section 5251 of the Welfare and Institutions Code, relating to commitment to homes for the feeble-minded.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 742: By Mr. Potter—An act to amend Section 5252 of the Welfare and Institutions Code, relating to petition for commitment of a feeble-minded person.

Referred to Committee on Judiciary Codes

Assembly Bill No. 743: By Mr. Potter—An act to amend Section 5258 of the Welfare and Institutions Code, relating to the order of commitment of feeble-minded persons.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 744: By Mr. Potter—An act to amend Section 6664 of the Welfare and Institutions Code, relating to payment of expenses when person committed charged with crime.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 745: By Mr. Potter—An act to amend Section 166 of the Welfare and Institutions Code, relating to the disposition of personal property unclaimed by the owner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 746: By Mr. Potter—An act to amend Section 1004 of the Welfare and Institutions Code, relating to the supervision of persons committed to correctional schools.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 747: By Mr. Potter—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 748: By Mr. Potter—An act to amend Section 5104 of the Welfare and Institutions Code, relating to the Patients' Personal Deposit Fund.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 749: By Mr. Potter—An act to amend Section 5502 of the Welfare and Institutions Code, relating to the dismissal of criminal proceedings and the affidavit for commitment of a sexual psychopath.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 750: By Mr. Potter—An act to add Section 5502.5 to the Welfare and Institutions Code, relating to the parole and discharge of sexual psychopaths.

Referred to Committee on Judiciary Codes

Assembly Bill No. 751: By Mr. Potter—An act to amend Section 5701 of the Welfare and Institutions Code, providing for the license fee for private institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 752: By Mr Potter—An act to add Section 6500.5 to the Welfare and Institutions Code, relating to care and management of institutions.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 753: By Mr. Potter—An act to amend Section 6650 of the Welfare and Institutions Code, relating to liability for care, support, and maintenance of patients in State hospitals.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 754: By Mr. Potter—An act to amend Section 6655 of the Welfare and Institutions Code, relating to the liability to the State of the estates of persons committed to State institutions for the care, support, and maintenance of such persons

Referred to Committee on Judiciary Codes.

Assembly Bill No. 755: By Mr. Potter—An act to amend Section 6656 of the Welfare and Institutions Code, relating to the deposit of funds by the guardian in the Patient's Deposit Fund

Referred to Committee on Judiciary Codes.

Assembly Bill No. 756: By Mr. Potter—An act to add Section 6656.5 to the Welfare and Institutions Code, relating to the Patient's Personal Revolving Fund.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 757: By Mr Potter—An act to amend Section 6660 of the Welfare and Institutions Code, relating to guardianship of the inmates' estates.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 758: By Mr. Potter—An act to add Section 6660.5 to the Welfare and Institutions Code, relating to the care of patients' estates where the value of said estate does not warrant a guardianship.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 759: By Mr. Potter—An act to amend Section 6661 of the Welfare and Institutions Code, relating to estates under three hundred dollars ($300) of persons committed to State institutions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 760: By Mr. Potter—An act to amend Section 6663 of the Welfare and Institutions Code, pertaining to payment of board bills.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 761: By Mr. Potter—An act to amend Section 7009 of the Welfare and Institutions Code, relating to the reimbursements of the State by the county for board and care of feeble-minded persons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 762: By Mr. Potter—An act to amend Section 7011 of the Welfare and Institutions Code, relating to payments of county officers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 763: By Mr. Potter—An act to amend Section 7052 of the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 764: By Mr. Potter—An act to add Section 7052.5 to the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 765: By Mr. Potter—An act to amend Section 7066 of the Welfare and Institutions Code, relating to the parole of defective or psychopathic delinquents.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 766: By Mr. Potter—An act to amend Section 7104 of the Welfare and Institutions Code, pertaining to commitments to State inebriate colonies.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 767: By Mr. Potter—An act to amend Section 7105 of the Welfare and Institutions Code, relating to the commitment of inebriates.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 768: By Mr. Potter—An act to add Section 7112 to the Welfare and Institutions Code, relating to the Inebriate Colony Revolving Fund, and making an appropriation.

Referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 769: By Mr. Potter—An act to repeal Section 7213 of the Welfare and Institutions Code, relating to disposition of

buildings and grounds of the State Narcotic Hospital on discontinuance of use.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 770: By Mr. Potter—An act to add Chapter 8 to Part 4, Division 6 of the Welfare and Institutions Code, creating a Division of Extramural Care in the Department of Institutions and prescribing its powers and duties.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 771: By Mr. Potter—An act to amend Section 7508 of the Welfare and Institutions Code, relating to civil actions or claims arising out of the discharge of official duties relating to inmates of State institutions.

Referred to Committee on Judiciary Codes

Assembly Bill No. 772: By Mr. Potter—An act to amend Section 345 of the Code of Civil Procedure, pertaining to the Statute of Limitations.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 773: By Mr. Potter—An act to amend Section 1554 of the Probate Code, relating to accounts of guardians of insane persons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 774: By Mr. Potter—An act to amend and reorganize the Welfare and Institutions Code with a view to consolidating various sections of the code which pertain to the Department of Institutions, incorporating the changes suggested by the Department of Institutions in the present laws, and adding new sections to the law which are desired by the Department of Institutions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 775: By Mr. Sheridan—An act to amend Section 1649 of the Labor Code, relating to trade and vocational schools furnishing employment agency services

Referred to Committee on Labor and Capital.

Assembly Bill No. 776: By Mr. Sheridan—An act to amend Section 683 of the Civil Code of the State of California, relating to joint tenancies.

Referred to Committee on Judiciary Codes.

Speaker Pro Tempore Presiding

At 10.30 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 683

Miss Miller moved that Assembly Bill No. 683 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Roads and Highways.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 777: By Messrs. Phillips, McCollister, Welch, Tenney, Dickey, Green, Doyle, Waters, Pfaff, Robertson, Andreas and Mrs. Daley—An act to add Division 2.5 comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 778: By Mr. Allen—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act."

Referred to Committee on Public Utilities.

Assembly Bill No. 779: By Mr. Bashore—An act to add Section 308.5 to the Penal Code, prohibiting the sale of certain articles or products, in vending machines or other mechanical devices.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 780: By Messrs. Burkhalter, Heisinger, Cooke, Donnelly, Poole and Lowrey—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Referred to Committee on Agriculture.

Assembly Bill No. 781: By Mr. Clarke—An act to amend Section 78 of the Political Code, relating to Senatorial and Assembly districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 782: By Mr. Cronin—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 783: By Mr. Dilworth—An act to add to the Political Code Section 433.1, relating to a report of travel expenses by the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 784: By Mr. Donnelly—An act to amend Section 12510 of the Business and Professions Code, relating to the use of false or improper equipment.

Referred to Committee on Agriculture.

Assembly Bill No. 785: By Mr. Donnelly—An act to amend Section 12209 of the Business and Professions Code, relating to the duties of sealers of weights and measures.

Referred to Committee on Agriculture.

Assembly Bill No. 786: By Mr. Donnelly—An act to amend Section 12024.5 of the Business and Professions Code, relating to the sale of meat, fish and poultry by weight.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 787: By Mr. Donnelly—An act to amend Section 12107 of the Business and Professions Code, relating to tolerances and specifications for commercial weighing and measuring apparatus.

Referred to Committee on Agriculture.

Assembly Bill No. 788: By Mr. Donnelly—An act to amend Section 12200 of the Business and Professions Code, relating to terms of county sealers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 789: By Mr. Donnelly—An act to amend Section 12214 of the Business and Professions Code, relating to the trial board for county sealers of weights and measures.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 790: By Mr. Donnelly—An act to repeal Sections 12409, 12410 and 12411 of the Business and Professions Code, relating to bushel weights and heap measures.

Referred to Committee on Agriculture.

Assembly Bill No. 791: By Mr. Donnelly—An act to amend Section 12507 of the Business and Professions Code, relating to testing, correcting and repairing weighing or measuring instruments.

Referred to Committee on Agriculture.

Assembly Bill No. 792: By Mr. Donnelly—An act to amend Sections 12605 and 12607 of the Business and Professions Code, relating to containers and their contents.

Referred to Committee on Agriculture.

Assembly Bill No. 793: By Mr. Donnelly—An act to amend Sections 12021 and 12022 of the Business and Professions Code, relating to falsity in weights and measures.

Referred to Committee on Agriculture.

Assembly Bill No. 794: By Mr. Hawkins—An act to add Chapter 7, comprising Sections 860 to 867, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed as household employees

Referred to Committee on Labor and Capital.

Assembly Bill No. 795: By Mr. Pfaff—An act to add Section 22140 to the Streets and Highways Code, relating to assessments levied to defray the cost of the planting, maintenance and removal of trees

Referred to Committee on Municipal Corporations.

Assembly Bill No. 796: By Mr. Tenney—An act in aid of the Federal copyright laws, to assist in effectuating their true intent and their enforcement by removing and declaring illegal certain monopolistic abuses and activities wrongfully practiced under the guise of copyrights within the State by price fixing combinations, monopolies, and pools; to enforce the California constitutional provisions prohibiting price fixing monopolies and combinations in restraint of commerce and trade; providing penalties for combining rights granted by the copyright laws where the effect of such combination results in the use of copyright privileges as instrumentalities of oppression and extortion within the State in violation of constitutional provisions; and encouraging the rendition, creation and production of copyrighted works among the school children and citizens of this State; encouraging the marketing and acceptance of copyrighted works, created by the citizens of this State; repealing certain acts; creating a State Anti-Monopoly Board for a particular function to be exercised only in the event of abuses and violations hereof; defining its duties, and the jurisdiction and duties of courts of record, the duties of the prosecuting attorneys, county auditors, the State Treasurer and the Secretary of State; and providing for the appointment of a receiver in certain instances; defining certain terms; providing for service of process on nonresidents; prohibiting certain acts; and providing penalties for violation hereof.

Referred to Committee on Judiciary General.

Assembly Bill No. 797: By Mr. Tenney—An act relating to public performing rights in copyrighted musical compositions and dramatico-musical compositions; defining the same; regulating licensing of same; prescribing filing fees; making provisions for a resident agent in the State; levying a tax on the gross receipts from the licensing of such rights within the State of California, providing for the enforcement of this act; the promulgation of rules and regulations, governing the enforcement of this act; appropriating the proceeds of the tax and fees levied herein and repealing certain laws in conflict herewith.

Referred to Committee on Judiciary General.

Assembly Bill No. 798: By Mr. Tenney—An act relating to monopolies; declaring to be an unlawful monopoly and its purposes to be in restraint of trade, any combination of persons, firms or corporations which fixes and determines the amount of money to be paid to it or to its members for the privilege of rendering privately or publicly for profit within this State copyrighted vocal or instrumental musical compositions, when such combination is composed of a substantial number of all musical composition copyright owners or their heirs, successors or assigns; to require each composer and each author of vocal or instrumental copyrighted musical compositions to act independently of each other and of any combination as herein declared unlawful in determining license fees and other rights within this State; to require the author,

composer, printer and publisher to specify upon the musical composition the selling price thereof for all uses that may be made thereof, including public performance for profit within this State; to declare that any purchaser thereof, who pays such price therefor, shall have the right to render such music privately or publicly for profit within this State; to declare all existing agreements requiring license fees or other exactions for the privilege of rendering copyrighted musical compositions publicly for profit within this State with any combination of persons, firms or corporations herein declared unlawful to be void and nonenforceable; to permit the present owners, possessors and users of such copyrighted music to render the same privately or publicly for profit within this State without interference by such unlawful combination; to provide for the appointment of a receiver and injunctive relief and the dissolution of such combination as here declared unlawful; to determine in such action the legal owner of such copyrighted musical compositions; to adjust and fix in such action the license fee to be paid, if any, and the terms for the use of such musical compositions in this State; to provide for the protection of theaters, moving picture houses, hotels, places for education and public performance or amusement, radio broadcasting, radio receiving and radio rebroadcasting stations affiliated with other persons, firms or corporations outside the State of California against the collection of license fees or other exactions by such out-of-the-State affiliates for or on account of any combination declared unlawful under Section 1 hereof; to provide that the responsibility and all liability for any infringement of copyrighted musical compositions conveyed by radio broadcast, air, wire, electrical transcription, or sound production apparatus, or by personal performance coming from outside this State, and used herein, to rest entirely with the out-of-the-State person, firm or corporation originally emanating or sending the same into this State for use herein; to provide penalties for the violation hereof; to empower the district attorneys and the Attorney General, upon complaint of any party aggrieved by any violation hereof, to proceed to enforce the penalties hereof against such combination and any of its representatives, members or agents, and against the property of such unlawful combination within this State; to define the method of service of process upon such combination as herein declared illegal; to empower any party aggrieved by any violation hereof to proceed in his own right hereunder; to define the legal procedure required to carry out the provisions hereof; to provide for the recovery of costs, expenses and attorney's fees; to provide for the filing of each said composition in the office of the Secretary of State before selling or disposing of the same, together with the amount of filing fee therefor; to provide that the terms of this act shall be cumulative; to provide that any part of this act declared illegal shall not affect the validity of the remaining parts hereof; and to declare an urgency.

Referred to Committee on Judiciary General.

Assembly Bill No. 799: By Mr. Wollenberg—An act to amend Section 1179 of the Fish and Game Code, relating to nongame birds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 800: By Messrs. Waters, Maloney and Poulson—An act to amend Sections, 2, 4, 7, 8, 9 2, 9 3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of the Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 801: By Messrs. Waters, Maloney and Poulson—An act to provide for the relative priority of all taxes imposed by the State of California or any political subdivision thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 802: By Messrs. Waters, Maloney and Poulson—An act to amend Section 27 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations, and to provide that this act shall take effect immediately.

Referred to Committee on Banking.

Assembly Bill No. 803: By Messrs. Waters, Maloney and Poulson—An act to amend Section 20 of the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Corporations.

Assembly Bill No. 804: By Messrs. Waters, Maloney and Poulson—An act to amend Section 20 of the Personal Income Tax Act, relating to taxes on individuals, estates and trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 805: By Messrs. Waters, Maloney and Poulson—An act to amend Sections 8, 25 and 29 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations, and to provide that this act shall take effect immediately.

Referred to Committee on Banking.

Assembly Bill No. 806: By Messrs. Waters, Maloney and Poulson—An act to amend Sections 7 and 19 of the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Corporations.

Assembly Bill No. 807: By Messrs. Waters, Maloney and Poulson—An act to amend Section 19 of the Personal Income Tax Act, relating to taxes on individuals, estates and trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 808: By Messrs. Waters, Maloney and Poulson—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25.1, 27, 29, 30, 32 and 35 of, and to add a new section to be

numbered 24 1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Referred to Committee on Banking

Assembly Bill No. 809: By Messrs. Waters, Maloney and Poulson—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Corporations.

Assembly Bill No. 810: By Messrs. Waters and Poulson—An act to amend Section 8522 of, and to add Section 8531.5 to, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Building and Construction

Assembly Bill No. 811: By Messrs. Waters and Poulson—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces.

Referred to Committee on Military Affairs

Assembly Bill No. 812: By Mr. T. Fenton Knight—An act to add Section 1881a to the Code of Civil Procedure, relating to confidential communications.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 813: By Mr. Thurman—An act to validate county ordinances wherein publication was defective.

Referred to Committee on County Government.

Assembly Bill No. 814: By Mr. Welch—An act to add Section 1.5 and to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments

Referred to Committee on Municipal Corporations.

Assembly Bill No. 815: By Mr. Cronin—An act to amend Section 4, Subdivision 5, of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to powers of industrial loan companies.

Referred to Committee on Financial Institutions

Assembly Bill No. 816: By Mr. Cronin—An act to amend Section 5, subdivision (b), of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to limitations on industrial loan companies.

Referred to Committee on Financial Institutions.

Assembly Bill No. 817: By Mr. Frederick F. Houser—An act to amend Sections 1, 2, 4, 5 and 6 and to repeal Section 3 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of public defender.

Referred to Committee on County Government.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 373—An act to amend Section 1202a of the Penal Code and to repeal Section 2 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to the execution of a sentence of imprisonment

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Phillips moved a call of the Assembly.

Motion carried. Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY TO ASSEMBLY BILL NO. 373

At 11.01 a.m., on motion of Mr Phillips, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No 373 adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 47

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DESMOND, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race track officials, or others or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 4, line 14, of the printed bill, as amended, strike out "an electric whip or," and insert "any electrical device or any electrical equipment, or".

Amendment No. 2

On page 4, line 36, of the printed bill, as amended, strike out "is prevalent", and insert "has existed".

Amendment No. 3

On page 4, line 37, of the printed bill, as amended, strike out "being", and insert "have been".

Amendments read and adopted.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up Assembly Bill No. 47, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 47, as Amended

Assembly Bill No. 47—An act to add Sections 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race track officials, or others or by the use

of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bashore:

Resolved, That Assembly Bill No. 47 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None.

Motion to Expunge Record and Rescind Action

On motion of Mr. Bashore, the record was expunged and the action rescinded whereby the Constitution was suspended on Assembly Bill No. 47.

Assembly Bill No. 47 ordered to reprint and re-engrossment.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 5—Relative to the preparation of a mortality table by the Federal Government.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—57

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 8—Relative to excess profits tax legislation.

Resolution read.

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

AYES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gunlock, Hastam, Hawkins, Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bashore, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Thomas, and Watson—31.

Notice of Motion to Reconsider Assembly Joint Resolution No. 8

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 8 was this day passed.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 40
Assembly Joint Resolution No. 4
Assembly Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation Be adopted

LYON, Chairman

Above reported resolutions ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 4—Relative to violations of the Hatch Act.

Resolution read, and ordered engrossed.

Assembly Concurrent Resolution No. 13—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 13, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

Resolution read.

Demand for Previous Question

Messrs. Lyon, Field, Andreas, Thorp and Clarke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 13.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M, Burns, Michael J, Call, Clarke, Collins, Sam L, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth,

Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Phillips, Poole, Potter, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—47.

NOES—Andreas, Bennett, Cain, Carlson, Collins, George D., Cooke, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Massion, Meehan, O'Day, Pfaff, Richie, Robertson, Russell, Thomas, and Wollenberg—25.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 596—An act to add Chapter 3, comprising Sections 1200 to 1305, inclusive, to Division 2 and to add Section 30035 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of clinical laboratory technologists and clinical laboratory technicians, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 597—An act to add Chapter 11, comprising Section 7500 to 7593, inclusive to Division 3 and to add Section 30039 to Division 30 of the Business and Professions Code, relating to the licensing and regulation of private detectives, investigators, and detective agencies and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 598—An act to add Division 8, comprising Chapter 1, Section 18400 to 18413, inclusive, and to add Section 30032 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sales of motor vehicles, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 599—An act to add Chapter 2, comprising Sections 18600 to 18782, inclusive, to Division 8, and to add Section 30031 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of boxing contests and sparring and wrestling matches and exhibitions, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 600—An act to add Chapter 3, comprising Sections 19000 to 19221, inclusive, to Division 8, and to add Section 30030 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to the regulation of persons engaged in the business of manufacturing and selling at wholesale and retail, repairing, renovating and sterilizing upholstered furniture and bedding and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed

Assembly Bill No. 601—An act to add Chapter 4, comprising Sections 19400 to 19663, inclusive, to Division 8 and to add Section 30034 to the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of horse racing, horse race

meetings and wagering on the results thereof, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 602—An act to add Chapter 6, comprising Sections 20500 to 20502, inclusive, to Division 8, and to add Section 30035 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the adulteration of paints, oil, varnishes and pigments, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 603—An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 604—An act to add Chapter 8, comprising Sections 21200 to 21290, inclusive, to Division 8 and to add Section 30037 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the sale, disposition of, and regulation of prophylactics, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed

Assembly Bill No. 605—An act to add Chapter 9, comprising Sections 21500 to 21556, to Division 8, and to add Section 30038 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sale or disposition of secondhand goods, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR SPEAKER: Your Committee on Civil Service, to which were referred:

Assembly Bill No. 128
Assembly Bill No. 300

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 128—An act to add Section 96.5 to the State Civil Service Act, relating to State civil service employees and former employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

Amendment No. 1

In line 3 of the title of the printed bill, after "employees", insert ", declaring the urgency of this act and that it shall take effect immediately."

Amendment No. 2

On page 1, line 5, of the printed bill, after "of", insert "resignation or".

Amendment No. 3

On page 1 of the printed bill, strike out lines 6 and 7, and insert "been laid off from, regardless of whether such resignation has been withdrawn with consent, that position or on a promotional eligible list".

Amendment No. 4

On page 1, line 13, of the printed bill, after "forces", strike out the period, and insert "provided, however, this act does not apply to any individual who refuses to accept appointment to a position after certification thereto subsequent to his discharge from the armed forces, or who has not been certified during his service with the armed forces."

Amendment No. 5

On page 1 of the printed bill, after line 18, add:

"Sec. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of this State and shall therefore take effect immediately. The facts constituting such necessity are as follows:

In view of the necessity for providing an adequate national defense as promptly as possible, it is anticipated that many present and former civil service employees will enter the armed forces of the United States. It is therefore necessary to provide for the retention of the civil service rights of those so entering the armed forces. The preservation of a sound civil service system requires that this protection be afforded these present and former employees, and in order to make this act fully effective it is necessary that it take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 300—An act to add Section 86.2 to the State Civil Service Act, relating to an oath for civil service employees, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service:

Amendment No. 1

On page 1 of the printed bill, between lines 23 and 24, insert

"The appointing power shall notify in writing every employee under his jurisdiction of the passage of this act."

Amendment read and adopted

Bill ordered printed and engrossed

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Senate Bill No. 96

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Senate Bill No. 251
Senate Bill No. 300

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 252

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass

KEPPLE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 96—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 31, relating to assessment, 34, relating to tax levies, 37 1, relating to segregation of assessments, 38, relating to cancellation of assessments, 39, relating to tax payments, 41, relating to costs, 44, relating to tax sales, 45, relating to redemption and 46, relating to partial redemption and adding new Sections 29.1, relating to optional tax system, 45.1, relating to disposal of tax-deeded land, 45 2, relating to resale plans, 45 3, relating to quieting title, 45.4, relating to acquisition of claims, 45.5, relating to actions and defenses as to tax deeds, 45.6, relating to actions and defenses as to sales of tax-deeded land and 47 1, relating to correction of certificates of sale and deeds, and declaring the urgency of this act and providing that it take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 251—An act to amend the Metropolitan Water District Act, as amended, by amending Sections 2, 9 and 10, and by adding new sections numbered 9 1 and 9.2, all relating to the definitions of certain terms as used in said Metropolitan Water District Act and in other acts applicable to metropolitan water districts, providing for the addition of area to such districts and for the exclusion of area therefrom and providing the effects of such addition or exclusion, providing for the inclusion within metropolitan water districts of the corporate areas of municipal water districts, municipal utility districts, public utility districts and county water districts, and providing for the addition of area to any such municipal water district, municipal utility district, public utility district or county water district, so included within any such metropolitan water district and providing the effects thereof, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 300—An act to amend the Coachella District Merger Act, approved June 21, 1937, by adding thereto a new section, to be numbered 13.1, relating to taxation for repair, operation and maintenance of improvements and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 252—An act to amend an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition and construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended, by amending Sections 2, 3, 4, 5, 7, 8, 10, 12 and 27, relating to incorporation, organization, government and management of such districts, the holding of directors' and other elections therein, the establishment of divisions, providing for recalls, setting forth the powers of such districts and the manner and effect of annexing territory thereto, and adding new sections to be known as Sections 6a, 32, 33, 34, 35 and 36, providing for the calling, holding and conducting of elections, the reestablishment of divisions, providing the manner and effect of annexation to such districts, granting additional powers of taxation to such districts when included in metropolitan water districts, designating a short title, repealing conflicting laws, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 2, line 24, of the printed bill, strike out "elections", and insert "election".

Amendment No. 2

On page 5, line 9, of the printed bill, strike out "qualifications", and insert "qualification".

Amendment No. 3

On page 5, line 35, of the printed bill, after "directors," insert "as".

Amendment No. 4

On page 6, line 31, of the printed bill, after "names", insert a comma.

Amendment No. 5

On page 8, line 35, of the printed bill, strike out "to".

Amendment No. 6

On page 8, line 46, of the printed bill, strike out "rights", and insert "right".

Amendments read and adopted.

Bill ordered printed, and to third reading.

RECESS

At 1.05 p.m., on motion of Mr. Lyon, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened

Hon Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 818: By Mr. Bashore—An act to amend Section 6 406 of the School Code, relating to school book depositories.

Referred to Committee on Education.

Assembly Bill No. 819: By Mr. Bashore—An act to amend Section 11005 of the Revenue and Taxation Code, and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the expenditure by cities and cities and counties of motor vehicle license fee money distributed to them

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 820: By Mr. Bashore—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 821: By Mr. Bashore—An act to amend Section 696 and to repeal Section 697 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 822: By Mr Bennett—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243.5, 244, 245.5, 246, 246.5, 247 and 248 to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235.5 thereof, relating to the wrecking and dismantling of vehicles including the business of automobile wreckers.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 823: By Mr. Maloney—An act to add Section 69.1 to the Alcoholic Beverage Control Act, relating to the repeal of Chapter 132 of 1915 Statutes.

Referred to Committee on Public Morals.

Assembly Bill No. 824: By Messrs. Burns, Hugh M., Call, Tenney and Lyon—An act to amend Section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 825: By Mr. Cain—An act to add Sections 1266 to 1266.4, both inclusive, to the Code of Civil Procedure, relating to

eminent domain, including the taking of land by the State, cities, and counties for streets and highways.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 826: By Mr. Cain—An act to add Section 36 to the Political Code, relating to leases, sales and exchanges of real property conveyed to a political corporation or governmental agency for public purposes.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 827: By Mr. Cain—An act to create and establish in the City of Sacramento a college of vocational and technical training to be known as the California College of Vocational Arts; providing for its government, curricula and control, and authorizing the use of the buildings, grounds and facilities of the Sacramento Junior College District by said vocational college upon such terms and conditions as may be agreed upon.

Referred to Committee on Universities.

Assembly Bill No. 828: By Messrs Cain and Desmond—An act creating the California Art and History Commission, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Assembly Bill No. 829: By Mr. Call—An act to amend Section 44 of the Bank Act, relating to the making of loans upon the security of the capital stock of another bank or of a corporation.

Referred to Committee on Banking.

Assembly Bill No. 830: By Mr. Call—An act to add a new section to the Bank Act to be numbered 16g, relating to the examination of statements and canceled checks by depositors.

Referred to Committee on Banking.

Assembly Bill No. 831: By Messrs. Call, Phillips, Carlson, Sheridan, Del Mutolo, Johnson, Salsman, Meehan and Dickey—An act relating to the acquisition of a bridge or bridges across San Francisco Bay connecting the Counties of San Mateo and Alameda, and defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 832: By Mr. Call—An act to amend Section 3166 of the Civil Code, relating to the time of payment of negotiable instruments.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 833: By Mr. Carlson—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of justices' courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 834: By Mr. Cassidy—An act to amend Section 4190 of the Political Code, relating to establishment and government of and the creation of a fund for a Law Library

Referred to Committee on Judiciary General

Assembly Bill No. 835: By Mr. Cronin—An act to amend Section 367 of the Code of Civil Procedure, relating to parties to actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 836: By Mr. Cronin—An act to amend Section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing and the wagering on the results thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 837: By Mr. Cronin—An act to amend Sections 6, 7 and 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the regulation of horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 838: By Mr. Cronin—An act to amend Sections 19431, 19437, 19438 and 19621 of the Business and Professions Code, relating to the regulation of horse racing

Referred to Committee on Public Morals

Assembly Bill No. 839: By Mr. Cronin—An act to repeal Section 19595 of, and to amend Section 19514 of, the Business and Professions Code, relating to horse racing and wagering upon the results thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 840: By Mr. Del Mutolo—An act to amend Section 209 of the Penal Code, relating to the punishment of kidnaping.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 841: By Mr Dickey—An act to amend Sections 1, 5a and 11 of an act entitled "The California Air Navigation Act," relating to air navigation.

Referred to Committee on Aviation and Aircraft.

Assembly Bill No. 842: By Mr. Dills—An act to amend Section 5883 of the Elections Code, defining the word "clerk," and to add Sections

5899, 5933 and 7799 to the Elections Code, relating to absentee ballots for school district elections.

Referred to Committee on Elections

Assembly Bill No. 843: By Mr Dills—An act to amend Section 1.70 of the School Code, relating to transportation of pupils.

Referred to Committee on Education.

Assembly Bill No. 844: By Mr. Dills—An act to amend Section 6.210 of the School Code, relating to the sale of personal property belonging to one school district to another.

Referred to Committee on Education.

Assembly Bill No. 845: By Mr. Dills—An act to add Section 5.789 to the School Code, relating to leave of absence for noncertificated employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 846: By Mr. Dilworth—An act to amend Section 332 of the Vehicle Code, relating to the driving of vehicles by persons without operators' or chauffeurs' licenses

Referred to Committee on Motor Vehicles.

Assembly Bill No. 847: By Mr. Dilworth—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty and payment of their salaries.

Referred to Committee on Military Affairs.

Assembly Bill No. 848: By Mr. Doyle—An act to amend Section 730 of the Fish and Game Code, relating to halibut.

Referred to Committee on Fish and Game.

Assembly Bill No. 849: By Mr. Doyle—An act to amend Sections 731 and 732 of the Fish and Game Code, relating to barracuda.

Referred to Committee on Fish and Game.

Assembly Bill No. 850: By Mr. Field—An act to repeal Sections 3594 and 3616 and to add Sections 3594, 3602.5 and 3614.5 and 3616 to the Revenue and Taxation Code, relating to property taxation including redemption of tax delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax delinquent property; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 851: By Mr. Gallagher—An act to add Section 2958a to the Civil Code, and to amend Section 2971 thereof, relating to chattel mortgages on aircraft.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 852: By Mr. Gunlock—An act to add Article 4.5, comprising Sections 12397 and 12398, inclusive, to Chapter 1, Part 6, Division 2, of the Insurance Code, relating to title insurance and fees and charges for title insurance policies.

Referred to Committee on Insurance.

Assembly Bill No. 853: By Mr. Meehan—An act to add Sections 7001, 7002, 7003 and 7004 to the Labor Code, relating to locomotives and trains.

Referred to Committee on Public Utilities.

Assembly Bill No. 854: By Mr. Hastain—An act to amend Section 531 of the Vehicle Code, and to add Section 531 5 thereto, relating to following other vehicles too closely, and to vehicles being operated in caravan.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 855: By Mr. Hastain—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections.

Referred to Committee on Irrigation.

Assembly Bill No. 856: By Mr. Hawkins—An act to add Section 1105.35 to the Agricultural Code, relating to eggs

Referred to Committee on Agriculture.

Assembly Bill No. 857: By Mr. Hawkins—An act to amend Sections 1621 and 2301 of the Welfare and Institutions Code, relating to the powers of the State Department of Social Welfare in regard to institutions, boarding homes and home-finding agencies.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 858: By Mr. Hawkins—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to aged persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 859: By Messrs. Houser, Frederick F., and Bennett—An act to add Section 2468 5 to the Civil Code, relating to licenses and permits

Referred to Committee on Judiciary General.

Assembly Bill No. 860: By Mr. Kepple—An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 861: By Mr. Kepple—An act to amend Section 1187 of the Code of Civil Procedure, relating to notices of completion and mechanics' liens.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 862: By Mr. Kepple—An act to add a new section to the Vehicle Code of the State of California to be known as Section 764.1 thereof, relating to penalties and forfeitures for a violation of said code.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 863: By Mr. Kepple—An act to amend Section 1186 of the Code of Civil Procedure, relating to the priority of liens of mechanics and materialmen.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 864: By Mr. Kilpatrick—An act to amend Section 4453 of the Labor Code of the State of California, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 865: By Messrs. Collins, George D., O'Day, Welch, Burkhalter, Gallagher, Pelletier, Doyle, Middough, Evans, Meehan, Del Mutolo, Lowrey, Gaffney, Russell, Massion, Heisinger, Thomas, Hawkins, Crowley, Cain, Weber, Voigt, Gunlock, Green, Bennett, Donnelly and Cooke—An act to amend Section 2020 of the Welfare and Institutions Code, relating to net income not to be considered under the Old Age Security Law.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 866: By Mr. George D. Collins—An act to add Chapter 20, comprising Section 10000 to Section 10006, inclusive, to Division 3 of, the Business and Professions Code, relating to the business of exchanging property or services.

Referred to Committee on Judiciary General.

Assembly Bill No. 867: By Mrs. Daley and Mr. Stream—An act to repeal Chapter 846, Statutes of 1927, authorizing the issuance of leases in San Diego County.

Referred to Committee on River Navigation, Reclamation and Flood Control

Assembly Bill No. 868: By Mrs. Daley and Mr. Stream—An act making an appropriation for the purchase of land and for construction and equipment of an Acute Psychiatric Hospital in Southern California.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 869: By Mrs. Daley—An act to add Section 23.5 to, and to repeal Section 26a of, the Unemployment Relief Bond Act of 1933, making an appropriation to counties and cities, and specifying the manner of determining the amount thereof.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 870: By Mrs. Daley—An act appropriating money to the State Park Commission for the improvement of Mission Bay State Park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 871: By Mrs. Daley and Mr. Cooke—An act making an appropriation for support of the Camarillo State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 872: By Mrs. Daley and Mr. Weber—An act making an appropriation for support of the Stockton State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 873: By Mrs. Daley and Mr. Burns, Michael J.—An act making an appropriation for support of the Mendocino State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 874: By Mrs. Daley and Messrs. Salsman and Del Mutolo—An act making an appropriation for support of the Agnews State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 875: By Mrs. Daley and Mr. Crowley—An act making an appropriation for support of the Napa State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 876: By Mrs. Daley and Mr. Russell—An act making an appropriation for support of the Patton State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 877: By Mrs. Daley and Mr. Dills—An act making an appropriation for support of the Norwalk State Hospital for the Ninety-third and Ninety-fourth Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 878: By Mrs. Daley—An act to amend Sections 111, 1551, 2005, 2182, 3077, 3078, 3079, 3085, 3086 and 3089, and to repeal Sections 2141, 2142 and 3076 of the Welfare and Institutions Code, relating to the organization, powers and duties of the State Department of Social Welfare.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 879: By Mrs. Daley—An act to amend Section 2224 of the Welfare and Institutions Code, relating to recovery of value of aid granted under Old Age Security Law.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 880: By Mrs. Daley—An act to amend and renumber Section 3045 of the Welfare and Institutions Code (as added by Chapter 916 of the Statutes of 1939), relating to aid to the needy blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 881: By Mrs. Daley—An act to amend Section 2160 5 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 882: By Mr. Dilworth—An act to amend Section 1083.1 of the Agricultural Code, relating to commercial feeding stuffs licenses.

Referred to Committee on Agriculture.

Assembly Bill No. 883: By Mr. Dills—An act to amend School Code Section 5 654, relating to the dismissal of permanent employees of a school district.

Referred to Committee on Education.

Assembly Bill No. 884: By Mr Green—An act to add Section 625 (b) to the Penal Code of the State of California, relating to throwing of missiles at common carrier vehicles.

Referred to Committee on Crime Problems.

Assembly Bill No. 885: By Mr. Meehan—An act to amend Section 4041.1 of the Political Code, relating to the powers of supervisors.

Referred to Committee on County Government.

Assembly Bill No. 886: By Mr. Phillips—An act to add Section 982a to the Code of Civil Procedure, relating to appeals from justices' courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 887: By Mr. Phillips—An act to amend Section 655 of the Code of Civil Procedure, by including therein justice's courts in counties containing a population of not less than 500,000 and not more than 700,000.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 888: By Mr. Phillips—An act to add Section 404 to the Code of Civil Procedure, relating to the rules of procedure and practice in civil actions in the justices' courts of counties containing a population of not less than 500,000 and not more than 700,000.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 889: By Mr. Phillips—An act to amend Sections 974, 975 and 977, and to repeal Section 976, of the Code of Civil Procedure, all relating to appeals from justices' courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 890: By Mr. Phillips—An act to amend Section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 891: By Mr. Stream and Mrs. Daley—An act to amend an act of the Legislature approved April 27, 1923, conveying

certain lands of the State to the City of Coronado, to correctly describe the boundaries of such lands.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 892: By Mr. Thorp—An act to add a new article, to be numbered Article 3, to Chapter 9 of Division 5 of the Business and Professions Code, to include Section 12912, relating to the tare of fruit and vegetable picking boxes, including tare of picking boxes used for tomatoes for canning purposes.

Referred to Committee on Agriculture.

Assembly Bill No. 893: By Mr. Thorp—An act to add a new section to Chapter 1a of Division 5 of the Agricultural Code to be numbered 766.5, relating to canning tomato standards and inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 894: By Mr. Thorp—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 895: By Mr. Thorp—An act to amend Section 305 of the Agricultural Code, relative to meat inspection.

Referred to Committee on Live Stock and Dairies.

Speaker Presiding

At 3.05 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 896: By Mr. Thorp—An act to add a new section to Chapter 6 of Division 6 of the Agricultural Code to be numbered 721.5, relating to proceedings to enjoin violation of certain provisions thereof.

Referred to Committee on Agriculture

Assembly Bill No. 897: By Mr. Thorp—An act authorizing the Director of the State Department of Agriculture to use certain funds in the Department of Agriculture Fund, derived under the provisions of Chapter 241, Statutes of 1935, and Chapter 401, Statutes of 1935, and making an appropriation thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 898: By Messrs. Tenney and Bashore—An act to add Section 337 to the Penal Code, relating to the publication of tips on horse-races, prohibiting such publication and providing a penalty for the violation thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 899: By Mr. Burkhalter—An act to add Section 569 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 900: By Mr. Burkhalter—An act to add Section 1272 and to repeal Sections 1270 and 1270.5 of the Fish and Game Code, relating to deer seasons.

Referred to Committee on Fish and Game.

Assembly Bill No. 901: By Mr. Carlson—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 902: By Mr. Carlson—An act to amend Section 318 of the Agricultural Code, relating to artificial coloring of meat products and casings.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 903: By Mr. Bennett—An act to add Section 3213 to the Labor Code, relating to workmen's compensation insurance and self-help cooperative organizations and associations.

Referred to Committee on Insurance.

Assembly Bill No. 904: By Mr. Clarke—An act to add Sections 106.1 and 106.2 to Chapter 1 of Division 2 of the Agricultural Code, relating to plant quarantine inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 905: By Mr. Clarke—An act to amend Section 118 of the Agricultural Code, relating to the admissibility of the hosts of fruit flies.

Referred to Committee on Agriculture.

Assembly Bill No. 906: By Mr. Cooke—An act transferring to the United States of America an easement over certain lands of the State of California for lighthouse purposes.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 907: By Mr. Cronin—An act to amend School Code Sections 5 822, 5 854, 5.872 and 5 876, and to add Section 5.872-1 to the School Code, all relating to the California State Teachers' Retirement System

Referred to Committee on Education.

Assembly Bill No. 908: By Mr. Cronin—An act to amend School Code Section 5.844, relating to the California State Teachers' Retirement System

Referred to Committee on Education

Assembly Bill No. 909: By Messrs. O'Day and Collins, George D — An act to amend Section 1714 of, and to add Section 3333.10 to the Civil Code, relating to responsibility for negligence.

Referred to Committee on Judiciary Codes

Assembly Bill No. 910: By Mr. Poole—An act to amend Section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, relating to bonds of contractors on public work.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 911: By Mr. Poole—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 912: By Mr. Robertson—An act to amend Section 159 of the Fish and Game Code, relating to Fish and Game District 3H.

Referred to Committee on Fish and Game.

Assembly Bill No. 913: By Mr. Robertson—An act to amend Section 1270 and to repeal Section 1270.5 of the Fish and Game Code, relating to deer seasons.

Referred to Committee on Fish and Game.

Assembly Bill No. 914: By Mr. Thomas—An act to amend Section 845 of the Fish and Game Code, relating to the forfeiture of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 915: By Mr. Thorp—An act to repeal Article 4 of Chapter 1 of Division 3 of the Agricultural Code, relating to poultry brands.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 916: By Mr. Welch—An act to amend Section 12701 of the Business and Professions Code, relating to public weighmaster bonds and license fees

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 917: By Mr. Welch—An act to add a new section to Chapter 7 of Division 5 of the Business and Professions Code to be numbered 12701.5, relating to weighmaster bond and license.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 918: By Mr. Welch—An act to amend Section 12700 of the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 919: By Mr. Voigt—An act to add Part 2, comprising Chapter 1, Sections 4001 to 4084, inclusive, to Division 5 of

the Welfare and Institutions Code, relating to aid for needy disabled persons, and making an appropriation therefor.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 920: By Mr. Voigt—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 921: By Mr. Voigt—An act appropriating money for the construction of groins to protect certain specified beaches.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 922: By Messrs. Kilpatrick and Crowley—An act increasing the Revolving Fund of the Los Angeles Industrial Workshop for the Blind from twenty thousand dollars ($20,000) to forty thousand dollars ($40,000), making an appropriation therefor, and declaring the urgency thereof.

Referred to Committee on Rules.

Assembly Bill No. 923: By Mr. Kilpatrick—An act to add Section 6386 to the Revenue and Taxation Code and Section 5 26 to the Retail Sales Tax Act of 1933, relating to exemption of sales of workshops for the blind.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 924: By Messrs. Knight, T. Fenton; Knight, John B., Pelletier, Doyle and Miss Miller—An act to add a new section to the Streets and Highways Code, to be numbered 100.4, for the protection of freeways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 925: By Mr. Lyon—An act to repeal Sections 5136, 5137, 5139 and 5140 of the Revenue and Taxation Code, and to add Sections 5136, 5137, 5138, 5139, 5140, 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 926: By Mr. Lyon—An act to add Article 3, consisting of Section 5180, to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to the refund of penalties, interest or costs on taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 927: By Mr. Lyon—An act to repeal Sections 5096, 5097, 5098, 5099, 5100, 5101 and 5102 of the Revenue and Taxation Code, and to add Sections 5096, 5097, 5098, 5099, 5100, 5101, 5102, 5103, 5104, 5105 and 5106 to the Revenue and Taxation Code, relating to the refund of taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 928: By Mr. Lyon—An act to add Section 5.5 to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," relating to computation of gross receipts.

Referred to Committee on Public Utilities.

Assembly Bill No. 929: By Messrs. Johnson and Meehan—An act to add Article 2, comprising Sections 5.785 and 5 786 to Chapter 9, Part 3, Division 5 of the School Code, relating to institutes of noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 930: By Miss Miller—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 931: By Mr. O'Day—An act to amend Sections 4453, 4605, 4653, 4654, 5405 and 5801 of, and to add Sections 4909.5 and 5400 5 to the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 932: By Mr. O'Day—An act to amend Sections 328 and 441 of the Probate Code, and to add Section 1203a thereto, relating to service of notice upon consular officers of foreign countries in which heirs, legatees or devisees are residing, including notices of proceedings for probating wills and of petitions for letters of administration.

Referred to Committee on Judiciary General

Assembly Bill No. 933: By Mr. O'Day—An act to amend Section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Referred to Committee on Judiciary General.

Assembly Bill No. 934: By Mr. O'Day—An act to amend Section 690 7 of the Code of Civil Procedure, relating to property exempt from execution and attachment

Referred to Committee on Judiciary General.

Assembly Bill No. 935: By Mr. O'Day—An act to amend Section 664a of the Political Code, relating to the time of payment of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 936: By Mr Poulson—An act to amend Section 29 of the Retail Sales Tax Act of 1933, and to repeal Section 7103 of the Revenue and Taxation Code, relating to the deposit and appropriation of money paid and collected thereunder.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 937: By Mr. Poulson—An act to amend Section 78 of the Gift Tax Act of 1939, relating to the deposit and appropriation of money paid and collected thereunder.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 938: By Mr. Poulson—An act to amend Section 31 of the Personal Income Tax Act, relating to the deposit and appropriation of money paid and collected thereunder.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 939: By Mr. Poulson—An act to establish a Legislative Budget Bureau and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 940: By Mr. Poulson—An act to add Chapter 19, comprising Sections 9800 to 9825, to Division 3 of the Business and Professions Code, relating to the business of mending women's hosiery.

Referred to Committee on Manufactures.

Assembly Bill No. 941: By Mr. Robertson—An act to add Section 49 to the State Lands Act of 1938, relating to the powers of the State Lands Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 942: By Mr. Robertson—An act to add Section 50.3 to the State Lands Act of 1938, to empower the State Lands Commission to withdraw from sale and restore for sale, public lands of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 943: By Mr Robertson—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 944: By Mr. Robertson—An act to amend Section 46 to the State Lands Act of 1938, relating to the power to sue the State of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 945: By Mr. Robertson—An act to amend Section 59 of the State Lands Act of 1938, relating to powers of the commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 946: By Mr. Robertson—An act to add Section 50 to the State Lands Act of 1938, to permit drilling of oil and gas wells under certain conditions

Referred to Committee on Oil Industries.

Assembly Bill No. 947: By Mr. Robertson—An act to add Section 50 1 to the State Lands Act of 1938, to empower the commission to drill lands for production of oil and gas.

Referred to Committee on Oil Industries

Assembly Bill No. 948: By Mr. Robertson—An act to add Section 50.2 to the State Lands Act of 1938, to empower the commission to apply to the United States of America for patents to public lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 949: By Mr. Robertson—An act to repeal Chapter 208, Statutes of 1919.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 950: By Mr. Robertson—An act to repeal Section 3788 of the Political Code

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 951: By Mr. Robertson—An act to repeal Chapter 281, Statutes of 1889

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 952: By Mr. Robertson—An act to repeal Sections 4000, 4001, 3820-3881 inclusive and 3500-3511 inclusive of the Harbors and Navigation Code.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 953: By Mr. Robertson—An act to repeal Section 898 of the Military and Veterans Code, relating to an appropriation to veterans' dependents

Referred to Committee on Soldiers and Sailors Affairs

Assembly Bill No. 954: By Mr. Robertson—An act to amend Section 3408d of the Political Code, relating to the sale of indemnity certificates.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 955: By Mr. F. N. Howser—An act to amend Section 20 of the Inheritance Tax Act of 1935, relating to the collection of the inheritance tax, including fees therefor.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 956: By Mr. Russell—An act to amend Sections 4901, 4905, 4909 and 4910 of the Water Code, relating to joint use of conduits, wells and pumping plants.

Referred to Committee on Irrigation.

Assembly Bill No. 957: By Mr. Russell—An act to amend Section 105 of the Water Code, relating to storage of water underground.

Referred to Committee on Irrigation.

Assembly Bill No. 958: By Messrs. Thomas and Bennett—An act making an appropriation to pay the claim of Mrs. Fred Reaves against the State of California

Referred to Committee on Ways and Means.

Assembly Bill No. 959: By Messrs. Thomas and Bennett—An act to add Section 845.5 to the Fish and Game Code, relating to nets seized or violations of law.

Referred to Committee on Fish and Game.

Assembly Bill No. 960: By Mr. Thorp—An act to amend the heading of Division 4 and Sections 452, 455, 456, 466, 467, 470, 471, 476, 478, 481, 482, 483, 484, 485, 486, 498, 500, 501, 511, 513, 523, 526, 542, 543, 545, 546, 551, 616, 618, 619, 620, 621, 631, 635, 636, 641, 642, 643, 644, 645, 661, 662, 666, 676, 681, 722, and 723 of, to add Sections 472, 590, 640, and 640.5 to, and to repeal Section 559 of, the Agricultural Code, relating to the dairy industry and milk, milk products, and imitation milk products, processing plants and factories, and retail establishments, milk products, and imitations of milk products, and providing for the taking effect hereof.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 961: By Mr. Thorp—An act to amend the heading of Division 4 and Sections 454, 458, 458.1, 459, 460, 471, 471.5, 476, 477, 478, 479, 480, 482, 485, 486, 487, 488, 490, 491, 492, 493, 505, 506, 508, 509, 515, 543, 561, 565, 581, 583, 590, 592, 624, 630, 632, 637, 651, 652, 654, 657, 658, 691, 692, 692.5, 693, and 728 of, to add Sections 478.5, 544, 689, and 690 to, and to repeal Section 500 of, the Agricultural Code, relating to dairy farms, factories of milk products and imitations thereof, retail establishments and milk products and imitations thereof and providing for an effective date.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 962: By Mr. Turner—An act to amend Section 3669c of the Political Code, relating to the taxation of insurance companies and the collection of taxes from such companies, including the suspension of corporate rights, privileges and powers.

Referred to Committee on Insurance.

Assembly Bill No. 963: By Mr. Turner—An act to add Section 1283 to the Insurance Code, relating to the taxation of insurers, including reciprocal or interinsurance exchanges.

Referred to Committee on Insurance.

Assembly Bill No. 964: By Mr. Turner—An act to add Part 7, comprising Sections 12001 to 13113, inclusive, to Division 2 of, and to add Section 50013 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the taxation of insurance companies and associations and the collection of taxes from such companies and associations, and repealing acts and parts of acts specified herein.

Referred to Committee on Insurance.

Assembly Bill No. 965: By Mr. Voigt—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 966: By Mr. Voigt—An act imposing an annual license fee for the privilege of installing or using cigarette or cigar vending machines in public places.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 967: By Mr. Waters—An act to amend Section 1209 of the Probate Code, relating to the publication of notices

Referred to Committee on Judiciary Codes.

Assembly Bill No. 968: By Messrs. Waters and Collins, Sam L.—An act to amend Section 7694 of the Business and Professions Code, relating to funeral directing and embalming.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 969—By Messrs. Waters and Collins, Sam L.—An act to amend Sections 7686.5, 7695, 7697, 7716 of the Business and Professions Code, relating to funeral directing and embalming.

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 970: By Mr. Maloney—An act to amend Sections 763.5, 1641, 1648, 1648.6, 1664, 1670, 1671, 1679 and 1731 of, to add Sections 755.5, 1639, 1645.5, 1648.7, 1679.2 and 12280.2 to, and to repeal Sections 753, 754, 1703.8 and 1703.9 of, the Insurance Code, and to add Article 1.5, comprising Sections 1690 to 1691, inclusive, to, Chapter 5, Part 2, Division 1 and Chapter 8, comprising Sections 1831 and 1831.5, to Part 2, Division 1, of the Insurance Code, all relating to insurance; declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Insurance.

Assembly Bill No. 971: By Mr. Maloney—An act to repeal Section 4452 of, and to amend Sections 4701 and 4702 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 972: By Mr. Maloney—An act to amend Section 7677 of the Revenue and Taxation Code and Section 4 of the Motor Vehicle Fuel License Tax Act, relating to delinquency of the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 973: By Messrs. Watson and Knight, T. Fenton—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection and licensing of institutions and boarding homes for the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 974: By Messrs. Watson and Knight, T. Fenton—An act to amend Section 1622 of the Welfare and Institutions Code, relating to the inspection and licensing of institutions for child care and home finding.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 975: By Mr. Wollenberg—An act to amend Section 3 of an act entitled "An act providing for the regulations and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 976: By Mr. Wollenberg—An act to amend Sections 828 and 845 of an act entitled "An act to establish an Insurance Code, thereby consolidating and revising the law relating to insurance principles, practice and business and matters incidental thereto, and to repeal certain acts and parts of acts specified herein," approved May 7, 1935, as amended, relating to brokers' and agents' certificates

Referred to Committee on Judiciary Codes.

Assembly Bill No. 977: By Mr. Waters—An act to amend Sections 101, 107, 110, 111 and 113 of, to repeal Sections 102, 103, 104, 106 and 108 of, and to add Sections 102, 103 and 104, to the Health and Safety Code, relating to the State Department of Public Health.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 978: By Mr. Kellems—An act to add Section 6387 to the Revenue and Taxation Code and Section 5.28 to the Retail Sales Tax Act of 1933, relating to the exemption of ice

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 979: By Mr. Andreas—An act to add Section 5111 to the Water Code, relating to flood control.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 980: By Mr. Andreas—An act to add Section 5007 to the Water Code, relating to flood control.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 981: By Messrs. Andreas and Dilworth—An act to add Section 6365 to the Revenue and Taxation Code, Section 5.27 to the Retail Sales Tax Act of 1933, and Section 4.17 to the Use Tax Act of 1935, relating to the exemption of spray oil.

Referred to Committee on Agriculture.

Assembly Bill No. 982: By Mr. Burkhalter—An act to amend Sections 1250 and 1251 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 983: By Mr. Call—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of an adverse party.

Referred to Committee on Judiciary General.

Assembly Bill No. 984: By Mr. Call—An act to add Section 2021.1 to the Code of Civil Procedure, relating to the examination of witnesses.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 985: By Mr. Call—An act to amend Section 2021 of the Code of Civil Procedure, relating to the taking of depositions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 986: By Mr. Call—An act to add Section 743 to the Fish and Game Code, relating to sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 987: By Mr. Call—An act to amend Section 48 of the Fish and Game Code, relating to fines and forfeitures.

Referred to Committee on Fish and Game.

Assembly Bill No. 988: By Mr. Call—An act to repeal Section 459 and to amend Section 460 of the Fish and Game Code, relating to importation of fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 989: By Mr. Call—An act to amend Section 453 of the Fish and Game Code, relating to possession of fish and game after the season closes.

Referred to Committee on Fish and Game.

Assembly Bill No. 990: By Mr. Call—An act to add Section 59.6 to the Fish and Game Code, relating to field trials and use of hunting dogs.

Referred to Committee on Fish and Game.

Assembly Bill No. 991: By Mr. Call—An act to amend Sections 1275 and 1288 and to repeal Section 1275.5 of the Fish and Game Code, relating to possession of deer after close of season.

Referred to Committee on Fish and Game.

Assembly Bill No. 992: By Mr. George D. Collins—An act to add Section 671 to the Fish and Game Code, relating to the extending of fishing seasons.

Referred to Committee on Fish and Game.

Assembly Bill No. 993: By Mr Desmond—An act to amend Sections 736.3 and 736.15 of the Agricultural Code, relating to sales stimulation programs and membership of local control boards in connection with the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 994: By Mr. Desmond—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 995: By Mr Dilworth—An act to amend Section 12105 of the Health and Safety Code, relating to explosives.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 996: By Mr. Dills—An act making an appropriation for the employment of additional hospital attendants at the Norwalk State Hospital to eliminate the necessity of present hospital attendants working broken shifts, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 997: By Mr. Evans—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of waitresses and entertainers on a percentage basis.

Referred to Committee on Public Morals.

Assembly Bill No. 998: By Mr. Gunlock—An act to add Section 555 to the Labor Code, relating to railroads, their employees, and days of rest.

Referred to Committee on Public Utilities.

Assembly Bill No. 999: By Messrs. Houser, Frederick F., Green, Bashore, Pfaff, Potter, Weybret, Sheridan, Stream, Kellems, Maloney, Salsman, Clarke, Heisinger, Dilworth, Watson, Doyle, Call, Dills, Thorp, Phillips, Lyon, Leonard and Waters—An act to add Section 473B to the Political Code, relating to approval of rules and regulations by the Attorney General.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1000: By Messrs. Kepple, Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, Garland and Mrs. Daley—An act making an appropriation for purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements, and equipment thereat.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1001: By Mr. Middough—An act to validate and legalize the conversions of building and loan associations organized under the laws of this State into Federal savings and loan associations.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1002: By Mr. Johnson—An act to amend Sections 8941, 8950 and 8970 of, and to add Sections 8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5 to, the Business and Professions Code, relating to the regulating, licensing and supervision of persons engaged in business activities incident to the ownership and operation of yachts and ships.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1003: By Messrs Johnson and Phillips—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks and their deputies in cities and towns.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1004: By Messrs. Johnson and Phillips—An act to amend Section 103 of the Code of Civil Procedure, relating to justices' courts in townships.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1005: By Mr. Johnson—An act to amend Sections 5900, 5901, 5902 and 5904 of the Elections Code, relating to absent voting.

Referred to Committee on Elections.

Assembly Bill No. 1006: By Messrs. Johnson and Wollenberg—An act to amend Sections 103 and 113, and to repeal Sections 114 and 119 of, and to add Sections 113.5, 114, 114.5, 119, 119.5 and 125 to, the Welfare and Institutions Code, relating to the powers and duties of the State Department of Social Welfare, the State Board of Social Welfare and the Director of Social Welfare.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1007: By Messrs. Johnson, Carlson, Meehan and Phillips—An act to amend Section 2837 of the Elections Code, relating to the election of county central committees.

Referred to Committee on Elections

Assembly Bill No. 1008: By Mr. Johnson—An act to amend Section 689c of the Code of Civil Procedure, and Section 2970 of the Civil Code, relating to application of proceeds of sale of property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1009: By Mr. Johnson—An act to amend Section 137 of the Civil Code, relating to the support of a spouse pending divorce proceedings

Referred to Committee on Judiciary General.

Assembly Bill No. 1010: By Mr. Johnson—An act to amend Section 196 of the Civil Code, relating to the support of children

Referred to Committee on Judiciary General.

Assembly Bill No. 1011: By Messrs. Johnson and Weber—An act to amend Sections 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8772, 8781 and 8792, and to repeal Sections 8703, 8704 and 8705

of the Business and Professions Code, relating to the regulation of persons engaged in land surveying

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1012: By Messrs. Johnson and Weber—An act to amend Sections 6731, 6735, 6736, 6737, 6752, 6757, 6775, 6787 and 6799, and to repeal Sections 6703, 6704, 6705, 6734, 6739 and 6743 of, and to add Sections 6734 and 6736.5 to, the Business and Professions Code, relating to persons practicing civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1013: By Mr. Johnson—An act to amend Section 1989 of the Code of Civil Procedure, relating to witnesses.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1014: By Mr. Johnson—An act to amend Section 11735 of the Insurance Code, and to add Section 3701.5 to the Labor Code, relating to workmen's compensation insurance and premium rates, and consents to self-insure.

Referred to Committee on Insurance

Assembly Bill No. 1015: By Messrs. Johnson and King—An act to add Chapter 1.5, comprising Sections 1210 and 1212, inclusive, to Part 4 of Division 2 of the Labor Code, relating to employment and compensation of male employees in certain occupations, trades, or industries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1016: By Mr. Johnson—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property.

Referred to Committee on Judiciary General.

Assembly Bill No. 1017: By Messrs. Johnson and Hawkins—An act to add Sections 73.1 to 73.8, inclusive, to Chapter 2 of Division 1 of the Labor Code, relating to the powers and duties of the Division of Industrial Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1018: By Mr. Johnson—An act to add Section 74 to Chapter 2 of Division 1 of the Labor Code, relating to the powers and duties of the Division of Industrial Welfare and the Industrial Welfare Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1019: By Mr. Johnson—An act to add a new section to the Probate Code to be numbered 1027 and to amend Section 1201a of the Probate Code and to repeal Section 530 and 530.1 of the Probate Code, all relating to assignments and transfers of an interest in the estate of a decedent by heirs, devisees and legatees.

Referred to Committee on Judiciary General.

Assembly Bill No. 1020: By Messrs. Johnson, Weber, Cronin, Gallagher, Meehan, Doyle, Cain and Dills—An act to amend Sections

5.792, 5.793, 5.794, 5.795, 5.796, 5.798, and 5.799a of the School Code and adding a new section thereto, to be numbered 5 792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1021: By Mr. Johnson—An act to repeal Section 130 of the Welfare and Institutions Code, relating to the Director of Social Welfare.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 1022: By Mr. Kepple—An act to amend Section 853 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the compensation of city clerks and city treasurers

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1023: By Mr. Kepple—An act to amend Section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the compensation of city clerks and city treasurers.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1024: By Mr. Kepple—An act to add Section 812 to the Health and Safety Code, relating to the regulation of plumbing.

Referred to Committee on Public Health and Quarantine

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1941

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

Senate Bill No. 241

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 241—An act to add a new section to the Labor Code, to be numbered 204a, relating to the time for payment of wages of workers who are employed by employers who cooperate to establish a plan for the payment of wages at a central place or places in accordance with a unified schedule of pay days, this act to take effect immediately.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 241, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 241

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Maloney:

Resolved, That Senate Bill No. 241 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 241—An act to add a new section to the Labor Code, to be numbered 204a, relating to the time for payment of wages of workers who are employed by employers who cooperate to establish a plan for the payment of wages at a central place or places in accordance with a unified schedule of pay days, this act to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Senate Bill No. 241—An act to add a new section to the Labor Code, to be numbered 204a, relating to the time for payment of wages of workers who are employed by employers who cooperate to establish a plan for the payment of wages at a central place or places in accordance with a unified schedule of pay days, this act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips,

Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 336—An act to repeal Sections 3519 and 3520 of, and to add Section 3520 to, the Revenue and Taxation Code, relating to property taxation and property deeded to the State for taxes, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 337—An act to amend Sections 107, 121, 252, 260, 531, 2905, 4337, 4990 and 5138 of, and to repeal Section 261 of the Revenue and Taxation Code, relating to property taxation, including the assessment and collection of taxes, installment payment of taxes, exemptions, cancellation of taxes, suits to recover taxes, and the definitions of real estate, real property, possessory interests, and taxing agency, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan,

Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1941

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

Senate Bill No. 208
Senate Bill No. 352

J. A BEEK, Secretary of the Senate
BY JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 208—An act to add Section 1203b to the Penal Code, relating to granting probation.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Bill No. 208, at this time, without reference to committee or file.

Motion to Set Special Order

Mr. Dickey moved that Senate Bill No. 208 be made a special order of business for Thursday, January 23, 1941, at 11.30 a.m.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70
NOES—None.

FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 352—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility

district, or flood control district," approved April 23, 1913, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district or flood control district, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 282—An act to amend Section 10203 of the Insurance Code, relating to group life insurance, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, Wollenberg, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, Wollenberg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1025: By Messrs. Kepple, Garland, Andreas, Watson and Knight, T. Fenton—An act to amend the Agricultural Code by adding a new section thereto to be numbered Section 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Referred to Committee on Agriculture

Assembly Bill No. 1026: By Messrs. Kepple, Garland, Andreas, Watson and Knight, T. Fenton—An act to amend the Agricultural Code by adding a new section thereto to be numbered 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require

uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Referred to Committee on Agriculture.

Assembly Bill No. 1027: By Mr. O'Day—An act to add Section 832.5 to the Civil Code, relating to entry upon adjoining lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1028: By Mr. Robertson—An act to amend Section 5537 of, and to add Section 5541 to, the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1029: By Mr. Stream—An act to add Section 421.5 to the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1030: By Messrs. Tenney, Call, Bashore, Poole, Wollenberg, Gunlock, Allen, Cain, Dickey, Burkhalter and Crowley—An act creating a Commission on Vocational Training, Retraining and Guidance and defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1031: By Mr. Waters—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1032: By Messrs. Watson, Kepple and Knight, T. Fenton—An act to amend the Agricultural Code by amending Sections 795, 828.5, 828.85 and 829.1 thereof, by adding new sections thereto to be numbered 795.1, 795.2, 795.3, 795.4, 828.9 and 828.91, and by repealing Sections 796 and 797 thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof to provide for mandatory standard containers for citrus fruits and the marking thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 1033: By Messrs. Lyon, Doyle, Voigt, Poole, Kepple, Howser, F. N., and Evans—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Referred to Committee on Elections

Assembly Bill No. 1034: By Mr. Turner—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class

Referred to Committee on County Government.

Assembly Bill No. 1035: By Mr. Turner—An act to add Section 660 to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of judges of the Superior Court of the County of Kern, and to provide for the appointment of an additional judge," approved April 14, 1913, relating to judges of the Superior

Court in and for the County of Kern, increasing the number and providing for the appointment thereof.

Referred to Committee on County Government

Assembly Bill No. 1036: By Mr. Turner—An act to amend Section 737o of the Political Code, relating to salaries of the judges of the Superior Court of Kern County.

Referred to Committee on County Government.

Assembly Bill No. 1037: By Mr. McCollister—An act to amend Sections 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215 and 216 of, to repeal Section 217 of, and to add Sections 217.1, 217.2 and 217.3 and Chapter 4 of Division 1, consisting of Sections 230, 231, 232, 233, 234, 235, 236, 237 and 238, to the Welfare and Institutions Code, relating to administration of welfare and institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1038: By Messrs. Hawkins, Burns, Hugh M., and Tenney—An act to authorize housing authorities created by the Housing Authorities Law of this State to provide housing for persons engaged in National defense activities and their families (provided that no such project shall be initiated under this act until a finding of necessity for said project has been made by the President of the United States pursuant to appropriate Federal legislation) and to acquire or assist similar projects of the Federal Government or act as agent of the Federal Government with respect to such projects of housing authorities or the Federal Government, and providing that this act take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1039: By Mr. Turner—An act to amend Section 8 of, and to add Section 8.1 to, The Personal Income Tax Act, relating to deduction of a net operating loss.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1040: By Mr. Lyon—An act to provide for the regulation and licensing of tournaments, competitions and exhibitions of the Spanish-Basque game known variously as Jai-Alai, Hi-Li, or Pelota, played in conjunction with pari-mutuel wagering; prescribing the powers and duties of the California Horse Racing Board for the regulation, licensing, and supervision of such tournaments, competitions, and exhibitions; providing penalties for violation of the provisions hereof; and making an appropriation for the support of the California Horse Racing Board for administration of the terms hereof and appropriating the balance of moneys derived hereunder, after appropriation for the support of the California Horse Racing Board, to the junior colleges of the State of California for instruction in aeronautics.

Referred to Committee on Public Morals

Assembly Bill No. 1041: By Messrs. Turner and Robertson—An act to amend Section 5 of The Personal Income Tax Act, relating to rate of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1042: By Mr. Turner—An act to amend Section 8 of The Personal Income Tax Act, relating to deductions.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1043: By Mr. Turner—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to motor vehicle transportation license taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1044: By Mr. Turner—An act to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or a compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to motor vehicle transportation license taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1045: By Mr. Turner—An act to amend Section 690.24 of the Code of Civil Procedure, relating to property exempt from attachment and execution.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1046: By Mr. Turner—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, possession of pledges and termination of pledgor's interest therein.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1047: By Mr. Turner—An act to add Sections 1352.5 and 1352.6 to the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

Assembly Bill No. 1048: By Mr. Turner—An act to amend Section 2021, 2186 and 2187 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1049: By Mr Turner—An act to amend Section 8651 of the Revenue and Taxation Code and to amend Section 3 of the Use Fuel Tax Act of 1937, relating to the rate of tax imposed on the use of fuel.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1050: By Mr. Turner—An act to add Section 6.94 to the School Code, and to amend Section 6.90a of the School Code,

relating to the construction and maintenance of dormitories of school districts.

Referred to Committee on Education.

Assembly Bill No. 1051: By Mr. Turner—An act to amend School Code Section 2.680, relating to elections for the formation of junior college districts.

Referred to Committee on Education.

Assembly Bill No. 1052: By Mr. Turner—An act to amend School Code Section 2.85, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 1053: By Mr. Turner—An act to add Section 2.88 to the School Code, relating to the inclusion of territory within a school district.

Referred to Committee on Education.

Assembly Bill No. 1054: By Mr. Turner—An act to amend Sections 2270 and 2274 of the Health and Safety Code, and to add Section 2292 thereto, relating to mosquito abatement districts.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1055: By Mr. Turner—An act to add Section 4.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages in satisfaction of liens of warehousemen.

Referred to Committee on Public Morals.

Assembly Bill No. 1056: By Mr. Turner—An act to amend Sections 8941, 8950 and 8970 of, and to add Sections 8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5 to, the Business and Professions Code, relating to the regulating, licensing and supervision of persons engaged in business activities incident to the ownership and operation of yachts and ships.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1057: By Messrs. Waters, Knight, John B., Massion, Hawkins, Field, Poulson and Burns, Hugh M.—An act to repeal Chapter 14 comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1058: By Messrs. Lyon, Field, Carlson, Wollenberg, Stream, Bennett, Poole, Houser, Frederick F., and Salsman—An act relating to National and local defense and public emergencies, authorizing extra-territorial activities by public agencies and providing that privileges, immunities and benefits applicable to the activity of employees of such public agencies when acting within their territorial limits shall apply to them while engaged in any such work extra-territorially; declaring the urgency hereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1059: By Mr. Lowrey—An act to amend Section 737eee of the Political Code, relating to the salary of the judge of the superior court in and for the County of Yolo.

Referred to Committee on County Government.

Assembly Bill No. 1060: By Mr. Salsman—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1061: By Mr. Desmond—An act to amend Sections 860 and 862 of the Welfare and Institutions Code, relating to payments for the support of wards of the juvenile court.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1062: By Mr. Desmond—An act to repeal Sections 6.34 and 6.36 of the School Code, relating to repairs, alterations, improvements and additions to school grounds and buildings.

Referred to Committee on Education.

Assembly Bill No. 1063: By Mr Bashore—An act to amend Section 702 of the Vehicle Code, relating to gross weight of vehicles with two axles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1064: By Mr. Robertson—An act to add Section 5.143 to the School Code, relating to the issuance of credentials authorizing persons to serve as substitute employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1065: By Mr. Bashore—An act to amend Sections 551 and 556 of the Business and Professions Code, relating to the prevention of blindness at childbirth.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1066: By Mr. Call—An act to amend School Code Sections 5.652 and 5.653, relating to permanent employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1067: By Mr. Call—An act to amend School Code Section 5.490 and to repeal School Code Sections 5.491 and 5.492, relating to the employment of lecturers in public schools.

Referred to Committee on Education.

Assembly Bill No. 1068: By Messrs. Call and Burns, Hugh M.—An act to amend Section 1066 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1069: By Messrs. Call and Burns, Hugh M.—An act to add Sections 745 and 1071.5 to the Fish and Game Code, relating to mackerel.

Referred to Committee on Fish and Game.

Assembly Bill No. 1070: By Messrs Burns, Hugh M., Wollenberg, Crowley, Call and Sawallisch—An act to add Section 249 to, and to amend Sections 250, 257 and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1071: By Mr. Hugh M Burns—An act to amend Sections 26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising and sale of foods and the powers of the State Department of Public Health in relation thereto.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1072: By Mr. Hugh M. Burns—An act to provide for the regulation and licensing of refrigerated locker plants by the State Department of Public Health and to establish standards of sanitation to be observed in the operation thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1073: By Mr. Hugh M. Burns—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1074: By Messrs Hugh M. Burns, Thorp, McCollister and Andreas—An act making an appropriation for the enforcement of standards and quality in the manufacture and sale of wine and brandy.

Referred to Committee on Public Morals

Assembly Bill No. 1075: By Mr. Hugh M. Burns—An act to amend Sections 4, 4A, 5A, 6, 7, 9, and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 1076: By Mr. Hugh M. Burns—An act to amend Section 113 of the Business and Professions Code, relating to travel outside the State for officers and employees of the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1077: By Messrs. Burns, Hugh M., and Sawallisch—An act to regulate establishments slaughtering animals for use in canned dog food and cat food or preparing meat food products to be used in the canning of dog food and cat food and to provide rules

regulating the proper sanitation for such establishments and prescribing penalties.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1078: By Messrs. Voigt, Gunlock, Knight, John B., Thomas, Doyle, Middough, Poole, Collins, Sam L., Cooke, Tenney, Crowley, Garland, Allen, Gaffney, Stream, Pfaff, Thurman, Andreas, Clarke, Meehan, Sawallisch, Heisinger, Robertson, Burns, Michael J., Burns, Hugh M., and Mrs Daley—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1079: By Mr. Desmond—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Referred to Committee on Judiciary General.

Assembly Bill No. 1080: By Mr. Hugh M. Burns—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 1081: By Mr. Hugh M. Burns—An act to amend Section 53.6 of the Alcoholic Beverage Control Act, relating to size of beer containers.

Referred to Committee on Public Morals.

Assembly Bill No. 1082: By Mr. Hugh M. Burns—An act to add Sections 55a, 55b, 55c, 55d, 55e, 55f, 55g and 55h to, and repeal Section 58.8 of, the Alcoholic Beverage Control Act, relating to credits on sales of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1083: By Mr. Hugh M. Burns—An act to add Section 542.1 to the Code of Civil Procedure, relating to attachments of licenses issued under the Alcoholic Beverage Control Act.

Referred to Committee on Public Morals.

Assembly Bill No. 1084: By Mr. Hugh M. Burns—An act to add a new section to the Alcoholic Beverage Control Act, to be numbered 7.1, relating to transfer of license by operation of law.

Referred to Committee on Public Morals.

Assembly Constitutional Amendment No. 28: By Mr. Turner—Proposed amendment to Article XX, Section 22, of the Constitution, relative to the legal rate of interest on loans.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 29: By Mr. Evans—Proposed amendment to Section 22 of Article XX of the Constitution, relative to sales of intoxicating liquor, and providing for license fees.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 30: By Mr. Field—Proposed amendment to Article IV of the Constitution, relative to an amendment to the Constitution of the State by amending Section 1 of Article IV thereof, relating to the initiative.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 31: By Mr. Massion—Proposed amendment to Article XX, Section 22, of the Constitution, relative to the sale of alcoholic beverages, the regulation thereof, and providing for fixing license fees.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 15: By Messrs. Gallagher, O'Day, Wollenberg, Gaffney, Collins, George D., Welch, Maloney, Cronin and Green—Relative to the American Association of School Administrators.

Request for Unanimous Consent

Mr Gallagher asked for, and was granted, unanimous consent to have Assembly Concurrent Resolution No. 15 placed on file, without reference to committee.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY JOINT RESOLUTION NO. 8 WAIVED

Mr Evans waived his notice of motion to reconsider the vote whereby Assembly Joint Resolution No. 8 was adopted.

Assembly Joint Resolution No. 8 ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Gunlock:

House Resolution No. 43

Creating an Assembly Committee to investigate political activity of State officers and employees

WHEREAS, It appears that buildings and offices occupied by agencies of the State, as well as State-owned automobiles, have been used during regular working hours by some State officials to further political purposes.

Other reported instances indicate an unwarranted use of official prestige and position to influence the vote of, or to demand, collect or receive political contributions from, citizens whose businesses are subject to the jurisdiction of State regulatory agencies.

The most flagrant reported instances of improper political activity have involved certain officers and employees of the State Board of Equalization and have occurred in the area comprising the Second Assembly District.

The fact that these reports persist indicates a need for a thorough study of these matters, so that the members of the Legislature may formulate adequate and effective corrective legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established the Assembly Committee on Political Activity, which committee is to exercise the powers and perform the duties hereby granted to and imposed upon it during the sessions and any recess or recesses of the Fifty-fourth Legislature, but in no event beyond the fourteenth legislative day after the termination of the constitutional recess.

(1) The committee shall study and investigate, accurately and in detail, any and all phases of the matters referred to in this resolution including but not limited to any and all things connected with political activity or attempted political activity of an improper nature by State officers and employees, unauthorized use of State-owned property, offices, and equipment, attempts to coerce or affect by any improper means whatsoever the elections held in said Assembly district, or any portion thereof, whether by directly or indirectly threatening, influencing or attempting or seeking to threaten or thus influence any voter in that district.

(2) The committee shall report to the Assembly the results of its investigation, together with its recommendations as to any needed changes in the law.

(3) The committee shall consist of three members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker. The committee may select a chairman and a secretary from its membership and may employ, prescribe the duties and fix the compensation of such professional assistants, clerical and other employees as it finds necessary for the conduct of its work and may contract with other agencies, public or private, for the rendition of such services, studies and reports to it as will best assist it to effectuate the purposes for which it is created.

(4) The committee may hold public hearings at Sacramento and at any place in the Second Assembly District of California at which hearings the people are to have an opportunity to present their views to the committee.

(5) The committee may issue subpenas, summon and subpena witnesses, require the production of papers, books, accounts, reports, documents and records of every kind and description, and may take all necessary means to compel the attendance of witnesses and to procure testimony. The committee, each of its members and any representative of the committee thereunto authorized by the committee or by its chairman may administer oaths. All of the provisions of Political Code Sections 300 to 304, inclusive, apply to the committee hereby created.

(6) Every department, commission, board, agency, officer, and employee of the State Government and of the political subdivisions, the counties, and the cities shall furnish the committee, upon request, such information, records and documents as the committee may request.

(7) The committee is further authorized and empowered to make a complete investigation and study of every phase of the subject hereinabove mentioned and any and all matters incidental thereto and to do any and all things necessary or convenient to enable it fully and completely to exercise its powers and perform its duties.

(8) The Sergeant-at-Arms of the Assembly and the Deputies Sergeant-at-Arms of the Assembly are hereby directed to serve any and all subpenas, orders and other process that may be issued by the committee, when directed so to do by the chairman or upon a vote of the majority of the membership of the committee.

(9) The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of eight dollars ($8) per day.

(10) The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer

Resolution read, and referred to Committee on Rules.

By Mr. Lyon:

House Resolution No. 44

Resolved, That the Standing Rules of the Assembly be amended to read as follows:

Strike out the word "Calendar" wherever it appears in the Standing Rules of the Assembly and insert the word "File".

Resolution read, and referred to Committee on Rules.

By Mr. Thorp:

House Resolution No. 45

Relative to the investigation of milk production and distribution and swine diseases

WHEREAS, The Standing Committee of Live Stock and Dairies will be called upon to consider legislation relating to milk production and distribution and swine diseases during this current session of the Legislature; and

WHEREAS, In order to intelligently consider an act upon such legislation it is necessary that the said committee be fully informed about the facts concerning the same, and

WHEREAS, It appears that the best method of acquiring accurate and necessary information concerning such matters would be to authorize a subcommittee appointed from the membership of the Standing Committee on Live Stock and Dairies to conduct an investigation and to study those subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established an investigating committee to be known as the Committee on Live Stock and Dairies which committee is to study and investigate and survey accurately in detail the problems of milk production and distribution and swine diseases; and be it further

Resolved, That the committee shall consist of five members of the Assembly Standing Committee on Live Stock and Dairies to be appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical and other employees as it finds necessary for the conduct of its work; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California, during the Fifty-fourth Session of the Legislature and any recesses thereof; and be it further

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

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or its chairman is authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof apply to the committee hereby created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of eight dollars ($8) per day; be it further

Resolved, That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules

CONSIDERATION OF HOUSE RESOLUTION NO. 40

House Resolution No. 40

Resolved by the Assembly of the State of California, That Rule 75 of the Permanent Standing Rules of the Assembly, as printed on pages 211, 212 and 213 of the Assembly Daily Journal for January 14, 1941, be amended as follows:

That the name of the Committee on Conservation is hereby changed to "Committee on Natural Resources."

Resolution read.

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

AYES—Bashore, Bennett, Burns, Hugh M., Burns Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—56

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. T. Fenton Knight moved that Assembly Bill No. 632 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Hospitals and Asylums

Motion carried

Mr. T. Fenton Knight moved that Assembly Bill No. 633 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Hospitals and Asylums.

Motion carried.

Mr. T. Fenton Knight moved that Assembly Bill No 635 be withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Hospitals and Asylums

Motion carried.

Miss Miller moved that Assembly Bills Nos 651, 652, 653 and 654 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Hospitals and Asylums.

Motion carried.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 300
And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 449
Assembly Bill No. 450
Assembly Bill No. 451
Assembly Bill No. 452
And reports the same correctly engrossed

JOHN B KNIGHT Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 128
Assembly Bill No. 596
Assembly Bill No 597
Assembly Bill No. 598
Assembly Bill No. 599
And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER Your Committee on Education, to which was referred:
Senate Bill No. 107
Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No 102

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 566

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 147

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Acting Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 12—Relative to the Reports of the Joint Fact-Finding Committee in Work Relief Projects at Chino, California;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of January, 1941, at 2:15 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 13

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 566—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 102—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "while a resident", and insert "while either a citizen or a resident"

Amendment read and adopted

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 147—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 107—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of school districts, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, following the word "law", insert ", and all school districts which have been acting and existing for a period of three (3) months prior to the taking effect of this act".

Amendment No. 2

On page 1, line 20, of the printed bill, strike out "school district under any law, or under color of any law,", and insert "person or officer".

Amendment No. 3

On page 1, line 24, of the printed bill, following the word "district", insert ", of the electors, election officers,".

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "All of such bonds heretofore issued and delivered shall be, in the form and manner in which issued and delivered, legal, valid and binding obligations of the school district, and all of such bonds heretofore authorized but not yet issued and delivered shall be, when issued and delivered in substantial pursuance of the proceedings of authorization, legal, valid and binding obligations."

Amendment No. 5

On page 2 of the printed bill, strike out all of line 11 following the figure "6."; strike out all of lines 12, 13, 14 and 15, and in line 16, strike out "(b)"; and in line 18, following the word "Constitutions", insert ", and it is the intent of this Legislature herein to validate the organization and existence of all school districts and all bonds issued by any school district and all proceedings to authorize bonds of school districts in so far as the Legislature has power to correct the defects, irregularities, or errors in the organization or creation of such school districts or in the issuance of bonds of such school districts"

Amendment No. 6

On page 2, line 19, of the printed bill, strike out "(c)".

Amendment No. 7

On page 2 of the printed bill, strike out all of lines 32 to 46, inclusive, and insert: "Bonds have been voted by school districts for the construction of needed school

buildings. In some districts the schools are overcrowded, in some the buildings now used have been condemned as unsafe for public use, and in some districts children now travel long distances, with the attendant hazards of traffic, to attend school in the present buildings, and the public health and safety require that adequate, safe and convenient school buildings be provided immediately. Bonds have been voted by certain districts to correct the conditions above mentioned but in some instances the bonds are not salable because of failure to comply with the School Code in the proceedings for the creation of the school district or in the proceedings for the issuance of bonds. The defects in such proceedings will be cured by this act and if it takes effect immediately such bonds can be issued and sold and construction begin so that the buildings will be ready for use at the beginning of the next school year. Otherwise it will not be possible for the districts to remedy the above mentioned conditions during the next school year"

Amendments read and adopted.

Bill ordered printed, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1941

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

Assembly Bill No. 80
Assembly Bill No 595

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

COMMUNICATIONS

The following communication was received and ordered filed with the Secretary of State:

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 21, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol, Sacramento, California

Subject: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session.

DEAR MR OHNIMUS: There is transmitted herewith Report No. A-100 of the State Engineer on the application of the San Francisco District, Coast Guard, of the United States Treasury Department, for State financial assistance in the restoration of a road and bank protection destroyed by the floods of 1940 in the Mattole River, Humboldt County

This report was prepared under authority of Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Russell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. J. Prendergast, C.E., of Redlands

On request of Mr. Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Katherine J. Foley and Miss Margaret Driscoll of San Francisco.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. H Murray and Barclay Murray, Sr., of Merced

On request of Messrs Pelletier and Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to

Hon. George J. Hatfield, Ex-Lieutenant Governor, State of California.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. C. Barrett and Wm. Holbrook of Los Angeles.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Franklin W. Robinson, President, Board of Education, of Long Beach.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Roberta Nordhousen, Mr. Bernard H. Bray and William P. Loftus of San Francisco.

ADJOURNMENT

At 5.05 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., January 23, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 23, 1941

The Assembly met at 10 a m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—79.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. John T. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cassidy.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. King, on motion of Mr. Evans.

PETITION

The following petition was received and read, and on motion of Mr. Maloney, ordered printed in the Journal:

Petition for Funds to Establish a School of Veterinary Medicine

WHEREAS, One of the basic branches of California's huge agricultural industry is animal husbandry; and

WHEREAS, Successful live stock production necessarily requires the services of veterinarians trained in recognized schools of veterinary medicine; and

WHEREAS, California has no graduate school qualified to train veterinarians; and

WHEREAS, This results in a definite hardship on those men and women interested in this branch of medical science inasmuch as it is necessary for them to go outside the State to obtain the proper degree; and

WHEREAS, These hardships frequently are so great on the parents and students that it is impossible for them to acquire the training they could otherwise obtain if it were available in California; now, therefore,

We, the undersigned, hereby petition Governor Culbert L. Olson and the members of the Legislature, to provide necessary funds which will permit the establishment of a School of Veterinary Medicine at the University of California, either at Davis or Berkeley, to the end that it will not be necessary for California students to go to other States to obtain the training essential to the future development of one of the State's most important industries.

Glenn Rouse, Harry L. Cook, Robert E. Ranney, Clifford Wolf, Richard Erwin, Ernest Boynton, Luther L. Card, John Strickler, David Willoughby, Gayle Johanson, Vernon Candler, Robert B. Webb, Wilson C. Kelly, Jack D Hendricks, Richard Harns, Jack Stevens, Helen Eppinger, Edward J. Bowles, True Dolson, Jack Fisher, Ann Brower, Lyle L. Smith, Elliot Weir, George Nemoto, Elton Tobiassen, Jack B. Rice, Coy Johnson, Bob Peterson, Otis A Harvey, Renaldo Gotelli, Robert Harrell, E. R. Stanton, Isabelle Partington. Rolph Trasuma, Aldo Maiero, George Brice, Jas. Parks, Richard Jones, Morton Morse, Lloyd Thompson, Warren Goldsmith, Alois Pastor, Jr., Max Hecox, Weymouth Storeo, Robert Woodward, Robert Schenck, Joe Holmes, Bill Ferry, Martin Wright, Ted Bartell, Bill Johnson, Jim Clausen, Collins Hath, Bob McNeil, Harry Pearson, Robert Hael, Derau Markarian, Clifford Wilson, Wm. K. K. Shtz, Robert F. Sutter, Harry Kinder, Robert Olsen, LeRoy B. Stewart, Jesse D. Skoss, George L. Lindner, Donald L Coby, Reginald M. Scott, William Ortman, Kryoshi Ioniye, Robert O'Neal, Victor Buenzle, Phillip Levy, Salih Mahdi, Robert W. Rohlfs, Louis P. Martin, Clyde E. Barber, Harry Reinsch, Gordon Young, Milton Stevens, Robert B. Wilson, Richard Puffer, Elton Brown, Robert R. Kraft, Jack Davis, Bob Holman, Morris Haberman, Walter Minger, John D. Donker, Blaine M. Gowan, Jr, Doris Ridley, George McCready, Betty McRae, Carolyn Fraser, Marie Spurrier, Nedra M Utech, Raymond Fisher, Jane B. Vansell, Louis F. Claeys, Edna B Claeys, John E. Brazil, Jr., Doane Stewart, Ruth Jeanne Weitze, Jack E. Adams, Agnes C Falenzer, Robert Emmons, Jack Allen, Phoebe Chapman, Malyn Mibnet, Alden L. Ingalls, Herbert A. Laskey, William Chartes, Harold R. Holones, James Elden McFarland, Jr, Wade Denilse, John Corens, Wallace Brown, Robert Mason, Jack Himmelweight, George C. Madsen, Tom Kilday, Erwin Frederickson, Phillip Thompson, Walter Murphy, Helene Johnson, Margaret Jackson, Leona Hansen, Ralph Wiesjohn, R. W. Bohlander, Peter Merrill, Jerry Hendricks, Patricia Fritz, Joe Roseborough, Ross Johns, Willie Otto, Florence Jank, Norman Golden, Clayton Brown, John O. Hoy, Jr, Marion Findlay, Bob Copp, Charles Ginsburg, Robert Rogers, Margaret Howell, Sara Kerr, Edward F. Cook, Ellwood Ford, Cameron Girton, Jack Stevens, Henry Nishi, Harold Conrad, Warren N. Stoner, Lloyd R. Smith, Arthur L. Seeley, Toni Fatjo, Clayton Wulff, Juanita Sterner, Margaret Miracle, Edward Orr, Mary Jeanne Gilhooly, Palma Jean Linville, Rosemary Long, Wendell R. Shipman, John A Tingley, Patrick Bowman, Fred H. Reynolds, Jack Howaitti, John R. Fitsworth, H. J. Purfield, Jr, Wm Hapgood, Leo McEnnerney, George Shutes, Frank Jordan, Donald Martin, Beverly Wilson, George Maroni, Joe Hull, Mary Jo Kelly, Charles Read, Edwin P. Hadsell, Laverne Donker, Harold Stanley, Boyd Harrold, Bou Harry, Nasoul Azzonni, Arnold Crawford, Mary Lou Lafont, Mildred K McGowan, Petro C. Gaines, Harry S. Lewis, R. W. Reynolds, David W. Lowsley, Kenneth Martin, Rodorgo Lamayea, Ruben Callejas, Richard Carbonnel, Robert Hiringer, John Wetzel, Gregory Langher. Jordan Smith, Byron McNamara, Dick Jacobsen, William Oliver McGeehon, G. H Goodale, Harry Evans, Bob Cardwell, Jack Cardwell, A. K. Baker, William E. Barnes, Pete Hatch, George Williams, Neal Hillman, Dale Hillman, Leonard Bonham, Bud Porter, Eugene G. Cakin, Mary Jane Levin, John Selkerts, George Gray, Paul G. Budesa, Elton Tobiassen, Bernard B. Burno, Judson G. Bowden, Nick A. Vallerga, Les Heringer, Allen Sherman, L W Cochran, R McKeen, Robert Watwood, Lois Weston, Myrtle Atwood, Robert E. Ward, Wm. Latane Sale, Dale G Vironke, Robert Nelson, George M. Roney, Elwin A. Roney, Fred Abbott, Jr., Albert R. Morgan, Jr, DeWitt Parks, Lee H. Broms, Richard B. Tyrel, Russ Guernsey, W E Brown, Jr., Leon Demetreos, Remi C. Connor, Robert Ledguilt, Robert E Herrick, Bernard Siegel, Patricia Duboat, Louise Blackwood, Marylee Holland, Louise Thomas, Amy Bowles, Henry Schleibaum, Bill Rollins, Roy Gallacher, Ed Dennery, A. F. Avery, Jr., J. F. Peconi, Robert P. Seyms, Roy Barron, David Behrent, R G Preitaner, Helen Meade, Dave Christensen and Bob Brubaker.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 47—An act to add Section 337f, 337g and 337h to the Penal Code, prohibiting interference with the natural outcome of horse races, whether by bribery of, or solicitation of bribery by, jockeys, trainers, owners, race-track officials, or other or by the use of drugs, or electrical or mechanical or other appliances, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 10.20 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1085: By Messrs. Desmond, Waters and Green—An act to amend the article heading of Article 6 of Chapter 4, Part 1, Division 7 and Sections 16320, 16322, 16347, 16410, 16411, 16430 and 16451 of, and to add Sections 16330, 16393, 16394, 16395, 16412 to, the Business and Professions Code, relating to the regulation of itinerant merchants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1086: By Mr. Dilworth—An act to amend Sections 1260, 1620.15 and 1260.25 of, and to add two new sections, to be numbered 1260.16 and 1260.17, to the Agricultural Code, pertaining to grain warehouse inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 1087: By Mr. Dilworth—An act to amend Section 120 of the Agricultural Code, relating to nursery licenses.

Referred to Committee on Agriculture.

Assembly Bill No. 1088: By Mr. Dilworth—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning and threshing equipment.

Referred to Committee on Agriculture.

Assembly Bill No. 1089: By Mr. Dilworth—An act to amend Section 121 of the Agricultural Code, relating to moneys to be paid into the Department of Agriculture Fund.

Referred to Committee on Agriculture

Assembly Bill No. 1090: By Mr. Dilworth—An act to add a new section to the Agricultural Code to be numbered 120.5, relating to plant registrations and certifications.

Referred to Committee on Agriculture.

Assembly Bill No. 1091: By Messrs Kilpatrick, Allen, Burkhalter and Poulson—An act to add Section 566 to the Streets and Highways Code, relating to State highways

Referred to Committee on Roads and Highways.

Assembly Bill No. 1092: By Mr. Kellems—An act to add Section 430.5 to the Fish and Game Code, relating to fishing from vessels operating under a permit to transport persons for the purpose of taking fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1093: By Mr. Weybret—An act to amend Section 1 of "An act creating the California Polytechnic School Project Revolving Fund and making an appropriation therefor; providing for the expenditure and replenishment thereof."

Referred to Committee on Education

Assembly Bill No. 1094: By Mr Weybret—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of this act and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying these provisions," approved June 5, 1933, as amended, relating to horse racing, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1095: By Mr. Weybret—An act making an appropriation for the support of the California Polytechnic School.

Referred to Committee on Education.

Assembly Bill No. 1096: By Mr. Weybret—An act making an appropriation for the purchase of land for the California Polytechnic School.

Referred to Committee on Education.

Assembly Bill No. 1097: By Mr. Weybret—An act making an appropriation for minor construction and repairs at the California Polytechnic School.

Referred to Committee on Education

Assembly Bill No. 1098: By Mr. Weybret—An act making an appropriation for construction and improvements at the California Polytechnic School.

Referred to Committee on Education

Assembly Bill No. 1099: By Messrs. Thorp, Stream and Cassidy—An act to add Section 673 9 to the Vehicle Code, relating to devices for arresting burning carbon or sparks emitted from exhausts of vehicles operated over private property.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1100: By Mr. Lowrey—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Referred to Committee on Live Stock and Dairies

Assembly Bill No. 1101: By Mr. Cooke—An act to add Section 1552 3 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare in regard to aid to needy children.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 1102: By Mr Cooke—An act to add Section 2184 5 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare under the Old Age Security Law.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1103: By Mr. Cooke—An act to add Section 3086.5 to the Welfare and Institutions Code, relating to the powers and duties of the State Board of Social Welfare in regard to aid to needy blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1104: By Mr. Bashore—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetration of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1105: By Mr. Doyle—An act to add Section 6726 5 to the Welfare and Institutions Code, relating to patients paroled from State hospitals.

Referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1106: By Mr. Green—An act to amend Section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public

officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and payment of the prevailing rate therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1107: By Mr. Hawkins—An act to add Section 3863 to the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1108: By Mr. Kepple—An act relating to poor litigants.

Referred to Committee on Judiciary General.

Assembly Bill No. 1109: By Mr. Kepple—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, as amended, by adding a new section thereto to be numbered Section 5, relating to the reconversion of registered bonds into coupon bonds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1110: By Mr. Meehan—An act to add Section 395.2 to the Military and Veterans' Code, relating to employees of school districts performing military services.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1111: By Mr. Pfaff—An act to amend Section 1600 of Chapter 13 of the Probate Code, relating to request for special notice after the issuance of letters of guardianship.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1112: By Mr. Thorp—An act to add a new section to the Agricultural Code to be numbered 766.5, relating to canning tomato standards and inspection.

Referred to Committee on Agriculture

Assembly Bill No. 1113: By Mr. Thorp—An act to add Section 873 to the Agricultural Code, relating to the inspection of canned fruits and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 1114: By Mr. Thurman—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

Referred to Committee on Judiciary General.

Assembly Bill No. 1115: By Mr. Thurman—An act to amend Section 619.5 of the Fish and Game Code, relating to Mackinaw trout.

Referred to Committee on Fish and Game.

Assembly Bill No. 1116: By Mr. Thurman—An act to amend Section 62 and to repeal Section 141 of the Fish and Game Code, relating to fish and game districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 1117: By Mr Thurman—An act to amend Section 62 6 of the Fish and Game Code, relating to Fish and Game District 1½.

Referred to Committee on Fish and Game.

Assembly Bill No. 1118: By Mr. Thurman—An act to amend Section 610 of the Fish and Game Code, relating to trout season and bag limits.

Referred to Committee on Fish and Game

Assembly Bill No. 1119: By Messrs. Welch and Phillips—An act to add Section 120.5 to the Agricultural Code, relating to seed dealers.

Referred to Committee on Agriculture.

Assembly Bill No. 1120: By Mr. Bashore—An act to add Section 219 1 to the Penal Code of the State of California, relating to vehicles of common carriers, when wrecked, punishment.

Referred to Committee on Public Utilities.

Assembly Bill No. 1121: By Mr. Hugh M. Burns—An act to amend Section 55 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1122: By Mr Hugh M Burns—An act to amend Section 1 of, and to add Sections 1a, 2e, 2f, and 2g, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of the persons by whom the materials from which food is prepared or the finished product is handled, providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same, providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1123: By Mr. Hugh M. Burns—An act to add Chapter 4 comprising Sections 26700 to 26795, inclusive, to Division

21 of the Health and Safety Code, relating to the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and complexion soap, and providing penalties for the violation thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1124: By Mr. Hugh M. Burns—An act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil, approved March 10, 1891,' approved March 23, 1893," relating to imitation olive oil.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1125: By Messrs. Bennett and Salsman—An act to add Division 4, comprising Sections 2800 to 3012, Division 5, comprising Sections 3200 to 3554, Division 6, comprising Sections 4000 to 4677, Division 7, comprising Sections 5000 to 6794, Division 8, comprising Sections 7000 to 7476, Division 9, comprising Sections 8000 to 8062, Division 10, comprising Sections 8500 to 8851, Division 14, comprising Sections 18000 to 19291, Division 15, comprising Sections 22000 to 22202, and Division 50, comprising Section 50000, to repeal the division heading of Division 20, and to amend by renumbering Sections 10000, 10001, 10002 and 10003 to be Sections 50001, 50002, 50003 and 50004 respectively, of the Streets and Highways Code, thereby consolidating and revising the law relating to public ways, works and improvements, and including but not limited to procedures for making, maintaining and financing the same, and to repeal certain acts or parts of acts specified herein

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1126: By Mr. Field—An act to regulate the manufacture, sale, distribution, use and possession of explosives, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1127: By Mr. Frederick F. Houser—An act to add Section 441.5 to the Vehicle Code, relating to reports of repairs to fenders and bumpers of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1128: By Mr. Dilworth—An act to add Sections 990.5, 990.6 and 994 to the Fish and Game Code, relating to persons applying for or holding commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1129: By Mr. Poulson—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, to repeal Sections 658 and 679 of the Political Code, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1130: By Mr. Poulson—An act to amend Section 654c of the Penal Code, regulating the advertising of second-hand,

rejected, defective or blemished merchandise or "seconds," or fire, smoke or water damaged foods, drugs, wines or liquors

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1131: By Mr. Poulson—An act to add Section 282 to the Vehicle Code, relating to the furnishing of photographs with applications for drivers' licenses, and the affixing of such photographs to such licenses.

Referred to Committee on Motor Vehicles.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 47

At 11.56 a m., on motion of Mr Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 47 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1132: By Mr. Poulson—An act to amend Sections 3000, 3041, 9701 and 11121 of the Elections Code of the State of California, relating to elections, and the procedure for municipal elections.

Referred to Committee on Elections.

Assembly Bill No. 1133: By Mr. Bashore—An act to amend Section 560 of the Vehicle Code, relating to rights and duties of pedestrians

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1134: By Mr. Call—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1135: By Messrs. Lowrey, Clarke, Knight, T. Fenton; Thorp and Thurman—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1136: By Miss Miller—An act to amend Sections 6.195, 6.198 and 6.199 of the School Code, relating to payment by governing boards of commissions for the sale or lease of property.

Referred to Committee on Education

Assembly Bill No. 1137: By Mr. Phillips—An act to amend Section 1168 of the Penal Code, relating to sentences, imprisonment and parole of prisoners.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1138: By Mr. Stream and Mrs. Daley—An act to amend Sections 3696, 3699, 3705 and 3706 of, and to add Section 3707 to the Revenue and Taxation Code, relating to property taxation, including sales at public auction of tax-deeded property.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1139: By Messrs. Watson, Knight, T. Fenton, and Thorp—An act to add Section 4257 to the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1140: By Messrs Watson, Knight, T. Fenton, and Leonard—An act to add Section 82.5 to the Agricultural Code, relating to boards of directors of district agricultural associations.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1141: By Mr. Richie—An act to amend Section 953d of the Code of Civil Procedure, relating to notice of entry of judgment.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1142: By Mr. Richie—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1143: By Mr. Richie—An act to amend Section 1033 of the Code of Civil Procedure, relating to costs in trial courts

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1144: By Mr. Voigt—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code and to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle.

Referred to Committee on Public Utilities.

Assembly Bill No. 1145: By Messrs Burns, Hugh M., and Turner—An act imposing a tax on mineral and oil rights, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1146: By Mr. Frederick F. Houser—An act to amend an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," Statutes of 1921, page 370, as amended by Statutes of 1937, page 1536, providing a procedure for the disposition of exhibits filed with the court in criminal cases and declaring for the property to be contraband, and providing for the seizure, confiscation and destruction of such contraband property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1147: By Mr Leonard—An act to amend Section 1083 of the Agricultural Code, relating to commercial feeding stuffs

Referred to Committee on Agriculture

Assembly Bill No. 1148: By Messrs. Leonard and Johnson—An act to add a section to be known as Section 1 124 to the School Code, relating to absence of pupils from school for dental services.

Referred to Committee on Education.

Assembly Bill No. 1149: By Mr. Leonard—An act to amend Section 92 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1150: By Mr. Leonard—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833 3, 3857.2 and 3859 20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860 01 to 3860.32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation," approved June 1, 1940, and to repeal an act entitled "An act to amend Section 33 of an act entitled 'An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4.3, consisting of Sections 3534 to 3562, and Chapter 4.6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773.2, 3785.4, 3785.5 and

3785 6 to, and to add Chapter 9b, consisting of Sections 3860.01 to 3860 32, and Chapter 9c, consisting of Sections 3861 1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof,'' approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1151: By Messrs. Leonard, Del Mutolo, Kilpatrick, Burns, Michael J., Bashore, Salsman, Dills, Bennett and Weber —An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3594, 3616, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, and to repeal Chapter 4.6, consisting of Sections 3571 to 3578, inclusive, of Part 6, Division 1 of, to add Sections 124, 127, 3511.5, 3521, 3543, 3546 5, 3550, 3552, 3594, 3602 5, 3614.5, 3616, 3651, 3661, 3691, 3707.5, 3774, 3807, 4101, 4108 5, 4111, 4112, 4113 and 4147 to, and to amend the title of Chapter 5, Part 6, Division 1 of the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785 5, 3785.6, 3833.3, 3857.2, 3859.20 and 3860.20 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1152: By Mr. Middough—An act to amend Sections 630 and 631 of the Probate Code, and to repeal Section 631.1 thereof, relating to summary probate proceedings.

Referred to Committee on Judiciary General.

Assembly Bill No. 1153: By Mr. Phillips—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Blind.

Referred to Committee on Public Charities and Corrections

Assembly Bill No. 1154: By Mr. Phillips—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1155: By Mr. Dilworth—An act to add Section 10253 7 to the Health and Safety Code, relating to birth certificates of children born in California and adopted elsewhere.

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 1156: By Mr. Evans—An act to amend Section 1203a of the Penal Code, relating to probation.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1157: By Mr Evans—An act to add Sections 317 and 317 1 to the Penal Code, relating to escort services, prohibiting the advertisement thereof, declaring places wherein they are conducted a nuisance, and providing a method for their abatement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1158: By Mr. Bashore—An act making an appropriation for the purchase of land at Pacific Colony-State Narcotic Hospital.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1159: By Mr. Bashore—An act making an appropriation for construction, improvements and equipment at Pacific Colony.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1160: By Messrs. Bashore and Dills—An act to amend School Code Section 5.460, relating to librarians in elementary and secondary schools.

Referred to Committee on Education.

Assembly Bill No. 1161: By Mr. Bashore—An act to add Section 14450.5 to the Health and Safety Code, relating to county fire protection districts and civil service rates applying thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1162: By Mr. Green—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1163: By Mr. Green—An act to amend School Code Sections 3 122 and 3.172, relating to the admission of pupils to public schools.

Referred to Committee on Education.

Assembly Bill No. 1164: By Mr. F. N. Howser—An act to add Section 1 51 to the School Code, relating to the maintenance of activities by student organizations on property of a school district

Referred to Committee on Education.

Assembly Bill No. 1165: By Mr Voigt—An act to amend Section 1270 and to repeal Section 1270.5 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 1166: By Mr. Voigt—An act to amend Section 1015 of the Fish and Game Code, relating to packing and reduction licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1167: By Mr. Evans—An act to add Section 5.750-1 to the School Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1168: By Mr. Turner—An act to add Section 5.401-1 to the School Code, relating to the employment of teachers in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1169: By Mr. Turner—An act to amend School Code Section 3.673, relating to vacation schools of school districts.

Referred to Committee on Education.

Assembly Bill No. 1170: By Mr. Turner—An act to add Chapter 5a to Part 2 of Division 6 of the School Code, relating to the furnishing of textbooks to students enrolled in junior colleges.

Referred to Committee on State Colleges.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 300—An act to add Section 86 2 to the State Civil Service Act, relating to an oath for civil service employees, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—61

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dills:

House Resolution No. 46

WHEREAS, Mr. and Mrs. C. J. Klosterman of Compton are the parents of 15 children ranging in age from 5 to 28 years, the largest family in the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That Mr. and Mrs. Klosterman are hereby congratulated upon having raised such a large, healthy, and good looking family so successfully; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to forward a suitably prepared copy of this resolution to Mr. and Mrs. Klosterman.

Request for Unanimous Consent

Mr. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 46, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Allen:

House Resolution No. 47

Relating to water shortage at California Veterans' Home in Napa County

WHEREAS, For several years there has been an acute water shortage at the California Veterans' Home in Napa County and at the present time there is only sufficient water to permit the veterans resident at the home to have one shave and one bath a week; and

WHEREAS, At various times in the year it is not possible to pump the water to the second floor of the home; and

WHEREAS, It has been recommended by the Department of Public Works that a dam be constructed in Rector Canyon which is located on Napa State Farm and that the dam be used for impounding the run of Rector's Creek and that this water be made available to the Veterans' Home and other State institutions in that vicinity; and

WHEREAS, In 1937 Senate Concurrent Resolution No. 14 was adopted directing the Director of Finance to enter into a lease and to insert in the State Budget an appropriation so as to assure a continuing supply of water for the Veterans' Home and the State institutions in the vicinity; and

WHEREAS, By Chapter 760 of the Statutes of 1937 three hundred thousand dollars ($300,000) was appropriated to finance such an undertaking; and

WHEREAS, The sum of three hundred fifty thousand dollars ($350,000) was appropriated by Chapter 678 of the Statutes of 1939 out of certain money heretofore appropriated by Chapter 799 of the Statutes of 1937, to be expended by the Department of Finance for the purpose of construction of a dam and water distribution system for the Veterans' Home of California and other State institutions in Napa County in augmentation of the appropriation made therefor by Chapter 760 of the Statutes of 1937; now, therefore, be it

Resolved by the Assembly of the State of California, That the attention of the Director of Finance be directed to the fact that three years have elapsed since the Department of Finance was directed to take action with respect to the water situation in Napa County, and that the State would have to purchase Conn Valley in order to provide adequate water supplies for the Veterans' Home, whereas the watershed of Rector Canyon is located on property already owned by the State; and be it further

Resolved, That the Director of Finance be requested to carry out the original instructions of the Legislature and that the dam be constructed in Rector Canyon within the limits of the 1937 appropriation; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to forward a copy of this resolution to the Director of Finance.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Middough:

House Resolution No. 48

Relating to the restoration to sight of Curley Ayres

WHEREAS, Upon the tenth day of January, 1941, Mr. Curley Ayres of 1401 Park Avenue, Long Beach, was restored to the full use of his visual faculties after having been deprived thereof for the space of two years; and

WHEREAS, Mr. Ayres was a Pony Express rider in Nebraska and Kansas from 1861 to 1863, later drove for the Wells Fargo Express and Stage Company from St. Joseph, Missouri to Wyoming and was employed by the Union Pacific System as an engineer for half a century and has now reached the age of 94; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby congratulates Mr. Ayres and his wife upon their great good fortune and expresses its wishes for many more years of uninterrupted good health, happiness and prosperity to both of them; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to forward a suitably prepared copy of this resolution to Mr. Ayres.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 48, at this time, without reference to committee.

Resolution read and adopted.

REMARKS BY MR. MIDDOUGH ORDERED PRINTED IN THE JOURNAL

On motion of Mr. Tenney, the following remarks by Mr. Middough were ordered printed in the Journal:

Mr. Speaker—Ladies and Gentlemen:

Last evening in this Assembly Chamber many of us enjoyed the Governor's preview of "Land of Liberty." We heard splendid speeches and saw wonderful pictures of Democracy at work.

In the day of my friend and neighbor, about whom this resolution is written, there were no pictures, and few speeches, but there was much action. My fellow townsman and friend was a vital part of that action. He was one of those brave and heroic Pony Express riders in the late '50s and the troublous early '60s. Through the prairies and over the mountains, from darkness of night into the light of day, week after week and year after year he—Curley Ayres—now 94 years old, rode, supplying the connection link between civilized East and the Pioneer West, when the West really was wild.

For many years this gentleman—the last living Pony Express rider—has been totally blind. Then, a few days ago, rising from a fall to the floor on his face, his vision was restored.

"The strangest thing has happened, Mother. I can see your face," he exclaimed.

Again my friend came from darkness into light. It would seem, my Colleagues, that it is fitting that the Assembly honor this worthy citizen of my City of Long Beach.

I ask an "AYE" vote on the resolution.

CONSIDERATION OF SPECIAL ORDER

The hour of 11.30 a.m. having arrived, Senate Bill No. 208 was taken up.

Senate Bill No. 208—An act to add Section 1203b to the Penal Code, relating to granting probation.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 208 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dis-

pensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Middough, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Mr Speaker—57.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 208—An act to add Section 1203b to the Penal Code, relating to granting probation.

Motion to Withdraw and Re-refer Senate Bill No. 208

Mr. O'Day moved that Senate Bill No. 208 be withdrawn from file, and re-referred to the Committee on Crime Problems.

Roll Call Demanded

Messrs. Turner, Pelletier and Dickey demanded a roll call.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Roll Call Demanded

Messrs. Lyon, Tenney and Sawallisch demanded a roll call.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Russell, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—51.

NOES—Allen, Call, Collins, Sam L., Hastain, Knight, John B, Potter, Sawallisch, Stream, Tenney, and Mr Speaker—10.

Time, 11.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RE-REFERENCE OF SENATE BILL NO. 208

At 12.29 p.m, on motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to re-refer Senate Bill No. 208 lost by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D, Cooke, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Lowrey, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Turner, and Welch—30

NOES—Allen, Bashore, Bennett, Burns, Hugh M., Call, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Evans, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Meehan, Miller, Pfaff, Phillips, Potter, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—46

Senate Bill No. 208—An act to add Section 1203b to the Penal Code, relating to granting probation.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—75

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 47

And reports the same correctly re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 600
Assembly Bill No 601
Assembly Bill No. 602
Assembly Bill No. 603
Assembly Bill No 604
Assembly Bill No 605

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 102
Assembly Bill No. 285
Assembly Bill No. 566
Assembly Joint Resolution No. 4

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 970

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER Your Committee on Rules, to which was referred

Assembly Bill No. 637

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

LYON, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 291

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 515

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Acting Chairman

Above reported bill ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No 290

Has had the same under consideration, and respectfully reports the same back with the recommendation. Do pass

FIELD, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 515—An act making an appropriation to pay the claim of Nell E. Whitaker against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 637—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 1, of the printed bill, after the word "of", insert "Twenty-five thousand"

Amendment No. 2

On page 1, line 1, of the printed bill, after the figure "$", insert "25,000"

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 970—An act to amend Sections 763.5, 1641, 1648, 1648.6, 1664, 1670, 1671, 1679 and 1731 of, to add Sections 755.5, 1639, 1645.5, 1648.7, 1679.2 and 12280.2 to, and to repeal Sections 753, 754, 1703.8 and 1703.9 of, the Insurance Code, and to add Article 1.5, comprising Sections 1690 to 1691, inclusive, to Chapter 5, Part 2, Division 1, and Chapter 8, comprising Sections 1831 and 1831.5, to Part 2, Division 1 of the Insurance Code, all relating to insurance; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On the last page of the printed bill, after the last line insert

"SEC. 20. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution of the State of California. The following is a statement of the facts constituting such necessity

Under present provisions of the Insurance Code persons licensed to transact insurance who have been and will be called into the military service of the United States in the present emergency will forfeit their licenses and suffer loss of their business. By providing for the preservation of the licenses of such persons during such military service and by making it possible for such persons to designate other persons to care for their businesses during such military service under the jurisdiction of the Division of Insurance, this act will contribute to the public peace, health, and safety. Other provisions of this act eliminate conflicts in the laws relating to applications for, and issuance and renewal of, licenses, which conflicts have resulted in the imposition of penalties on persons who have endeavored in good faith to comply with the law. It is essential that a change be made before the next renewal license period begins in order to avoid such harsh results which appear to be inevitable under the present law. Other provisions of this act eliminate provisions of the law which are obsolete in fact and which are not adapted to present

conditions The enforcement of such laws has caused much uncertainty and confusion among persons transacting insurance and those dealing with them to the detriment of the public peace, health and safety and it is desirable that these conditions be eliminated with a minimum of delay Other provisions of this act clarify the status of many persons who perform acts in connection with insurance which under literal interpretation of the present law may require the possession of a license to transact insurance although in the past it has been generally considered that it was not necessary to possess a license in order to perform such acts. The public interest not requiring that such persons be licensed to transact insurance an immediate clarification of the status of such persons is necessitated by the public peace, health and safety "

Amendment read and adopted

Bill ordered printed, and engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 290—An act to validate the organization and boundaries of fire protection districts, the acts and proceedings of the governing bodies thereof, and taxes and assessments levied in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 291—An act to add Section 4004.5 to the Political Code, relating to loans by counties to fire districts, validating loans heretofore made, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RECESS

At 12 45 p m., on motion of Mr. Lyon, the Assembly recessed until 2 30 p m.

REASSEMBLED

At 2 30 p m , the Assembly reconvened.

Hon Gordon H. Garland, Speaker of the Assembly, presiding.

Call of the Assembly

Mr. Weber moved a call of the Assembly

Motion carried. Time, 2 35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1171: By Mr. Allen—An act making an appropriation to pay the claim of James T. Welsh against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1172: By Mr. Andreas—An act to amend Section 4605 of the Labor Code of the State of California, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1173: By Mr Bashore—An act making an appropriation for the purchase of water stock at Pacific Colony-State Narcotic Hospital.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1174: By Mr. Bashore—An act to add Section 2 to an act entitled "An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school," approved June 12, 1931.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1175: By Mr. Bennett—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1176: By Mr. Bennett—An act making an appropriation to pay the claim of the United States against the Department of Employment.

Referred to Committee on Ways and Means.

Assembly Bill No. 1177: By Mr. Bennett—An act to add Sections 39, 40, 41, 41.1, 41.2, 41.3 and 42 to, and repeal Sections 39, 40, 41 and 42 of, the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Referred to Committee on Unemployment.

Assembly Bill No. 1178: By Mr. Bennett—An act to amend Sections 37, 41.5, 44, 45.1, 45 2, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 45.10, 45.11, 46, 46.1 and 46 2, to amend and renumber Section 44 2 of, and to add Sections 44 2, 44 3 and 45 12 to, the Unemployment Insurance Act, relating to contribution and collection and refunding thereof.

Referred to Committee on Unemployment.

Assembly Bill No. 1179: By Mr. Burkhalter—An act to add Section 7 7 to the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 1180: By Mr. Cain—An act to add Section 36 to the Political Code, relating to leases, sales and exchanges of real property conveyed to a political corporation or governmental agency for public purposes.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1181: By Mr. Call—An act to add Section 136d to the Bank Act, relating to the disposition of the assets of a bank in the process of liquidating which assets are impressed with a trust and the beneficiaries of which are unknown or can not be located.

Referred to Committee on Banking.

Assembly Bill No. 1182: By Mr. Crowley—An act making an appropriation for the employment of additional hospital attendants at the Napa State Hospital to eliminate the necessity of present hospital attendants working broken shifts and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1183: By Mr. Crowley—An act to add a new section to the Political Code to be numbered 10.5, relating to time off for legal holidays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1184: By Mr. Del Mutolo—An act to amend Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Referred to Committee on Fish and Game.

Assembly Bill No. 1185: By Mr Del Mutolo—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Referred to Committee on Fish and Game.

Assembly Bill No. 1186: By Messrs Gallagher, O'Day, Green, Maloney, Gaffney, Welch, Wollenberg, Collins, George D., and Cronin—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the Harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire.

Referred to Committee on Governmental Efficiency and Economy.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1186

Mr. Gallagher moved that Assembly Bill No. 1186 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Commerce and Navigation.

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

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—54.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1187: By Messrs. Crowley, Allen, Tenney, Doyle, Voigt, Poole, Cassidy and Meehan—An act making an appropriation for the construction of buildings at the Veterans Home at Yountville.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1188: By Mr. Dills—An act making an appropriation for construction, improvements, and equipment at the Norwalk State Hospital.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1189: By Mr. Dilworth—An act to amend Section 8, and to repeal Section 9, of the Community Recreation Enabling Act of 1939, relating to the qualifications of employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1190: By Mr. Evans—An act to amend Sections 53, 141, 284, 285, 287, 289, 290, 291, 292, 293, 296, 300 and 330 of, to repeal Sections 282, 286, 288 and 295 of, and to add Sections 193, 296½, 301, 302, 303, 304, 305, 306 and 307 to, the Military and Veterans Code, relating to military and veterans' affairs and making an appropriation, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 1191: By Messrs. Maloney and Gallagher—An act to repeal Sections 22.5 and 24.5 of, and to add Sections 22.5 and 24.5 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1192: By Messrs. Maloney and Gallagher—An act to amend Section 20, and repeal Section 24 of, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1193: By Messrs. Maloney and Gallagher—An act to amend Section 27 of, repeal Section 23 of, and add Section 23 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment

Assembly Bill No. 1194: By Messrs. Maloney and Gallagher—An act to amend Sections 37, 41.5, 44, 45.1, 45.2, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 45.10, 45.11, 46, 46.1 and 46.2, to amend and renumber Section 44.2 of, and to add Sections 44.2, 44.3 and 45.12 to, the Unemployment Insurance Act, relating to contributions and the collection and refunding thereof.

Referred to Committee on Unemployment.

Assembly Bill No. 1195: By Mr. Hastain—An act to amend Section 4.375 of the School Code, relating to school district taxes.

Referred to Committee on Education.

Assembly Bill No. 1196: By Mr. Hastain—An act to add Section 3362 to the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1197: By Messrs. Maloney, Leonard, Gallagher, Andreas, Bashore, Stream, O'Day, Hawkins, Burns, Hugh M., and Mrs. Daley—An act to amend Section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1198: By Mr. Robertson—An act to add Section 5267.5 to the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1199: By Messrs. Kilpatrick and Burkhalter—An act to amend Sections 7921 and 7961 of the Elections Code, relating to the canvass of returns by the registrar of voters.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1200: By Messrs. Kilpatrick and Burkhalter—An act to add a new section to the Elections Code to be numbered 7803.1, relating to the canvass of absent voter ballots.

Referred to Committee on Elections.

Assembly Bill No. 1201: By Messrs. Kilpatrick and Burkhalter—An act to amend Section 7805 of the Elections Code, relating to challenges of absent voters.

Referred to Committee on Elections.

Assembly Bill No. 1202: By Messrs. Kilpatrick and Burkhalter—An act to add Section 7799 to Article 1 of Chapter 6 of Division 9 of the Elections Code, relating to the counting and canvassing of absent voter ballots by the registrar of voters.

Referred to Committee on Elections.

Assembly Bill No. 1203: By Miss Miller—An act to add Section 3.371 to the School Code, relating to the payment of tuition fees by students attending junior colleges

Referred to Committee on Education.

Assembly Bill No. 1204: By Messrs. Leonard and Thurman—An act to add Article 7 to Chapter 1 of Part 5 of Division 3 of the School Code, relating to the establishment of courses in military science and tactics in the public secondary schools

Referred to Committee on Education.

Assembly Bill No. 1205: By Mr. Kellems—An act to amend Section 7137 and to repeal Section 7139 of the Business and Professions Code, relating to the regulation of contractors

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1206: By Mr. Kilpatrick—An act making an appropriation for purchase of land and for construction and equipment of workshop, offices, and storeroom for the Industrial Workshop for the Blind in Los Angeles.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1207: By Mr. Lyon—An act to provide for the formation of districts within municipalities, for the providing of parking space for automobiles; for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, lanes, alleys, public auto parks, and public right of ways within such districts necessary or convenient therefor; for the condemnation of property or of any interest therein necessary or convenient therefor; for work in or upon any such places including property over which possession and right of use has been obtained under the provisions of Section 14, of Article I, of the Constitution in such districts; for the acquisition and construction of public improvements, works, and equipment necessary or convenient therefor; for the maintenance of such districts and the public improvements, works, and equipment thereof; for the issuance, sale, and payment of bonds of such districts to meet the cost thereof; for the levy of assessments; and providing for aid from any county, municipality, State, or the Federal Government, or any department thereof.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1208: By Mr Lyon—An act to add Sections 3618 to 3627, both inclusive, to the Revenue and Taxation Code, relating to actions for quieting title to tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1209: By Mr. Lyon—An act to amend Sections 126, 130, 133, and 292, and to add Sections 126.4, 126.6, and Article 8, consisting of Sections 380 to 388, inclusive, to Chapter 2 of Division 1, of the Elections Code, relating to registration of voters

Referred to Committee on Elections

Assembly Bill No. 1210: By Mr. Lyon—An act to add Section 5567 to the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections.

Assembly Bill No. 1211: By Mr. Lyon—An act to amend Section 4658 of the Revenue and Taxation Code, relating to the distribution of delinquent penalties.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1212: By Mr. Richie—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896, and 2899 of, and to repeal Sections 2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections.

Assembly Bill No. 1213: By Mr. Richie—An act to amend Section 10 of the Unemployment Relief Appropriation Act of 1940, and to amend Section 2555 of the Welfare and Institutions Code, relating to the relief of hardship and destitution.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1214: By Mr. George D. Collins—An act to add a new section numbered 690 26 to the Code of Civil Procedure, to exempt a cause of action from sale on execution.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1215: By Mr. Green—An act to add a new section to the Unemployment Insurance Act to be numbered 73, relating to judicial proceedings involving determinations of the California Employment Commission.

Referred to Committee on Unemployment.

Assembly Bill No. 1216: By Mr. Green—An act to add a new section to the Unemployment Insurance Act to be numbered 57.1, relating to the qualifications for eligibility for unemployment insurance benefits

Referred to Committee on Unemployment.

Assembly Bill No. 1217: By Mr. Green—An act to add a new section to the Unemployment Insurance Act to be numbered 14, relating to the definition, for purposes of determining eligibility for unemployment insurance benefits, of "work," "job," and "employer."

Referred to Committee on Unemployment

Assembly Bill No. 1218: By Mr. Meehan—An act to add Section 110b to the Code of Civil Procedure, relating to the term of office of justices of the peace in cities of the second class

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1219: By Mr. McCollister—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California, lying east of D Street in said city, to property owners whose lands abut thereon, or to persons occupying said land.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1220: By Mr. F. N. Howser—An act to amend Section 12710 of the Business and Professions Code, relating to public weighmasters and double draft weights.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1221: By Messrs. Maloney and Gallagher—An act to amend Sections 52, 53, 54, 56 5, 57, 60, 66, 68, 69, 70, 72, 75, 92, 93.5, 95, 96, 97, 100, 101, 102 and 111, to amend and renumber Section 71 of, to add Sections 56.6, 56.7, 72 5, 95.2, 95.5, 96 2, 96.5 and 96.7 to, and to repeal Sections 52.1, 52 2, 92 5 and 94 of, the

Unemployment Insurance Act relating to a system of unemployment insurance.

Referred to Committee on Unemployment

Assembly Bill No. 1222: By Messrs. Maloney and Gallagher—An act to add Section 28 to the Unemployment Insurance Act, relating to the obligations of this State for funds received from the United States, and to provide that this act take effect immediately.

Referred to Committee on Unemployment.

Assembly Bill No. 1223: By Messrs. Maloney and Gallagher—An act to amend Sections 2, 6, 6 5, 7, 7 5, 8.5, 9.2, 9.7, 9.8, 10, 11, 13 and 15 of, and to add Sections 6.2, 6 3, 7 3 and 11 1 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1224: By Mr. Carlson—An act to add Section 17 to an act entitled "An act to establish courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to extra sessions of such police courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1225: By Mr. Carlson—An act to amend Section 6 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, to provide for officers of said courts, to fix compensation of certain officers," approved March 23, 1901, relating to police courts in cities of the second class, the term of office of clerk, providing for assistant clerks, and relating to payment of fines, forfeitures, penalties and moneys deposited as bail.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1226: By Mr. Carlson—An act to amend Section 103k of the Code of Civil Procedure, relating to justices' clerks, assistant clerks and payment of fines, forfeitures, penalties or moneys deposited as bail in justice courts in cities of the second class.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1227: By Mr. Carlson—An act to add Section 103m to the Code of Civil Procedure, relating to extra sessions of justice courts in cities of the second class.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1228: By Mr. Call—An act to amend Section 1720 of the Labor Code of the State of California relating to public works and printing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1229: By Messrs. Call, Dickey and Salsman—An act to add Section 845 5 to, and to repeal Sections 860, 861, 865, 880 and 881 of, the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1230: By Mr. Crowley—An act to amend Sections 7331, 7332, 7333 and 7342 of the Business and Professions Code, relating to educational requirements and training for the practice of cosmetology and electrology, and disciplinary action for violations thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1231: By Mr. Michael J. Burns—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Humboldt State College.

Referred to Committee on State Colleges

Assembly Bill No. 1232: By Mr. Michael J. Burns—An act making an appropriation for the support of the Humboldt State College

Referred to Committee on State Colleges.

Assembly Bill No. 1233: By Mr. Dilworth—An act to amend Section 510 of the Agricultural Code, relating to frozen milk and cream products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1234: By Mr. Evans—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees in military or naval service.

Referred to Committee on Soldiers and Sailors Affairs

Assembly Bill No. 1235: By Mr. Evans—An act to add a new section to the Civil Code, to be numbered 607G, relating to the licensing, regulation and supervision of societies for the prevention of cruelty to children and animals

Referred to Committee on Public Morals.

Assembly Bill No. 1236: By Mr. Evans—An act to amend Section 101 of the Welfare and Institutions Code, relating to the State Social Welfare Board.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 1237: By Mr. Gunlock—An act making an appropriation to pay the claim of the Downieville Flood Rehabilitation Association against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1238: By Mr. Hawkins—An act relating to marking retreaded, recapped and recut vehicle tires

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1239: By Mr. Maloney—An act to add Section 687 to the Vehicle Code, relating to sleeping facilities on motor trucks.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1240: By Mr. Millington—An act to amend Section 737d of the Political Code, relating to the salary of the judge of the superior court in and for the County of Butte

Referred to Committee on County Government.

Assembly Bill No. 1241: By Mr. McCollister—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California Maritime Academy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1242: By Mr. Kellems—An act to amend Section 453 of the Fish and Game Code, relating to the possession of game birds and animals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1243: By Mr. Phillips—An act providing employment for inmates of State prisons and reformatories and to establish a Prison Farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1244: By Mr. Phillips—An act to add Article 2 to Chapter 2 of Part 2 of Division 3 of the School Code, relating to the supervision of instruction in elementary schools

Referred to Committee on Education.

Assembly Bill No. 1245: By Mr. Potter—An act to amend an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under Section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests" commonly known and designated as State Boxing and Wrestling Act.

Referred to Committee on Public Morals.

Assembly Bill No. 1246: By Mr. Poulson—An act to add Section 5041 5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on accountants, declaring the urgency thereof, and to take immediate effect.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1247: By Messrs. Sawallisch and Burns, Hugh M. —An act to add Section 172 5 to the Penal Code, relating to selling, giving away, or exposing for sale alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1248: By Mr. Stream and Mrs. Daley—An act to amend Section 1 70 of the School Code, relating to transportation of pupils

Referred to Committee on Education.

Assembly Bill No. 1249: By Messrs. Tenney, Middough, Howser, F. N., Cooke, Thomas, Kellems, Voigt and Robertson—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1250: By Mr. Thorp—An act to amend Section 828.4 of the Agricultural Code, relating to standard containers for fruits.

Referred to Committee on Agriculture.

Assembly Bill No. 1251: By Mr. Wollenberg—An act to add Sections 1716 and 1716.5 to the Civil Code, and Sections 442.5, 667.5, and 938.5 to the Code of Civil Procedure, all relating to contribution and indemnity between, and the release of, joint tort feasors.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1252: By Mr. Wollenberg—An act to amend Section 714 of the Code of Civil Procedure, relating to examination of judgment debtor.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1253: By Mr. Wollenberg—An act to amend Section 537 of the Code of Civil Procedure, relating to attachment.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1254: By Mr. Wollenberg—An act to amend Section 717 of the Code of Civil Procedure, relating to examination of judgment debtor.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1255: By Mr. Wollenberg—An act to amend Section 559½ of the Code of Civil Procedure, relating to alias writs of attachment.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1256: By Messrs. Wollenberg, Phillips and Bennett—An act to amend Section 20 of the "California Small Loan Act," as set forth in Chapter 953 of the Statutes of 1939 and as set forth in Chapter 1045 of the Statutes of 1939, relating to licensing and regulating persons engaged in the business of making loans in the amount of three hundred dollars ($300), or less, and brokers engaged in the business of negotiating said loans, and penalties for violation of the "California Small Loan Act."

Referred to Committee on Financial Institutions.

Assembly Bill No. 1257: By Messrs. Wollenberg, Phillips and Bennett—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, so as to define industrial loan companies, provide for their incorporation, powers and supervision; and regulate the rates of interest and other

charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1258: By Messrs. Wollenberg, Phillips and Bennett—An act to amend Section 21 of the "Personal Property Brokers Act," as revised by Chapter 952 of the Statutes of 1939 and as revised by Chapter 1044 of the Statutes of 1939, relating to licensing and regulating persons engaged in the business of a personal property broker and persons in the business of acting as brokers in connection with loans to be made by personal property brokers and providing penalties for violation of the Personal Property Brokers Act.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1259: By Messrs. Wollenberg, Phillips and Bennett—An act regulating interest, brokerage and all other charges on loans or forbearances of money, goods and things in action and on accounts after demand and on judgments rendered over three hundred dollars ($300) made by persons licensed under the "California Small Loan Acts."

Referred to Committee on Financial Institutions

Assembly Bill No. 1260: By Messrs Wollenberg, Phillips and Bennett—An act regulating interest, brokerage and all other charges on loans or forbearances of money, goods and things in action and on accounts after demand and on judgments rendered over three hundred dollars ($300) made by licensed personal property brokers.

Referred to Committee on Financial Institutions

Assembly Bill No. 1261: By Messrs. Wollenberg, Phillips and Bennett—An act to amend Section 4 of an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended, relating to industrial loan companies, the regulation and powers thereof and right of review.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1262: By Mr. Waters—An act to amend Sections 7055, 7350, 7355, 7402, 7406, 7407, 7501 and repeal Sections 7408, 7409, 7550, 7551, 7552, 7553, 7554, 7555, 7556, 7557, 7558 and 7559 of the Health and Safety Code, relating to dead human remains and permits concerning them.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1263: By Mr. Waters—An act to amend Sections 10008, 10112, 10118, 10200, 10325, 10326, 10327, 10328, 10330, 10375, 10427, 10451 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10626, of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

Assembly Bill No. 1264: By Mr. Waters—An act to add Section 758b to the Political Code, and to amend Section 758 of the Political

Code, relating to the officers of the district courts of appeal and to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District, and making an appropriation therefor.

Referred to Committee on Judiciary General.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 3.15 p.m., on motion of Mr. Hugh M. Burns, further proceedings under the call of the Assembly were dispensed with.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 596—An act to add Chapter 3, comprising Sections 1200 to 1305, inclusive, to Division 2 and to add Section 30035 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of clinical laboratory technologists and clinical laboratory technicians, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 596:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS

ASSEMBLY BILL No. 596

"An act to add Chapter 3, comprising Sections 1200 to 1305, inclusive, to Division 2 and to add Section 30035 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of clinical laboratory technologists and clinical laboratory technicians, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 596 as an emergency measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Muddough, Miller, Millington, Pelletier, Phillips, Poole, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1265: By Mr. Waters—An act making an appropriation to pay the claim of D. L R. Pratt against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1266: By Mr. Waters—An act making an appropriation to pay the claim of Highway Motor Company against the State of California

Referred to Committee on Ways and Means

Assembly Bill No. 1267: By Mr. Waters—An act making an appropriation to pay the claim of Louis Melvin Pierovich against the State of California

Referred to Committee on Ways and Means.

Assembly Bill No. 1268: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 372, 704 and 705, and to repeal Sections 702 and 703 of the Vehicle Code, relating to weight limitations imposed upon vehicles and combinations of vehicles, and the registration thereof.

Referred to Committee on Motor Vehicles

Hon. Hugh M. Burns Presiding

At 3 35 p m , Hon Hugh M Burns, member of the Assembly from the Thirty-sixth District, presiding.

Assembly Bill No. 1269: By Messrs Sawallisch, Bashore and Cronin—An act to amend Section 511 of the Vehicle Code, relating to speed

Referred to Committee on Motor Vehicles

Assembly Bill No. 1270: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 750 of the Vehicle Code, relating to uniforms and equipment of the California Highway Patrol.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1271: By Messrs. Sawallisch, Cronin and Bashore—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511 2, 511 3, 511 4 and 511 5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1272: By Messrs Sawallisch, Cronin and Bashore—An act to amend Section 128 of, and to add Sections 124.1 and 128 5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1273: By Messrs. Sawallisch, Bashore and Cronin—An act to amend Section 130.1 of the Vehicle Code, relating to the use of the records of the department.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1274: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 158, 162, 178, 179, 183 and 226 of, and to add Section 195.5 to, the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1275: By Messrs. Sawallisch, Cronin, Bashore and Stream—An act to add Section 164.7 to the Vehicle Code, relating to stolen or embezzled vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1276: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees on vehicles

Referred to Committee on Motor Vehicles

Assembly Bill No. 1277: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 375 of the Vehicle Code, relating to fees to be paid by manufacturers, transporters and dealers.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1278: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 382 and 384 of the Vehicle Code, relating to the registration of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1279: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 496 of, and to add Section 479 to, the Vehicle Code, relating to signs.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1280: By Messrs. Sawallisch, Bashore and Cronin—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1281: By Messrs. Sawallisch, Bashore and Cronin—An act to amend Section 755 of the Vehicle Code, relating to evidence concerning criminal prosecutions in civil actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1282: By Messrs Sawallisch, Bashore, Cronin and Stream—An act to amend Section 24204 of the Health and Safety Code, relating to air pressure tanks

Referred to Committee on Motor Vehicles

Assembly Bill No. 1283: By Messrs Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 525, 543 and 553 of, to repeal

Section 604 of, and to add Section 525.5 to the Vehicle Code, relating to the regulation of traffic.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1284: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 596.5 and to repeal Section 597 of the Vehicle Code, relating to the operation and loading of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1285: By Messrs. Sawallisch, Cronin, Bashore and Stream—An act to amend Sections 583 and 586 of the Vehicle Code, relating to the stopping, standing or parking of a vehicle.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1286: By Messrs. Sawallisch, Cronin, Bashore and Stream—An act to add Section 585.1 to the Vehicle Code, relating to custody of vehicles of those arrested for certain crimes.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1287: By Messrs. Sawallisch, Cronin, Bashore and Stream—An act to amend Sections 554, 616 and 675 of the Vehicle Code relating to equipment on vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1288: By Messrs Sawallisch, Cronin, Bashore and Stream—An act to add a new section to be numbered 641 to, and to amend Section 697 of, the Vehicle Code, relating to the condition of a vehicle and its equipment.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1289: By Messrs. Cronin, Bashore and Stream—An act to amend Section 737 of, and to add Sections 517 and 518 to, the Vehicle Code, relating to speed contests.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1290: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to add a new section, to be numbered 660, to the Vehicle Code, relating to the sale of used vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1291: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 623.5, 625, 627, and 694 of the Vehicle Code, relating to lights, other equipment, and loading of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1292: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to add a new section, to be numbered 604.2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1293: By Messrs. Cronin and Stream—An act to add a new section, to be numbered 135.4, to the Vehicle Code, relating

to bail, and the authority of the California Highway Patrol in connection therewith.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1294: By Messrs. Burns, Michael J., Lowrey, Turner, Watson, Thurman and McCollister—An act making an appropriation for the support of the Division of Forestry, to take effect immediately.

Referred to Committee on Natural Resources.

Assembly Bill No. 1295: By Mr. Sheridan—An act to amend Section 2672 of the Elections Code, relating to filing fees of candidates for office.

Referred to Committee on Elections.

Assembly Bill No. 1296: By Mr. Sheridan—An act to amend Section 1305 of the Penal Code, relating to bail.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1297: By Mr. Michael J. Burns—An act to add Section 145.5 to the Agricultural Code, relating to the liability for the expenses of abatement of agricultural pests

Referred to Committee on Agriculture

Assembly Bill No. 1298: By Mr. Michael J. Burns—An act to repeal Section 981, and to amend Sections 980 and 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1299: By Mr. Michael J. Burns—An act to amend Section 665 of the Fish and Game Code, relating to sale of salmon in certain districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 1300: By Mr. Bashore—An act to amend Section 1 of an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relative to the use of public highways for commercial purposes by motor vehicles.

Referred to Committee on Public Utilities.

Assembly Bill No. 1301: By Messrs. Richie, Pelletier and Kilpatrick—An act to regulate the practice of naturopathy, to establish a State Board of Naturopathic Examiners, and to define its powers and duties, to license qualified persons for the practice of naturopathy, to license schools of naturopathy, providing for the revocation and sus-

pension of such licenses, and establishing a special fund for the administration thereof.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1302: By Mr. Russell—An act regulating the installation and maintenance of plumbing and disposal systems in the unincorporated areas of the State of California.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1303: By Mr. Russell—An act to amend Section 81 of the Code of Civil Procedure, relative to justice courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 1304: By Messrs. Kilpatrick and Burkhalter—An act to amend Section 529 of the Vehicle Code, relating to overtaking and passing on the right.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1305: By Mr. Tenney—An act to add Section 3.93 to the School Code, relating to the maintenance of public school classes on Saturday.

Referred to Committee on Education.

Assembly Bill No. 1306: By Messrs. Stream and Leonard—An act to amend Section 602 of the Penal Code, relating to trespass.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1307: By Mr. Kepple—An act to amend Section 3720 of the Political Code of the State of California, relating to the filing of statements and maps by cities and districts.

Referred to Committee on County Government.

Assembly Bill No. 1308: By Mr. Kepple—An act to permit the sale of certain land by the Department of Institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309: By Mr. Kepple—An act making an appropriation for construction, improvements, and equipment at the Whittier State School.

Referred to Committee on Ways and Means.

Assembly Bill No. 1310: By Mr. Salsman—An act making an appropriation for the support of the San Jose State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1311: By Messrs. Stream, Lowrey and Knight, T. Fenton—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Referred to Committee on Education.

Assembly Bill No. 1312: By Mr. Robertson—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Santa Barbara State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1313: By Mr. Robertson—An act making an appropriation for the support of the Santa Barbara State College

Referred to Committee on State Colleges.

Assembly Bill No. 1314: By Mr. Dilworth—An act to amend the heading of Chapter 6 of Part 6 of Division 2 of the School Code, and to add Section 2.2053 to the School Code, relating to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 1315: By Mr. Doyle—An act to amend Section 672 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Referred to Committee on County Government.

Assembly Bill No. 1316: By Mr. Doyle—An act to amend Section 669 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Referred to Committee on Education.

Assembly Bill No. 1317: By Mr. Desmond—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to definition of "unemployed."

Referred to Committee on Insurance.

Assembly Bill No. 1318: By Mr. Waters—An act to add Section 18 to the Unfair Practices Act, relating to exempting certain institutions from the provisions thereof.

Referred to Committee on Judiciary General.

Assembly Bill No. 1319: By Mr. Waters—An act to amend Sections 50 (d) and 50¾ of the Public Utilities Act, authorizing the selling, assignment, leasing, transferring or inheriting of certificates of public convenience and necessity, or operative rights to transport property as common carrier by vessel over the inland waters of the State of California or as highway common carriers over the highways of the State of California and authorizing the establishment of joint through rates by highway common carriers.

Referred to Committee on Public Utilities

Assembly Bill No. 1320: By Mr. Waters—An act to amend Section 50¾ of the Public Utilities Act, authorizing the establishment of joint and through rates by highway common carriers.

Referred to Committee on Public Utilities.

Assembly Bill No. 1321: By Mr. Richie—An act making an appropriation for the support of the San Diego State College

Referred to Committee on State Colleges

Assembly Bill No. 1322: By Mr. Richie—An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College.

Referred to Committee on State Colleges

Assembly Bill No. 1323: By Mr. Hugh M. Burns—An act to add Sections 802.3 and 802.4 to the Agricultural Code, relating to grapes, declaring the urgency thereof, and that this act take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1324: By Mr. Voigt—An act to repeal Sections 118.5 and 929 of the Fish and Game Code, relating to District 118.5 and the use of nets therein.

Referred to Committee on Fish and Game.

Assembly Bill No. 1325: By Messrs. Voigt and Lyon—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1326: By Mr. Waters—An act to add Section 39.5 to the Unemployment Insurance Act, relating to rates of contribution.

Referred to Committee on Insurance.

Assembly Bill No. 1327: By Messrs. Voigt, Tenney, Dills, Kilpatrick, Cooke, Doyle, Richie, Kellems, Lyon, Andreas, Stream, Burkhalter, Waters, Thomas, Massion, Poole, Middough, Allen, Collins, Sam L., Howser, F. N., Robertson, Hawkins and Bennett—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

Referred to Committee on Ways and Means.

Assembly Bill No. 1328: By Messrs. Lyon, Johnson and Kellems—An act to amend Sections 2, 6, 11 and 13 of the Inheritance Tax Act of 1935, relating to inheritance taxation, including powers of appointment, increased values of transfers, deductions for funeral expenses and expenses of last illness, charitable transfers, the exemption of property acquired from another decedent, refunds, taxes on erroneous debts, lists of contents of safe deposit boxes, and appraiser's fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1329: By Mr. Millington—An act making an appropriation for the support of the Chico State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1330: By Mr Millington—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Chico State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1331: By Messrs. Tenney and Lyon—An act to add Section 1640 5 to the Labor Code, relating to contracts of minors with employment agencies.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1332: By Mr. Hawkins—An act to add Section 975 to the Labor Code, relating to the employment and transportation of strikebreakers.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1333: By Mr. Bennett—An act to amend Section 1186 of the Code of Civil Procedure, relating to the priority of liens of mechanics and materialmen.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1334: By Mr. Bennett—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanic's liens.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1335: By Mr. Call—An act to add Section 38.1 to the State Civil Service Act, relating to the orders and decisions of the State Personnel Board and the enforcement of the provisions thereof.

Referred to Committee on Civil Service.

Assembly Bill No. 1336: By Mr. Sam L. Collins—An act to amend Section 92 of the Civil Code

Referred to Committee on Judiciary General.

Assembly Bill No. 1337: By Messrs. Desmond and Cain—An act making an appropriation for the acquisition of real property in the City of Sacramento and the construction and equipment thereon of a building for the Department of Employment, as provided in Section 92 3 of the Unemployment Insurance Act

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1338: By Messrs. Desmond and Cain—An act to add Section 92.3 to the Unemployment Insurance Act, relating to the establishment of a System of Unemployment Insurance and employment offices for this State.

Referred to Committee on Insurance

Assembly Bill No. 1339: By Messrs. Cain and McCollister—An act to add a new section to the State Civil Service Act to be numbered

57.2, relating to the officers and employees of the State Board of Prison Directors or any warden of a State prison.

Referred to Committee on Civil Service.

Assembly Bill No. 1340: By Mr. Hugh M. Burns—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Fresno State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1341: By Mr. Hugh M. Burns—An act making an appropriation for the support of the Fresno State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1342: By Mr. Massion—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1343: By Mr. Green—An act to add Section 26539 to Article 6, Chapter 3, Division 21 of the Health and Safety Code, relating to the administration of that chapter with respect to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1344: By Messrs. Kepple, and Houser, Frederick F.—An act to add Article 21 to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the filing, codification and publication of the rules and regulations of officers, boards, authorities and commissions, and creating a Codification Board

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1345: By Mr. Lowrey—An act to amend Section 15 of the "Reclamation Board Act," approved December 24, 1911, as amended, relating to assessments, and to amend Section 5765 of the Water Code, relating to assessments.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 1346: By Mr. Poulson—An act to amend Sections 1 01, 8 01 and 12 10 of, and to add Sections 3 06, 8.12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations, articles, investments, certificates, voting rights and membership therein, and notices thereto.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1347: By Mr. Poulson—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1348: By Mr. Thorp—An act to amend Section 559 of the Agricultural Code, relating to acidophilus milk.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1349: By Mr. Lyon—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1350: By Mr. Lyon—An act making an appropriation for the enforcement of standards and quality in the manufacture and sale of alcoholic beverages.

Referred to Committee on Public Morals

Assembly Bill No. 1351: By Mr. Lyon—An act to amend Sections 2, 5, 9 and 10 of an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1352: By Mr. O'Day—An act to add Title 2, comprising Sections 1804 to 1806, both inclusive, to Part 4 of Division 3 of the Civil Code, relating to conditional sales.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1353: By Mr. O'Day—An act to add Section 6110 to the Business and Professions Code, relating to removal of name of deceased law partner or associate from firm name.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1354: By Mr. Bennett—An act to amend Section 3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended, relating to credit unions, the licensing, regulation and powers thereof.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1355: By Mr. Bennett—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Referred to Committee on Corporations.

Assembly Bill No. 1356: By Mr. Bennett—An act to amend Section 8 of an act entitled, "An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof," approved July 1, 1937, relating to security holders protective committees, licensing and regulation thereof and right of review.

Referred to Committee on Corporations.

Assembly Bill No. 1357: By Mr. Sheridan—An act to amend Section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage.

Referred to Committee on Judiciary General.

Assembly Bill No. 1358: By Mr. Sheridan—An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1359: By Mr. Meehan—An act to amend Sections 2793, 2893, 2894, 2896 and 2899 of, to add Section 2505 to, and to repeal Sections 2674, 2742, 2794 and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections.

Assembly Bill No. 1360: By Messrs. Wollenberg and Green—An act to amend Section 1875 of the Code of Civil Procedure and to establish Article 1 of Chapter 1 of Title 2 of Part 4 of the Code of Civil Procedure, comprising Section 1875, and to add Article 2 to Chapter 1 of Title 2 of Part 4 of the Code of Civil Procedure, comprising Sections 1876 to 1876.6, inclusive, all relating to judicial notice.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1361: By Messrs. Wollenberg and Green—An act to add Article 3a, comprising Sections 1210 to 1210.12, to Chapter 4,

Title 4, Part 4, Division 2 of the Civil Code, relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1362: By Messrs. Wollenberg and Green—An act to prevent and punish the desecration, mutilation or improper use of the Flag of the United States of America, and of this State, and of any flag, standard, color, ensign or shield authorized by law.

Referred to Committee on Judiciary General.

Assembly Bill No. 1363: By Messrs. Wollenberg and Green—An act making an appropriation for support of the Commission on Uniform State Laws, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1364: By Messrs. Wollenberg and Green—An act to amend Section 1 of "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1365: By Messrs. Wollenberg and Green—An act to add Chapter 3a, comprising Sections 468 to 468.26, inclusive, to Title 13, Part 1 of the Penal Code, and repealing Sections 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to the sale, transfer and possession of pistols, revolvers and other dangerous weapons, providing for licenses, prescribing penalties for violating the act and for committing certain crimes when armed and limiting probation and parole of persons convicted of these crimes, changing the law of evidence and of arrest, and to make uniform the law relating thereto.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1366: By Messrs Wollenberg and Green—An act to repeal Chapter 1, comprising Sections 260 to 272, both inclusive, and Chapter 2, comprising Sections 280 to 294, both inclusive, of Divi-

sion 2a of the Probate Code and to add Chapter 1, comprising Sections 260 to 274, both inclusive, to Division 2a of the Probate Code, all relating to missing persons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1367: By Messrs. Wollenberg and Green—An act to add Chapter 4a, consisting of Sections 1220 to 1226, inclusive, to Title 4 of Part 4 of Division 3 of the Civil Code, relating to the registration of Federal tax liens, and to repeal "An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor," approved June 22, 1923, as amended.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1368: By Messrs. Wollenberg and Green—An act to add Chapter 3, comprising Sections 259 to 259.9, inclusive, to Division 2 of the Probate Code, relating to the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1369: By Messrs. Wollenberg and Green—An act to repeal Section 2244 and to add Article 4, comprising Sections 2245 to 2245.13, inclusive, to Chapter 1 of Title 8 of Part 4 of Division 3 of the Civil Code, relating to liabilities of third persons dealing with fiduciaries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1370: By Messrs. O'Day, Gallagher, Cronin, Welch, Green, Maloney, Wollenberg, Collins, George D., and Gaffney—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the San Francisco State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1371: By Messrs. O'Day, Gallagher, Cronin, Welch, Green, Maloney, Wollenberg, Collins, George D., and Gaffney—An act making an appropriation for the support of the San Francisco State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1372: By Messrs. Thomas, Kilpatrick, Burkhalter and Evans—An act to add Section 1.5 to "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection, to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to packers, canners, and processors of fish and fish products.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1373: By Messrs. Thomas, Kilpatrick, Burkhalter and Evans—An act to amend Section 1062 of the Fish and

Game Code, relating to the inspection of fish at canneries and packing plants.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1374: By Mr. Green—An act to add Section 180.5 to the Vehicle Code, relating to the validity of a transfer of a security interest in a vehicle pursuant to a trust receipt transaction.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1375: By Mr. Meehan—An act to add Section 6.3 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages, and defining "public eating place."

Referred to Committee on Public Morals.

Assembly Bill No. 1376: By Mr. Lyon—An act declaring all buildings and places nuisances wherein or upon which any unlicensed sale of alcoholic beverages in violation of the provisions of the Alcoholic Beverage Control Act is made or occurs or which are used for such sale, providing for the abatement and prevention of such nuisances, and providing for the repeal of the Unlawful Liquor Sales Abatement Law of 1915.

Referred to Committee on Public Morals.

Assembly Bill No. 1377: By Mr. Lyon—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1378: By Mr. Lyon—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1379: By Messrs. Lyon, Maloney, Del Mutolo, Burns, Michael J., Turner, Cassidy and Field—An act making an appropriation for the acquisition of real property in the cities of San Francisco, Oakland, Hayward, San Jose, Berkeley, Eureka, Redding, Sacramento, Bakersfield, San Rafael, Burbank, Long Beach, San Bernardino, San Diego, Modesto and Los Angeles and the construction and equipment thereon of buildings for the Department of Employment as provided in Section 92 3 of the Unemployment Insurance Act.

Referred to Committee on Ways and Means.

Assembly Bill No. 1380: By Mr. Hawkins—An act to create a public agency of the State to be known as the California Housing Authority to undertake slum clearance and projects to provide dwelling accommodations for persons of low income in the State; to define the powers and duties of the California Housing Authority and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of the California Housing Authority; to exempt the property and securities of the California

Housing Authority from taxation and assessments; and to authorize certain payments in lieu of such taxation and assessments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1381: By Mr. Wollenberg—An act to amend Sections 61 and 105 of the Bank Act, relating to the investment of trust funds.

Referred to Committee on Banking.

Assembly Constitutional Amendment No. 32: By Messrs. Kellems and Bashore—Proposed amendment to Article XXVI of the Constitution, amending paragraph (1) of subdivision (a) of Section 1 of Article XXVI of the Constitution of said State, relating to the expenditure of motor vehicle revenue.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 33: By Messrs. Kilpatrick and Burkhalter—Proposed amendment to Article XIII of the Constitution by adding Section 1e, relative to exemption of real property from taxation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 34: By Messrs. Wollenberg, Phillips, Bennett and Johnson—Proposed amendment by adding Section 23 to Article XX of the Constitution, relative to usury and the rate of interest, brokerage and all other charges on loans or forbearances of money, goods and things in action and on accounts after demand and on judgments rendered over three hundred dollars ($300) made by licensed personal property brokers and licensed lenders under the "California Small Loan Acts" and on all loans or forbearances of money, goods and things in action and on accounts after demand and on judgments rendered, made by the nonexempt lenders under Section 22 of Article XX of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 14: By Messrs. Kellems and Call—Relative to memorializing Congress to lend aid to Great Britain.

Referred to Committee on Federal Relations

Assembly Joint Resolution No. 15: By Messrs Evans, Carlson, Kepple and Maloney—Relative to memorializing the President and the Congress of the United States to make the necessary and additional Federal appropriations to connect military cantonments with the existing State highway systems and to improve and enlarge the capacity of highways and bridges where necessary to meet the extraordinary requirements of military use.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 15, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 15

Assembly Joint Resolution No. 15—Relative to memorializing the President and the Congress of the United States to make the necessary and additional Federal appropriations to connect military cantonments with the existing State highway systems and to improve and enlarge the capacity of highways and bridges where necessary to meet the extraordinary requirements of military use.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Cain, Cassidy, Clarke, Collins, George D., Cooke, Daley, Desmond, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Millington, O'Day, Pelletier, Phillips, Richie, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—47

NOES—None.

Resolution ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 16: By Messrs. Kellems, Call and Pfaff—Relative to memorializing Congress to render continued aid to Great Britain.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 16 placed on file, at this time, without reference to committee.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 251—An act to amend the Metropolitan Water District Act, as amended, by amending Sections 2, 9 and 10, and by adding new sections numbered 9.1 and 9.2, all relating to the definitions of certain terms as used in said Metropolitan Water District Act and in other acts applicable to metropolitan water districts, providing for the addition of area to such districts and for the exclusion of area therefrom and providing the effects of such addition or exclusion, providing for the inclusion within metropolitan water districts of the corporate areas of municipal water districts, municipal utility districts, public utility districts and county water districts, and providing for the addition of area to any such municipal water district, municipal utility district, public utility district or county water district, so included within any such metropolitan water district and providing the effects thereof, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Watson moved a call of the Assembly.

Motion carried. Time, 4.21 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO PLACE BROADCASTING FACILITIES IN THE ASSEMBLY CHAMBER

On motion of Mr. Lyon, permission was granted to any and all broadcasting companies to install facilities in the Assembly Chamber, for Friday, January 24, 1941.

RESOLUTIONS

The following resolution was offered:

By Mr. Voigt:

House Resolution No. 49

WHEREAS, The expansion of the merchant marine necessary to the National Defense Program will require a large number of trained officer personnel. The California Maritime Academy is without proper facilities to meet the responsibilities in training this greatly increased number for the Merchant Marine Naval Reserve. These circumstances have made the California Maritime Academy one of the most important educational institutions under State supervision. Recently the training ship provided by the Federal Government has been left without a shore base because the United States Navy has taken back the Tiburon Base. It now becomes necessary to provide facilities for the conduct of the school. The factual basis for the necessary legislation may best be acquired as the result of an investigation by a legislative committee; therefore be it

Resolved by the Assembly of the State of California, That there is hereby created a California Maritime Academy Investigating Committee, which committee shall investigate, ascertain and appraise all facts relating to the present necessities of the California Maritime Academy, and shall report to the Legislature its recommendations for legislation based on those facts; and be it further

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker.

The committee in exercising its powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon Assembly committees by the Rules of the Assembly, and the Joint Rules of the Senate and Assembly, as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Assembly during any session of the Fifty-fourth Legislature and with the Assembly during the regular session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procedure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths and the Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of fifteen hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 792

Mr. Thorp requested that 1,500 extra copies of Assembly Bill No. 792 be printed.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 515

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 160

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 80—An act to amend Section 952 of the Agricultural Code, relating to one-variety cotton districts, and declaring the urgency of this act and providing that it shall take effect immediately;

Assembly Bill No. 595—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of January, 1941, at 2 30 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 970

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1941

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

Assembly Joint Resolution No 6

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, SACRAMENTO, January 23, 1941

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

Senate Bill No 445

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 445—An act to add Section 7.1 to The Personal Income Tax Act, relating to the tax on compensation received for service rendered for a period of five years or more, to take effect immediately.

Referred to Committee on Revenue and Taxation.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 251

At 4.35 p m., on motion of Mr. Watson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 251 adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 252—An act to amend an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition and construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended, by amending Sections 2, 3, 4, 5, 7, 8, 10, 12 and 27, relating to incorporation, organization, government and management of such districts, the holding of directors' and other elections therein, the establishment of divisions, providing for recalls, setting forth the powers of such districts and the manner and effect of annexing territory thereto, and adding new sections to be known as Sections 6a, 32, 33, 34, 35 and 36, providing for the calling, holding and conducting of elections, the reestablishment of divisions, providing the manner and effect of annexation to such districts, granting additional powers of taxation to such districts when included in metropolitan water districts, designating a short title, repealing conflicting laws, declaring the severability of the provisions of this act, declaring the urgency of this act, and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gunlock asked for, and was granted, unanimous consent to take up Senate Bill No. 291, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 291

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Gunlock:

Resolved, That Senate Bill No. 291 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gunlock moved a call of the Assembly.

Motion carried. Time, 4.45 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 673

Mr. Hugh M. Burns requested that 2,500 extra copies of Assembly Bill No 673 be printed.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1382: By Mr. Allen—An act to amend Sections 6101 and 6103 of the Public Resources Code, relating to the State Lands Commission and the Division of State Lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1383: By Mr. Allen—An act to amend Sections 11 and 12 of the State Lands Act of 1938, relating to the State Lands Commission and the Division of State Lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1384: By Mr. Desmond—An act to add Section 395 4 to the Military and Veterans Code, relating to State employees engaged in military or naval duties.

Referred to Committee on Military Affairs.

Assembly Bill No. 1385: By Mr. Desmond—An act relating to governmental units known as districts, and providing a procedure for the inclusion in, or the exclusion from, certain lands lying partly within and partly without the boundaries of such districts

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1386: By Mr. Desmond—An act to regulate the packing of oysters and shellfish, and to provide rules and regulations

for the proper sanitation of oyster and shellfish packing plants, to be enforced by the State Board of Public Health.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1387: By Mr. Desmond—An act relating to contracts on behalf of the State, counties, cities, districts, and school districts in relation to the erection, construction, alteration, painting, decorating, repair or improvement of any State, county, city, district, or school district structure, building, road or improvement of any kind.

Referred to Committee on Education.

Assembly Bill No. 1388: By Messrs Sheridan and Poulson—An act providing for the creation of county treasurers' cash difference funds and overage funds in the counties of the State.

Referred to Committee on County Government.

Assembly Bill No. 1389: By Messrs. Kellems and Tenney—An act to add Sections 618, 619, 629, 621 and 622 to the Revenue and Taxation Code, relating to publication of the assessment roll

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1390: By Mr. Desmond—An act to amend Sections 125, 152 5 and 172 of and to add Section 151 6 to the State Civil Service Act, relating to State civil service

Referred to Committee on Civil Service.

Assembly Bill No. 1391: By Messrs. Desmond and Cain—An act to amend Section 1030 of the Political Code, relating to office hours.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1392: By Messrs. Desmond and Cain—An act to amend Section 1030 of the Political Code, relating to office hours.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1393: By Messrs. Desmond and Cain—An act making an appropriation to the Emergency Fund specified in Item ___ of the Budget Act of 1941 for the purpose of augmenting appropriations for the support of the Government of the State, in order to provide for salary, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1394: By Mr. Poulson—An act to amend Section 911 of the Probate Code, relating to allowance to persons or corporations rendering services to executor or administrator.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1395: By Mr. Poulson—An act to amend Section 922 of the Probate Code, relating to filing a final account in probate.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1396: By Mr. Sam L. Collins—An act to add Section 555 to the Labor Code, relating to days of rest of employees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1397: By Mr. Maloney—An act to amend Sections 1703.5, 1704, 1708, 1709 and 1713 of, to repeal Section 1713.8 of the Insurance Code and to add Sections 1708.5, 1708.6 and 1709.2 thereto, relating to the transaction of life and disability insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1398: By Mr. Maloney—An act to amend Sections 760, 781 and 1706.8 of, and to add Section 760.5 to, the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1399: By Mr. Maloney—An act to add Section 4.5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof and the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Referred to Committee on Insurance.

Assembly Bill No. 1400: By Mr. Maloney—An act to amend Section 10435 of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1401: By Mr. Maloney—An act to amend Sections 981, 3016, 3035, 3036, 3039, 3040, 11715 and 12091, and to repeal Section 3017 of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1402: By Mr. Maloney—An act to amend Sections 1392 and 1401 of the Insurance Code, relating to reciprocal insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1403: By Mr. Maloney—An act to add Section 383.5 to the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1404: By Mr. Maloney—An act to amend Sections 5050.5, 5057, 5058, 5090, 7031, 7088 and 9031 of, and to add Section 5090.2 to, the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1405: By Mr. Maloney—An act to amend Section 1821 of the Insurance Code, relating to applicants for license or permit to act as bail agent, permittee, or solicitor.

Referred to Committee on Insurance.

Assembly Bill No. 1406: By Mr. Maloney—An act to add Article 18, comprising Section 1120, to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1407: By Mr. Maloney—An act to amend Sections 701, 1191, 10970 and 12923 of, and to add Sections 706 7, 11532.1, 11532 2, 11532.3, 11532.4, 11532 5, 11532 6, 11532 7, 11532 8, 12921 5 and 12973 7 to, the Insurance Code, all relating to insurance and the Insurance Commissioner.

Referred to Committee on Insurance.

Assembly Bill No. 1408: By Mr. Maloney—An act to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections 985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 453i and 453.14 of the Civil Code, all relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1409: By Messrs. Middough and Robertson—An act to add Section 6.493 to the School Code, relating to the furnishing of supplies to pupils of the public schools.

Referred to Committee on Education.

Assembly Bill No. 1410: By Mr. Middough—An act to amend School Code Section 1 33, relating to property of school districts.

Referred to Committee on Education.

Assembly Bill No. 1411: By Mr. Desmond—An act to add Section 3842 to the Revenue and Taxation Code, relating to actions to quiet title against the State.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1412: By Mr. Call—An act to amend Section 61a of the Bank Act, relating to the investigation and certification of securities by the Superintendent of Banks.

Referred to Committee on Banking.

Assembly Bill No. 1413: By Mr. Call—An act to prohibit the issuance of publications by State agencies at public expense without express authorization.

Referred to Committee on Governmental Efficiency and Economy.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 597—An act to add Chapter 11, comprising Sections 7500 to 7593, inclusive, to Division 3 and to add Section 30039 to Division 30 of the Business and Professions Code, relating to the licensing and regulation of private detectives, investigators, and detective agencies and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 597:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 597

"An act to add Chapter 11, comprising Sections 7500 to 7593, inclusive, to Division 3 and to add Section 30039 to Division 30 of the Business and Professions Code, relating to the licensing and regulation of private detectives, investigators, and detective agencies and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 597 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Robertson, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—53

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 598—An act to add Division 8, comprising Chapter 1, Sections 18400 to 18413, inclusive, and to add Section 30032 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sales of motor vehicles, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 599—An act to add Chapter 2, comprising Sections 18600 to 18782, inclusive, to Division 8, and to add Section 30031 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of boxing contests and sparring and wrestling matches and exhibitions, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 599:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 599

"An act to add Chapter 2, comprising Sections 18600 to 18782, inclusive, to Division 8, and to add Section 30031 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of boxing contests and sparring and wrestling matches and exhibitions, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 599 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Masson, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to add Chapter 3, comprising Sections 19000 to 19221, inclusive, to Division 8, and to add Section 30030 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to the regulation of persons engaged in the business of manufacturing and selling at wholesale and retail, repairing, renovating and sterilizing upholstered furniture and bedding and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 600:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO 600

"An act to add Chapter 3, comprising Sections 19000 to 19221, inclusive to Division 8, and to add Section 30030 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to the regulation of persons engaged in the business of manufacturing and selling at wholesale and retail, repairing, renovating and sterilizing upholstered furniture and bedding and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 600 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Masson, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An act to add Chapter 4, comprising Sections 19400 to 19663, inclusive, to Division 8 and to add Section 30034 to the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of horse racing, horse race meetings and wagering on the results thereof, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 601:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 601

"An act to add Chapter 4, comprising Sections 19400 to 19663, inclusive, to Division 8 and to add Section 30034 to the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of horse racing, horse race meetings and wagering on the results thereof, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of the term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 601 as an emergency measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Masson, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 602—An act to add Chapter 6, comprising Sections 20500 to 20502, inclusive, to Division 8, and to add Section 30035 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the adulteration of paints, oil, varnishes and pigments, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 602:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL No 602

"An act to add Chapter 6, comprising Sections 20500 to 20502, inclusive, to Division 8, and to add Section 30035 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the adulteration of paints, oil, varnishes and pigments, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 602 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Masson, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 603—An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Section 34 of Article IV of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 603:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 603

"An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 603 as an emergency measure.

Respectfully submitted.

GULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 604—An act to add Chapter 8, comprising Sections 21200 to 21290, inclusive, to Division 8 and to add Section 30037 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the sale, disposition of, and regulation of prophylactics, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 604:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO 604

"An act to add Chapter 8, comprising Sections 21200 to 21290, inclusive, to Division 8 and to add Section 30037 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the sale, disposition of, and regulation of prophylactics, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 604 as an emergency measure.

Respectfully submitted.

GULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 605—An act to add Chapter 9, comprising Sections 21500 to 21556, to Division 8, and to add Section 30038 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sale or disposition of secondhand goods, and repealing acts and parts of acts specified herein.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Waters moved that the Rules be temporarily suspended for the purpose of deleting his name from Assembly Bill No. 1326 and adding in place thereof the name of Sam L. Collins.

Mr. Sam L. Collins seconded the motion.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—50.
NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON THE RESOLUTION TO SENATE BILL NO. 291

At 5.15 p.m., on motion of Mr. Gunlock, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to Senate Bill No. 291 adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan,

Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 291—An act to add Section 4004.5 to the Political Code, relating to loans by counties to fire districts, validating loans heretofore made, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gunlock asked for, and was granted, unanimous consent to take up Senate Bill No. 290, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 290

Resolution to Suspend Constitutional Provision

The following resolution was offered:
By Mr. Gunlock:

Resolved, That Senate Bill No. 290 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 290

Senate Bill No. 290—An act to validate the organization and boundaries of fire protection districts, the acts and proceedings of the governing bodies thereof, and taxes and assessments levied in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 970, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 970

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Maloney:

Resolved, That Assembly Bill No. 970 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 970—An act to amend Sections 763.5, 1641, 1648, 1648.6, 1664, 1670, 1671, 1679 and 1731 of, to add Sections 755.5, 1639, 1645.5, 1648.7, 1679.2 and 12280.2 to, and to repeal Sections 753, 754, 1703.8 and 1703.9 of, the Insurance Code, and to add Article 1.5, comprising Sections 1690 to 1691, inclusive, to Chapter 5, Part 2, Division 1, and Chapter 8, comprising Sections 1831 and 1831.5, to Part 2, Division 1 of the Insurance Code, all relating to insurance; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF THE RULES BY UNANIMOUS CONSENT

Mr. Millington asked for, and was granted, unanimous consent to temporarily suspend the Rules for the purpose of withdrawing Senate Bill No. 445 from the Committee on Revenue and Taxation and placing it on file, at this time.

CONSIDERATION OF SENATE BILL NO. 445 BY UNANIMOUS CONSENT

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Millington:

Resolved, That Senate Bill No. 445 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field,

Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 445—An act to add Section 7.1 to The Personal Income Tax Act, relating to the tax on compensation received for services rendered for a period of five years or more, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Senate Bill No. 445—An act to add Section 7.1 to The Personal Income Tax Act, relating to the tax on compensation received for services rendered for a period of five years or more, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 300—An act to amend the Coachella District Merger Act, approved June 21, 1937, by adding thereto a new section, to be numbered 13.1, relating to taxation for repair, operation and maintenance of improvements and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F.,

Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None

The roll was called, and the bill passed by the following vote

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 96—An act to amend the County Water District Act approved June 10, 1913, as amended, by amending Sections 31, relating to assessment, 34, relating to tax levies, 37.1, relating to segregation of assessments, 38, relating to cancellation of assessments, 39, relating to tax payments, 41, relating to costs, 44, relating to tax sales, 45, relating to redemption and 46, relating to partial redemption and adding new Sections 29.1, relating to optional tax system, 45.1, relating to disposal of tax-deeded land, 45.2, relating to resale plans, 45.3, relating to quieting title, 45.4, relating to acquisition of claims, 45.5, relating to actions and defenses as to tax deeds, 45.6, relating to actions and defenses as to sales of tax-deeded land and 47.1, relating to correction of certificates of sale and deeds, and declaring the urgency of this act and providing that it take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 107—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of school districts, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kellems asked for unanimous consent to take up Assembly Joint Resolution No. 16, at this time, without reference to print, and that the same be considered engrossed.

Mr Voigt withheld his consent

Motion to Temporarily Suspend the Rules

Mr Kellems moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No. 16, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, John B, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muldough, Miller, Millington, Pelletier, Pfaft, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Evans, Heisinger, Poole, Richie, Thomas, and Voigt—6

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 16

Assembly Joint Resolution No. 16—Relative to memorializing Congress to render continued aid to Great Britain.

Resolution read

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher,

Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Evans, Richie, Voigt, and Weber—4.

Explanation of Vote

I am very sorry that this resolution did not include the other Nations which are also defending Democracy just as well as Britain

I salute the other Nations who are also defending Democracy.

S. L. HEISINGER

Hon. Harrison W. Call Presiding

At 6.25 p.m., Hon. Harrison W. Call, member of the Assembly from the Twenty-ninth District, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Hugh M. Burns:

House Resolution No. 50

Resolved by the Assembly of the State of California, That the Standing Committee on Public Morals of the Assembly of the regular session of the Fifty-fourth Legislature is hereby authorized to meet during all recesses of that session, at the State Capitol or elsewhere in the State, and to perform the duties and to exercise the powers vested in it by the Standing Rules of the Assembly for this session; and be it further

Resolved, That the sum of one thousand dollars ($1,000) is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee in connection with its duties, the actual and necessary expenses for living accommodations and meals for members of the committee incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) a day, and mileage for the members of the committee at the rate of five and one-half cents ($0.05½) per mile each way traveled in the performance of their duties, to be disbursed after certification of the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Mr. Voigt:

House Resolution No. 51

WHEREAS, The constitutional recess of the Fifty-fourth Session of the Legislature is about to take effect, and

WHEREAS, The members of this Assembly will be confronted with an unusual quantity of mail and correspondence which will require their attention during the constitutional recess, and

WHEREAS, In order to facilitate the taking care of such mail matter in the interest of good service to their constituents, now, therefore, be it

Resolved, That the sum of two thousand dollars ($2,000) be appropriated out of the Contingent Fund of the Assembly for the purchase of such necessary postage stamps for members, and that each member of the Assembly be allowed such postage stamps in an amount not to exceed twenty-five dollars ($25), and the Chief Clerk is hereby instructed to purchase such stamps in said amount for the use of members of the Assembly in caring for legislative mail and correspondence.

Resolution read, and referred to Committee on Rules.

By Messrs. Cronin, Wollenberg, Gallagher, O'Day, Gaffney, Welch, Green and Maloney:

House Resolution No. 52

WHEREAS, The Harbor of San Francisco is the finest natural harbor in the world; and

WHEREAS, Events of recent years, including economic depressions, and wars abroad have reduced the commerce through that harbor and have resulted in some impairment to the facilities; and

WHEREAS, The extent of needed legislation can best be determined by a competent Legislative Investigating Committee; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a San Francisco Harbor Investigating Committee which committee shall investigate and report on all facts pertaining to the San Francisco Harbor, including but not limited to its rate structure and its business promotion, its past history and plans for future operation. The committee shall report its recommendations for legislation designed to encourage the fullest use of the harbor to the best interests of the State; and be it further

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker.

The committee in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon Assembly committees by the Rules of the Assembly, and the Joint Rules of the Senate and Assembly, as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Assembly during any session of the Fifty-fourth Legislature and with the Assembly during the regular session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procedure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths and the Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0 05½) per mile each way incurred in connection with their services upon the committee and other

actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day, and be it further

Resolved, That the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1941

MR SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 683

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 683—An act regulating travel on certain described State highway routes.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1941

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

Senate Joint Resolution No. 5

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 23, 1941

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

Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Joint Resolution No. 5—Relative to the baneful effect of the importation of live stock and dressed meats from countries where foot and mouth disease exists.

Referred to Committee on Federal Relations.

Senate Joint Resolution No. 6—Relative to the construction of necessary roads required by the Army and Navy.

Referred to Committee on Federal Relations.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1298

Mr. Michael J. Burns moved that Assembly Bill No. 1298 be withdrawn from the Committee on Roads and Highways, and re-referred to the Committee on County Government.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elmer M. Hubbard, president, San Francisco Local 6, Musicians' Union, and Albert Morris, business representative, San Francisco Local 6, Musicians' Union.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. W. Pierce, M.D., member of Los Angeles City Board of Education, and Fellow of American College of Surgeons.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marie Baby, Secretary of State Central Committee, of Los Angeles.

On request of Mr. Weybret, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Myrtle Wells, of Salinas.

On request of Mr. Henry Meehan and Alameda delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. May L. Lilienthal, Mrs. Elizabeth Graham, Mrs. Alice Beadell and Mrs. Agnes E. Collins.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. E. Hinshaw, former member of the Assembly, former Mayor of Signal Hill, former member Board of Supervisors of Los Angeles County.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. Albert George, City Attorney of Alameda; Charles Schwannenberg, City Manager of Alameda; Cliff Wixson, member of the Board of Supervisors, and Earl J. Twomey, Chief Department Treasurer of Alameda County.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. A. Williard of Placerville, and Chester Gibbs of Colfax.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Herbert Orris, editor Santa Barbara News Press.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Esther Franklin of San Francisco and Bartholomew Cavanaugh of Sacramento.

On request of Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Orton E. Darnall, of the San Diego School Board.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Thelma Cudd, and Vaughn Williams of San Francisco.

On request of Messrs. Cassidy and Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Wells, Miss Thelma Wise and her parents, Mr. and Mrs J Wise of San Leandro.

On request of Messrs. Johnson and Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jessie Williamson, Vice Chairman of the Republican State Central Committee, and President of California Council of Republican Women of Northern California; Mrs. Grace Long, Chairman of the Publicity Committee of the California Council of Republican Women, and Miss Annie Woodall, member of the Republican State Central Committee and Treasurer of California Council of Republican Women, all of Berkeley.

ADJOURNMENT

At 6.30 p.m., on motion of Mr. Turner, the Speaker declared the Assembly adjourned until 10.30 a m., January 24, 1941, out of respect to the memory of the late J. C. Peterson, Curator of Sutter's Fort.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY
NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 24, 1941

The Assembly met at 10.30 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—78.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Poole.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day.
Mr. Sheridan, on motion of Mr. Carlson.
Mr. King, on motion of Mr. Evans.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 637
Assembly Bill No. 683
Assembly Concurrent Resolution No. 15
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Joint Resolution No 7

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 7—Relative to memorializing Congress to provide funds for greater speed in completion of the Central Valley Project in aid of the National defense.

Referred to Committee on Rules.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to withdraw Senate Joint Resolution No. 7 from the Committee on Rules and have it placed upon the file, by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Cooke, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Waters, Welch, Weybret, and Mr. Speaker—49
NOES—None.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 7

Senate Joint Resolution No. 7—Relative to memorializing Congress to provide funds for greater speed in completion of the Central Valley Project in aid of the National defense.

Resolution read

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

AYES—Bashore, Bennett, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Waters, Welch, Weybret, and Mr. Speaker—50
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Leonard asked for, and was granted, unanimous consent to withdraw Senate Joint Resolution No. 6 from the Committee on Federal Relations, have it placed upon the file, by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Clarke, Cooke, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Poole, Potter, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—49.
NOES—None.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to the construction of necessary roads required by the Army and Navy

Resolution read

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Cooke, Desmond, Dickey, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1414: By Messrs. Bashore and Johnson—An act to amend Sections 1 to 23, inclusive, of the State Civil Service Act, relating to the purposes of and the definition of terms in the State Civil Service Act

Referred to Committee on Civil Service.

Assembly Bill No. 1415: By Messrs. Bashore and Johnson—An act to amend Sections 30 to 59, inclusive, of the State Civil Service Act, relating to the general organization and functions of the State Personnel Board.

Referred to Committee on Civil Service.

Assembly Bill No. 1416: By Messrs. Bashore and Johnson—An act to amend Sections 60 to 66, inclusive, of the State Civil Service Act, relating to classification.

Referred to Committee on Civil Service.

Assembly Bill No. 1417: By Messrs. Bashore and Johnson—An act to amend Sections 70 and 71 of the State Civil Service Act, relating to compensation.

Referred to Committee on Civil Service.

Assembly Bill No. 1418: By Messrs. Bashore and Johnson—An act to amend Sections 80 to 98, inclusive, of the State Civil Service Act, relating to selection and promotion

Referred to Committee on Civil Service.

Assembly Bill No. 1419: By Messrs. Bashore and Johnson—An act to amend Sections 110 to 126, inclusive, of the State Civil Service Act, relating to certification, appointments and probationary period.

Referred to Committee on Civil Service.

Assembly Bill No. 1420: By Messrs. Bashore and Johnson—An act to amend Sections 140 to 158, inclusive, of the State Civil Service Act, relating to regulation of employees in the State civil service.

Referred to Committee on Civil Service.

Assembly Bill No. 1421: By Messrs. Bashore and Johnson—An act to amend Sections 170 to 173, inclusive, of the State Civil Service Act, relating to separations from the service.

Referred to Committee on Civil Service.

Assembly Bill No. 1422: By Messrs. Bashore and Johnson—An act to amend Sections 190 to 204, inclusive, of the State Civil Service Act, relating to prohibitions, penalties and enforcements.

Referred to Committee on Civil Service.

Assembly Bill No. 1423: By Messrs. Bashore and Johnson—An act to amend Sections 220 to 225, inclusive, of the State Civil Service Act, relating to veterans' preference

Referred to Committee on Civil Service.

Assembly Bill No. 1424: By Messrs. Bashore and Johnson—An act to amend Sections 230 to 244, inclusive, of the State Civil Service Act, relating to general provisions.

Referred to Committee on Civil Service.

Assembly Bill No. 1425: By Messrs. Bashore and Johnson—An act to amend Sections 140, 141, 142 and 143 of the State Civil Service Act, relating to performance reports.

Referred to Committee on Civil Service.

Assembly Bill No. 1426: By Mr. Bashore—An act to add Chapter 6.5 to Division 2 of the Business and Professions Code, relating to undergraduate nurses and practical nurses.

Referred to Committee on Civil Service.

Assembly Bill No. 1427: By Mr. Bashore—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246, and 776.1 to, and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1428: By Mr. Call—An act to amend Section 18 of the Alcoholic Beverage Control Act, relating to restrictions on issuance of on-sale beer and wine and distilled spirits licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 1429: By Mr. Call—An act to amend Section 1 of an act entitled "An act granting to the City of South San Francisco

the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof," approved April 10, 1925, relating to lands granted to the City of South San Francisco.

Referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1430: By Mr. Call—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1431: By Mr. Call—An act to amend Section 11203 of the Revenue and Taxation Code, relating to the meaning of words, terms, and phrases.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1432: By Mr. Call—An act to amend Section 2 of the Private Car Tax Act of 1937, relating to the meaning of words, terms and phrases and providing that this act shall take effect immediately.

Referred to Committee on Public Utilities.

Assembly Bill No. 1433: By Mr. Call—An act to amend Sections 7678, 8306, and 8402 of the Revenue and Taxation Code, relating to the filing of reports under the Motor Vehicle Fuel License Tax Law, the revocation of licenses under the Motor Vehicle Fuel License Tax Law, and the conduct of activities without a license.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1434: By Mr. Call—An act to amend Sections 5, 9 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the filing of reports, the revocation of licenses and the conduct of activities without a license.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1435: By Mr. Call—An act to amend Section 10451 of the Revenue and Taxation Code, relating to the deposit of license fees paid under the Motor Vehicle Transportation License Tax Law.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1436: By Mr. Call—An act to amend Section 20 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the deposit of license fees paid under said act.

Referred to Committee on Public Utilities.

Assembly Bill No. 1437: By Mr. Call—An act to amend Sections 8703, 8991 and 8993 of the Revenue and Taxation Code, relating to the issuance of use fuel tax permits and the lien of the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1438: By Mr. Call—An act to amend Sections 5 and 10 of the Use Fuel Tax Act of 1937, relating to the issuance of permits and the lien of the tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1439: By Mr. Call—An act to amend Sections 1177 and 1203.6 of the Fish and Game Code, relating to entirely protected birds and to pheasants.

Referred to Committee on Fish and Game.

Assembly Bill No. 1440: By Messrs. Carlson, Sheridan, Johnson, Dickey, Meehan, Phillips, Sawallisch and Cassidy—An act to amend the title of, and to add Sections 30 to 72, inclusive, to an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to authorizing the creation and establishment of sewage disposal districts within the boundaries of a municipal utility district, and authorizing the issuance of bonds, including revenue bonds, for the acquisition or construction of sewage disposal systems, providing for the operation and maintenance thereof, and providing for the fixing, collecting and application of rates and charges for the use of such sewage disposal systems.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1441: By Mr. Desmond—An act to add Article 5.5, comprising Section 775, to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1442: By Messrs. Carlson, Sheridan, Johnson, Dickey, Phillips, Meehan, Sawallisch and Cassidy—An act to provide for the organization, incorporation, and government of joint municipal sewage disposal districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of sewage disposal systems and to levy and collect taxes to pay the principal and interest thereon, and authorizing such districts to issue revenue bonds for the acquisition and construction of sewage disposal systems, and for the fixing, collecting and application of rates and charges for the use of sewage disposal systems.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1443: By Mr. Crowley—An act to amend Sections 3669c and 3669cc of the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State.

Referred to Committee on Judiciary General.

Assembly Bill No. 1444: By Mr. Crowley—An act to amend Section 28 of "The Personal Income Tax Act of 1935," relating to the lien of the tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1445: By Mr George D. Collins—An act to amend an act entitled "An act regulating the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission without respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act," approved June 11, 1935, by amending Section 9 thereof; granting the Railroad Commission power and authority, in instances when it finds that the needs of commerce and the public interest so require, to establish or to approve maximum or minimum or maximum and minimum rates, to be charged by carriers subject to said act.

Referred to Committee on Public Utilities.

Assembly Bill No. 1446: By Mr. George D. Collins—An act to amend an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, by amending Section 10 thereof; granting the Railroad Commission power and authority, in instances when it finds that the needs of commerce and the public interest so require, to establish or to approve maximum or minimum or maximum and minimum rates to be charged by carriers subject to said acts.

Referred to Committee on Public Utilities.

Assembly Bill No. 1447: By Mr. Cronin—An act to amend Section 6060 and to repeal Section 6061 of the Business and Professions Code, relating to admissions to the practice of law.

Referred to Committee on Judiciary General.

Assembly Bill No. 1448: By Mr. Cronin—An act to amend Section 6047 of the Business and Professions Code of the State of California, adopted by Statutes 1939, Chapter 34.

Referred to Committee on Judiciary General.

Assembly Bill No. 1449: By Mr. Cronin—An act to amend Sections 1614 and 1670 of the Business and Professions Code, relating to the power and duties of the Board of Dental Examiners.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1450: By Mr. Cronin—An act to amend Section 1628 of, and to add Section 1628a to, the Business and Professions Code, relating to examinations.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1451: By Mr. Cronin—An act to amend Section 1672 of the Business and Professions Code, relating to dentistry.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1452: By Mr. Cronin—An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1453: By Mr. Cronin—An act to amend Section 2551 of the Business and Professions Code, relating to registered dispensing opticians.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1454: By Mr. Cronin—An act to amend Section 2553 of the Business and Professions Code, relating to registered dispensing opticians.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1455: By Messrs. Cronin, Gallagher and Thorp—An act to provide for the licensing and regulation of greyhound racing, as herein defined, and of persons connected therewith; providing for the administration and enforcement of this act; making an appropriation of the funds collected hereunder.

Referred to Committee on Public Morals.

Assembly Bill No. 1456: By Mr. Desmond—An act to amend Section 2605 of the Revenue and Taxation Code, relating to property taxation, including assessments, equalization of taxes, the levy of taxes, the collection of taxes, tax sales, the redemption of delinquent property, distribution of taxes, corrections, cancellations and refunds, and suits for taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1457: By Mr. Desmond—An act making an appropriation to the Department of Finance for the purpose of reconditioning and framing the picture "Driving the Last Spike."

Referred to Committee on Ways and Means.

Assembly Bill No. 1458: By Mr. Desmond—An act to add Section 59 to the Unemployment Insurance Act, relating to seasonal employment.

Referred to Committee on Unemployment.

Assembly Bill No. 1459: By Mr. Dilworth—An act to add Section 2924d to the Civil Code, relating to the reinstatement of a deed of trust, mortgage, chattel mortgage or contract of purchase upon which the payments have been extended, the sale postponed, the right of redemption extended or a forfeiture or termination postponed under moratorium acts; providing that this act shall take effect immediately and declaring the urgency thereof.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1460: By Messrs. Gallagher and O'Day—An act to authorize and direct the State Treasurer to destroy or cremate unsold and cancelled revenue bonds of the California Toll Bridge Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1461: By Messrs. Gallagher and O'Day—An act to add Section 8 8 to the California Toll Bridge Authority Act, relating to the collection of tolls on toll bridges or other toll highway crossings constructed or acquired under the provisions of said act.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1462: By Mr. Green—An act to amend Section 21, to repeal Sections 12901, 12902 and 12906 of the Insurance Code, and to add Sections 12901, 12902 and 12906 thereto, relating to the administration of the laws pertaining to insurance

Referred to Committee on Insurance.

Assembly Bill No. 1463: By Mr. Leonard—An act to amend Section 89 of the Agricultural Code, relating to district agricultural fairs

Referred to Committee on Exhibitions and Fairs

Assembly Bill No. 1464: By Mr. Leonard—An act to add Section 19622 5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Referred to Committee on Public Morals

Assembly Bill No. 1465: By Mr. Leonard—An act to amend Section 19621 of the Business and Professions Code, or Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the distribution of moneys in the Fair and Exposition Fund.

Referred to Committee on Public Morals.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1464 AND 1465

Mr. Leonard moved that Assembly Bills Nos 1464 and 1465 be withdrawn from the Committee on Public Morals, and re-referred to the Committee on Exhibitions and Fairs.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Poole, Potter, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Mr. Speaker—53.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1466: By Mr. Leonard—An act to amend Sections 814 and 829.4 of the Agricultural Code, relating to lettuce.

Referred to Committee on Agriculture.

Assembly Bill No. 1467: By Mr. Leonard—An act to amend Section 821 of the Agricultural Code, relating to apples.

Referred to Committee on Agriculture.

Assembly Bill No. 1468: By Mr. Leonard—An act to amend Section 822 of the Agricultural Code, relating to apples.

Referred to Committee on Agriculture.

Assembly Bill No. 1469: By Mr. Lyon—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1470: By Mr. Lyon—An act to amend Section 19 of the "California Small Loan Act," Statutes 1939, Chapter 1045, relating to the regulation of loans of three hundred dollars ($300) or less.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1471: By Mr. Leonard—An act to amend Sections 3803 and 3804, and to add Sections 3793.5, 3793.6 and 3807.1 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1472: By Mr. Leonard—An act to amend Section 3771 of the Revenue and Taxation Code, relating to property taxation and tax delinquent property, including the redemption of tax delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax delinquent property, the classification and control of tax delinquent property, contracts for the purchase thereof, and corrections, cancellations and refunds.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1473: By Mr. McCollister—An act to amend Section 16d of the Bank Act, relating to orders stopping the payment of checks.

Referred to Committee on Banking.

Assembly Bill No. 1474: By Mr. Middough—An act appropriating money for repair of beaches at Long Beach.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1475: By Mr. Pfaff—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1476: By Mr. Poole—An act adding Section 14593 to the Health and Safety Code, relating to dissolution of fire protection districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1477: By Mr. Poole—An act to amend Section 5.795 of the School Code, Chapter 9, relating to powers and duties of the Personnel Commission for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 1478: By Mr. Poole—An act to add a section to the School Code, to be numbered 5.798b, Division 5, Part 3, Chapter 9, relating to the procedure for lay-off of classified employees.

Referred to Committee on Education.

Assembly Bill No. 1479: By Mr. Potter—An act to add Section 259 to the Labor Code, relating to security for payment of wages.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1480: By Mr. Salsman—An act to amend Sections 2.02, 2.04 and 12.06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1481: By Mr. Salsman—An act to amend Section 12.06 of the Building and Loan Association Act, relating to building and loan associations and advertising thereof.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1482: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Sections 269, 304, 506, and 736 of the Vehicle Code, relating to drivers of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1483: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to add Section 269.1 to and to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1484: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1485: By Messrs. Sawallisch, Bashore, Cronin and Stream—An act to amend Section 410 of the Vehicle Code with reference to satisfaction of judgments.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1486: By Mr. Sawallisch—An act to amend Section 820 of the Streets and Highways Code, relating to cooperation with the United States.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1487: By Mr. Sawallisch—An act to amend Section 465 of the Vehicle Code, relating to signs, signals and traffic control devices.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1488: By Mr. Stream—An act to amend Sections 345, 466, and 612 of the Streets and Highways Code, relating to descriptions of certain State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1489: By Messrs. Sawallisch and Cronin—An act to amend Section 201 and to add Section 211 to the Health and Safety Code, relating to special investigations by, and the reporting of cases of epilepsy to, the State Department of Public Health, and the State Department of Motor Vehicles, as a means of reducing motor vehicle traffic hazards.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1490: By Mr. Stream—An act to amend Section 19 of the "Assessment Bond Refunding Act of 1933."

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1491: By Mr. Stream—An act to amend Sections 27 and 76 of the "Improvement Act of 1911," and to amend Sections 5398 and 6590 of the Streets and Highways Code, relating to certification of delinquencies to tax collector.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1492: By Mr. Stream and Mrs. Daley—An act to add Chapter 5.5, consisting of Section 3051, to Part 5, Division 1, of the Revenue and Taxation Code, relating to the compromise of taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1493: By Mr. Thorp—An act to amend Section 1551 of the Labor Code, relating to the regulation of labor contractors and private employment agencies.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1494: By Mr. Weybret—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and

wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Referred to Committee on Public Morals.

Assembly Bill No. 1495: By Mr. Weybret—An act to amend the Fish and Game Code of the State of California by amending Section 612 thereof, relating to steelhead trout fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1496: By Mr. Weybret—An act to amend the Fish and Game Code of the State of California by adding thereto Sections 103.7, 103.7A, 615.6, 615.7, 615.8, relating to steelhead trout fishing in the Carmel River.

Referred to Committee on Fish and Game.

Assembly Bill No. 1497: By Mr. Cain—An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1498: By Mr. Clarke—An act to amend Section 830 of, and to add Sections 830 1 and 830 2 to the Agricultural Code, relating to by-products disposal.

Referred to Committee on Agriculture.

Assembly Bill No. 1499: By Mr. Clarke—An act to amend Section 817 of the Agricultural Code, relating to peas

Referred to Committee on Agriculture.

Assembly Bill No. 1500: By Mr. Clarke—An act to amend Sections 781, 782, 784 2, 784.3 and 787 of, and to add Sections 782.3 and 782.6 to the Agricultural Code, relating to fruit, nut and vegetable standards.

Referred to Committee on Agriculture.

Assembly Bill No. 1501: By Mr. Desmond—An act to add Sections 31 5 and 34.5 to, to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3946, 7966, 8720, 8721 and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Referred to Committee on Elections.

Assembly Bill No. 1502: By Mr. Desmond—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1503: By Mr. Desmond—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1504: By Mr. Desmond—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1505: By Mr. Evans—An act to amend Section 5.1123, Chapter 2, Part 5, Division 5, relating to a minimum retirement allowance for school employees and proportionate retirement benefits for employees with less than 15 years of service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1506: By Messrs. Green and Allen—An act making an appropriation for the support of High School Cadet Companies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1507: By Mr. Green—An act to establish a "State Board of Medical Laboratory Personnel Examiners" to regulate clinical laboratory technologists and technicians.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1508: By Messrs. Green and Lowrey—An act to add Section 5.852-1 to the School Code, relating to members of the California State Teachers' Retirement System serving in the armed forces of the United States of America or of the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1509: By Messrs. Howser, F. N., and Burkhalter —An act to amend Section 4458 of the Political Code and to add Section 4458 5 to the Political Code, relating to newspapers of general circulation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1510: By Messrs. Houser, Frederick F., and Leonard—An act to provide for the taking of an oath by State employees not in the State civil service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1511: By Messrs. Maloney and Green—An act to add Section 32 5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance brokers.

Referred to Committee on Insurance.

Assembly Bill No. 1512: By Messrs. Maloney and Green—An act to amend Section 1020 of the Insurance Code, relating to sale or deed to the State for nonpayment of taxes of property of insolvent or delinquent insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1513: By Messrs. Maloney and Green—An act to add Section 12977 to the Insurance Code, relating to fees.

Referred to Committee on Insurance.

Assembly Bill No. 1514: By Messrs. Maloney and Green—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1515: By Messrs. Maloney and Green—An act to amend Section 986 of the Insurance Code and to add Section 10486.9 thereto, all relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1516: By Messrs. Maloney and Green—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875, 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650 and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1517: By Messrs. Maloney and Green—An act to amend Sections 10129 and 10172 of, and to add Sections 10173, 10174, 10175 and 10291.5 to, the Insurance Code, to amend and renumber the article heading of the second Article 5 of Chapter 4, Part 2, Division 2 of said code, and to add Article 5.5, comprising Sections 10370 to 10374, inclusive, to said Chapter 4, all relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1518: By Messrs. Maloney and Green—An act to add Article 5.5, comprising Section 10374, to Chapter 4, Part 2, Division 2, of the Insurance Code, relating to insurance.

Referred to Committee on Insurance

Assembly Bill No. 1519: By Messrs. Maloney and Green—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4061, 4062, 4063, 4064, 4080, 4082, 4084, 4085 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4, Part 1, Division 2 of the Insurance Code and to add Sections 4065 and 5001 thereto, all relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1520: By Messrs. Meehan and Kilpatrick—An act to make an appropriation to pay the claim of Frank D Laughlin against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1521: By Mr. Watson—An act to add Section 77.5 to an act entitled "An act creating a district to be called 'Orange County Water District' for the purpose of providing for importation of water into said district and preventing waste of water in or exportation of water from said district and providing for reclamation of drainage, storm, flood and other water for beneficial use in said district

and for the conservation and control of storm and flood water flowing into said district; providing for the organization and management of said district and establishing the boundaries and divisions thereof and defining the powers of the district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; providing for the construction of works and acquisition of property by the district to carry out the purposes of this act; authorizing the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of assessments by said district; and providing for the inclusion of additional lands therein and exclusion of lands therefrom," approved June 14, 1933, relating to the dissolution of said district.

Referred to Committee on Irrigation.

Assembly Bill No. 1522: By Mr. Welch—An act to amend Section 1973 of the Code of Civil Procedure, and Section 1624 of the Civil Code, relating to agreements required to be in writing and to be subscribed by the party to be charged.

Referred to Committee on Judiciary General.

Assembly Bill No. 1523: By Mr. Allen—An act to add Section 19622.5 to the Business and Professions Code, and to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the Fair and Exposition Fund, and making an appropriation therefrom for construction and improvements at, and the support of, the Veterans' Home of California

Referred to Committee on Public Morals

Assembly Bill No. 1524: By Mr. Allen—An act to amend Section 1350 of the Labor Code to permit the employment of female accounting, stenographic and office clerical employees for overtime periods in excess of 8 hours but not more than 12 hours during any one day of 24 hours and in excess of 48 hours but not more than 60 hours in one week, provided any such employee receives compensation for such overtime at a rate of not less than one and one-half times the regular rate at which she is employed.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1525: By Mr. Allen—An act to amend Section 1352 of the Labor Code, to add accounting, stenographic and office clerical employees to those that the provisions of Article 1 of Chapter 3 of the Labor Code in relation to hours of employment shall not apply to or affect.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1526: By Messrs. Carlson and Tenney—An act to further the education of children of disabled World War veterans

by allowing free tuition in State-owned colleges and universities.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1527: By Messrs. Carlson and Tenney—An act to provide for free tolls for funeral corteges of war veterans on publicly owned toll bridges.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1528: By Mrs. Daley and Mr. Stream—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 1529: By Mrs. Daley and Mr. Stream—An act to appropriate funds to the State Department of Education for publications by the California State Historical Association.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1530: By Mrs. Daley—An act to amend Section 7136 of the Business and Professions Code, relating to contractors license board income.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1531: By Mrs. Daley—An act to add Section 7050 to Article 3, Chapter 9, Division 3 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1532: By Mrs. Daley—An act to amend Section 7139 of the Business and Professions Code, relating to contractors fees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1533: By Mrs. Daley—An act to amend Section 7110 of, and to add Sections 7026.5, 7060, 7069.5 and 7121 to, the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1534: By Mrs. Daley—An act to add Section 39 1 to the Vehicle Code, relating to special road construction and other equipment.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1535: By Mrs. Daley—An act to amend Section 39 of Chapter 1, Division 1, of the Vehicle Code, relating to special mobile equipment.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1536: By Mrs. Daley and Mr. Stream—An act to amend Sections 43.6 and 45 of the County Employees Retirement Act of 1935, relating to retirement.

Referred to Committee on County Government.

Assembly Bill No. 1537: By Mr. Dilworth—An act authorizing the board of supervisors to appoint a county counsel in counties having a population of over 100,000.

Referred to Committee on County Government.

Assembly Bill No. 1538: By Mr. Green—An act to add Section 1553.2 to the Probate Code, relating to the qualifications of guardians ad litem and providing for the manner of their appointment.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1539: By Mr. Green—An act to add Section 1553.1 to the Probate Code, relating to the appointment of guardians ad litem to represent the ward in accountings and providing for conclusiveness of said accountings.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1540: By Mr. Green—An act to amend Section 1553 of the Probate Code, relating to annual accounts of guardians.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1541: By Mr. Hawkins—An act to amend Sections 15151, 15253 and 15255 of the Health and Safety Code, relating to the application and enforcement of the State Housing Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1542: By Mr. Heisinger—An act to amend Section 803 of the Agricultural Code, relating to peaches.

Referred to Committee on Agriculture.

Assembly Bill No. 1543: By Mr. F. N. Howser—An act to amend Section 16 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the terms of office and election of judges of such courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1544: By Mr. Sawallisch—An act to amend Sections 4242, 4242.1 and 4242.2 and to add Section 4242.1a to the Political Code, relating to the compensation for public services in counties of thirteenth class.

Referred to Committee on County Government.

Assembly Bill No. 1545: By Mr. Tenney—An act to add Division 2a, comprising Sections 3100 to 3123, to the Labor Code, relating to labor organizations and the procedure to be followed in fining, suspending, and expelling members thereof.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1546: By Mr. Waters—An act to add Sections 7028.5, 7050, 7065.5, 7074, 7106.5 and 7121, and Article 9, consisting of Sections 7140 to 7145, inclusive, to Chapter 9 of Division 3 of, and

to amend Sections 7002, 7026, 7059, 7068, 7069, 7090 and 7115 of, and to repeal Sections 7055, 7056, 7057, 7058, 7074 and 7138 of, the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Building and Construction.

Assembly Bill No. 1547: By Mr. Waters—An act to amend Section 113 of the Vehicle Code, relating to the members of the California Highway Patrol.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1548: By Mr. Waters—An act to add Section 260 to the Code of Civil Procedure, relating to the qualifications of court commissioners.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1549: By Mr. Dilworth—An act to amend Section 117 of the Political Code, relating to the Congressional districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 1550: By Mr. Evans—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to seizure of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1551: By Mr. Evans—An act declaring all buildings and places nuisances wherein or upon which the illegal selling and serving of alcoholic beverages are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances.

Referred to Committee on Public Morals.

Assembly Bill No. 1552: By Mr. T. Fenton Knight—An act to amend the Agricultural Code by amending Section 1043, and to provide exemption from the provisions of said section to nonprofit, cooperative, agricultural marketing associations.

Referred to Committee on Agriculture.

Assembly Bill No. 1553: By Mr. Lyon—An act to amend Sections 6481, 6487, 6511, 6514, 6561, 6701, 6901, 6902, and 7056 of the Revenue and Taxation Code, and to add Section 6513.5 to said code, relating to the taxation of the privilege of selling, and of storing, using, or otherwise consuming tangible personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1554: By Mr. Lyon—An act to amend Sections 9, 10, 12, 14, 15, 17 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately," all relating to the taxa-

tion of the storage, use or other consumption of tangible personal property; and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1555: By Mr. Lyon—An act to amend Sections 11, 17, 18, 20, 21, 23 and 28 of an act entitled "An act imposing a tax for the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to sellers of tangible personal property, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," all relating to the taxation of the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property; and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1556: By Mr. Lyon—An act declaring it unlawful to picket or patrol where two or more labor organizations claim or seek the right to represent the employees of an employer for the purpose of collective bargaining.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1557: By Mr. Lyon—An act to add Chapter 7, comprising Sections 1126, 1127, 1128, 1129 and 1130 to Part 3, Division 2 of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1558: By Mr. Lyon—An act to amend Section 1080 of the Probate Code, making provision for an advisory jury.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1559: By Mr. Kellems—An act to amend Section 923 of the Labor Code, relating to public policy in connection with collective bargaining and to add Section 924 to the Labor Code defining labor organizations.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1560: By Mr. Kellems—An act to add Chapter 7, comprising Sections 1120, 1121, 1122, 1123, 1124, and 1125 to Part 3, Division 2 of the Labor Code, relating to employee discharges and labor agreements.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1561: By Mr. Maloney—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1562: By Messrs. Maloney and McCollister—An act to amend Section 5440 of the Public Resources Code and to add Sections 5455 to 5459, both inclusive, thereto, relating to county recreation districts, authorizing the borrowing of money for improvements and equipment and providing for the annexation of territory thereto, and, in addition, to validate the organization, boundaries, trustees, acts, proceedings and bonds of such districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1563: By Mr. Maloney—An act to amend Sections 6 and 12 of, and to add Section 25 to an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to officers of bridge and highway districts.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1564: By Mr. Robertson—An act to add a new section to the Civil Code, relating to the application of the law of suretyship to negotiable instruments and to instruments upon which a party agrees to be primarily liable.

Referred to Committee on Judiciary General.

Assembly Bill No. 1565: By Mr. Bashore—An act to repeal Section 661 of the Political Code, relating to the creation and payment of deficiencies in appropriations.

Referred to Committee on Judiciary General.

Assembly Bill No. 1566: By Mr. Call—An act to amend Sections 1, 2, 3 and 10 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1567: By Mr. Call—An act to amend Article 8, of Chapter 2, of Title 1, of Part 3 of the Political Code, including amendments to Section 302 of said code, relating to attendance and examination of witnesses before the Legislature and committees thereof.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1568: By Mr. Dilworth—An act making an appropriation to the University of California for the purpose of establishing and operating a laboratory in Riverside County for the study and investigation of diseases of poultry.

Referred to Committee on Ways and Means.

Assembly Bill No. 1569: By Mr. Dilworth—An act to amend Section 695 of the Political Code, relating to public documents and publications printed for State departments, boards, institutions, commissions, and officers.

Referred to Committee on Judiciary General.

Assembly Bill No. 1570: By Mr. Frederick F. Houser—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1571: By Mr. Green—An act to amend Section 658 of the Fish and Game Code, relating to the taking of salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1572: By Mr. Green—An act to amend Section 958 of the Fish and Game Code, relating to the possession and use of drag nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1573: By Mr. Green—An act to amend Section 958 of the Fish and Game Code, relating to the possession of drag nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1574: By Mr. Green—An act to amend Section 790 of the Fish and Game Code, relating to crabs and crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 1575: By Mr. Hawkins—An act to add Sections 2981, 2982, 2983 and 2984 to the Civil Code, relating to conditional sales contracts; defining certain words and terms; prescribing the form and contents of conditional sales and contracts; prescribing certain rights and obligations of buyers, sellers and other persons; and providing civil and criminal penalties.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1576: By Messrs. Lowrey, Collins, George D., Cain, Millington, Call, Desmond and Crowley—An act to provide for the purchase by the Fish and Game Commission of the State of California of lands, lands and water or lands and water rights or easements or shooting rights upon lands for a public shooting grounds; to provide for the regulation, operation, maintenance and administration thereof; appropriating funds for the purchase of said lands, easements or shooting rights; and appropriating funds for the regulation, maintenance, operation and control therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 1577: By Mr. Phillips—An act to amend Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation

of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1578: By Messrs. Tenney and Meehan—An act in aid of the Federal Copyright Laws, to assist in effectuating their true intent and enforcement.

Referred to Committee on Judiciary General.

Assembly Bill No. 1579: By Mr. Bennett—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Municipal Improvement Act of 1913, relating to the construction of public improvements, the levy of assessments and the issuance of bonds.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1580: By Mr. Phillips—An act to amend Section 1192a of the Penal Code, relating to the inquiry as to the causes of criminal conduct.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1581: By Mr. Dilworth—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary General.

Assembly Bill No. 1582: By Mr. Kellems—An act to add Section 7065.6 and to amend Sections 7110 and 7113 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Building and Construction.

Assembly Bill No. 1583: By Messrs. Bashore and Meehan—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements.

Referred to Committee on Civil Service.

Assembly Bill No. 1584: By Mr. Robertson—An act to enact a Fiscal Code, relating to State revenue, taxes, moneys and property, and the collection, acquisition, disposition, administration, supervision, management, control and use thereof, and budgeting, auditing, accounting and reporting with respect thereto.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1585: By Mr. Robertson—An act to add a new article to Chapter 3 of Title 1 of Part 3 of the Political Code, to be numbered Article 2 5 embracing Sections 360 to 360i, both inclusive, creating a Department of Revenue and relating to State revenue and taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1586: By Mr. Robertson—An act to add a new article numbered 6a, consisting of Sections 446 to 451, both inclusive, to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the duties of the Auditor General, and providing for the auditing and management of the fiscal and business affairs of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1587: By Mr. Robertson—An act to add two new articles to Chapter 3 of Title 1 of Part 3 of the Political Code, one to be numbered Article 2 5 embracing Sections 360 to 360i, both inclusive, and creating a Department of Revenue, and one to be numbered Article 2.8 embracing Sections 360j to 360m, both inclusive, and creating a Board of Tax Appeals, all relating to State revenue and taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1588: By Mr. Robertson—An act to repeal Article 6, consisting of Sections 433, 433.6, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 443.1, 444, 444.5 and 445, of Chapter 3 of Title 1 of Part 3 of the Political Code, and to add a new article numbered Article 6 to Chapter 3 of Title 1 of Part 3 of the Political Code, and to repeal Sections 658 and 679 of said code, relating to the Auditor General and the transfer of certain duties heretofore exercised by the State Controller and the Department of Finance to the Auditor General and providing for the auditing and management of the fiscal and business affairs of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1589: By Mr. Salsman—An act to amend Section 1 of the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to special assessment proceedings.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1590: By Mr. Salsman—An act to amend the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1591: By Mr. Salsman—An act to amend the act entitled "District Investigation Act of 1933," relating to sanitary and sanitation districts

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1592: By Mr. Salsman—An act to amend Section 23 of the act entitled "District Investigation Act of 1933," relating to fire, sanitary and sanitation districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1593: By Mr. Salsman—An act to amend the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements.

Referred to Committee on Municipal Corporations.

Assembly Bill 1594: By Mr. Salsman—An act to amend Sections 13 and 14 and to add Section 13b to the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to waiver of report, limitation of sections, and costs on abandonment.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1595: By Mr. Salsman—An act to amend Sections 6, 14 and 20 of the act entitled "District Investigation Act of 1933," relating to the investigation reports and debt limitations.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1596: By Mr. Salsman—An act to amend Section 6541.5 of the Health and Safety Code, relating to special assessment proceedings.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1597: By Mr. Salsman—An act to provide the date on which general obligation or voted bonds may be made payable.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1598: By Mr. Salsman—An act to amend Section 2 of the "County Improvement Act of 1921," relating to the levy of a maintenance tax.

Referred to Committee on County Government.

Assembly Bill No. 1599: By Mr. Salsman—An act to amend Sections 3a and 16 of the act entitled "Municipal Improvement Act of 1913," relating to the modification of improvement and the refunding of surplus funds

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1600: By Mr. Bashore—An act to add Section 4097.5 to the Political Code, relating to the counting of money in the county treasury.

Referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 35: By Mr. Robertson—Proposed amendment to Article IV of the Constitution, by adding Section 34b to said Article IV and amending Section 17 of Article V, relating to State moneys and property and the collection, acquisition, administration, supervision, management, control, use and disposition thereof, and reports, accounting and auditing with respect thereto.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 36: By Mr. Robertson—Proposed amendment to the Constitution of the State of California by adding Section 34b to Article IV, amending Section 17 of Article V, and adding Section 20 to Article XIII of said Constitution, relating to State revenue, taxes, moneys and property, and the collection, acquisition, administration, supervision, management, control, use and disposition thereof, and reports, accounting and auditing with respect thereto.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 37: By Mr. Robertson—Proposed amendment to Article XX of the Constitution, by adding Section 22 5 to Article XX thereof, relating to the assessment and collection of taxes and other revenue of the State, including in connection therewith the creation of a Department of Revenue

Referred to Committee on Constitutional Amendments.

REQUEST TO PRINT REPORT IN THE JOURNAL

Mr. Lowrey requested that a Report on the Investigation and Valuation of California State Teachers Retirement System be printed in the Journal.

Request referred to Committee on Rules.

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 1151

Mr Leonard requested that 500 extra copies of Assembly Bill No. 1151 be printed.

Request referred to Committee on Rules

RECESS

At 11.45 a.m , on motion of Mr. Johnson, the Assembly recessed until 11.50 a.m , to hear from Hon. William Cashill, Speaker of the Assembly of the State of Nevada

REASSEMBLED

At 11 50 a m . the Assembly reconvened
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RECESS

At 12 m , on motion of Mr. Lyon, the Assembly recessed until 2 p m.

REASSEMBLED

At 2 p.m., the Assembly reconvened
Hon. Gordon H. Garland, Speaker of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT

Mr. Gallagher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 15, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15

Assembly Concurrent Resolution No. 15—Relative to the American Association of School Administrators.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J , Cain, Carlson, Clarke, Collins, George D , Collins, Sam L , Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N , Johnson, Kilpatrick, Knight, John B , Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson,

Russell, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 16: By Mr. Del Mutolo—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 6, 1940.

Request for Unanimous Consent

Mr. Del Mutolo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

Assembly Concurrent Resolution No. 16—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 6, 1940.

Resolution read.

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

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Resolution ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

House Resolution No. 53

WHEREAS, During the constitutional recess, services of the officers, attaches and employees of the Assembly will not be required with the exception hereinafter noted; and

WHEREAS, There is a great deal of exacting detail pertaining to this session of the Legislature to be taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the performance of this work; therefore, be it

Resolved, That the name of each of the officers, attaches and employees heretofore employed by the Fifty-fourth Session of the Assembly for the positions at the per diem provided by law, be, and they are hereby stricken from the roll to begin and include the twenty-sixth day of January, 1941, save and except the following:

Arthur A. Ohnimus, Chief Clerk (36 days at $10 per day)	$360 00
Frank Reed, Assistant Chief Clerk (36 days at $9 per day)	324 00
David V. Oliver, Minute Clerk (36 days at $9 per day)	324 00
Wilkie Ogg, Sergeant-at-Arms (36 days at $8 per day)	288 00
Mildred Watson, History Clerk (30 days at $7 per day)	210 00
Albert Day, Journal Clerk (2 days at $7 per day)	14 00

Juanita Dependener, Chief Stenographer (36 days at $6 per day)	216 00
Nina Ronstadt, Secretary to the Speaker (36 days at $6 per day)	216 00
Cristel Hastings, Secretary to the Chief Clerk (36 days at $5 per day)	180 00
Lillian Larkin, Stenographer (36 days at $5 per day)	180 00
Marion Hendricks, Assistant Enrolling and Engrossing Clerk (30 days at $5 per day)	150 00
Carmelita Lozano, Stenographer (30 days at $5 per day)	150 00
Jacqueline Morgan, Stenographer (30 days at $5 per day)	150 00
Harold Lewright, Assistant Sergeant-at-Arms (30 days at $5 per day)	150 00
Tom Lyons, Assistant Sergeant-at-Arms (30 days at $5 per day)	150 00

Resolved, That the State Controller is hereby authorized and directed to draw his warrant upon the fund provided for the pay of officers, clerks, and all other employees of the Assembly, in favor of Arthur A. Ohnimus, Chief Clerk, in the sum of three thousand sixty-two dollars ($3,062) and the Treasurer is hereby directed to pay the same. Vouchers and receipts for all expenditures to be furnished to the Controller. The said above sum shall be used for such other and further clerical assistance as may be necessary to complete the above mentioned work.

LYON, Chairman, Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 637—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 54

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Pacific Telephone & Telegraph Co (Tolls)	$ 11 45
George N. Hammond Typewriter Co. (Rental and repairs)	120 43
H. S. Crocker Co. (Supplies)	18 88
J. H. Hastings (Lettering cash boxes)	20 00
Bancroft-Whitney Co. (Codes and Roberts Rules)	5.034 13
Bureau of Purchases	359 26
Bureau of Finance (Labor and material)	3 65

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 54, at this time, without reference to committee.

Resolution read.

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

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J. Cain, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—None.

By Mr. Lyon:

House Resolution No. 55

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee.

Resolution read

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

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

By Mr. Lyon:

House Resolution No. 56

Resolved, That the Chief Clerk be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during the constitutional recess.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 56, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Lyon:

House Resolution No. 57

WHEREAS, Various members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Expense Fund of the Assembly in favor of Wilkie Ogg, Sergeant-at-Arms, in an amount not to exceed five hundred dollars ($500), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 57, at this time, without reference to committee.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

By Mr. Lyon:

House Resolution No. 58

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, and such other information as he may deem useful; also to prepare for the use of members of the Legislature a Semifinal Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the Controller is hereby ordered and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of one thousand dollars ($1,000) to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 58, at this time, without reference to committee.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley,

Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 147—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 147:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 147

"An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 147 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 515—An act making an appropriation to pay the claim of Nell E Whitaker against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 515:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS.

ASSEMBLY BILL NO 515

"An act making an appropriation to pay the claim of Nell E. Whitaker against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately".

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I therefore recommend consideration of Assembly Bill No 515 as an emergency measure.

Respectfully submitted

CULBERT L OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 922
House Resolution No. 44

Has had the same under consideration, and reports the same back with the recommendation Do pass.

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 44

House Resolution No. 44

Resolved, That the Standing Rules of the Assembly be amended to read as follows:

Strike out the word "Calendar" wherever it appears in the Standing Rules of the Assembly and insert the word "File".

Resolution ordered on file.

Request for Unanimous Consent

Mr. Kilpatrick asked for, and was granted, unanimous consent to take up Assembly Bill No. 922, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 922

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Kilpatrick:

Resolved, That Assembly Bill No. 922 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 922—An act increasing the Revolving Fund of the Los Angeles Industrial Workshop for the Blind from twenty thousand dollars ($20,000) to forty thousand dollars ($40,000), making an appropriation therefor, and declaring the urgency thereof.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 922:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 922

"An act increasing the Revolving Fund of the Los Angeles Industrial Workshop for the Blind from twenty thousand dollars ($20,000) to forty thousand dollars ($40,000), making an appropriation therefor and declaring the urgency thereof",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill 922 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 922—An act increasing the Revolving Fund of the Los Angeles Industrial Workshop for the Blind from twenty thousand dollars ($20,000) to forty thousand dollars ($40,000), making an appropriation therefor, and declaring the urgency thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 683—An act regulating travel on certain described State highway routes.

Bill read third time.

Request for Unanimous Consent

Mr. Field asked for unanimous consent to have certain amendments to Assembly Bill No. 683 read.

Mr. Heisinger withheld his consent.

Motion to Temporarily Suspend the Rules

Mr. Field moved that the Rules be temporarily suspended for the purpose of allowing certain amendments to Assembly Bill No. 683 to be read, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Richie, Robertson Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—52.

NOES—Bashore, Collins, George D, Crowley, Evans, Gallagher, Hastain, Heisinger Howser, F. N, Knight, T. Fenton; Meehan, O'Day, and Pelletier—12

Motion to Amend Assembly Bill No. 683

Mr. Field moved the adoption of the following amendment to Assembly Bill No 683:

Amendment No. 1

At the end of Section 1 of the printed bill, add the following paragraphs

"That portion only of this Section 1 relating to motor vehicles used exclusively in the carriage of passengers for hire shall be effective only until January 30, 1943

The Department of Public Works is hereby authorized and directed to make a survey of traffic conditions on the route described above and at the termini thereof and report thereon to the Assembly of the California Legislature on the fifth day of January, 1943"

Amendment read and adopted

Bill ordered to reprint and re-engrossment.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hastain asked for, and was granted, unanimous consent to take up Assembly Bill No. 566, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 566

Assembly Bill No. 566—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, and Mr Speaker—60.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Kellems, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER. Your Committee on Rules recommends that the request of Assemblyman Thorp for the printing of 3,000 additional copies of Assembly Bill No. 792 be granted.

LYON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 160, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 160

Assembly Bill No. 160—An act to amend Sections 454, 456, 457, 458, 693, 471, 471.5, 472, 478.1, 480, 478, 479, 481, 482, 483, 484, 485, 486, 487, 488, 490, 493, 585, 586, 587, 491, 458.1, 452, 492, 510, 511, 512, 513, 514, 515, 516, 592, 593, 656, 502, 589, 590, 725, 727, 728, 729, 730, 731, 732, 733, 504, 505, 506, 507, 508, 509, 591, 477, 494, 495, 588, 496, 497, 498, 499, 500, 501, 625, 473, 503, 534, 535, 536, 596, 597, 598, 599, 600, 601, 531, 532, 533, 594, 595, 538, 539, 540, 541, 542, 602, 626, 627, 628, 629, 653, 654, 655, 657, 658, 476, 543, 561, 562, 563, 564, 565, 583, 701, 459, 460, 691 692, 692.5, 697, 698, 699, 474, 651, 652, 461, 584, 582, 581, 621, 622, 623, 630, 631, 632, 633, 455, 635, 636, 671, 672, 673, 674, 675, 676, 677, 678, 679, 694, 696, 453, 624, and 637 of the Agricultural Code and to renumber them to be Sections 452, 453, 454, 455, 456, 466, 467, 468, 469, 470, 471, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 497, 498, 499, 501, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 541, 542, 543, 544, 545, 546, 547, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 591, 592, 593, 595, 596, 601, 602, 603, 604, 605, 606, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 631, 632, 633, 634, 635, 636, 637, 641, 642, 643, 644, 645, 646, 647, 648, 656, 661, 662, 663, 664, 665, 666, 671, 672, 673, 676, 677, 681, 682, 683, 686, 687, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 721, 722 and 723 thereof, to amend Section 451, and the headings of Chapter 2, and of Article 1 of Chapter 2, of Division 4 thereof, to add Sections 496, 500 and 724, and the headings of Chapters 1, 3, 4, 5 and 6, and of Articles 2, 3, 4, 5, 6 and 7 of Chapter 2, Articles 1, 2, 3 and 4 of Chapter 3, and Articles 1, 2, 3, 4, 5, 6, 7 and 8 of Chapter 4, of Division 4 thereof, and to repeal Sections 475, 537, 589.5, 726 and 734 and the headings of Chapters 1, 3, 4, 5, 6, 7, 8 and 9 and of Articles 2 and 3 of Chapter 2, of Division 4 of the said code, relating to dairies and dairy products and imitations thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole,

Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Harold F. Sawallisch Presiding

At 3.45 p.m., Hon. Harold F. Sawallisch, member of the Assembly from the Tenth District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 17: By Messrs. Desmond and Cain—Relative to the creation of a Joint Legislative Committee on State Buildings at Sacramento, to study and report to the Legislature thereon and to recommend an orderly program of State building.

Referred to Committee on Rules.

Assembly Bill No. 1601: By Mr. Bennett—An act to amend the Building and Loan Association Act by amending Section 1.02 thereof, relating to the definition of the term "Building and loan association."

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1602: By Mr. Hugh M. Burns—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Referred to Committee on Public Morals.

Assembly Bill No. 1603: By Mr. Hugh M. Burns—An act providing an additional or alternative method for financing the acquisition, construction or completion of public utilities by any public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; provid-

ing for a statutory lien on the revenues derived from the operation of said public utility; and defining the terms public agency and public utility as included herein.

Referred to Committee on Public Morals.

Assembly Bill No. 1604: By Messrs. Burns, Hugh M., Cain and Lowrey—An act to amend the title and to add two new sections to be numbered 56 and 57 to an act known as "The Public Utility District Act," relating to cooperation and contract with the United States and to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors, other than taxes.

Referred to Committee on Public Utilities.

Assembly Bill No. 1605: By Mr. Hugh M. Burns—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1606: By Mr. Hugh M. Burns—An act to amend Sections 120, 157, 2630, 4106, 4110 and 4153 of, to repeal Chapter 4 of and to add a new Chapter 4 to Part 7, Division 1 of and to add Sections 2630.5, 4105.5, 4105.6, 4106.5 and 4106.6 to the Revenue and Taxation Code, relating to the redemption of property and the transfer of tax redemption duties from the auditor and treasurer to the tax collector.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1607: By Mr. Hugh M. Burns—An act to amend Section 114 of the Welfare and Institutions Code, relating to powers of Department of Social Welfare.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1608: By Mr. Hugh M. Burns—An act to establish a county merit system commission for every county, defining its powers and duties, and providing for the organization and government of a merit system for the welfare department employees in every county.

Referred to Committee on County Government.

Assembly Bill No. 1609: By Mr. Hugh M. Burns—An act to add Section 112 5 to the Welfare and Institutions Code, relating to establishment of personnel standards for the administration of Public Assistance Programs.

Referred to Committee on County Government.

Assembly Bill No. 1610: By Mr. Hugh M. Burns—An act to add Section 125 to the Welfare and Institutions Code, relating to the establishment of a Merit System Council, defining its powers and duties, and making an appropriation.

Referred to Committee on County Government.

Assembly Bill No. 1611: By Mr. Hugh M. Burns—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to sales of beer.

Referred to Committee on Public Morals.

Assembly Bill No. 1612: By Mr. Hugh M. Burns—An act to add Section 55.3 to the Alcoholic Beverage Control Act, relating to sales tax on sale of alcholic beverages

Referred to Committee on Public Morals.

Assembly Bill No. 1613: By Mr. Hugh M. Burns—An act to add Section 24.25 to the Alcoholic Beverage Control Act and to amend Section 27a of said act with reference to sale and excise tax collections on alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1614: By Mr. Hugh M. Burns—An act to add Section 38.5 to the Alcoholic Beverage Control Act, relating to certificates of compliance.

Referred to Committee on Public Morals

Assembly Bill No. 1615: By Mr. Michael J. Burns—An act to add Article 3a to Chapter 1 of Part 1 of Division 5 of the School Code, relating to training schools maintained at State colleges.

Referred to Committee on State Colleges.

Assembly Bill No. 1616: By Mr. Michael J. Burns—An act to make an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission for the extension of the State Park System, providing for the acquisition of land in Del Norte County for State park purposes.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 1617: By Messrs. Cain, Desmond, Gunlock, Crowley, Thurman, Welch, Collins, George D., Lowrey, Gallagher, Millington, O'Day, Gaffney, Burns, Hugh M., and Sawallisch—An act to amend Section 3300 of the Health and Safety Code, relating to State aid to cities and counties for the treatment of persons suffering from tuberculosis.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1618: By Mr. Cain—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Referred to Committee on Judiciary General.

Assembly Bill No. 1619: By Mr. Call—An act to amend School Code Section 6.170, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1620: By Mr. Call—An act to amend School Code Section 4.700, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1621: By Mr. Call—An act to amend School Code Section 3.491, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1622: By Mr. Call—An act to amend School Code Section 5.410, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1623: By Mr. Call—An act to amend School Code Section 6.1, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 1624: By Mr. Del Mutolo—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the San Jose State College.

Referred to Committee on State Colleges.

Assembly Bill No. 1625: By Messrs. Cronin, Wollenberg, Poulson and Gallagher—An act to establish a Medical and Dental Program for persons receiving public assistance from the public moneys of this State; establishing a bureau for the administration thereof and making an appropriation

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1626: By Mr. Cronin—An act to amend Section 2 of an act entitled "An act to define and limit the power of municipalities in assessing, levying or collecting taxes on motor vehicle carriers who are subject to the jurisdiction of the Railroad Commission of the State of California," approved July 25, 1939, relative to the power of municipalities in assessing, levying or collecting taxes on motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1627: By Mr. Cronin—An act to add a new section to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, by adding a new section to be numbered Section 4½, relating to the power of municipalities in assessing, levying or collecting taxes on operators.

Referred to Committee on Motor Vehicles

Assembly Bill No. 1628: By Messrs. Desmond, Hastain, Watson and Thorp—An act to amend the title of Article 1, Chapter 5, Division 5 and Sections 911, 912, 913, 914, 915, 916, 917, 919 and 920, and to add Sections 911.5, 911.10, 911.14, 911.15, 911.17, 911.20, 911.21, 911.25, 911 30, 911.35, 911.40, 911.45, 911.50, 911.55, 911.60, 911.65, 911.70, 911.71, 911.72, 911.75, 911.80, 911.81, 911.85, 911.90, 911 95, 911.100, 911.105, 911.110, 911.115, 911.120, 912.5, 912.10, 912.30, 912.35, 912.40, 914 5, 914.7, 914.10, 916 5, 916.10, 916.15, 916.20, 916.25,

916.30, 917.5, 917.10, 917.15, 919.1, 919.5 and 921 to the Agricultural Code, relating to seeds.

Referred to Committee on Agriculture.

Assembly Bill No. 1629: By Mr. Desmond—An act to provide for the sale and conveyance of certain lands lying within the abandoned river channel of the American River lying in the County of Sacramento, State of California.

Referred to Committee on River Navigation, Reclamation and Flood Control

Assembly Bill No. 1630: By Mr. Desmond—An act appropriating money to pay the claim of R. J. Broderick against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1631: By Mr. Desmond—An act to add Sections 1550.1, 1550.2 and 1550.3 to the Streets and Highways Code, relating to the powers of the county board of supervisors to levy road taxes.

Referred to Committee on County Government.

Assembly Bill No. 1632: By Mr. Desmond—An act to amend Section 4095 of the Political Code, relating to the issuance and cancellation of county warrants.

Referred to Committee on Judiciary General.

Assembly Bill No. 1633: By Mr. Desmond—An act to add Section 222 to the Welfare and Institutions Code, relating to the payment of county warrants issued for aid to indigents, needy children, to the needy blind and the needy aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1634: By Mr. Dickey—An act adding Section 3704 to the Political Code, relating to deputies for members of the State Board of Equalization.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1635: By Messrs. Dills, Bennett and Andreas—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1636: By Messrs. Dills, Thorp and Collins, Sam L.—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the State Department of Finance against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1637: By Messrs. Dills, Thorp and Collins, Sam L.—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the State Department of Finance against the State of California

Referred to Committee on Ways and Means.

Assembly Bill No. 1638: By Mr. Doyle—An act to add a new article to the School Code, to be known as Article 8 of Division 3 of Part 4, consisting of Sections 3.685b, 3.685c, 3.685d, 3.685e and 3.685f, relating to establishment of school camps.

Referred to Committee on Education.

Assembly Bill No. 1639: By Mr. Doyle—An act to amend Section 4300b and to repeal Section 4300d of the Political Code of the State of California

Referred to Committee on Judiciary General.

Assembly Bill No. 1640: By Mr. Dills—An act to amend Section 585 of the Agricultural Code, relating to milk and ice cream and the labeling thereof.

Referred to Committee on Live Stock and Dairies

Assembly Bill No. 1641: By Messrs. Dilworth and Lowrey—An act to amend Sections 354 and 355 of the Agricultural Code, relating to the slaughtering of calves and the disposal of the meat thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1642: By Mr. Evans—An act to amend Section 13.01 of an act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title 16 of Part 4 of Division 1 of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, relating to the Building and Loan Commissioner.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 1643: By Mr. Evans—An act to add Section 5.683 to the School Code, relating to the dismissal of probationary employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1644: By Mr. Gaffney—An act to amend Section 81 of the State Civil Service Act, relating to eligible lists.

Referred to Committee on Civil Service.

Assembly Bill No. 1645: By Mr. Gallagher—An act to license and regulate the business of detective agencies, private detectives, private police and private guards and to classify and specify the difference between employer and employee of a detective agency and to repeal Chapter 804 of the Statutes of 1933.

Referred to Committee on Judiciary General.

Assembly Bill No. 1646: By Mr. Green—An act to amend the provisions of Section 7740 of the Business and Professions Code to empower the Board of Cosmetology to draw upon or cause the appropriation of money from the Cosmetology Contingent Fund to defray the expenses of protecting the best interests and welfare of the profession of cosmetology and the teaching of cosmetology in accredited schools.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1647: By Mr. Green—An act to amend the provisions of Section 7307 of the Business and Professions Code increasing the powers of the Board of Cosmetology to intervene in litigation directly or indirectly affecting the general welfare of the profession of cosmetology and the teaching of cosmetology in accredited schools.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1648: By Mr. Hastain—An act to repeal Section 48 2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments.

Referred to Committee on Irrigation.

Assembly Bill No. 1649: By Mr. Hastain—An act to amend the title and Section 1 of "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, relating to the acquisition, development and disposal of electrical power by irrigation districts.

Referred to Committee on Irrigation.

Assembly Bill No. 1650: By Mr. Hastain—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Referred to Committee on Irrigation.

Assembly Bill No. 1651: By Mr. Hastain—An act to amend "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the management of irrigation districts having an area of more than 500,000 acres.

Referred to Committee on Irrigation.

Assembly Bill No. 1652: By Mr. Hastain—An act to amend Section 15 of the California Irrigation District Act, relating to the government of irrigation districts.

Referred to Committee on Irrigation.

Assembly Bill No. 1653: By Mr. John B. Knight—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class.

Referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1654: By Messrs. Knight, T. Fenton; Allen, Hastain and Houser, Frederick F.—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1655: By Messrs. Knight, T. Fenton; Allen, Field, Doyle, Kepple, Hastain, Waters, Poulson, and Houser, Frederick F.—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1656: By Messrs. Knight, T. Fenton; Allen and Hastain—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1657: By Messrs. Knight, T. Fenton; Allen, Hastain and Houser, Frederick F.—An act to repeal and add Section 56 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1658: By Messrs. Knight, T. Fenton; Allen, Hastain and Houser, Frederick F.—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1659: By Messrs. Knight, T. Fenton; Allen, Hastain and Houser, Frederick F.—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1660: By Messrs. Knight, T. Fenton; Allen, Hastain, Doyle, Kepple and Poulson—An act to amend Section 11 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1661: By Mr. Kilpatrick—An act to provide for the relief of hardship and destitution due to and caused by unemployment, and making an appropriation therefor.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1662: By Mr. Lyon—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1663: By Mr. Lyon—An act to add Section 651 to the Penal Code, relating to the use of force and threats.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1664: By Mr. Lyon—An act to amend Section 664 of the Political Code, empowering the State Board of Control to prescribe by rule and regulation limitations upon amounts to be expended by officers, agents and employees of the State while traveling on official business of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1665: By Mr. Maloney—An act to add Section 204.5 to the Labor Code, relating to time of payment of wages.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1666: By Messrs. Millington and Phillips—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135, to Part 3, Division 2 of the Labor Code, relating to hot cargo and secondary boycotts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1667: By Mr. Millington—An act to amend Section 57 of the Unemployment Insurance Act, relating to the qualifications for eligibility to receive unemployment insurance benefits.

Referred to Committee on Unemployment.

Assembly Bill No. 1668: By Mr. Millington—An act to amend Section 9 2 of the Unemployment Insurance Act, relating to definition of "unemployed"

Referred to Committee on Unemployment.

Assembly Bill No. 1669: By Mr. O'Day—An act to add Section 845 5 to the Fish and Game Code, relating to nets seized or violations of law.

Referred to Committee on Fish and Game.

Assembly Bill No. 1670: By Mr. O'Day—An act to amend Sections 1, 2, 3, 4, 5 and 5a, and to add Sections 2a and 2b to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to the sale and use of poisons.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1671: By Messrs. O'Day and Collins, George D.—An act to amend Section 489 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1672: By Messrs. O'Day and Collins, George D.—An act to add a section to the Penal Code, to be numbered 1127a, relating to the duty of the court in giving instructions in a criminal prosecution to juries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1673: By Messrs. O'Day and Collins, George D.—An act to add a section to the Penal Code, to be numbered 686a, qualifying and limiting the admission of statements made by a defendant in a criminal prosecution.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1674: By Messrs. O'Day and Collins, George D.—An act to amend Section 213 of the Penal Code, relating to punishment for robbery.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1675: By Messrs. Phillips, Carlson, Bennett, Sawallisch and Doyle—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to hours during which alcoholic beverages may be sold.

Referred to Committee on Public Morals

Assembly Bill No. 1676: By Mr. Phillips—An act making an appropriation for the support of the California School for the Blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1677: By Mr. Phillips—An act making an appropriation for the support of the California School for the Deaf.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1678: By Mr. Potter—An act to amend Section 1662 of the Probate Code, requiring the issuance of public records by the official in charge thereof to be used in matters under the jurisdiction of the veterans administration of the United States

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1679: By Mr. Potter—An act to amend Section 5.722 of the School Code, relating to sabbatical leaves.

Referred to Committee on Education.

Assembly Bill No. 1680: By Mr. Potter—An act to repeal Section 530.1 of the Probate Code, relating to notice of the hearing of the petition to approve the assignment of an interest in the decedent's estate.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1681: By Mr. Potter—An act to repeal Section 530 of the Probate Code of the State of California, relating to assignments of interest in a decedent's estate.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1682: By Mr. Potter—An act to amend Section 423 of the Probate Code, relating to nomination of a person to act as administrator of a decedent's estate.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1683: By Mr. Poulson—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1684: By Mr. Poulson—An act to establish a Permanent Reemployment Program under the supervision and direction of the Relief Administrator and the Relief Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1685: By Mr. Poulson—An act to amend Sections 6, 14, 20 and 23 of an act known as the "District Investigation Act of 1933."

Referred to Committee on Judiciary General.

Assembly Bill No. 1686: By Mr. Robertson—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges.

Referred to Committee on State Colleges.

Assembly Bill No. 1687: By Mr. Robertson—An act to amend Political Code Sections 675.1 and 677.5, relating to the powers and duties of the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1688: By Messrs. Robertson, Call, Green, Johnson, Lowrey, Houser, F. N., and Mrs. Daley—An act to amend School Code Sections 5.850, 5.853, 5.854, 5.871 and 5.873, relating to the California State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1689: By Messrs. Sawallisch and Burns, Hugh M. —An act to repeal Title 11a of Part 3, comprising Sections 1730 to 1772, of the Code of Civil Procedure, relating to conciliation proceedings.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1690: By Mr. Sawallisch—An act to amend School Code Sections 3.730, 3.731, 3.732, 3.733, 3.734, 3.735, 3.736, 3.737 and 3.738, and to add Sections 3.735-1 and 3.735-2 to said code, all relating to physical education and related activities in the public schools

Referred to Committee on Education.

Assembly Bill No. 1691: By Mr. Sawallisch—An act to add Article 2.5, comprising Sections 1720 to 1720 1, inclusive, to Chapter 5, Part 2, Division 1, of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1692: By Mr. Turner—An act to add Section 110 to Chapter 3, Title 1, Part 1, of, and to repeal Section 117 of, the Political Code, relating to Congressional districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 1693: By Mr. Turner—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1694: By Mr. Turner—An act to add Section 222 to the Welfare and Institutions Code, authorizing boards of supervisors to contract with Federal and State agencies for furnishing hospitalization in county hospitals for members or beneficiaries of Federal or State agencies charged with the administration of farm relief and with state-wide nonprofit medical service corporations providing medical service for small income farmers and their families.

Referred to Committee on County Government

Assembly Bill No. 1695: By Mr. Voigt—An act to add Section 16.1 to the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals

Assembly Bill No. 1696: By Messrs. Weber, Bashore, Lowrey, Burkhalter, Welch and Allen—An act to add Division 1-a, comprising Sections 1001 to 1214, inclusive, to the Public Resources Code, relating to surveys and maps, creating a Division of Surveys and Maps and a State Board of Surveys and Maps in the Department of Natural Resources, and prescribing their powers and duties.

Referred to Committee on Natural Resources.

Assembly Bill No. 1697: By Messrs. Weber, Bashore, Lowrey, Burkhalter, Welch and Allen—An act making an appropriation to carry out the provisions of Division 1-a of the Public Resources Code as enacted by the Legislature at its Fifty-fourth Session.

Referred to Committee on Natural Resources.

Assembly Bill No. 1698: By Messrs. Weber, Bashore, Lowrey, Burkhalter, Welch and Allen—An act to describe, define and officially adopt a System of Coordinates for designating and stating positions of points on the surface of the earth within the State of California.

Referred to Committee on Judiciary General.

Assembly Bill No. 1699: By Mr. Weber—An act to amend an act entitled, "An act to prescribe a procedure for the acquisition by the State, counties, cities and cities and counties of property under the provisions of Section 14½ of Article I of the Constitution of California; also providing for the sale or other disposition and conveyance of lands so acquired, and providing for the disposition of the proceeds of the

sale of such lands," approved June 13, 1929, including amendments to Sections 1, 2 and 3 thereof, all relating to the acquisition and disposition of property by the State, counties, cities, and cities and counties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1700: By Mr. Weber—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1701: By Mr. Weber—An act to add Article 2.5, comprising Sections 5135 to 5138, inclusive, to Chapter 2 of Division 5 of the Public Resources Code, relating to local art galleries and museums, authorizing counties and cities to accept title to real property therefor and to permit buildings therefor to be erected on public lands, providing for the delegation of authority thereover, and permitting the appropriation of moneys therefor.

Referred to Committee on County Government.

Assembly Bill No. 1702: By Mr. Weber—An act to add Sections 1034 and 1035 to the Political Code, declaring it to be unlawful for officers or employees of the State or any county, city, district, or other political subdivision of the State to secure the performance of, or to approve of the performance of, professional or vocational services, for the performance of which a license or registration is required, by unlicensed or unregistered persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1703: By Mr. Weber—An act to amend Section 5138 of and to add Section 5139.5 to the Revenue and Taxation Code, relating to property taxation and suits to recover taxes paid under protest.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1704: By Mr. Weber—An act to amend Section 2624 of the Revenue and Taxation Code, relating to property taxation, including the collection of delinquent taxes, and delinquent lists.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1705: By Mr. Weber—An act to require public districts, which assess, levy and collect assessments or taxes to file certain records and reports thereof in the offices of the county recorders of the several counties.

Referred to Committee on Judiciary General.

Assembly Bill No. 1706: By Mr. Weber—An act making an appropriation to pay the claim of Merle Sprague against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1707: By Mr. Weber—An act making an appropriation to pay the claim of Brea Canon Oil Company.

Referred to Committee on Ways and Means.

Assembly Bill No. 1708: By Mr. Welch—An act to amend Section 20763 of the Business and Professions Code, relating to renewal of licenses to sell petroleum products at retail.

Referred to Committee on Judiciary General.

Assembly Bill No. 1709: By Messrs. Weybret and Thorp—An act to add Section 102.5 to Chapter 1 of Division 2, Section 774.5 to Chapter 1b of Division 5, and Section 783.1 to Chapter 2 of Division 5 of the Agricultural Code, relating to the disposition of fees for certifications made by county agricultural commissioners.

Referred to Committee on Agriculture.

Assembly Bill No. 1710: By Mr. Weybret—An act to add Section 425 to the Agricultural Code, relating to dumping any refuse or other material on highways and other property.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1711: By Mr. Bennett—An act to amend Section 6.5 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1712: By Mr. Michael J. Burns—An act to amend Section 2505 of the Labor Code, relating to audit of hospital service records of common carriers

Referred to Committee on Public Utilities.

Assembly Bill No. 1713: By Mr. Cronin—An act to amend Section 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Referred to Committee on Judiciary General.

Assembly Bill No. 1714: By Mr. Dilworth—An act to amend Section 785 of the Agricultural Code, relating to the disposal of fruits, nuts and vegetables not conforming to standardization requirements.

Referred to Committee on Agriculture.

Assembly Bill No. 1715: By Mr. Doyle—An act ratifying and approving the Interstate Compact to conserve oil and gas as herein set forth, authorizing and directing the Governor of this State to execute any agreement to enable this State to become a member thereof, agreeing to the extension of the Interstate Compact to conserve oil and gas from its present expiration date, September 1, 1941, prescribing the form of the agreement, designating the Director of Natural Resources of this State as the authorized representative upon the Interstate Oil Compact Commission, authorizing and prescribing procedure for the withdrawal from the compact.

Referred to Committee on Oil Industries.

Assembly Bill No. 1716: By Mr. Desmond—An act to amend Sections 735 3, 735.9 and 736 1 of the Agricultural Code, including defini-

tions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1717: By Mr. Desmond—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1718: By Mr. Desmond—An act to amend Section 736.13 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1719: By Mr. Desmond—An act to amend Section 736 11 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1720: By Messrs. Cain, Kilpatrick, Lowrey, Gunlock, Welch, O'Day, Gaffney, Burns, Hugh M, Pelletier, Burkhalter, Bashore and Thomas—An act to add Chapter 6, comprising Sections 871 to 877, inclusive, to Part 2 of Division 2 of the Labor Code, relating to employees operating motor vehicles.

Referred to Committee on Public Utilities.

Assembly Bill No. 1721: By Mr. Desmond—An act to amend Section 735 7 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1722: By Mr. Desmond—An act to amend Sections 736.3, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1723: By Mr. Desmond—An act to amend Sections 735.4 and 737.5 and to repeal Sections 737.12 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1724: By Messrs. Desmond and Cain—An act to amend the title of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," and to amend Section 28 of said act, relating to the dissolution of such districts, and to add a new Section 30 to said act, relating to cooperative contracts with the United States, and to add thereto new Sections 31, 32 and 33, relating to the authorization and issuance of

bonds secured in whole or in part by revenues or sources of payment designated by the board of directors other than taxes.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1725: By Mr. Desmond—An act to amend Section 735.3 of the Agricultural Code, relating to the stabilization of fluid milk and fluid cream, including definitions.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1726: By Messrs. Gunlock, Lowrey, Cain, Gaffney, Welch, O'Day and Collins, George D.—An act to amend the title and Sections 2, 9, 14, 18, 20, 21, 23 and 24 of, and to add Section 28a to, the Central Valley Project Act of 1933, relating to the Central Valley Project, including the making of contracts and the issuance, sale and validation of bonds in connection with the acquisition, construction, extension, control or use of such project and of transmission and distribution works connected therewith.

Referred to Committee on Public Utilities.

Assembly Bill No. 1727: By Mr. Hastain—An act to amend Section 4288 of the Political Code, relating to the payment of salaries to county officers, deputies, clerks and employees

Referred to Committee on County Government.

Assembly Bill No. 1728: By Mr. Kellems—An act to add Section 5 29 to the Retail Sales Tax Act of 1933 and Section 4.18 to the Use Tax Act of 1935, relating to the exemption of property sold or used in the National Defense Program.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1729: By Mr. Lowrey—An act to amend Section 2.446 of, and to add Section 2.447 to, the School Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 1730: By Messrs. Thomas and Cain—An act to amend the title and Section 3 of, and to add Articles 11 to 18, inclusive, comprising Sections 151 to 357, inclusive, to the Unemployment Insurance Act, relating to a System of Health Insurance within the System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1731: By Mr. Cain—An act relating to bids for the construction of public works and improvements.

Referred to Committee on Governmental Efficiency and Economy.

Speaker Presiding

At 4 25 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

LEAVES OF ABSENCE FOR THE BALANCE OF THE LEGISLATIVE DAY

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

Mr. Phillips, on motion of Mr. Dickey.

RECESS

At 4.30 p.m., on motion of Mr. Johnson, the Assembly was declared at recess to meet with the Senate in Joint Session.

Joint Session

ASSEMBLY CHAMBER, SACRAMENTO, Friday, Jan. 24, 1941

At 4.30 p m., the Senate and the Assembly met in Joint Convention.

SENATE ROLL CALL

Hon Ellis E. Patterson, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Foley, Garrison, Gordon, Hays, Jespersen, Judah, Keating, Luckey, McBride, McCormack, Metzger, Mixter, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swan, Tickle, and Ward—32.

ASSEMBLY ROLL CALL

Hon. Gordon H Garland, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of the Assemblymen.

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—68.

APPOINTMENT OF COMMITTEE OF ESCORT

Hon Gordon H Garland appointed Messrs. Tenney, Field and Heisinger to escort His Excellency, Culbert L. Olson, Governor of the State of California, to the bar of the Assembly.

REPORT OF COMMITTEE OF ESCORT

The Assembly Committee of Escort appeared at the platform in company with His Excellency, Culbert L. Olson, Governor.

INTRODUCTION OF GOVERNOR CULBERT L. OLSON

Governor Culbert L. Olson was then presented to the Joint Convention by Hon Gordon H. Garland, Speaker of the Assembly.

Governor Culbert L Olson addressed the assembly.

ADJOURNMENT OF JOINT CONVENTION

There being no further business, at 5 p.m., the President of the Senate adjourned the Joint Convention sine die.

In Assembly

At 5 p.m , the Assembly reconvened.

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

BUDGET MESSAGE ORDERED PRINTED IN THE JOURNAL

The Speaker ordered the Budget Message printed in the Journal:

Budget Message

To the Senate and the Assembly of the State Legislature of California

In accordance with the provisions of Section 34, Article IV of the State Constitution, I herewith submit for your consideration a budget containing a complete plan and itemized statement of all proposed expenditures provided by existing law and recommended for each fiscal year of the biennium beginning July 1, 1941, and ending June 30, 1943, together with the comparisons of revenues and expenditures, as required by that section.

Expenditures recommended in this budget, totaling $552,570,000 are $13,487,000 below the actual and estimated expenditures for the current biennium. Estimated receipts are $613,070,000, or $54,532,000 more than the amount for the present biennial period. If this estimate proves correct, the excess of General Fund revenue over expenditures will retire the existing deficit in its entirety and permit the State to close the coming biennium with a General Fund surplus of $11,000,000.

This prospect is, of course, contingent upon three factors:

First, the continuance of the National Defense Program with its huge expenditures and consequent mounting economic activity.

Second, maintaining tax rates at present levels, and

Third, keeping actual appropriations for the coming biennium within the budget here presented.

Factors Controlling the Size of the Total Budget

Before discussing the items in this budget which show increases over the corresponding items of the current biennium, a few basic facts about the budget should be mentioned.

First, the fixed charges, or continuing appropriations, represent 70 per cent of the $552,570,000 total, or $385,700,000, of which $289,758,000 is for distribution or subventions to the counties, cities, and other units of local government for schools, streets and roads, local fairs and aid to the needy aged, the blind, and dependent children.

Second, items subject to executive control comprise only 30 per cent of the budget. Aside from unemployment relief, reductions possible in other controllable costs of State Government can not, in any case, be sufficient to offset the growth in mandatory charges experienced during recent years.

Third, California is a rapidly growing State. The numerical growth in population during the last decade exceeded that of any other State of the Union. It is reasonable, therefore, to expect corresponding demands for expanded governmental services with resultant increases in governmental costs.

Finally, we must take account of the fact that during the past quarter century the people have needed—demanded—and received many new, important and costly services at the hands of State Government. These services have contributed to and supported the general welfare. They have been evolved through our democratic processes. They are helping us to survive the impact of the machine age. They are easing our transition to a more rational social and economic order. They typify the evolution of government from a mere instrument of the police power used for the preservation of order, into an effective agency responsible to the collective needs and will of the people. This is the promise of American democracy which makes it strong and unconquerable.

Fixed Charges

Fixed charges, over which the Governor can exercise no control, will increase $21,424,000 during the coming biennium, according to budget estimates. In other words, that increase is mandatory under provisions of our State Constitution and existing statutes.

The largest item of mandatory costs is support of the public school system, which during the coming two-year period will require $160,670,000 or $4,680,000 more than the expenditure for this purpose during the current biennium. This increase is a product of our population growth. Elementary school enrollment has advanced during the current school year and will rise further as the increased number of children born in 1934 and 1935 reach school age. High school and junior college attendance is gradually mounting. Moreover, schools are being called upon to train workers for our National Defense Program.

Expenditures for construction and maintenance of highways, county roads, and city streets—another fixed cost—will increase $9,470,000 in the coming biennium to a new high total of $128,000,000. Nevertheless, those most familiar with the demands likely to be made upon our highway system believe that the present rate of investment in the traffic arteries of our State is inadequate.

Aid to needy aged, blind, and children, a function of government much neglected in the past, is rapidly assuming major proportions. State payments required for

assistance to these needy citizens will increase $7,600,000 in the 1941-1943 period, reaching a total of $49,750,000.

Requirements for debt interest and redemption will decrease in the next two years, due principally to a reduction in interest charges on registered warrants. It is anticipated that the improvement in the State's financial position will enable retirement of all but a fraction of the $90,000,000 of General Fund warrants now outstanding, and that the interest rate, which has decreased significantly in recent months, may drop to a still more advantageous level under the impact of increasing revenue. It should be emphasized, however, that debt service is the only important item of fixed cost showing a decrease in the coming fiscal period, and that this reduction is more than offset by increases in the mandatory costs already mentioned.

Other fixed charges, principally representing State-collected revenue shared with local units of government, will increase $3,100,000, making up the remainder of the $21,424,000 in the unavoidable increases encompassed in the budget total. It may be unnecessary to observe that had there been no increases in fixed charges, the budget total for 1941-1943 would have been $531,100,000 instead of $552,500,000.

Controllable Expenditures

Controllable expenditures of State Government may be divided into six functional groups: General government offices; unemployment relief; charitable and penal institutions; the State university and State colleges; regulation of motor vehicles; and miscellaneous.

In order to facilitate presentation of these budget data, I shall first discuss operating expenses of each group.

Operating expenses are those incurred in the normal running of our State offices, departments, institutions, schools, and other agencies of general government. They include salaries and wages of State employees, expenditures for food and clothing for inmates of our State institutions and prisons, and services, supplies, and equipment required by governmental offices.

In analyzing the State's operating expenses there is one large item common to all agencies; that is the allowance for salary adjustments. The budget recommendations make full provision for these adjustments, in compliance with the expressed intention of the Legislature to recognize merit in its public servants, and to offer qualified persons an incentive for a career in public service. Governmental efficiency is promoted, and sound business principles prompt, the adoption and application of this policy.

Section 70 of the State Civil Service Act, adopted in 1937, provides that after one year in service, each employee shall receive an upward adjustment of salary equivalent to one of the intermediate steps in his salary range if his performance rating shall equal a required percentage fixed by the Personnel Board. Salary ranges provide, generally, for four intermediate steps. Thus each efficient employee is entitled under the Civil Service Act to receive an adjustment of his salary at the end of each of his first four years of State service. Furthermore, the act provides that all agencies, in submitting budgetary requirements, shall carefully estimate and call attention to the need for moneys sufficient to provide for appropriate salary adjustments for the employees under their jurisdiction. To carry through the next biennium the adjustments given in the current two-year period, and to make the further adjustments due in 1941-1943, will require approximately $5,000,000. This increase affects all State agencies and is included in the totals for the six functional groups itemized below.

General State Offices, Boards, Commissions and Departments

The function of general government, involving support of 13 State departments, 17 boards and commissions, 5 administrative offices, together with the legislative, executive, and judicial branches, will require $48,500,000 for normal operating expenses during the 1941-1943 biennium, under the recommendations I am making to you. Of this amount, approximately 45 per cent will be paid out of the State General Fund, and 55 per cent from special funds—funds earmarked for specific purposes. The aggregate increase over the current biennium is $3,900,000. In recommending larger appropriations for general governmental agencies, I am recognizing the need for some additional funds by the State Department of Industrial Relations, the State Railroad Commission, the State Board of Equalization, the Franchise Tax Commissioner, and certain other agencies. During the budget hearings for these and all other agencies, substantial reductions were made, and it is only on the basis of established need that increases have been included in my budget recommendations.

Unemployment Relief

Because of the upsurge of business and industrial activity in California, induced by large Federal expenditures for National defense and the training of Army and Navy personnel, unemployment in this State has been decreasing at a rate unhoped-for even 12 months ago. It is now anticipated that by the beginning of the next biennium, jobs will have been found for nearly all of those now on the relief rolls who are capable of holding skilled or semiskilled jobs, and that the relief load will then consist mainly of the unskilled, the physically handicapped, and the seasonally

unemployed. In this budget I have recommended an appropriation of $38,700,000 for unemployment relief for the entire next biennium, a reduction of $40,600,000 from the total for the current biennial period. You know, as I have so often stated, that I am convinced we should as speedily as possible, but without permitting want and suffering, discontinue the payment of cash doles to the employable unemployed. Therefore, I shall present for your consideration, legislation to provide that unemployment relief funds may be used to give employment to the unemployed, and to train the unskilled for jobs in industry.

Hospitals, Homes, Prisons, Correctional Schools

The institutions, prisons, and reform schools of this State will provide care and maintenance for an average of 39,200 persons each year of the next biennium. For this purpose I recommend appropriations totaling $28,650,000 or $4,460,000 more than for the 1939-1941 period. In addition to salary adjustments and increases necessary for the growing number of patients and inmates, this increased allotment for the institutions of our State also makes provision for progress in the work of these agencies. I am recommending that during the next biennium the State make full provision for the institution shortly to be opened at the site of the State Narcotic Hospital, near Spadra, for the care and cure of chronic inebriates. The budget also contemplates that new treatments for the mentally ill, which have proved highly successful in limited applications, will be extended. The recently developed methods of intensive treatment, such as insulin shock, which have produced recoveries in the vast majority of cases in which they have been used, must be utilized in all instances where there is a possibility of success. The research work now being conducted in the State mental hospitals will be extended through placing into operation in January, 1942, the new Acute Psychiatric Hospital in San Francisco. While these improvements in the scientific handling of institutional cases will necessitate larger expenditures in the next biennium, the State will benefit economically and socially by rehabilitating thousands of men and women now crowding our State hospitals and restoring them to society as normal and useful citizens.

Education, State Colleges, University, and Special Schools

As all of you know, the University of California is one of the largest institutions of its kind in the United States in point of student enrollment, and the personnel of its instructing staff is unsurpassed. The State maintains seven State colleges, which are also recognized as foremost among educational institutions with high standards of instructions. The State also maintains two special schools for the deaf and blind, a merchant marine training academy and a polytechnic school, which are performing a splendid service in vocational education. Operation of these educational institutions, support of the State Department of Education, free textbooks, and other educational activities will require an expenditure of $27,980,000 during the coming two-year period, over 95 per cent of which will be paid from the State General Fund. Expenditures for these educational functions will increase $2,800,000 over the total for this biennium, of which $1,500,000 is for the University of California.

Regulation of Motor Vehicles

A constitutional amendment adopted in 1938 sets aside all revenue received from motor vehicle fuel taxes and motor vehicle fees, with the exception of "in lieu" license fees, for expenditure on highway, road, and street work and the regulation of motor vehicles. Thus, the State Department of Motor Vehicles occupies a somewhat unique place in governmental structure. Although expenditures of this department are controllable, any saving made in regulation of motor vehicles must be expended on highways, roads, and city streets. Expenditures recommended for this function of government total $14,300,000 or $1,230,000 above the comparable 1939-1941 figure.

Miscellaneous

Miscellaneous controllable items, including the State Fair, Sixth District Agricultural Association in Los Angeles, flood control, tuberculosis subsidies, the Emergency Fund, and miscellaneous minor charges will require $6,600,000. These expenditures will be $1,200,000 less than for the current biennium.

The increase in the operating expenditures for the State Government, exclusive of the $5,000,000 to carry salary adjustments, will be about $6,000,000. This sum represents the increased cost of extending governmental services in the fields I have mentioned.

Capital Outlays

Capital outlays recommended in this budget include only those "must" items requiring immediate attention. There are many others which would be highly desirable and which should be undertaken at the proper time, but a large part of this work can be postponed until the housing needs of the State Government can

be surveyed and a long-term building program formulated In the meantime, provision should be made for the relatively minor outlays embraced in this budget.

The State Government is badly in need of additional buildings. But whether we should enter upon a construction program at this time, in competition with the Federal Government's Program of Defense Construction, is a question meriting your immediate and serious study. Present prospects are that economic activity within our State will reach new high levels during the coming two or three years. But the time will come when peace shall again prevail in the world. We shall then have to face the probability that unemployment will again become as burdensome, as acute in all of its manifestations as ever before; perhaps more so. This prospect suggests that the actual commencement of an extensive public building program may well be postponed to provide work for those now engaged in preparedness industries. If we may judge from experience, an additional advantage of this policy will be the substantial economies resulting from lower prices of building materials.

I am, therefore, recommending that the State undertake a study of its long-term building needs and that, so far as possible, provision be made to time the construction of public buildings and the performance of public works to coincide with the work-needs of our citizens. Appropriate legislation for such a program will be introduced for your consideration.

The State's Financial Position

With respect to the current financial position of the State Government, I am pleased to report real improvement during the last year The tax system of this State is quickly responsive to business conditions, and the industrial activity generated by the National Defense Program has produced an extraordinary and unpredicted rise in revenue collections Although the General Fund deficit is estimated at $47,600,000 as of June 30, 1941, as compared with $36,500,000 in 1939, this increase occurred entirely within the first year of the present biennium. Financial operations during the current fiscal year show income and expenditures in balance.

A General Fund surplus of $11,000,000 is estimated for June 30, 1943, but I must caution you that this surplus is entirely prospective and contingent. It is two and one-half years in the future. These estimates have been carefully prepared and every effort has been made to anticipate the course of future economic conditions. But events may change our whole outlook. In view of the uncertainties in present world affairs, every effort must be made to husband the financial resources of State Government with a view to creating a surplus in hand rather than a surplus in prospect. Periods of great economic activity have always generated a reaction. We can not expect defense activity to be an exception. When the last business boom ended in the market crash of 1929 and we entered upon a prolonged depression, the State of California had a General Fund surplus of over $30,000,000. With our present State Budget approximately twice that of 10 years ago and a larger percentage of the total tied up in fixed charges, there is even greater need for a reasonable surplus to cushion the shock of another depression. When we have accumulated such a surplus, we may then turn our attention to revising our State Tax System and reducing the levies which now fall so heavily on those least able to pay. To that end, I invite your cooperation in holding special appropriation measures to the absolute minimum.

This budget, as I have said before, is based upon what I believe to be the present requirements of our State Government However, in the discharge of your duties as legislators, you will wish to determine for yourselves the needs of each State agency. In carrying out this task, all departments of the State Government stand ready to extend to you every facility at their disposal.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

January 24, 1941

Letter of Transmittal

SACRAMENTO, CALIFORNIA, January 23, 1941

Honorable Culbert L Olson, Governor of California
State Capitol, Sacramento, California

DEAR GOVERNOR OLSON. The 1941-1943 Biennial Budget for the State of California, totaling $552,570,000, is presented herewith for your consideration.

I am glad to report this budget to you at a time when increased revenues and decreased disbursements combine to give California a balanced fiscal program and assure the elimination of the General Fund deficit at the end of the biennium.

The Department of Finance has made every effort in the preparation of this budget to carry out your policies, analyzing each request submitted by the State departments, boards, and commissions, and eliminating increases which were con-

sidered unnecessary to the maintenance of existing governmental services. Reductions totaling over $11,000,000 were made in the budget requests of the 118 units of the State Government, including the elimination of proposals to create nearly 1,400 new positions. These deductions are in addition to the $37,000,000 request for capital outlay, final decision on which must await the adoption of a long range construction program.

I wish to call your attention to the conscientious service rendered by the staff of the Division of Budgets and Accounts, Department of Finance, in the preparation of this budget. The efficiency and sincerity which marked their labors speak well for the character of civil service in California.

Cordially yours,

GEORGE KILLION, Director of Finance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 17: By Messrs. Garland, Millington and Desmond—Relative to Sacramento River Flood Control Project.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 17, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 17

Assembly Joint Resolution No. 17—Relative to Sacramento River Flood Control Project.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1317, 1326 AND 1338

Mr Desmond moved that Assembly Bills Nos. 1317, 1326 and 1338 be withdrawn from the Committee on Insurance, and re-referred to the Committee on Unemployment.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Wollenberg, and Mr. Speaker—53

NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 128, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 128

Assembly Bill No. 128—An act to add Section 96.5 to the State Civil Service Act, relating to State civil service employees and former employees.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 285, at this time, without reference to file

CONSIDERATION OF ASSEMBLY BILL NO. 285

Assembly Bill No. 285—An act to add Section 395.4 to the Military and Veterans Code, relating to leaves of absence of public employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin.

Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Millington:

House Resolution No. 59

Resolved by the Assembly of the State of California, That the Standing Committee on Ways and Means of the Assembly is hereby authorized to meet during any recess of the Regular Session of the Fifty-fourth Legislature, at the State Capitol, or elsewhere in the State, and to perform the duties and to exercise all of the powers vested in it by the Standing Rules of the Assembly; and be it further

Resolved, That the sum of three thousand dollars ($3,000) is hereby made available to the Standing Committee on Ways and Means of the Assembly from the Contingent Fund of the Assembly for the purpose of paying the expenses of the committee in connection with its duties, including costs of any records and transcripts, and an allowance of eight dollars ($8) per day (in lieu of expenses for living accommodations and meals) and five and one-half cents ($0.05½) per mile each way for each member of said committee, incurred in connection with the powers granted and duties imposed by this resolution and the Rules of the Assembly, and for the paying of the expenses of the necessary assistants of said committee, the sum so made available to be disbursed upon the certification of the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr. Millington asked for, and was granted, unanimous consent to take up House Resolution No. 59, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Cassidy, Collins, George D., Donnelly, and Heisinger—4.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 45
Assembly Concurrent Resolution No. 17
Senate Concurrent Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Assembly Concurrent Resolution No. 17 ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Concurrent Resolution No. 17—Relative to the creation of a Joint Legislative Committee on State Buildings at Sacramento, to study and report to the Legislature thereon and to recommend an orderly Program of State Building

Bill read second time, and ordered engrossed.

CONSIDERATION OF HOUSE RESOLUTION NO. 45

House Resolution No. 45

Relative to the investigation of milk production and distribution and swine diseases

WHEREAS, The Standing Committee of Live Stock and Dairies will be called upon to consider legislation relating to milk production and distribution and swine diseases during this current session of the Legislature; and

WHEREAS, In order to intelligently consider and act upon such legislation it is necessary that the said committee be fully informed about the facts concerning the same; and

WHEREAS, It appears that the best method of acquiring accurate and necessary information concerning such matters would be to authorize a subcommittee appointed from the membership of the Standing Committee on Live Stock and Dairies to conduct an investigation and to study those subjects, now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby established an investigating committee to be known as the Committee on Live Stock and Dairies which committee is to study and investigate and survey accurately in detail the problems of milk production and distribution and swine diseases; and be it further

Resolved, That the committee shall consist of five members of the Assembly Standing Committee on Live Stock and Dairies to be appointed by the Speaker Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker; and be it further

Resolved, That the committee may employ, prescribe the duties and fix the compensation of such professional assistants, clerical and other employees as it finds necessary for the conduct of its work; and be it further

Resolved, That the committee is authorized to hold public hearings at Sacramento and at any place in California during the Fifty-fourth Session of the Legislature and any recesses thereof; and be it further

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

Resolved, That the committee, each of its members and any representative of the committee thereunto authorized by the committee or its chairman is authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof apply to the committee hereby created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way, incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals, an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

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

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock,

Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—Carlson, Collins, George D, Houser, Frederick F., Knight, T. Fenton; Pfaff, Russell, and Wollenberg—7.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Daley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to a Joint Fact-Finding Committee, and defining its powers and duties.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Daley moved a call of the Assembly.

Motion carried. Time, 6.07 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Bill No. 655
Assembly Bill No. 970

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Joint Resolution No. 8
Assembly Joint Resolution No 13
Assembly Concurrent Resolution No. 14

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 107
Senate Bill No 252

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Senate Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 7—Relative to Reports of the Department Encampment and the Annual Convention of the United Spanish-American War Veterans.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to Reports of the Department Encampment and the Annual Convention of the United Spanish-American War Veterans.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Senate Concurrent Resolution No 9

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 9—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted

for and ratified by the qualified electors of said city at the State election held therein on November 5, 1940.

Request for Unanimous Consent

Mr. Del Mutolo asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9

Senate Concurrent Resolution No. 9—Relative to approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at the State election held therein on November 5, 1940.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILLS NOS. 673 AND 1323

Mr. Hugh M. Burns requested that 2,000 extra copies of Assembly Bill No. 1323 be printed.

Request referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Joint Resolution No. 2

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 2—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded persons receiving old age assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 2?

Amendment No. 1

On page 1, lines 11 and 12, of the printed resolution, strike out "good workers and ambitious", and insert "still able".

Amendment No. 2

On page 1, line 13, of the printed resolution, strike out "their individual labors", and insert "gardening or other light labor suited to their age".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No 2 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Resolution ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 40

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 40—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 40?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "leaves of absence", and insert "the right of reinstatement".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "for", and insert "entering"

Amendment No. 3

On page 1 of the printed bill, strike out lines 7 to 11, inclusive, and insert "good standing who enters the military service of the United States, whether voluntarily or otherwise, shall have the absolute right to be restored to his former position with the same civil service status formerly had by him upon application by him to the board within 90 days after the termination of such military service. The provisions of this section shall apply to all such civil service employees who enter the military service during any such war or until the Governor finds and proclaims that the emergency no longer exists".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 40 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

Bill ordered enrolled.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1941

MR. SPEAKER. Your Committee on Military Affairs, to which was referred.

Assembly Bill No 224

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Acting Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 6—Relative to memorializing Congress to increase the appropriation of funds for the Central Valley Water Project.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1941, at 10.15 a.m

JOHN B. KNIGHT, Chairman

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR SPEAKER: Your Committee on Federal Relations, to which were referred

Assembly Joint Resolution No. 11

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported resolutions ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 224—An act to add Sections 518 and 519 to the Military and Veterans Code, relating to Junior College Cadets, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Joint Resolution No. 11—Relative to memorializing the President and Congress to enact legislation to secure all aged citizens against want or poverty by means of a system of Federal old age pensions.

Resolution read, and ordered engrossed.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Joint Resolution No. 5—Relative to the baneful effect of the importation of live stock and dressed meats from countries where foot and mouth disease exists.

Resolution read, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 4

At 6.15 p.m., on motion of Mrs. Daley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Allen, Bashore, Burns, Michael J. Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson,

Robertson, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—46.

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D, Cooke, Crowley, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N, Lowrey, Massion, Meehan, O'Day, Richie, Russell, and Thomas—23.

Resolution ordered transmitted to the Senate.

Explanation of Vote

These large expenditures following others of like nature have and do assume the nature of extravagances bordering on actual tax money waste through junketing over the State on matters already generally known by the public

S L HEISINGER

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1732: By Mr. Cain—An act to amend Section 2501 of the Labor Code, relating to the furnishing of hospital services by employees and former employees.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1733: By Mr. Allen—An act to amend Sections 654, 655, 656, 657, 677 5, 680, and 686a of, to add Sections 446, 446.5, 447, 447.5, 448, 448.5, 449, and 449 5 to, and to add Article 19, consisting of Sections 700 to 705.1, inclusive, to Chapter 3, Title 1, Part 3 of, and to repeal Sections 658, 658 5, 658 6, 658.7, 660, 661, 661½, 661.8, 662, 663, 663b, 663c, 663.5, 663.6, 664, 664a, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 674a, 675, 675a, 675.1, 675.2, 676, 677, 679, 681, 682, 683, 685, 686, 687, 688, 689, 689a, 691, 692, 693, 694b, 694c, 694e, 694f, 694g, and 695 of, the Political Code, relating to State revenue, moneys, and property, and the administration, supervision, management, control, budgeting, auditing, and accounting with respect thereto, including the transfer of duties exercised by the State Board of Control, the Department of Finance and the Director of Finance, to the California Board of Control, the State Controller and the

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Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1734: By Mr. Bennett—An act to add Section 625 to the Streets and Highways Code, relating to State highway routes.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1735: By Mr. O'Day—An act to provide for the payment of prevailing rates of wages to any chefs, cooks or assistant cooks employed by the State of California or by any department or agency thereof or by any county, municipality or other political subdivision thereof.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1736: By Mr. Allen—An act to repeal the heading of Title 2 of Part 4 of Division 3 of the Civil Code, to add a new Title 2 of Part 4 of Division 3 of Part 3 of said code, consisting of Sections 1804, 1804 2, 1804 4, 1804 6, 1804.8, 1805, 1805.2, 1805.4, 1805 6, 1805 8, 1806, 1806 2, 1806.4, 1806.6, 1806.8, 1807, 1807.2, 1807 4, 1807 6, 1807 8, 1808, 1808.2, 1808.4, 1808.6, 1808.8, 1809, 1809.2, 1809.4, 1809 6, 1809.8, 1810, all inclusive, relating to conditional sale

of goods, and to make the law of sale of goods in the State of California uniform with the law of other States.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1737: By Mr. Evans—An act granting in trust to the City of Los Angeles certain lands of the State of California located in Exposition Park in said city.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1738: By Mr. Richie—An act relating to political activities of public officers and employees and for the protection and preservation of such rights.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1739: By Mr. Richie—An act to repeal Chapter 4, comprising Sections 6000 to 6154, of Division 3 of the Business and Professions Code, relating to the practice of law and the State Bar.

Referred to Committee on Judiciary General.

Assembly Bill No. 1740: By Mr. Richie—An act to add Sections 73 5, 73 6 and 73 7 to the Penal Code, relating to the giving of legal or financial assistance in the prosecution of any criminal case.

Referred to Committee on Crime Problems.

Assembly Bill No. 1741: By Mr. Cronin—An act to amend Section 278 of the Vehicle Code, relating to operator's and chauffeur's licenses.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1742: By Mr. Poulson—An act to amend Section 5708 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1743: By Mr. Poulson—An act to amend Section 5304 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1744: By Mr. Poulson—An act to amend Sections 4660, 4662 and 4663 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 1745: By Mr. Poulson—An act to amend Section 3208 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1746: By Mr. Poulson—An act to amend Section 5700 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1747: By Mr. Poulson—An act to amend Section 5951 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1748: By Mr. Poulson—An act to amend Section 5705 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1749: By Mr. Poulson—An act to amend Section 4453 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1750: By Mr. Poulson—An act to amend Section 5003 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1751: By Mr. Poulson—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1752: By Mr. Gallagher—An act to pay the claim of the Rucker-Fuller Company against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1753: By Mr. Dilworth—An act to add Section 10253 5 to the Health and Safety Code, relating to birth certificates of adopted children.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1754: By Messrs. Gaffney and Collins, George D.—An act to add Chapter 3, comprising Sections 7325 to 7332, inclusive, to Part 3 of Division 5 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings, whether constructed heretofore or hereafter to be constructed, to safeguard and protect window washers and others employed upon said buildings.

Referred to Committee on Public Utilities.

Assembly Bill No. 1755: By Mr. Gaffney—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1756: By Messrs. Meehan and Kilpatrick—An act to amend Sections 5.792 and 5.796 of the School Code, relating to the merit system of the noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 1757: By Messrs. Sawallisch, Stream, Bashore and Cronin—An act to amend Section 11001 of the Revenue and Taxation Code and to add thereto Section 11003.5, relating to Vehicle License Fee Funds.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1758: By Messrs Sawallisch, Stream, Bashore and Cronin—An act to amend Sections 4, 9 and 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing

for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1759: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to amend Section 175 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1760: By Mr. Sawallisch—An act to add Section 4606 to the Labor Code of the State of California, relating to workmen's compensation and insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1761: By Mr. Sawallisch—An act to add Section 100 to Chapter 3, Title 1, Part 1, of, and to repeal Section 117 of, the Political Code, relating to Congressional districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 1762: By Mr. Wollenberg—An act to amend Section 3812 of the Elections Code, relating to election ballots.

Referred to Committee on Elections.

Assembly Bill No. 1763: By Messrs. Lowrey and Thorp—An act making an appropriation to the University of California for the purpose of conducting investigations relative to the control of screw worm and the dissemination of information relative thereto.

Referred to Committee on Governmental Efficiency and Economy.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1763

Mr. Lowrey moved that Assembly Bill No. 1763 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Live Stock and Dairies.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1764: By Mr. Clarke—An act to add a new section to the Agricultural Code, to be numbered 553.5, relating to sterilized milk and cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1765: By Messrs. Maloney, Houser, Frederick F., and Call—An act to add a new section to the State Civil Service Act to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

Referred to Committee on Civil Service.

Assembly Bill No. 1766: By Mr. Maloney—An act to amend Section 57 of the State Civil Service Act, relating to officers and employees of the Attorney General.

Referred to Committee on Civil Service.

Assembly Bill No. 1767: By Messrs. Voigt, Thomas and Lyon—An act to add Section 22 1 to "An act to provide for the planting, protection, maintenance and removal of trees, shrubs, and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof and providing for the establishment of a city forester and describing his duties and fixing his compensation" approved June 19, 1931, providing an alternative method for collecting assessments to cover the cost of the improvements therein provided for.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1768: By Messrs. Lyon, Call, Maloney, Tenney and Burns, Hugh M.—An act to amend Sections 3, 4, 5, 6, 6.6, 6.9, 7, 8, 10, 11, 12, 14, 17, 20, 22, 22b, 22c, 22d, 23b, 24, 24.3, 24.5, 24.7, 30, 31f, 32, 33, 34, 39, 45, 46, 47, 49, 51, 51a, 51c, 51g, 52, 54.3, 55, 66, 67, 67.1, and to repeal Sections 6.4 and 54.1 of the Alcoholic Beverage Control Act, and to add thereto Sections 53.4 and 53.7, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1769: By Mr. Cronin—An act to add a new section to the State Civil Service Act to be numbered 57.5, relating to the officers and employees of the State engaged in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons.

Referred to Committee on Civil Service.

Assembly Bill No. 1770: By Mr. George D. Collins—An act to amend Sections 52 1 and 53 of the Unemployment Insurance Act, relating to benefits

Referred to Committee on Unemployment.

Assembly Bill No. 1771: By Mr. George D. Collins—An act to amend Sections 9 2 and 57 of, and to add Section 66 5 to, the Unemployment Insurance Act, relating to qualifications for benefits.

Referred to Committee on Unemployment.

Assembly Bill No. 1772: By Messrs. Collins, George D., and Gaffney—An act to amend Section 13 of the Unemployment Insurance Act, relating to suitable employment.

Referred to Committee on Unemployment.

Assembly Bill No. 1773: By Messrs. Collins, George D., and Gaffney—An act to amend Section 7 of the Unemployment Insurance Act, relating to the exclusions from employment.

Referred to Committee on Unemployment.

Assembly Bill No. 1774: By Messrs. Collins, George D., and Gaffney—An act to amend Section 9 of the Unemployment Insurance Act, relating to employers subject to the act.

Referred to Committee on Unemployment

Assembly Bill No. 1775: By Messrs. Lyon and Evans—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1776: By Mr. Evans—An act to amend Section 19561 of the Business and Professions Code, relating to horse racing and the conduct of horse races.

Referred to Committee on Public Morals

Assembly Joint Resolution No. 18: By Messrs. Burkhalter, Bashore, Kilpatrick, Tenney, Poole, Allen, Wollenberg, Evans, Potter and Weber—Relative to pension and compensation payments to veterans suffering total permanent disability.

Referred to Committee on Rules

Assembly Joint Resolution No. 19: By Messrs. Johnson, Evans, Waters, Dills, O'Day, McCollister, Howser, F. N., Pfaff and Bennett—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military and naval service of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military and naval service of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gumbeck, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 683
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 683—An act regulating travel on certain described State highway routes

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—59

NOES—Bashore, Collins, George D., Dills, Middough, O'Day, and Welch—6.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—59

NOES—Bashore, Collins, George D., Dills, Middough, O'Day, and Welch—6

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to place the name of Mr. Cain on Assembly Bill No. 1724 as a co-author.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1734

Mr. Bennett asked for, and was granted, unanimous consent to withdraw Assembly Bill No. 1734 from the Committee on Revenue and Taxation and have it placed upon the file.

Motion to Strike Assembly Bill No. 1734 From File

Mr Bennett moved that Assembly Bill No. 1734 be stricken from the file, and a new bill be substituted in its place to bear the number 1734.

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Fred

erick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Return of Bill by Unanimous Consent

Original Assembly Bill No. 1734 returned to Mr. Bennett by unanimous consent.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1941

MR SPEAKER: Your Committee on Rules recommends that the request of Assemblyman Leonard for 500 additional copies of Assembly Bill No. 551 be granted.

Your Committee on Rules also recommends that the request of Mr Lowrey for the printing of the Report on Investigation and Valuation of California State Teachers' Retirement System as of June 30, 1940, be granted

LYON, Chairman

REPORT ON INVESTIGATION AND VALUATION OF CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM AS OF JUNE 30, 1940

By Ralph R Nelson, Actuary for California State Teachers' Retirement System for State Employees Association

CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM
SACRAMENTO, November 18, 1940

Retirement Board
California State Teachers' Retirement System
State Library and Courts Building
Sacramento, California

GENTLEMEN: Section 5821(c) of the State Teachers' Retirement Act provides that the Retirement Board

> "(c) shall keep in convenient form such data as shall be necessary for the actuarial valuation of the Retirement System In not to exceed six-year *periods after June 30, 1935, the board shall make an actuarial investigation* into the mortality, service and other experience of members and beneficiaries as defined in this chapter, and further shall make an actuarial valuation of the assets and liabilities of the Retirement System. From time to time, the board shall determine the rates of interest being earned on the funds created hereunder Upon the basis of any or all of such investigation, valuation and determination shall adopt for the Retirement System such interest rates, mortality, service and other tables as shall be deemed necessary; provided, that no action of the board, other than correction of errors in calculating the annuity at the time of retirement, shall change the annuity payable to a person retired prior to the date such action is taken";

In accordance with the foregoing provision and as directed and authorized by you at the meeting held in April, 1940, an investigation into the experience under the Permanent Fund during the five years ended June 30, 1940, and a valuation of the assets and liabilities of the fund as of that date, have been made. The investigation and valuation, based on data taken from the records in the office of the Retirement System, refer particularly to the Permanent Fund. Since, however, the retirement status of an increasing number of members of the Retirement System, is dependent on both the Permanent and Annuity Deposit Funds, certain data and information about the latter, are pertinent and are given in this report. The results of the investigation, in fact, apply also to the Annuity Deposit Fund, hereinafter called the Annuity Fund, and the mortality tables developed for retired persons will be used under the Annuity Deposit Fund for calculating the actuarial equivalent in life annuities, of accumulated annuity deposits at retirement. The nature of the Permanent and Annuity Funds will be explained later

The original working papers and all tables used in the valuation, are available at the Retirement Office, and consequently the various rates developed from the experience under the system during the five years ended June 30, 1940, will not be given in this report According to accepted methods, however, rates were

developed on a basis of the actual experience among members and beneficiaries of the system, under the following headings

1. Rates of termination of membership in Retirement System through resignation or discharge.

2. Rates of death prior to retirement.

3. Rates of disability retirement.

4. Rates of service retirement.

5. Rates of death after retirement.

In connection with the rates in Items 1 to 5, and with the interest rate, the following statements are made:

6. Many persons cease to be employed in positions subject to the Retirement System, without withdrawing their contributions and thus terminating their membership in the system. The failure to withdraw in some instances is due to the small amount of contributions made; but persons having appreciable service, most probably do not withdraw their contributions, because they intend to return to service and receive credit for time served under the system, without the necessity of redepositing contributions with interest which would be required, were such contributions withdrawn

Persons leaving the service and having credit for a small amount of service, are replaced on the average with persons similarly situated with regard to age and service. On the contrary, persons with appreciable service and therefore at higher ages, are not replaced on the average with persons similarly situated with regard to age and service, but instead with persons younger in age and with little service.

After careful consideration, members who failed to contribute during 1939-1940, but who did not withdraw contributions, were not considered in determining the rates in Item 1. Such persons who had rendered less than seven years of service, were eliminated from the valuation, except as to the liability of the system for the refund, at resignation or death, of contributions made since July 1, 1935. Such individuals with more than seven years of service were included in the valuation, in the same manner as other members Results based on these "noncontributors" are tabulated separately from results for "contributors," i.e, members who contributed during 1939-1940

7. Although not a part of the Retirement Act, the School Code provision terminating permanent employment at age 65, is increasingly having the effect of a provision requiring retirement at that age For the purpose of the valuation, therefore, compulsory retirement at age 65 or at a higher age now attained, was assumed.

8. The interest earned under the Permanent Fund is now over 3 per cent. The rate is constantly decreasing, however, first because new funds are being invested in a high security market, at rates approximating or less than 3 per cent, and second because securities under which an interest return of from 4 to 6 per cent is being realized, are maturing now, and the proceeds are reinvested at the lower yields in the current market. While no one can forecast with confidence, the future course of interest rates under high quality securities required for the Retirement Fund, it is unlikely that a rate materially higher than 3 per cent can be earned over an extended period. For the purpose of the current valuation, interest at the rate of 3 per cent per annum was assumed

The principal provisions governing the State Teachers' Retirement System are given in the following items, reference being made to pages 1 to 8 of the pamphlet containing the Teachers' Retirement Act as printed in September, 1939, and attached hereto, except as noted,* as "Exhibit A," for a more detailed statement of such provisions, and to the act itself, contained in "Exhibit A," for a complete and final statement of provisions bearing on all phases of the system:

Principal Provisions

9. *Contributions required of members*

Twenty-four dollars to the Permanent Fund, for each year of credited service, but for not over 30 years of service rendered prior to July 1, 1935, with the provision that interest is charged on certain contributions in arrears, and the further provision that contributions with interest, in arrears and not paid before retirement, will be deducted in monthly installments from the retirement salary. Members coming under the system for the first time, after July 1, 1935, except members of local funds, must contribute to the Annuity Fund, 4 per cent of salary, less the Permanent Fund contribution of $24 per year, and may contribute additional percentages Other members, including members of local funds, have the option of so

* Because many persons receiving this report will have the pamphlet, it will not be attached to all copies of the report The pamphlet may be secured in any event, by writing to the Retirement Office in Sacramento

contributing to the Annuity Fund (See Item 23(e), for the number of members making annuity contributions.)

10. *Contributions required of the State*

Five per cent of the Inheritance Tax to the Permanent Fund, the contributions made at the beginning of each year being based on the Inheritance Tax collected during the preceding year. No contributions to the Annuity Fund.

11. *Contributions required of school districts, State institutions and other employers*

Six dollars semi-annually for each member shown on the pay rolls next preceding November and May 15th, respectively, making $12 per annum per member to the Permanent Fund, the number of members being determined for each installment, on the basis of the pay rolls as stated No contributions to the Annuity Fund.

12. *Benefit at resignation or discharge*

Refund to member of Permanent Fund contributions made after July 1, 1935, without interest, and Annuity Fund contributions with interest. Upon reemployment, Permanent Fund contributions withdrawn, must be redeposited with 4 per cent interest from date of refund to date of redeposit. Redeposit of annuity contributions, without interest, is optional with member.

13. *Benefit at death before retirement*

Payment to deceased's beneficiary or estate, of Permanent Fund contributions made after July 1, 1935, without interest, and Annuity Fund contributions with interest.

14. *Conditions for service retirement*

Completion, regardless of age, of at least 30 years of service which may be credited under the Retirement System in accordance with Section 5 822, at least 15 of which shall have been served in California, including 10 of the last 11 years of service immediately preceding retirement (See Item 7 for statement on retirement at age 65.)

15 *Allowance upon service retirement*

A retirement salary from the Permanent Fund, of $50 per month, subject to monthly deductions of $15 until contributions with interest, in arrears on account of service rendered outside the State, or under claimed exemption, as permitted in 1914, are liquidated; and thereafter monthly deductions at the rate of $5 until the balance of contributions in arrears is liquidated. In addition to the retirement salary from the Permanent Fund, an annuity actuarially equivalent to the member's annuity contributions, with interest, is paid from the Annuity Fund.

16. *Conditions for disability retirement*

Completion, regardless of age, of at least 15 years of service which may be credited under the Retirement System in accordance with Section 5 822, at least 15 of which shall have been served in California, including 10 of the last 11 years of service immediately preceding retirement, and proof by medical examination of bodily or mental infirmity which incapacitates the member for further service; or

Attainment of age 65 as a permanent employee of a school district, and the completion of at least 10 years of service which may be credited under the Retirement System in accordance with Section 5 822 (See Item 7 for statement on retirement at age 65.)

17. *Allowance upon disability retirement*

A retirement salary from the Permanent Fund, in an amount which bears the same ratio to $50, as the years of service credited to the member, not to exceed 30 years, bear to 30 years, subject to monthly deductions of $12 and $4, on account of contributions in arrears, as explained in Item 15, for service retirement. In addition to the retirement salary from the Permanent Fund, an annuity actuarially equivalent to the member's annuity contributions, with interest, is paid from the Annuity Fund.

To make clearer the nature of the Permanent and Annuity Funds, partially described in Items 9 to 17, three plans under which retirement funds may be founded, are described as follows:

18. *Purely Cash Disbursement Plan*

The system is established without calculation of its costs, contributions equal to benefits only, being provided. There is no Reserve Fund, since benefits are paid as they become due, out of equal current revenues, and no part of the cost is borne by interest.

During the first few years, the number of pensioners is few and the contributions required to pay benefits increase slowly. As more persons qualify for retirement, the number of pensioners and the required contributions increase at an accelerating

rate. Finally, the contribution requirements become sufficiently heavy to cause a reorganization of the system, with addition of new sources of revenue or reduction of benefits, or both. The system may be continued on the purely cash disbursement plan, with a repetition of its experience, or it may be changed to one of the plans described in the next two items.

19. *Semi Cash Disbursement Plan*

The system is established without calculation of its cost, but revenues are provided somewhat in excess of the amounts required, by rough estimate, to pay benefits for a few years. During the early years, the system accumulates reserves, and interest bears a minor part of the cost. As more persons qualify for retirement, current disbursements approach or exceed current income, and the system is overhauled, with increased contributions based on another rough estimate of future costs, and with a repetition of its experience. Under this and the preceding plan, contributions required of members are used ultimately, wholly or in part to meet current expenditures.

20. *Reserve Plan*

The system is established after an actuarial calculation of the cost, or by limiting a member's benefits to an actuarial equivalent of accumulated contributions held for him when the benefit is determined. Contributions are made by the member and the employer as service is rendered, in amounts to accumulate at retirement to a fund sufficient to carry out the promise to pay benefits to the member, on account of service as a member while contributions are being made, without further contributions from any source. Interest earned on the reserve meets a material part of the cost. Benefits payable on account of service rendered prior to the date of placing the system on the reserve basis, usually are met by contributions from the employer over a fixed period, plus assets on hand at that date. Under this plan, contributions, whether by a member or by the employer in his behalf, are unchanged throughout membership, either in amount or in percentage of salary, except as experience under the system requires adjustments in the rates adopted for the contingencies listed in Items 1 to 5.

Under the State Teachers' Retirement System, the Permanent Fund follows the Semi Cash Disbursement Plan in Item 19, while the Annuity Fund, to which only members contribute, follows the Reserve Plan in Item 20.

The valuation of the assets and liabilities under the system gives the following results, to be considered only in the light of statements in preceding paragraphs, including the provisions of the Retirement Act, and the statements in Items 51 to 63. The number of items under which data are given, may be confusing until they are studied. Experience has shown, however, the desirability of giving the fullest possible information under all items, to permit various combinations of benefits and contributions directly from the report itself. An Actuarial Balance Sheet appears on page 13.

Miscellaneous Data

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
21. Number of active members (6-30-40)—		
Who contributed during 1939-40*	47,016	33,461
Who contributed only prior to 1939-40 and who had rendered more than 7 years of service**	2,782	2,461
Total	49,798	35,922
22. Total annual salaries, contributors only, excluding per diem salaries	$98,883,972 00	$64,764,860 00

* Hereinafter referred to as "Contributors"—See Item 6
** Hereinafter referred to as "Non-Contributors"—See Item 6

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
23. Miscellaneous information about active members—		
a. Average age (6-30-40), contributors only—		
Men	40.14	
Women	43 23	
Combined	42.42	
b. Average age at retirement, from active service tables based on rates in Items 1 to 5—		
Men	63.25	
Women	63 48	
Combined	63.36	
c Average annual salary, 1939-40 scales, excluding per diem salaries—		
Ages 20-29	$1,590 06	
Ages 30-39	2,027 52	
Ages 40-49	2,399 97	
Ages 50-59	2,543 63	
Ages 60 and over	2,591 12	
d. Average years of service prior to 7-1-40 upon which contributions are based—		
Contributors only	14 92	
e. Number of members contributing to Annuity Fund—		
Compulsory	12,943	
Optional	2,037	
Total	14,980	
Average entry age, 12,943 compulsory contributors, entering after 6-30-35—		
Men	28.82	
Women	26.59	
Combined	27.39	
24 Miscellaneous information about retired members—		
f. Number at 6-30-40—		
Retired for service	2,864	2,073
Retired for disability	1,108	925
g Monthly service retirement allowances being paid (6-30-40)—		
Retirement salaries, gross	$143,200 00	$103,650 00
Less deductions for contributions in arrears	14,095 00	10,202 00
Net retirement salaries	$129.105 00	$93,448 00
Average monthly retirement salary—		
Net	$45 08	$45 08
Gross	50 00	50 00
Number of local fund members	791	
Average local fund monthly allowances		
Los Angeles	$50 53	
San Diego	48 86	
San Francisco	74 52	

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
h. Monthly disability retirement allowances being paid (6-30-40)—		
Retirement salaries, gross	$40,822 00	$33,749 00
Less deductions for contributions in arrears	3,736 00	3,119 00
Net retirement salaries	$37.086 00	$30,630 00
Average monthly retirement salary—		
Net	$33 47	$33 11
Gross	36 84	36 52
Number of Local Fund members	183	
Average local fund monthly allowances—		
Los Angeles	$47 95	
San Diego	42 90	
San Francisco	41 56	

Present Values of Various Benefits and Contributions

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
25. Present value of withdrawal benefits (Benefits described in Item 12)—		
Contributors*:		
Contributions made after 7-1-35 and before 7-1-40	$284,837	$222,567
Contributions to be made after 7-1-40	572,688	476,236
Total	$857,525	$698,803
Non-Contributors*.		
Contributions made after 7-1-35 and before 7-1-40	23,823	21,299
Contributions to be made after 7-1-40	21,824	19,489
Total	$45,647	$40,788
Grand total	$903,172	$739,591
26. Present value of death benefit (Benefit described in Item 13)—		
Contributors.		
Contributions made after 7-1-35 and before 7-1-40	$342,611	$231,012
Contributions to be made after 7-1-40	1,115,354	838,070
Total	$1,457,965	$1,069,082
Non-Contributors:		
Contributions made after 7-1-35 and before 7-1-40	16,167	13,934
Contributions to be made after 7-1-40	60,913	54,127
Total	$77,080	$68,061
Grand total	$1,535,045	$1,137,143

* See Item 6, and footnote to Item 21.

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
27. Present value of disability retirement salaries (Disability retirement described in Items 16 and 17)—		
Active, retirement salary yet to be granted.		
Contributors	$38,066,857	$25,397,162
Non-Contributors	2,070,174	1,821,228
Total	$40,137,031	$27,218,390
Retired, retirement salary already granted:		
Gross	$5,166,963	$4,275,183
Less present value contributions in arrears	145,807	121,725
Net total	$5,021,156	$4,153,458
28. Present value of service retirement salaries (Service retirement described in Items 14 and 15)—		
Active, retirement salary yet to be granted:		
Contributors*	$112,248,746	$72,721,870
Non-Contributors*	6,931,680	6,108,404
Total	$119,180,426	$78,830,274
Retired, retirement salary already granted:		
Gross	$16,461,037	$11,870,121
Less present value contributions in arrears	625,330	452,622
Net total	$15,835,707	$11,417,499
29. Present value of members' future contributions other than in arrears, $24 per year (Described in Item 9)—		
Contributors	$15,481,868	$11,493,324
Non-Contributors	934,307	828,754
Total	$16,416,175	$12,322,078
30. Present value of members' contributions in arrears (Described in Items 9, 15 and 17)—		
Contributors	$3,824,209	$2,721,666
Non-Contributors	173,645	153,609
Total	$3,997,854	$2,875,275
31 Present value of districts' future contributions for present members, $12 per year (Described in Item 11)—		
Contributors	$7,740,934	$5,746,662
Non-Contributors	467,153	414,377
Total	$8,208,087	$6,161,039
32. Present value of State's future contributions for present members, 5 per cent of inheritance tax (Described in Item 10)—		
Contributors	$6,025,027	$4,472,819
Non-Contributors	363,601	322,523
Total	$6,388,628	$4,795,342

* See Item 6, and footnote to Item 21.

Combined Present Values of All Benefits and Contributions and Unfunded Balances

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
33. Aggregate present value of all benefits, active members only, from Items 25 to 28—		
Contributors*	$152,631,092	$99,886,916
Non-Contributors*	9,124,581	8,038,483
Total	$161,755,673	$107,925,398
34. Aggregate present value of all contributions, excluding contributions in arrears, active members only, from Items 29, 31 and 32		
Contributors	$29,247,830	$21,712,805
Non-Contributors	1,765,061	1,565,654
Total, excluding contributions in arrears	$31,012,891	$23,278,459
35. Aggregate present value of all benefits, retired members only, from Items 27 and 28—		
Gross	$21,628,000	$16,145,304
Less present value of contributions in arrears	771,137	574,347
Net present value of benefits payable to members retired prior to 7-1-40	$20,856,863	$15,570,957
36. Unfunded present value of aggregate benefits, active members only, excluding assets on hand, Item 33 less Items 34 plus 35—		
Contributors	$123,383,264	$78,174,111
Non-Contributors	7,359,520	6,472,829
Total	$130,742,784	$84,646,940
Less present value of contributions in arrears from Item 11	3,997,854	2,875,275
Net unfunded present value of aggregate benefits, active members only, excluding assets on hand	$126,744,930	$81,771,665
37. Assets on hand—		
Cash	$166,260	
Securities	11,802,776	
Accrued interest	173,379	
Members' contributions in course of collection	164,563	
Total	$12,306,978	
38. Total net unfunded present value of all benefits, from Items 35 and 36—		
Active: Contributors*	$119,559,055	$75,452,445
Non-Contributors*	7,185,875	6,319,220
Total active	$126,744,930	$81,771,665
Retired	20,856,863	15,570,957
Total	$147,601,793	$97,342,622
Less assets on hand, from Item 37	12,306,978	
Net unfunded present value, Permanent Fund	$135,294,815	

* See Item 6, and footnote to Item 21.

	Permanent Fund Only	
	1	*2*
	All Members	*Members Not Belonging to Local Systems*
39. Annual contributions per member required if State and districts alone funded last amount in Item 38—		
Additional contributions:		
$135,294,815 ÷ ($8,208,087 ÷ 12, from Item 31)	$197.80	
Plus $12 now being contributed by districts	12.00	
Plus average 5% of inheritance tax, by State	9.34	
Total from State and districts	$219.14	
Members' present annual contribution	24.00	
Total annual contributions per present active member	$243.14	
40. Annual contributions per member, required under assumption that members will contribute $64 per year—		
Annual contributions of State and district	$187.02	
Members' annual contributions	60.00	
Total annual contributions per present active member	$247.02	
41. Annual contributions per member required under assumption that members will contribute $84 per year—		
Annual contributions of State and districts	$165.61	
Members' annual contributions	84.00	
Total annual contributions per present active member	$249.61	

On the basis of the valuation results given in Items 21 to 38, the following actuarial valuation balance sheet was compiled:

Actuarial Valuation Balance Sheet Showing Assets and Liabilities of the California State Teachers' Permanent Fund as of June 30, 1940

(See items on following pages for comments)

Assets	
42. Assets now held by the Permanent Fund, from Item 37	$12,306,978
43. Present value of members' contributions to be made after July 1, 1940, other than contributions in arrears, from Item 29	16,416,175
44. Present value of active members' contributions in arrears, from Item 30	3,997,854
45. Present value of retired members' contributions in arrears, from Items 27 and 28	771,137
46. Present value of contributions to be made by school districts after July 1, 1940, for present members, from Item 31	8,208,087
47. Present value of contributions to be made by the State after July 1, 1940, for present members, from Item 32	6,388,628
Total assets	48,088,859
48. Unfunded deficit from Item 38	135,294,815
Total assets and deficit	$183,383,674

Liabilities

49. Present value of all benefits payable after July 1, 1940, to active members—	
a. Withdrawal benefits, from Item 25	$903,172
b. Death benefits, from Item 26	1,535,045
c. Disability retirement allowance, from Item 27	40,137,031
d. Service retirement allowance, from Item 28	119,180,426
50. Present value of all benefits (gross) payable after July 1, 1940, to members retired prior to that date —	
e. Disability retirement allowance, from Item 27	5,166,963
f. Service retirement allowance, from Item 28	16,461,037
Total liabilities	$183,383,674

The foregoing data should be considered in the light of the following comments:

51. The data are tabulated in two columns. The first column includes all members of the Retirement System, regardless of whether they also are members of local funds. "Local funds" refers to the retirement systems established in the Los Angeles, San Diego and San Francisco School Districts, to supplement the benefits under the State System. The data in the second column apply only to members not belonging to local funds. The information in the second column, referring to members not belonging to local funds, is furnished to permit any desired calculations under assumed scales of benefits and contributions, to apply to these members only.

52. Item 6 and Item 21 explain the meaning of "Contributors" and "Non-Contributors," these terms being applied, respectively, to persons who contributed during 1939-40, and to persons who contributed only prior to that year and who had rendered more than seven years of service, but who had not withdrawn contributions. The 47,016 "Contributors" in Item 21, consist of 12,387 men and 34,629 women, and the "Non-Contributors" of 235 men and 2,527 women Persons who elected, in 1914, to be exempt from membership, and who are still exempt but in service, are not included in the valuation, although they have the right to become members.

53. "Contributions in arrears" as used in Items 24(g), 24(h) and subsequent items, refers to the amount by which members, whether active or retired, have failed to contribute $24 to the Retirement System, for each year of service credited, subject to the limitation that contributions shall not be charged for more than 30 years rendered prior to July 1, 1935 See Items 9, 15 and 17, on pages 3, 4 and 5, for further explanation Section 5822 of the Retirement Law covers crediting of service.

54. The State's contributions referred to in Item 32 on page 10, are made up of 5 per cent of the inheritance tax. This amount varies from year to year, but for the purposes of this item, an average of the amounts received during the last four years has been taken Five per cent of the inheritance tax during the last few years has varied by as much as $250,000, and it is possible that the average annual amount taken here is in excess of what will be received during the next few years It should be noted in connection with this item and with the preceding Item 31, referring to districts' contributions, that the annual contribution per member is taken for the future, on the basis of present active members only. "Districts" is used in this report to include State schools and other employers Contributions to be received on account of members who replace present members, are considered as for the benefit of those members, and, therefore, not included in the present values here stated This is a proper procedure, because, in the present valuation, benefits to be paid by the Retirement System in the future, are based altogether on present members If contributions to lie made on account of future members are included in determining the present value of asset items, namely, the present value of contributions from various sources, it would be necessary to take into account, benefits to be paid to future members, as well as members now in the service, in determining the present value of liability items

55. Items 25 to 32 both inclusive, give the present value of the various benefits yet to be paid, and contributions yet to be received, under the Retirement System Present value of benefits means amounts which, if improved at the assumed rate of interest from July 1, 1940, will pay the benefits as they fall due That is, the benefits, falling due from time to time in the future, have been discounted back to June 30, 1940, by the use of (1) an assumed rate of interest on retirement funds, and (2) the probability that an individual now in service will survive to receive the respective benefits Present value of contributions likewise means an amount derived by discounting contributions from the various sources and at the various rates provided in the Retirement Act, from the time they normally would be paid to

the system, back to June 30, 1940, by the use of an assumed rate of interest, and the probability that individuals will survive to make the contributions. Items 1 to 8, refer to the interest rate assumed, and the various rates used in determining the probabilities that individuals will remain in the service to contribute and to receive benefits. Items 33 to 38, both inclusive, give aggregate present values of benefits and contributions, and the net unfunded present values of benefits "Unfunded" means that contributions are not now provided under the Retirement System to pay the benefits in question. The amounts in these various items are derived directly from the present values in Items 25 to 32, both inclusive.

56. For example, the aggregate present value of contributions yet to be made by members, the State and school districts, is given in Item 34, as $31,012,891, excluding contributions in arrears, the amount being derived from Items 29, 31 and 32 The present value of contributions in arrears is given in Item 30, and is credited in Item 36, on the present value of aggregate benefits.

57. Items 39 to 41 show, as illustrations only and not as suggestions, the amount which would be required of the State and the districts to fund the unfunded benefits; first, if members continue with their present contributions; second, if members contribute $60 per year instead of $24; and third, if members contribute $84 per year instead of $24. In deriving the State's and districts' contributions under these items, based on present active members, it must be remembered that a change in the rates of contributions of members increases the amounts shown in Items 25 and 26, as based on contributions to be made after July 1, 1940, and the amount shown in Item 29, in direct proportion to the change in the contributions. The difference between the increase in Items 25 and 26, and the increase in Item 29, resulting from the change in members' contributions, if deducted from the amount in Item 38, shows the new net unfunded present value of benefits to be funded by State and district contributions in addition to their present contributions, namely, $12 per year from districts, and $9 34 from the State. If this new net unfunded present value is divided by $684.007, which is the present value of $1 per year per present active member, the result is the additional annual contribution per member required of the State and districts under the new assumed rate of contributions by members.

58. If the retirement allowances now provided for members, not belonging to local funds were increased, the present values in Items 27 and 28, active members only, would be increased in direct proportion to the change in benefits. If the increase in the present value is divided by $513,420, the present value of $1 per year present active member not under local funds, the result is the additional contribution per member per year which would be required of the State and districts, if members' contributions are as assumed in Items 39 to 41.

59 The annual contribution per member shown in Items 39, 40 and 41, may be compared roughly with the costs of annuities purchased now from life insurance companies, and also with costs under other retirement systems. Because of the difference in benefits, these comparisons are not conclusive, but merely indicate that the contributions in Items 39 to 41, are not out of line For example, according to quotations from a typical life insurance company, $344 82 is the annual premium quoted for an annuity of $50 per month, purchased at age 43, the present average age of women members shown in Item 23 (a), with annuity payments to start and premiums to cease at age 63, the average age of retirement shown in Item 23 (b) The foregoing quotation is given for women, the comparable annual cost for men being $246 92 These annuities provide for refunds at death or failure to pay premiums, but they do not provide disability benefits

Under the San Francisco City and County Retirement System, the school district contributes $157 per year for each member employed by the school district. The average contribution of the member is $87.75, making a total of $244 75 contributed to the system annually for each member. In this system the average monthly service retirement allowance being paid at July 1, 1940, as shown in Item 24, is about 50 per cent larger than the service retirement allowance under the Permanent Fund. The disability monthly retirement allowance, however, is only about 25 per cent greater under the San Francisco Fund The ages of retirement are different under the two systems, and there are other differences in principles. More important, however, the San Francisco school district started contributions on the reserve basis over 15 years ago. These comparisons are rough, and merely indicate, as stated, that contributions determined in Items 39 to 41 are not out of line.

60. Attention should be given to the question as to whether all members' contributions should not be placed in a fund separate from contributions of the State and districts. This practice is followed now with annuity contributions The use of active members' contributions to pay monthly allowances to persons already retired, becomes of greater concern as members' contributions increase

61. Contributions under Items 39, 40 and 41 are not shown in column 2, referring to members not belonging to local funds, because they, of course, are included in the column for all members. Separate data referring to members not belonging to local funds, are furnished as already stated, solely for the purpose of any calculations which might be desired, in connection with additional benefits for these members.

62 Item 23 (c) shows that 2,037 present members who were subject to the Retirement System prior to July 1, 1935, and who, therefore, were not subject to compulsory annuity contributions, have elected to make such contributions in accordance with the option explained in Item 9. The item also shows that 12,943 present members who became subject to the Retirement Law after July 1, 1935, are now required to contribute to the Annuity Fund as explained in Item 9. The contributions made by these persons to the Annuity Fund will be applied at their retirement, to provide life annuities in addition to the retirement salaries payable from the Permanent Fund as explained in Items 15 and 17 To permit an approximate calculation of the benefit which will be provided by the annuity contributions, the following table is submitted:

Approximate Monthly Annuity Provided by Member's Contributions of $100 Per Year (Administered on "Savings Bank" Basis)

Age at Which Contributions Begin	*Retirement Age*					
	Men			*Women*		
	55	*60*	*65*	*55*	*60*	*65*
25	$29 10	$42 29	$61 82	$25 46	$36 86	$54 00
30	22 30	33 28	49 57	19 51	29 00	43 30
35	16 43	25 50	39 01	14 38	22 23	34 07
40	11 38	18 79	29 89	9 95	16 38	26 11
45	7 01	13 01	22 03	6 14	11 34	19 25
50	3 25	8 02	15 25	2 84	6 99	13 32
55	----	3 71	9 40	----	3 24	8 21

It is sufficiently accurate for rough approximations to base the table on contributions in amount rather than percentages of salaries, particularly since annuity contributions consist of a percentage of salary, less $24 per year For example, if a man, under the foregoing table, contributed $100 per year from age 30 to 60, an additional annuity of approximately $33 28 would be provided. This amount would be added to the $50 per month now provided by the Permanent Fund to make a total retirement allowance of approximately $83 28 Approximately 15,000 members are now providing additional annuities, varying in amounts according to their salaries, to which the 4 per cent or higher percentage (see Item 9) will be applied, and to the length of time during which they will contribute

63. The deficit shown in Items 38 and 49 is larger than the deficit determined by any previous valuation The difference between the results of this valuation and the valuation as of December 31, 1926, for example, results principally from: (a) lower interest rate earned; (b) lower mortality rates among both active and retired persons, and consequently a greater number of members surviving to receive retirement allowances, and surviving longer after retirement; (c) lower rates of separation among the members of the system and therefore the survival of more members to receive retirement allowances; (d) additional 13½ years of service rendered since the previous valuation was made, and consequent increase in ages of members; (e) increase by approximately one-third in the number of members; (f) lower average age at retirement; (g) increase in retirement benefits; and (h) increase in contributions of members and districts.

Respectfully submitted.

RALPH R NELSON, Actuary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Bill No. 175
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 303

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1941

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

Assembly Bill No. 637

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Weber:

House Resolution No. 60

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows.

"61 Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly, by a majority vote of the entire membership, shall refer it to some other committee."

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"75 There shall be standing committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows:

1. House Functions, _____ members.
2. Attaches, _____ members.
3. Legislative Procedure, _____ members.
4. Conservation and Planning, _____ members
5. Highways, _____ members
6. Fish and Game, _____ members
7. Governmental Efficiency, _____ members.
8. Revenue and Taxation, _____ members.
9. Ways and Means, _____ members.
10. Education, _____ members
11. Crime and Correction, _____ members
12. Public Morals, _____ members.
13. Public Health, _____ members
14. Social Welfare, _____ members
15. Civil Service and Departments, _____ members
16. Military and Police, _____ members
17. County and Municipal Government, _____ members
18. Elections, _____ members.
19. Judiciary Codes, _____ members
20. Judiciary General, _____ members
21. Direct Legislation, _____ members.
22. Agriculture, _____ members.
23. Manufacturing and Mineral Industry, _____ members
24. Corporations and Utilities, _____ members.
25. Labor and Capital _____ members
26. Commerce and Navigation, _____ members
27. Motor Vehicles, _____ members
28. Finance and Insurance, _____ members"

Resolved, That Rule 75a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75a. For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

Three committees to consider matters concerning legislative organization and procedure: Two on House functions, Nos 1 and 2; and one on legislative procedure, No. 3

Eighteen committees to consider legislative measures affecting government and governmental organization: Three on conservation and planning, Nos. 4 to 6; three on fiscal matters, Nos 7 to 9; one on education, No 10; four on social welfare, Nos 11 to 14; one on civil service and departments, No. 15; one on military and police, No 16; two on political subdivisions, Nos 17 and 18; three on judiciary and laws, Nos 19 to 21.

Seven committees to consider legislative measures affecting industry Two on production, Nos. 22 and 23; two on labor and capital, Nos. 24 and 25; two on distribution and transportation, Nos 26 and 27; one on finance, No 28

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule 75b be added to the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows.

"75b If any previously existing committees have been consolidated by the adoption of House Resolution No _____, the chairman of the committee to which, under the Permanent Standing Rules existing immediately prior to the adoption of this resolution, a matter has or would have been referred, may if he so desires preside at all meetings of the committee to which the matter is referred or re-referred connected therewith, or the Speaker may so direct."

Resolved, That Rule 79a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"79a Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, and this shall not be deemed a violation of Assembly Standing Rule No 49 If such a recommendation of a committee is adopted by a majority vote of the Assembly, the bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolution read, and referred to Committee on Rules

By Mr. Weber:

House Resolution No. 61

Resolved, That Rule 82a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"82a. There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings."

Resolved, That Rule 82b be added to said Rules to read as follows:

"82b There is a Commitee on Legislative Procedure consisting of ____ members, including the Speaker, which shall also be the Committee on Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolution read, and referred to Committee on Rules.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Daniel F. Harris, Editor of Kern County Labor Journal, of Bakersfield.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Buron Fitts, former Lieutenant Governor and former District Attorney of Los Angeles County.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. J. "Nin" Guidotti, Chairman, Sonoma County Board of Supervisors.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gordon W. Chapman and William L. Frazier, American Federation of Labor, State of Wisconsin.

On request of Alameda Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. Janssen, Chairman, Board of Supervisors, Alameda County.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John A. Mancini, City Engineer of Hayward, and Robert A. Kolze, Councilman of Hayward.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. William Cashill, Speaker of the State Assembly of Nevada

On request of Mr Gordon H. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. R. C. Combs, attorney of Visalia

On request of Mr Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. W. Starling and Miss Marion Starling of Hollywood, and Mrs. L A. Broaddus of Sacramento.

On request of Mr. Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John M. Ratto, Supervisor, City and County of San Francisco

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Dearborn.

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Whiting of Ben Lomond.

On request of Mr. Massion, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the State Board of Pharmacy: Alvah G. Hall, President, Los Angeles, Y. Attarian, Los Angeles, John S. Ramsay, San Francisco, Harold L. Rogers, San Francisco, John A. Foley, Secretary, San Francisco, Ralph A. Marks, Oakland and H. G. Cunningham, Barstow.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the Social Legislation Class of San Jose State College at San Jose: Dr. William Paytress, Milton B. Rendahl, Austin Spencer,

Willard Saunders, Edward Tellolian, Mildred Geisler, Betty Schumann, Florence Johnson, Clare Nichols, Lois Gardner, Leonard Morton, Frank Bonanno, Justin Lundquist, Ann McLaughlin, Joy Wray, Dorothy Christenson, Walter Woodman, Jean Smullen, Virginia Magnassen, Kinriko Higoshinaki, Victoria Nagel, Mrs. Virginia D'Ortoney and Enid Chamberlin, all of San Jose.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following faculty members and senior students of Dixon Union High School of Dixon . V. J. Stoltz, principal, Florence Eggert, vice principal, Wesley E. Scott, and Bernice Anderson, Albert Bartok, John Bartok, Helen Bello, Irvin Bowles, Annabelle Brown, Alma Bruhn, Anita Cagel, Aileen Callaghan, Betty Mae Carpenter, John Daniels, Elma Dodini, Jane Hansen, Joan Harkins, Robert Holly, Lois Inman, Donald Johnson, Robert Larson, Jay Lewis, Joe Lopes, Claire Lye, Bill Lyon, Vaneta Moore, Carven McGrew, Frances Peck, Peter Popov, Wayne Province, Walter Rayn, Hardin Reddick, Richard Rider, Nathalee Schroeder, William Seyman, Nora Sweeney, Norman Thissell, J. P. Thomsen, Charles Tutt, Florence Vanetti, Robert Webb, and Billy Wong.

On request of Mr Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Troy, wife of the Governor of Alaska, member of the National Democratic Committee.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ben Greve of Los Angeles.

ADJOURNMENT

At 7 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 9 a.m., January 25, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, January 25, 1941

The Assembly met at 9 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—79

Quorum present.

PRAYER

Prayer was offered by the Rev. Richard C. Dwyer, Guest Chaplain from the Cathedral in Sacramento.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kepple.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day: Mr. King, on motion of Mr. Evans.

COMMUNICATIONS

The following communications were received and read, and ordered filed with the Secretary of State:

CALIFORNIA HIGHWAY COMMISSION
SACRAMENTO, CALIFORNIA, January 13, 1941

To the Honorable Members of the Assembly of the State of California
State Capitol, Sacramento, California

GENTLEMEN: Pursuant to the provisions of Assembly Concurrent Resolution No. 8, 1940 Fifty-third (First Extraordinary) Session, there is transmitted herewith

the report of an investigation and study of the advisability of making a secondary highway of that county road known as the "Jenny Lind Road" now existing between Clovis and Friant, California.

It is our recommendation that the "Jenny Lind Road" or other existing road between Clovis and Friant be not included in the State Highway System.

Very sincerely yours,

CALIFORNIA HIGHWAY COMMISSION
By LARRY BARRETT, Chairman

CALIFORNIA STATE PLANNING BOARD
SACRAMENTO, CALIFORNIA, January 23, 1941

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR SIR: We take pleasure in transmitting herewith 80 copies of our report, "Tax Deeded Land in California—Supplemental Report," for the information and use of the members of the Assembly.

Yours very truly,

L. DEMING TILTON, Administrative Officer

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 224
Assembly Joint Resolution No. 11

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

Assembly Joint Resolution No. 11—Relative to memorializing the President and Congress to enact legislation to secure all aged citizens against want or poverty by means of a system of Federal old age pensions.

Resolution read.

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

AYES—Allen, Bashore, Carlson, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 39

House Resolution No. 39

Resolved by the Assembly of the State of California, That Rule No. 45 is hereby added to the Permanent Standing Rules of the Assembly, to read as follows:

Pledge of Allegiance

45. On each Monday morning during the session, following the prayer by the Chaplain, the members of the Assembly and its officers, attaches and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1777: By Mr. Kellems—An act to amend Sections 1184, 1184a and 1184b of the Code of Civil Procedure, relating to mechanics' liens, providing for notice of claim of lien to persons other than owner of property in which lien exists, providing for withholding of payments due a contractor, providing for distribution of sums so withheld, and providing for action to enforce liens.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1778: By Mr. Millington—An act to add Section 1157 to the Agricultural Code, relating to contracts for the sale of agricultural products

Referred to Committee on Agriculture.

Assembly Bill No. 1779: By Messrs. Millington and Phillips—An act to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1780: By Mr. Dilworth—An act to add Section 732 to Chapter 5 of Title 1 of Part 2 of the Penal Code, relating to the suppression of riots.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1781: By Mr. Dilworth—An act to add Section 4154a to the Political Code, relating to the defense of county officers and employees.

Referred to Committee on Judiciary General.

Assembly Bill No. 1782: By Mr. Dickey—An act to amend Section 587 of the Penal Code, relating to crime against property.

Referred to Committee on Public Utilities.

Assembly Bill No. 1783: By Mr. Dickey—An act to amend Section 404 of the Penal Code, relating to crimes against the public peace.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1784: By Mr. Dickey—An act to add Section 447 to Chapter 1 of Title 13 of Part 1 of the Penal Code, relating to crimes against property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1785: By Mr. Dickey—An act to amend Section 1 of the Dangerous Weapons' Control Law of 1923, prohibiting the manufacture, sale, importation and possession of dangerous or deadly weapons.

Referred to Committee on Judiciary General.

Assembly Bill No. 1786: By Mr. Dickey—An act to amend Section 369g of the Penal Code, relating to crimes against the public health and safety.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1787: By Mrs. Daley, Messrs. Stream and Leonard —An act to add Article 5 of Chapter 9 of Part 3 of Division 5 of the School Code, relating to merit systems for employees of school districts not employed in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1788: By Mr. Thomas—An act to amend Section 421 of the Fish and Game Code, relating to sale of fish taken under sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1789: By Messrs. Thomas and Massion—An act to add Section 1a to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to sanitation of butcher shops and equipment

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1790: By Mr. F. N. Howser—An act to amend Sections 17049 and 17071, and to add Section 17077.5 to, the Business and Professions Code, and to amend Sections 3, 5, 10 and 12 of the Unfair Practices Act, relating to unfair competition and discrimination.

Referred to Committee on Judiciary General.

Assembly Bill No. 1791: By Mr. Turner—An act to amend Section 2.492 of the School Code, relating to transfers of elementary schools from one high school district to another.

Referred to Committee on Education.

Assembly Bill No. 1792: By Mr. Turner—An act to amend Sections 2.961, 2.962 and 2.1080 of the School Code, relating to vacancies.

Referred to Committee on Education.

Assembly Bill No. 1793: By Messrs. Dilworth and Kepple—An act to add Section 86.1 to the Penal Code, relating to compensation of legislators for services in connection with legislation.

Referred to Committee on Rules.

Assembly Bill No. 1794: By Mr. Lowrey—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations.

Referred to Committee on Municipal Corporations

Assembly Bill No. 1795: By Mr. Lowrey—An act to add Section 28.5 to the California Irrigation District Act, relating to the manner of selecting directors of certain irrigation districts.

Referred to Committee on Irrigation.

Hon. Robert Miller Green Presiding

At 10.40 a.m., Hon. Robert Miller Green, member of the Assembly from the Twenty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 5, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 5

Senate Joint Resolution No. 5—Relative to the baneful effect of the importation of live stock and dressed meats from countries where foot and mouth disease exists.

Resolution read.

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

AYES—Allen, Bashore, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Stream, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—42

NOES—Richie—1

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1796: By Mr. Clarke—An act to amend Sections 100, 126 and 127 of the Agricultural Code, relating to pest control.

Referred to Committee on Agriculture.

Assembly Bill No. 1797: By Messrs. Clarke, Thorp and Millington—An act to add Section 651 to the Penal Code, relating to the use of force and threats.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1798: By Mr. Clarke—An act to add Section 52 5 to the California Irrigation District Act, relating to the surrender of obligations to irrigation districts.

Referred to Committee on Irrigation.

Assembly Bill No. 1799: By Mr. Clarke—An act to amend Section 52 of, and to add Section 52.5 to, the Agricultural Code, relating to county agricultural commissioners.

Referred to Committee on Agriculture.

Assembly Bill No. 1800: By Mr. Millington—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1801: By Mr. Clarke—An act to amend Section 726 of the Code of Civil Procedure, relating to recovery of debt or enforcement of right secured by mortgage.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1802: By Mr. Bashore—An act to amend Sections 126, 127 and 3511 of, and to add Section 129 to the Revenue and Taxation Code, relating to property taxation, including tax delinquent property and the control thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1803: By Mr. Bashore—An act to provide for the licensing of purchasers of alcoholic beverages, prescribing penalties for the violation thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 1804: By Mr. Bashore—An act to add Sections 6953, 6954, 6955 and 6956 to the Labor Code, relating to the use of safety glass on electric cars and electric locomotives.

Referred to Committee on Public Utilities.

Assembly Bill No. 1805: By Mr. Bashore—An act relating to the relief of debtors and guarantors; permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appoint-

ment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Referred to Committee on Judiciary General.

Assembly Bill No. 1806: By Mr. Evans—An act to add Section 2501 to, to amend Sections 2793, 2893, 2896 and 2899 of, and to repeal Sections 2674, 2794 and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections

Assembly Bill No. 1807: By Mr. Hawkins—An act to amend Section 1735 of the Labor Code, relating to discrimination upon public works because of race, color, or religion.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1808: By Mr. Hawkins—An act to amend Section 1735 of the Labor Code, relating to discrimination upon public works because of race, color or religion.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1809: By Mr. Hawkins—An act to amend Section 8 of the Unemployment Relief Appropriation Act of 1940, relating to relief allowances and extraordinary cases, declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1810: By Mr. Hawkins—An act to add Sections 556.1, 556.2, 556 3 and 556 4 to the Military and Veterans Code, all relating to the organization of the State Guard

Referred to Committee on Military Affairs.

Assembly Bill No. 1811: By Mr. Heisinger—An act to amend Section 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to the California Farm Debt Adjustment Commission and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1812: By Mr Heisinger—An act to amend Section 370 of the Vehicle Code, relating to registration and license fees.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1813: By Mr. Heisinger—An act to amend Section 9651 of the Revenue and Taxation Code, and Section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, relating to the rate of tax.

Referred to Committee on Public Utilities.

Assembly Bill No. 1814: By Mr. Heisinger—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An

act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the license fee on vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1815: By Mr. Heisinger—An act to amend Section 8651 of the Revenue and Taxation Code and Section 3 of the Use Fuel Tax Act of 1937, relating to the rate of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1816: By Mr. Heisinger—An act to amend Section 7351 of the Revenue and Taxation Code and Section 3 of the Motor Vehicle Fuel License Tax Act, relating to the rate of tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1817: By Mr. Turner—An act to amend the title and to add four new sections to be numbered 70, 71, 72 and 73 to an act known as the "California Water Storage District Act," relating to cooperation and contract with the United States, to the purchase or lease of electric energy and the construction, acquisition, operation, leasing and control of plants for the generation, distribution, sale and lease of electric energy, to rights of way for electric light and power lines, and to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors, other than taxes.

Referred to Committee on Natural Resources.

Assembly Bill No. 1818: By Mr. Crowley—An act to add Section 3004.5 to the Welfare and Institutions Code, relating to the needy blind.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1819: By Mr Allen—An act regulating the licensing and supervision of motor vehicle dealers, salesmen, and sales finance companies, providing for licenses, fees, and regulations; and providing for penalties for violation of the provisions of this act.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1820: By Mr. Allen—An act to add Section 661.6 to the Political Code, relating to withdrawal of money from the Emergency Fund.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1821: By Mr. Allen—An act to add Section 424.5 to the Penal Code, relating to the use of State motor vehicles for private purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1822: By Mr. Allen—An act to add Sections 750.1 and 750.2 to the Insurance Code and to amend Section 12400 of the

Insurance Code, relating to the payment of rebates and commissions by title insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1823: By Mr. Allen—An act to amend Section 10 of an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holding to facilitate the enforcement of this act, prescribing penalties for the violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to conspiracy to effect illegal transfer.

Referred to Committee on Judiciary General.

Assembly Bill No. 1824: By Mr. Allen—An act to add Section 6619 to the Political Code, relating to the repayment of money borrowed from the Emergency Fund.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1825: By Mr. Wollenberg—An act to amend Section 38 of the Penal Code, relating to offenses against the sovereignty of the State

Referred to Committee on Crime Problems

Assembly Bill No. 1826: By Mr. Wollenberg—An act to add Section 853 to Chapter 5a of Title 3 of Part 2 of the Penal Code, relating to fresh pursuit.

Referred to Committee on Crime Problems.

Assembly Bill No. 1827: By Mr Wollenberg—An act to amend Section 697 of the Penal Code, relating to the intervention of officers of justice

Referred to Committee on Crime Problems

Assembly Bill No. 1828: By Mr. Wollenberg—An act to amend Section 1524 of the Penal Code, relating to search warrants.

Referred to Committee on Crime Problems.

Assembly Bill No. 1829: By Mr. Wollenberg—An act providing for the creation of disaster areas during National emergencies and conferring certain powers upon sheriffs and chiefs of police in said areas.

Referred to Committee on Judiciary General

Assembly Bill No. 1830: By Mr. Voigt—An act to add Section 330b to the Penal Code, relating to the possession of certain mechanically operated games or devices.

Referred to Committee on Public Morals.

Assembly Bill No. 1831: By Mr. Voigt—An act relating to taxation, providing for the licensing of commercial phonographs and taxing the gross receipts therefrom, providing for the enforcement of the act,

and making an appropriation of the funds collected hereunder, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1832: By Mr. Dilworth—An act to amend Section 9918 of the Elections Code, and Sections 852 and 858 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the time of canvassing of votes in municipal elections, and providing for the meeting of municipal legislative bodies for that purpose.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1833: By Mr. Dilworth—An act to amend Sections 1771, 11060, 11103 and 11121 of the Elections Code, relating to municipal elections, including procedure in the referendum and recall.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1834: By Mr. Carlson—An act to amend Section 1407 of the Probate Code, relating to the appointment of guardians of minors.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1835: By Messrs. Cooke, O'Day and Gallagher—An act to add Section 2.5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Unemployment.

Assembly Bill No. 1836: By Mr. Millington—An act to add Section 583 to the Streets and Highways Code, relating to State highways

Referred to Committee on Roads and Highways.

Assembly Bill No. 1837: By Mr. McCollister—An act to add Section 1232.5 to the Agricultural Code, relating to warehouses for agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 1838: By Mr. McCollister—An act to add Section 5439.5 to the Public Resources Code, relating to county recreational districts.

Referred to Committee on County Government.

Assembly Bill No. 1839: By Mr. Lyon—An act to amend Section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1840: By Messrs. Turner, Salsman, Andreas, Del Mutolo, Burns, Hugh M., Richie, Bashore, Howser, F. N., Call, Tenney, Voigt, Phillips, Robertson, Thorp, Thurman, Evans, Doyle, Clarke, Cassidy, Garland, Leonard, Stream, Bennett, Cain, Meehan and Donnelly—An act to amend Section 776 of the Vehicle Code, making an appropriation to the Motor Vehicle Support Fund, providing

for the use of the moneys therein, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1841: By Mr. Lyon—An act to add Article 13, comprising Section 12650, to Chapter 2 of Part 6 of Division 2 of the Insurance Code, relating to mortgage insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1842: By Mr. Lyon—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1843: By Mr. Lyon—An act to add Article 6, comprising Sections 1120 to 1124, inclusive, to Chapter 5 of Part 2 of Division 4 of the Fish and Game Code, relating to the regulation of dealers in, and persons handling, fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1844: By Mr. Lyon—An act to add Article 6, comprising Sections 1120 to 1127, inclusive, to Chapter 5 of Part 2 of Division 4 of the Fish and Game Code, relating to the marketing of fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1845: By Mr. Lyon—An act to amend Section 12422 of the Insurance Code, relating to mortgage insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1846: By Mr. Hastain—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Referred to Committee on Judiciary General.

Assembly Bill No. 1847: By Mr. Hastain—An act to amend Section 5 of the Retail Sales Tax Act of 1933, relating to the exemption of sales to nonresidents.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1848: By Mr. Bashore—An act to amend the Penal Code by adding Section 1607a thereto, relating to the right of the county to sue a person for the support of whom public moneys have been expended in county hospital jail wards in the event that he has or acquires property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1849: By Mr. Bashore—An act to amend Section 2603 of the Welfare and Institutions Code, relating to the right of a county to sue a person for the support of whom public moneys have been expended in the event that he has or acquires property.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1850: By Messrs Gaffney, O'Day and Collins, George D.—An act to amend Section 418 of, and to add Section 410.3 to, the Vehicle Code, and to amend Sections 11731, 11732, 11738, 11739, 11740, 11770, 11778, 11784, 11820 and 11840 of, and to add Section 11736.5 to, the Insurance Code, all relating to compulsory liability insurance on motor vehicles.

Referred to Committee on Insurance

Assembly Bill No. 1851: By Messrs. O'Day and Collins, George D.—An act to amend Section 112 of the State Civil Service Act, relating to certifications.

Referred to Committee on Civil Service.

Assembly Bill No. 1852: By Messrs. O'Day and Collins, George D.—An act to amend Section 83 of the State Civil Service Act, relating to examinations.

Referred to Committee on Civil Service

Assembly Bill No. 1853: By Messrs. Collins, George D., and O'Day—An act to add Section 3209.5 to, and to amend Sections 4600, 4601, 4602 and 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 1854: By Mr. George D. Collins—An act to amend Article 11a to Chapter 1, Title 1, Part 3, Division 1 of the Civil Code, relative to the protection of unborn children and the public health by providing for premarital examinations for syphilis, and providing penalties for violations of the provisions thereof and providing an appropriation for the administration of the act.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1855: By Messrs Clarke and Lowrey—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 1856: By Mr. Lowrey—An act to amend Sections 30 and 39 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Referred to Committee on Public Utilities.

Assembly Bill No. 1857: By Mr. Kilpatrick—An act to add Section 2¾ to the Public Utilities Act, relating to air carriers.

Referred to Committee on Public Utilities

Assembly Bill No. 1858: By Mr. Kilpatrick—An act to add Sections 659.5 and 659 6 to the Elections Code, relating to elections and election officers.

Referred to Committee on Elections.

Assembly Bill No. 1859: By Mr. T. Fenton Knight—An act to amend Section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Referred to Committee on Fish and Game.

Assembly Bill No. 1860: By Mr. Hawkins—An act to establish a Vocational Education, Rehabilitation and Training Board, providing for the vocational education, rehabilitation and reemployment of unemployed persons, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1861: By Mr. Hawkins—An act to add Section 394.1 to the Military and Veterans Code, relating to enrollment and enlistment in the military or naval forces of the State.

Referred to Committee on Military Affairs

Assembly Bill No. 1862: By Messrs Hawkins and Pelletier—An act to amend Section 1 220 of the School Code, relating to minors.

Referred to Committee on Education.

Assembly Bill No. 1863: By Mr. Maloney—An act to amend Section 15 of the Unemployment Insurance Act, relating to employers voluntarily subject to the act.

Referred to Committee on Insurance.

Assembly Bill No. 1864: By Mr. Maloney—An act appropriating money to defray the expense of State participation in the "Market Week" display of the garment industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1865: By Mr. Kellems—An act to add Sections 5014 and 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund and providing the manner in which the moneys in said fund may be expended.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 1866: By Messrs. Pfaff, Knight, John B., Potter, Kilpatrick, Thomas, Pelletier, Hawkins, Poulson, Howser, F. N., and Doyle—An act making unlawful certain solicitations for funds for police and law enforcement organizations.

Referred to Committee on Judiciary General.

Assembly Bill No. 1867: By Messrs. Kepple, Poulson, Wollenberg, Hastain and Bashore—An act to amend Section 2576 of the Welfare and Institutions Code, relating to aid and relief to indigents and providing for reimbursement to the county from responsible relatives.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1868: By Messrs. Kepple, Poulson, Wollenberg, Hastain and Bashore—An act to amend Section 3088 of the Welfare and Institutions Code, relating to aid to the blind, and providing for reimbursement to the county and State Government from responsible relatives.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1869: By Messrs. Kepple, Poulson, Wollenberg, Hastain and Bashore—An act to amend Section 2224 of the Welfare and Institutions Code, relating to aid to the aged and providing for reimbursement to the county, State and Federal Government from responsible relatives.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1870: By Messrs. Wollenberg and Green—An act to add Article 4, comprising Sections 1953 to 1953d, inclusive, to Chapter 3, Title 2, Part 4 of the Code of Civil Procedure, relating to composite reports as evidence.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1871: By Messrs. Wollenberg and Green—An act to amend Section 1081 of the Probate Code, relating to determination of heirship.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1872: By Messrs. Wollenberg and Green—An act to add Article 5, comprising Sections 1953a to 1953h, inclusive, to Chapter 3, Title 2, Part 4 of the Code of Civil Procedure, relating to business records as evidence.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1873: By Messrs. Wollenberg and Green—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1060.15 to the Code of Civil Procedure, relating to declaratory relief.

Referred to Committee on Judiciary Codes

Assembly Bill No. 1874: By Mrs. Daley and Mr. Kepple—An act to repeal Chapter 2 of Title 4 of Part 3 of the Code of Civil Procedure, and to add a new Chapter 2 to Title 4 of Part 3 of said code, consisting of Sections 1183 to 1183.35, both inclusive, to be known as the Mechanics' Lien Law, relative to mechanics' liens on real property, including liens of contractors, subcontractors, materialmen and laborers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1875: By Mrs. Daley—An act to amend Sections 1, 2 and 3 of an act entitled "An act authorizing any incorporated city within the State to adopt by ordinance a retirement or pension system for the retirement of officers and employees, providing for the creation of a retirement board and for the delegation of certain powers to such board; authorizing the creation of a pension and retirement fund and

the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contributions to said fund by officers and employees and the city; authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act," approved May 19, 1937, relating to municipal retirement system.

Referred to Committee on County Government.

Assembly Bill No. 1876: By Mrs. Daley and Mr. Stream—An act to amend the title and Sections 9 and 23, to repeal Sections 3, 8 and 8½ of, and to add Sections 3, 8, 8½ and 8.8 to, the Retail Sales Tax Act of 1933, relating to the tax imposed thereby, and providing for the issuance of tokens.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1877: By Mrs. Daley and Mr. Stream—An act to add Article 5, comprising Sections 5.799c to 5.799c27, inclusive, to Chapter 9 of Part 3 of Division 5 of the School Code, relating to an alternate merit system for noncertificated employees.

Referred to Committee on Education

Assembly Bill No. 1878: By Mr. Poulson—An act to add Article 19, comprising Sections 700 to 705, inclusive, to Chapter 3, Title 1, Part 3, of the Political Code, relating to the California Board of Control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1879: By Mr. Allen—An act to add Section 170 to the Vehicle Code, relating to registration of and issuance of license plates for vehicles of passenger stage corporations, highway common carriers, and highway carriers.

Referred to Committee on Public Utilities

Assembly Bill No. 1880: By Messrs. Hawkins and Cain—An act to add Chapter 7 to Part 3 of Division 2 of the Labor Code, and to repeal an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, relating to disciplining or discharging employees on reports of spotters.

Referred to Committee on Judiciary General.

Assembly Bill No. 1881: By Mr. Hawkins—An act to amend Section 300 and to repeal Sections 301, 302, 303 and 304 of the Labor Code, relating to the assignment of wages.

Referred to Committee on Judiciary General.

Assembly Bill No. 1882: By Mr. Hawkins—An act to amend Section 2814 of the Business and Professions Code, relating to the Board of Nurse Examiners Fund.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1883: By Messrs. Dills, Bennett and Green—An act to add Section 2.808 to the School Code, authorizing school districts to pay certain medical expenses for injuries received by pupils.

Referred to Committee on Education.

Assembly Bill No. 1884: By Mr. Cain—An act making an additional appropriation for construction, improvements, and equipment at Folsom State Prison.

Referred to Committee on Prisons and Reformatories

Assembly Bill No. 1885: By Mr. Lowrey—An act to amend Section 4060 of the Public Resources Code, relating to the State Board of Forestry Fire Prevention Fund, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1886: By Mr. Cain—An act making an additional appropriation for construction, improvements, and equipment at Sacramento.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1887: By Mr. Cain—An act making an appropriation in augmentation of the Revolving Fund of the Bureau of Printing, Department of Finance, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1888: By Mr. Cain—An act to amend Section 3110 of the Public Resources Code, relating to the Petroleum and Gas Fund and making an appropriation.

Referred to Committee on Natural Resources.

Assembly Bill No. 1889: By Messrs. Wollenberg and Green—An act to add Section 288 1 to the Penal Code, relating to punishments for crimes against children.

Referred to Committee on Crime Problems.

Assembly Bill No. 1890: By Mr. Dilworth—An act to add Section 862.5a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to powers of sixth class cities to acquire and develop park and recreational facilities, and to issue revenue bonds therefor, to take effect immediately.

Referred to Committee on Municipal Corporations

Assembly Joint Resolution No. 20: By Mr. Burkhalter—Relative to pension and compensation payments to veterans suffering total permanent disability.

Request for Unanimous Consent

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 20, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 20

Assembly Joint Resolution No. 20—Relative to pension and compensation payments to veterans suffering from total permanent disability.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Thurman asked for, and was granted, unanimous consent to take up Assembly Bill No. 224, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 224

Assembly Bill No. 224—An act to add Sections 518 and 519 to the Military and Veterans Code, relating to Junior College Cadets, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 777

Mr. Phillips requested that 2,000 extra copies of Assembly Bill No. 777 be printed.

Request referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Senate Bill No. 390
Senate Bill No. 680

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 390—An act to amend the title and Section 1 of, and to add Section 2 to an act entitled "An act to authorize the legislative bodies of counties, cities and cities and counties, directly or through a duly authorized representative, to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city, or city and county, and declaring the urgency thereof," approved March 16, 1935, relating to representation of cities, counties and cities and counties, before the Legislature of this State and the Congress of the United States, and declaring the urgency hereof.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 390, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE BILL NO. 390

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 390 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—62.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 390—An act to amend the title and Section 1 of, and to add Section 2 to an act entitled "An act to authorize the legislative bodies of counties, cities and cities and counties, directly or through a duly authorized representative, to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper

charge against the funds of the county, or city, or city and county, and declaring the urgency thereof," approved March 16, 1935, relating to representation of cities, counties and cities and counties, before the Legislature of this State and the Congress of the United States, and declaring the urgency hereof.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—62.

NOES—None.

Senate Bill No. 390—An act to amend the title and Section 1 of, and to add Section 2 to an act entitled "An act to authorize the legislative bodies of counties, cities and cities and counties, directly or through a duly authorized representative, to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city, or city and county, and declaring the urgency thereof," approved March 16, 1935, relating to representation of cities, counties and cities and counties, before the Legislature of this State and the Congress of the United States, and declaring the urgency hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Houser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

Senate Bill No. 680—An act validating the formation, existence and boundaries of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Request for Unanimous Consent

Mr Sawallisch asked for, and was granted, unanimous consent to take up Senate Bill No 680, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE BILL NO. 680

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sawallisch:

Resolved, That Senate Bill No. 680 presents a case of urgency, as that term is is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Weybret—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 680

Senate Bill No. 680—An act validating the formation, existence and boundaries of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read second time, and ordered to third reading.

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 1129

Mr. Poulson requested that 1,000 extra copies of Assembly Bill No. 1129 be printed.

Request referred to Committee on Rules.

CONSIDERATION OF HOUSE RESOLUTION NO. 44

House Resolution No. 44

Resolved, That the Standing Rules of the Assembly be amended to read as follows:

Strike out the word "Calendar" wherever it appears in the Standing Rules of the Assembly and insert the word "File".

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None

RESOLUTIONS

The following resolution was offered:

By Mr. Field:

House Resolution No. 62

WHEREAS, Hundreds of changes in the organization and administration of the State Government have been proposed by bills introduced at this session of the Legislature. The complicated machinery of State Government erected to serve the citizens of this State, can function only under law. New circumstances constantly arise which previous statutes did not contemplate. It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the law relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered.

The constitutional recess was provided for in order that the Legislature might ascertain the facts affected by the proposed changes in the law. The Legislature can best function as a fact-finding agency through legislative committees; therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Governmental Efficiency and Economy, which committee shall study and investigate, accurately and in detail, the organization, functions, and administration of the State Government and of any department, agency, or subdivision thereof and of the governments of the cities and counties of this State, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State and local governments and the agencies and subdivisions thereof

The committee shall consist of 15 members of the Assembly appointed by the Speaker of the Assembly, and the Speaker as an ex officio member. Vacancies on the committee shall be filled by appointment by the Speaker

Upon the appointment of its members the committee may organize, appoint a secretary and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein

The committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create sub-committees from its membership, assigning to the sub-committee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the sub-committee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the sub-committee, which powers may be withdrawn or terminated at any time by the committee

The committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. It may act during this session of the Legislature and any recess, including the constitutional recess thereof, and it shall make a report of the results of its study and investigation, together with its recommendations for proposed legislation to the Assembly upon its reconvening after the constitutional recess, or as soon thereafter as possible

Every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any sub-committee upon request, any and all assistance and information, records, and documents as the committee or sub-committee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and

necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals. The sum of five thousand dollars ($5,000) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee and its members, and for any other charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr Field asked for, and was granted, unanimous consent to take up House Resolution No 62, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Burns, Michael J., Clarke, Cronin, Crowley, Daley, Dickey, Dills, Field, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Warson, Welch, Weybret, and Wollenberg—41

NOES—Bennett, Carlson, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Evans, Gaffney, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Pfaff, Richie, and Russell—15.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Rules recommends that the request of Assemblyman Phillips for the printing of 2,000 additional copies of Assembly Bill No. 777 be granted.

Your Committee on Rules also recommends that the request of Assemblyman Poulson for the printing of 1,000 additional copies of Assembly Bill No. 1129 be granted

LYON, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1891: By Mr. Kepple—An act to amend the "Assessment Bond Refunding Act of 1933," as amended, by adding a new section thereto to be numbered 1.2, relating to tax sales in connection with refunding proceedings and contributions of moneys derived from tax sales to assist in refunding.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1892: By Mr. Kepple—An act to amend Section 1 of an act entitled "An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of

any such purpose and to levy taxes for such purposes " approved April 28, 1927, relating to public airports, and appurtenances thereto.

Referred to Committee on Municipal Corporations

Assembly Bill No. 1893: By Mr. Kepple—An act to amend Sections 2, 6, 6a, 14 and 18 of the California Agricultural Products Marketing Act of 1937, relating to definitions contained in such act, terms and conditions of agreements and orders issued under such act, powers of committees appointed under such agreements and orders, and enforcement of such agreements and orders, and continuing existence of agreements and orders executed or issued prior to effective date of Chapter 910, Statutes of 1937, and declaring this act to be an urgency measure, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1894: By Mr. McCollister—An act to amend Section 152 of the Vehicle Code, relating to registration cards.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1895: By Messrs. Garland, Potter and Field—An act to amend Section 1274 of the Code of Civil Procedure, relating to escheated property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1896: By Mr. Cain—An act to amend Section 11003 of the Revenue and Taxation Code and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to appropriations out of the Motor Vehicle License Fee Fund for the Department of Motor Vehicles.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1897: By Mr. Cain—An act to amend Section 11840 of the Insurance Code, relating to periods for which State Compensation Insurance Fund may write workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1898: By Mr. Leonard—An act appropriating money for the acquisition of Hinckley Basin by the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1899: By Mr Leonard—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor,

and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1900: By Mr. Poulson—An act to amend Section 3 of an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, relating to the board of supervisors.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 1901: By Mr. George D. Collins—An act to amend Section 54 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1902: By Mr. George D. Collins—An act to repeal Sections 44 and 44.2 and amend Section 45 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 1903: By Mr Phillips—An act to amend Section 1150 of the Insurance Code, relating to investments in real estate by insurers.

Referred to Committee on Insurance.

Assembly Bill No. 1904: By Mr. Phillips—An act to amend Section 7560 of the Business and Professions Code or Section 5a of an act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Referred to Committee on Judiciary General.

Assembly Bill No. 1905: By Mr. Phillips—An act to amend Sections 1333 and 1567 of, and to add Section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 1906: By Mr Phillips—An act to amend Section 1 of an act entitled "An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the Revolving Fund from the Manufacture and Sale of Jute.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1907: By Mr. Lyon—An act to add Sections 53.91, 53.92, 53.93, 53.94 and 53.95 to the Alcoholic Beverage Control Act, relating to wine price posting and wine fair trade contracts.

Referred to Committee on Public Morals.

Assembly Bill No. 1908: By Messrs. O'Day, Cain, Gaffney, Gallagher, Evans, Cooke, Kilpatrick, Thomas, Bennett, Russell and Massion —An act to define and provide standards for work relief projects, to

govern the expenditure of public funds, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1909: By Messrs. O'Day, Collins, George D., Cain, Gaffney, Bennett, Russell, Massion, Evans, Cooke, Kilpatrick and Thomas—An act to pay the claim of the Relief Administrator against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 1910: By Messrs. O'Day, Collins, George D., Cain, Gaffney, Bennett, Russell, Massion, Evans, Cooke, Kilpatrick and Thomas—An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1911: By Messrs. O'Day, Collins, George D., Cain, Gaffney, Gallagher, Bennett, Russell, Massion, Evans, Cooke, Kilpatrick and Thomas—An act to add Section 15 5 to the California Unemployment Relief Act of 1935, relating to insurance against losses under the Federal Stamp Plan.

Referred to Committee on Unemployment.

Assembly Bill No. 1912: By Mr. Evans—An act to add Section 19561 9 to the Business and Professions Code, relating to the regulation of horse racing and persons licensed to conduct horse race meetings.

Referred to Committee on Public Morals.

Assembly Bill No. 1913: By Messrs. Cronin and Sawallisch—An act to amend Section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1914: By Mr. Cronin—An act to amend Section 459 of the Vehicle Code, relating to highways and the regulation thereof.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1915: By Mr. Cronin—An act to amend Chapter 10 of Division 2 of the Business and Professions Code, relating to trained attendants.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1916: By Mr. Cronin—An act to amend Section 51, Statutes of 1917, Chapter 586, page 831, relating to workmen's compensation and payments to State Treasury by State Compensation Insurance Fund.

Referred to Committee on Insurance.

Assembly Bill No. 1917: By Mr. Cronin—An act to amend Section 11840 of the Insurance Code, relating to periods for which State Com-

pensation Insurance Fund may write workmen's compensation insurance.

Referred to Committee on Insurance.

Assembly Bill No. 1918: By Mr. Cronin—An act to amend Section 11792 of the Insurance Code, relating to State Compensation Insurance Fund.

Referred to Committee on Insurance.

Assembly Bill No. 1919: By Mr. Gaffney—An act to amend Section 1031 of the Military and Veterans Code, relating to the Veterans' Home of California, and abolishing the Veterans' Home of California Federal Fund.

Referred to Committee on Military Affairs.

Assembly Bill No. 1920: By Messrs. Gaffney and Collins, George D. —An act to amend Section 11860 of the Insurance Code, relating to workmen's compensation insurance and reports of the State Compensation Insurance Fund.

Referred to Committee on Insurance.

Assembly Bill No. 1921: By Mr. Phillips—An act to amend Section 940 of the Code of Civil Procedure, relating to notice of appeal.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1922: By Mr. Phillips—An act to amend Section 953a of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1923: By Mr. Phillips—An act to amend Sections 673 and 674 of the Penal Code, relating to civil rights of persons sentenced to State prisons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1924: By Mr. Donnelly—An act to add Section 291.5 to the Agricultural Code, relating to dairies.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1925: By Messrs. Donnelly, Heisinger, Thorp and Clarke—An act to amend Section 451 of the Agricultural Code, relating to dairies and dairy products.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1926: By Mr Donnelly—An act to add Section 2020.5 to the Welfare and Institutions Code, relating to exempt income.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1927: By Mr. Waters—An act to amend Section 6830 of the Health and Safety Code, relating to the annexation of territory to a sanitary district.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1928: By Mr. Frederick F. Houser—An act to add Section 12.5 to the California Unemployment Relief Act of 1935,

relating to the relief camps established by the State Relief Administration, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 1929: By Mr. Donnelly—An act to add a new section to the State Civil Service Act, to be numbered 57.4, relating to the officers and employees of the State Relief Administration.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1930: By Messrs. Cronin, Maloney, Gallagher, Collins, George D., Gaffney, Welch, Wollenberg, O'Day and Green—An act to repeal Section 3802 of, and to amend Sections 3803, 3806, 3808 and 3809, of the Elections Code, relating to the order of names of candidates on ballots at general elections.

Referred to Committee on Elections.

Assembly Bill No. 1931: By Messrs. Kellems and Robertson—An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems, and to repeal all acts or parts of acts in conflict with this act.

Referred to Committee on Universities.

Assembly Bill No. 1932: By Mr. Robertson—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1933: By Mr. Robertson—An act to amend Section 3521 of the Political Code, relating to patents for State lands.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1934: By Mr. Robertson—An act to repeal Section 3788 of the Political Code, relating to the disposition of State lands upon which the full purchase price is not paid and which are sold to the State for taxes.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1935: By Mr. Robertson—An act to repeal Section 6963 of the Public Resources Code, and to add a new Section 6963 and Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, relating to State lands and regulating the taking of minerals from streams and lakes and from lands within the original meander lines of certain streams and lakes.

Referred to Committee on Natural Resources.

Assembly Bill No. 1936: By Mr. Robertson—An act to amend Section 6501 of the Public Resources Code, to add Sections 6501.2 and 6505, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, and

Chapter 2 of Part 2 of Division 6, comprising Sections 6601 to 6715, inclusive, thereof, relating to State lands, providing for the leasing thereof and prescribing the powers and duties of the State Lands Commission in relation thereto.

Referred to Committee on Natural Resources.

Assembly Bill No. 1937: By Mr. Robertson—An act to amend Sections 6101, 6103 and 6106 of the Public Resources Code, relating to State lands, providing that the State Lands Commission shall be an independent agency, transferring the Division of State Lands from the Department of Finance to the commission, and prescribing the powers and duties of the State Lands Commission.

Referred to Committee on Natural Resources.

Assembly Bill No. 1938: By Mr Bennett—An act to amend School Code Section 1.111, relating to the public school system.

Referred to Committee on Education.

Assembly Bill No. 1939: By Mr. Bennett—An act to add Article 5 to Chapter 4 of Part 3 of Division 3 of the School Code, relating to the attendance of pupils in California schools from adjoining States.

Referred to Committee on Education.

Assembly Bill No. 1940: By Mr. Bennett—An act to amend School Code Section 3.490, relating to the public school system

Referred to Committee on Education.

Assembly Bill No. 1941: By Mr. Turner—An act to amend an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of Prisoners Recreation and Educational Fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," relating to the employment of prisoners in State prisons by other State agencies

Referred to Committee on Prisons and Reformatories

Assembly Bill No. 1942: By Messrs Robertson and Lyon—An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing, and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein.

Referred to Committee on Natural Resources

Assembly Bill No. 1943: By Mr. Dills—An act to repeal School Code Section 2.120, relating to the public school system.

Referred to Committee on Education

Assembly Bill No. 1944: By Mr. Dills—An act to amend Sections 3.422, 3.460, 3.480 and 3.807 of, and to repeal Section 3.482 of the School Code, all relating to evening schools and special day and evening classes.

Referred to Committee on Education.

Assembly Bill No. 1945: By Messrs. Burkhalter, Kilpatrick, Meehan, Hawkins, Pelletier, Gaffney, Gallagher, Collins, George D., and Welch—An act to regulate the employment of labor on public works.

Referred to Committee on Labor and Capital.

Assembly Bill No. 1946: By Mr. Dills—An act to amend Section 736.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1947: By Mr. Field—An act to add Section 1679.3 to the Insurance Code, relating to insurance agents, brokers and solicitors.

Referred to Committee on Insurance.

Assembly Constitutional Amendment No. 38: By Mr. McCollister—Proposed amendment to Article IX of the Constitution, by adding to Article IX thereof a new section, to be numbered 8.5, relating to the transportation of school pupils.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 39: By Mr. Crowley—Proposed amendment to Article VI, Section 11a, of the Constitution, relating to justices of the peace.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40: By Mr. Dilworth—Proposed amendment by adding a new section numbered 18¼ to Article XI of the Constitution, relative to limitations on county taxes.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 41: By Mr. Richie—Proposed amendment to Article I, Section 7, of the Constitution, relating to juries.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 18: By Messrs. Wollenberg, Gallagher, Maloney, O'Day, Welch, Collins, George D., Green, Gaffney and Cronin—Relative to inviting the 1943 Convention of the American Legion to be held in San Francisco.

Request for Unanimous Consent

Mr Wollenberg asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, without

reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

Assembly Concurrent Resolution No. 18—Relative to inviting the 1943 Convention of the American Legion to be held in San Francisco.

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—54

NOES—None.

Resolution ordered transmitted to the Senate.

RECESS

At 11.25 a.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17

Assembly Concurrent Resolution No. 17—Relative to the creation of a Joint Legislative Committee on State Buildings at Sacramento, to study and report to the Legislature thereon and to recommend an orderly program of State building.

Resolution read.

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

AYES—Bashore, Bennett, Burns, Michael J., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—49.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Assembly Bill No. 282
Assembly Bill No. 922

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

The above bills ordered enrolled.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1603

Mr. Hugh M. Burns moved that Assembly Bill No. 1603 be withdrawn from the Committee on Public Morals, and re-referred to the Committee on Public Utilities.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—51.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1948: By Messrs. Allen, Voigt, Phillips, Poole, Stream, Green, Doyle, Hawkins, Pelletier, Dilworth, Massion, Burkhalter, Del Mutolo, Kilpatrick, Middough, Thomas, Cooke, Bashore, Clarke, Salsman and Mrs. Daley—An act to add Section 4805 to the Water Code, or to add Section 2.5 to "An act making an appropriation for the construction of a dam and Distribution System in Napa Valley, declaring the urgency hereof, to take effect immediately," approved June 1, 1940, relating to the construction of a dam and Distribution System in Napa County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1949: By Mr. Cassidy—An act defining henceforth the boundaries of Alameda County Water District, also ratifying the incorporation in said district of certain lands as shown in the certificate of the president and secretary of the board of directors of said district filed in the office of the Secretary of State of the State of California on May 18, 1940, and as certified to by the certificate of the said Secretary of State filed in the office of the county clerk of Alameda County on May 22, 1940, also providing for the management of said district as enlarged by the present officers thereof.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 1950: By Mr. Crowley—An act making an additional appropriation for construction, improvements, and equipment at the Veterans' Home of California.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1951: By Mr. Crowley—An act to add Section 2.5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1952: By Messrs. Crowley and Weybret—An act to add Article 4a to Chapter 2, Article 1b to Chapter 3, and Article 1a to Chapter 4, all of Part 4 of Division 4 of the School Code, all relating to the support of the Public School System, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1953: By Mr. Del Mutolo—An act to amend Sections 1082 and 1083 of the Military and Veterans Code, relating to members of the Woman's Relief Corps Home of California.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1954: By Mr. Del Mutolo—An act making an additional appropriation for construction, improvements, and equipment at the Woman's Relief Corps Home.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1955: By Mr. Del Mutolo—An act to abolish the Woman's Relief Corps Home of California, and to transfer the possession and control of the assets thereof to the Department of Finance for administration and disposition.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1956: By Mr. Desmond—An act making an additional appropriation for construction, improvements, and equipment at the State Fair Grounds.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1957: By Mr. Dilworth—An act to amend Sections 195 and 203 of, and to add Sections 205 and 206 to, the Streets and Highways Code, relating to the expenditure of moneys from the State Highway Fund within cities.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1958: By Mr. Dilworth—An act making an appropriation for the support of the University of California.

Referred to Committee on Universities.

Assembly Bill No. 1959: By Mr. Doyle—An act to provide for the granting of funds to school districts for the inspection, repair, recon-

struction, replacement, alteration or erection of buildings, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 1960: By Mr. Doyle—An act to amend Section 4.970 of, and to add Section 4.992 to the School Code, relating to school district bonds.

Referred to Committee on Education.

Assembly Bill No. 1961: By Mr. Gallagher—An act to amend Section 4.950 of the School Code, relating to junior college attendance.

Referred to Committee on Education.

Assembly Bill No. 1962: By Mr. Gallagher—An act to add Sections 1.51, 1.52 and 1.53 to the School Code, relating to student body funds and organizations.

Referred to Committee on Education.

Assembly Bill No. 1963: By Mr. Gallagher—An act to repeal Sections 3.331 to 3.339, both inclusive, of, and to add Sections 3.331 to 3.339a, both inclusive, to the School Code, relating to high school pupils attending high school in adjoining States

Referred to Committee on Education.

Assembly Bill No. 1964: By Mr. Maloney—An act to add to the Political Code Section 736c, relating to payment of judges' salaries.

Referred to Committee on County Government.

Assembly Bill No. 1965: By Mr. Garland—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved June 8, 1936, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1966: By Messrs. Green and Lowrey—An act to add Sections 5.129 and 5.344 to the School Code, relating to the continuance of documents authorizing service in the public schools and held by persons serving in the military service of the United States or of the State of California, declaring the urgency thereof, and providing that this act shall take effect immediately

Referred to Committee on Education.

Assembly Bill No. 1967: By Mr. F. N. Howser—An act to add Section 4.368-1 to the School Code, relating to school district funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1968: By Mr. Kilpatrick—An act to add Sections 5.2 and 53.61 to the Alcoholic Beverage Control Act, relating to alcoholic beverages, licensing of the sale thereof and the sale of wine at retail.

Referred to Committee on Public Morals.

Assembly Bill No. 1969: By Messrs. Leonard, Dills, Poole, Tenney and Miss Miller—An act to amend Sections 3803 and 3804 of, and to add Sections 3793.5, 3793.6 and 3807.1 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1970: By Mr. Maloney—An act relating to the liability in damages of officers and employees of municipalities, counties, cities and counties, school districts, and the State of California for injuries to persons or property resulting or claimed to result from the negligence or carelessness of such officers or employees, including such injuries resulting or claimed to result from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers and employees against such liability, and to repeal an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Referred to Committee on Municipal Corporations

Assembly Bill No. 1971: By Messrs. Maloney and Green—An act accepting a retrocession of jurisdiction from the United States of America over certain rights of way granted to the State of California over a certain road in the Presidio of San Francisco Military Reservation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1972: By Mr. McCollister—An act making an appropriation for the support of the California Maritime Academy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1973: By Mr. O'Day—An act to amend Section 473a, relating to the centralization in the Attorney General's office of all attorneys and legal advisers for State departments, divisions, commissions, bureaus, boards, offices and institutions, and the reimbursement of the Attorney General's office for such services.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1974: By Mr. Phillips—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1975: By Mr Phillips—An act making an additional appropriation for construction, improvements, and equipment at San Quentin State Prison

Referred to Committee on Prisons and Reformatories

Assembly Bill No. 1976: By Mr. Phillips—An act making an appropriation for the purpose of purchasing and installing machinery for the manufacture of automobile license plates at the State Prison at San Quentin, providing for the sale of such license plates and the disposition of the proceeds thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1977: By Mr. Phillips—An act to add Sections 1381.5 to the Penal Code, relating to prisoners in the State prisons.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1978: By Mr. Phillips—An act to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1979: By Mr. Phillips—An act to amend Section 1203.10 of the Penal Code, relating to the reports of the probation officers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 1980: By Mr. Poulson—An act to amend Section 6.771 of the School Code, relating to charges for the use of public school houses, property and grounds

Referred to Committee on Education.

Assembly Bill No. 1981: By Mr. Poulson—An act to amend Article 6 of Chapter 3 of Part 2 of Division 12 of the Health and Safety Code of the State of California by adding a new section thereto, to be numbered 13780, and to provide for certain exemptions relating to the spotting and pressing of clothing on certain passenger trains therein defined.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1982: By Mr. Robertson—An act to amend Section 2 of The Personal Income Tax Act, relating to the definition of residents.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1983: By Mr. Salsman—An act to amend Sections 135 and 136 of the Streets and Highways Code, relating to contracts of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1984: By Mr. Stream—An act to add Section 820.5 to the Streets and Highways Code, relating to cooperation with the United States in connection with rights of way.

Referred to Committee on Roads and Highways.

Assembly Bill No. 1985: By Mr. Salsman—An act to amend Section 141 of the State Civil Service Act, relating to performance reports.

Referred to Committee on Civil Service.

Assembly Bill No. 1986: By Mr. Sawallisch—An act to amend Section 72 of the Vehicle Code, relating to definition of "nonresident."

Referred to Committee on Motor Vehicles.

Assembly Bill No. 1987: By Mr. Thomas—An act to amend Section 11160 of the Health and Safety Code, relating to narcotics and the use, prescribing, possession, or transportation thereof.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1988: By Mr. Thomas—An act to add Section 3209.5 to, and to amend Sections 4601, 4602 and 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Assembly Bill No. 1989: By Mr. Welch—An act to amend Section 1624 of the Civil Code, relating to agreements required to be in writing and to be signed by the party to be charged.

Referred to Committee on Judiciary General.

Assembly Bill No. 1990: By Mr. Dilworth—An act to amend Section 81 of the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1991: By Mr. Doyle—An act providing for the safety of the public and railroad employees by prohibiting the movement of defective rolling stock of common carriers operating or in control of the operation of railroads within the State of California and providing penalties for the violation of this act.

Referred to Committee on Public Utilities.

Assembly Bill No. 1992: By Mr. Doyle—An act to add Section 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 1993: By Mr. Kilpatrick—An act to add Section 8.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages and providing for the licensing of salesmen and agents.

Referred to Committee on Public Morals

Assembly Bill No. 1994: By Miss Miller—An act to amend Section 3.222 of the School Code, relating to designation of high schools.

Referred to Committee on Education.

Assembly Bill No. 1995: By Miss Miller—An act to amend Section 4.910 of the School Code, relating to high school courses.

Referred to Committee on Education.

Assembly Bill No. 1996: By Miss Miller—An act to add Article 3 to Chapter 9 of Part 1 of Division 2 of the School Code, relating to junior college districts.

Referred to Committee on Education.

Assembly Bill No. 1997: By Miss Miller—An act to repeal Articles 4, 5, 6 and 7 of Chapter 8 of Part 2 of Division 6 of the School Code, and to enact Articles 4, 5 and 6 of said chapter, relating to school district libraries.

Referred to Committee on Education.

Assembly Bill No. 1998: By Mr. Millington—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1999: By Mr. Millington—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 2000: By Mr. Millington—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits to State officers and employees during the Ninety-first and Ninety-second Fiscal Years, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 2001: By Mr. Robertson—An act to amend Sections 9, 11, 12 and 14 of, and to add Sections 12a and 20 to, an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933,

relating to the regulation and licensing of horse racing, the amount and payment of license fees, the commissions of licensees and deposits made by them under the act, providing for the retroactive operation of this act, and providing that this act shall take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 2002: By Mr. Robertson—An act to amend Section 352 of the Political Code, relating to traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2003: By Mr. Robertson—An act creating the "Revenue Clearing Fund" in the State Treasury and providing for the disposition of moneys therein.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2004: By Miss Miller—An act to add a new article to the School Code to be numbered Article 5 of Chapter 11 of Part 4 of Division 3 of the School Code, embracing School Code Sections 3 625 to 3 636, inclusive, and to add six new sections to the School Code to be numbered 4.1-1, 4.20-1, 4.783-1, 4.795-1, 4.784-2 and 4.886-2, relating to the education of mentally handicapped children.

Referred to Committee on Education.

Assembly Bill No. 2005: By Mrs. Daley and Mr. Kepple—An act to amend School Code Section 3.93, relating to the maintenance of public school classes on Saturday and declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2006: By Messrs. Desmond and Cain—An act for the protection of the domestic water supplies of cities, districts, and unincorporated towns and communities from pollution by placer mining operations, providing for the regulation and control of such mining, and providing penalties for the violation of this act, and making an appropriation.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2007: By Mr. Desmond—An act to amend Section 78 of the Political Code, relating to Senatorial and Assembly districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 2008: By Mr. Donnelly—An act to provide for the final liquidation of the State land settlement, for the disposition by the State of all real and personal property and funds owned or held by the State in connection therewith, and to repeal the Land Settlement Act, an act entitled "An act authorizing the Department of Finance to manage, administer, or dispose of certain real and personal property owned by the State of California at Delhi State Lands Settlement, and acquired through trade of property at Delhi State Lands Settlement,"

approved July 22, 1939, and Sections 361e, 361f, 361g, 361h, 361i, 690a, 690b, 690c and 690d of the Political Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2009: By Mr. Green—An act to amend Section 101 of the Unemployment Insurance Act, relating to misdemeanors in respect to the Unemployment Insurance Act.

Referred to Committee on Unemployment.

Assembly Bill No. 2010: By Mr. Green—An act to add Section 731.5 to the Streets and Highways Code, to prohibit the use of State highway right of way for the purpose of delivering motor vehicle fuel to vehicles thereon.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2011: By Mr. Robertson—An act to amend Section 688 of the Political Code and to add two new sections, to be numbered 688.1 and 688.2, to the Political Code, relating to claims and actions against the State of California.

Referred to Committee on Judiciary General

Assembly Bill No. 2012: By Mr. Andreas—An act to add Section 28.5 to an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, relating to the dissolution of storm-water districts.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 2013: By Mr. Desmond—An act to amend Section 736.12 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2014: By Mr Desmond—An act relating to the advancement of musical education and appreciation in this State and to provide facilities in furtherance thereof.

Referred to Committee on Education.

Assembly Bill No. 2015: By Mr. Cain—An act to amend Section 72 of the Agricultural Code, relating to the Division of Exhibits in the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2016: By Mr Cain—An act to add Section _____ to the Welfare and Institutions Code, relating to the establishment of a subsidiary fund to the Social Welfare Fund.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2017: By Messrs. Gaffney and Collins, George D.—An act relating to the raising of revenue to provide for industrial inspectors for the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2018: By Mr. Kellems—An act to provide for the reconstruction of a dismantled old adobe home built in 1821 and making an appropriation therefor.

Referred to Committee on Universities.

Assembly Bill No. 2019: By Mr. Dills—An act to amend Section 92 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 2020: By Mr. Hawkins—An act to amend Section 690.11 of the Code of Civil Procedure, relating to exemption of the earnings of a defendant or charged debtor from attachment or execution.

Referred to Committee on Judiciary General.

Assembly Bill No. 2021: By Mr. Lowrey—An act to amend Section 1 of an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 18, 1921, relating to the reversion of unexpended balances of certain appropriations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2022: By Mr. Michael J. Burns—An act making an additional appropriation for construction, improvements, and equipment at State parks.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 2023: By Mr. Lyon—An act making an appropriation to pay the claim of Hammil Oil Corporation against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 2024: By Mr. Lyon—An act making an appropriation to pay the claim of Vicaroo Oil Company against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2025: By Mr. Lyon—An act making an appropriation to pay the claim of Richrow Corporation against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2026: By Mr. Allen—An act to repeal Section 661 of the Political Code, relating to deficiencies in appropriations

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2027: By Mr. Green—An act to amend Section 403d of the Civil Code, relating to unclaimed and disputed shares and debts.

Referred to Committee on Judiciary General.

Assembly Bill No. 2028: By Miss Miller—An act to add a new article to the School Code, to be numbered Article 5 of Chapter 2 of Part 4 of Division 3 of the School Code, embracing School Code Sections 3.625 to 3 636, inclusive, and to add six new sections to the School Code, to be numbered Sections 4 1-1, 4.20-1, 4.783-1, 4 795-1, 4.874-2 and 4.886-2, relating to the education of mentally handicapped children.

Referred to Committee on Education.

Assembly Bill No. 2029: By Mr. Massion—An act making an additional appropriation for construction, improvements and equipment at Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2030: By Messrs. Massion, Bennett, Kilpatrick and Burkhalter—An act to add Section 3928.5 to, and to amend Section 3929 of the Elections Code, relating to ballots at primary elections

Referred to Committee on Elections.

Assembly Bill No. 2031: By Mr. George D. Collins—An act to amend Sections 131 and 139 of the Elections Code, relating to the registration qualification of electors and voters.

Referred to Committee on Elections.

Assembly Bill No. 2032: By Mr. George D. Collins—An act to amend Section 502 of the Elections Code, relating to precincts.

Referred to Committee on Elections.

Assembly Bill No. 2033: By Mr. George D. Collins—An act to amend Section 700 of the Elections Code, relating to elections.

Referred to Committee on Elections.

Assembly Bill No. 2034: By Mr. George D. Collins—An act to amend Section 1403 of the Elections Code, relating to elections.

Referred to Committee on Elections.

Assembly Bill No. 2035: By Mr. George D. Collins—An act to amend Section 1454 of the Elections Code, relating to measures submitted to voters.

Referred to Committee on Elections.

Assembly Bill No. 2036: By Mr. George D. Collins—An act to amend Sections 2604 and 2617 of the Elections Code, relating to the nomination of candidates.

Referred to Committee on Elections.

Assembly Bill No. 2037: By Mr. George D. Collins—An act to amend Sections 2609, 2621 and 2792 of the Elections Code, relating to the nomination of candidates at primary elections.

Referred to Committee on Elections.

Assembly Bill No. 2038: By Mr. George D. Collins—An act to amend Sections 3935 and 3993 of the Elections Code, relating to ballots.

Referred to Committee on Elections.

Assembly Bill No. 2039: By Mr. George D. Collins—An act to amend and repeal Section 4600 of the Elections Code, relating to primary elections.

Referred to Committee on Elections.

Assembly Bill No. 2040: By Mr. George D Collins—An act to amend section numbered 4601a to the Elections Code, relating to payments and expenses on behalf of a candidate and providing a penalty.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2041: By Mr. George D. Collins—An act to amend Section 4963 of the Elections Code, relating to election campaigns.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2042: By Mr. George D. Collins—An act to amend Sections 5511, 5512, 5513 and 5554 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2043: By Mr. George D Collins—An act to amend Section 5556 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2044: By Mr. George D. Collins—An act to amend Section 5559 of, and to add Section 5559 5 to, the Elections Code, relating to polling places.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2045: By Mr. George D. Collins—An act to amend Section 7501 of, and to add Section 7501.5 to, the Elections Code, relating to the canvassing of votes after elections.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2046: By Mr. George D. Collins—An act to amend Section 8511 of the Elections Code, relating to election contests.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2047: By Mr. George D. Collins—An act to amend Section 10500 of the Elections Code, relating to elections.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2048: By Mr. George D. Collins—An act to amend Section 11003 of the Elections Code, relating to recall.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2049: By Mr. Meehan—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail.

Referred to Committee on Public Morals.

Assembly Bill No. 2050: By Messrs. Green, Dickey, Johnson, Allen, Lowrey, Tenney, Wollenberg, Cooke, Call, Bashore and Gunlock—An act providing for Citizenship Day and the observance thereof.

Referred to Committee on Judiciary General.

Assembly Bill No. 2051: By Mr. Cronin—An act to amend Sections 2725 and 2798 of the Business and Professions Code, relating to the practice of and the training for nursing.

Referred to Committee on Medical and Dental Laws

Assembly Bill No. 2052: By Mr. Desmond—An act to amend Section 1299.18 of the Agricultural Code, relating to liens of producers of farm products sold to processors.

Referred to Committee on Agriculture.

Assembly Bill No. 2053: By Mr. Desmond—An act to amend Sections 633 and 641 of the Welfare and Institutions Code, relating to term of office, compensation, powers and duties of probation officers.

Referred to Committee on Judiciary General.

Assembly Bill No. 2054: By Mr. Dills—An act to add a new section to the Agricultural Code to be numbered 691.1, relative to inspections of dairies.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2055: By Mr. Evans—An act authorizing the Department of Finance to sell certain State-owned lands and to acquire by exchange, purchase or otherwise additional lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2056: By Messrs. Green, Poulson and Waters—An act making an appropriation for the purchase of land and for construction and equipment of an Acute Psychiatric Hospital in southern California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2057: By Messrs. Green, Poulson and Waters—An act making an appropriation for construction, improvements, and equipment at the State Inebriate Colony in southern California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2058: By Messrs. Green, Waters and Poulson—An act making an appropriation for the purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements, and equipment thereat.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 21: By Mr. Donnelly—Relative to conversion of fruit surpluses into alcohol.

Request for Unanimous Consent

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 21, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 21

Assembly Joint Resolution No. 21—Relative to conversion of fruit surpluses into alcohol.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None

Resolution ordered transmitted to the Senate.

RESOLUTIONS

A resolution was offered:

By Mr. Heisinger:

House Resolution No. 63

Request for Unanimous Consent

Mr. Heisinger asked for unanimous consent to take up House Resolution No. 63, at this time, without reference to committee.

Mr. Bashore withheld his consent.

Motion to Temporarily Suspend the Rules

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 63, at this time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

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

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Russell, Sawallisch, Thomas, Thorp, Thurman, Voigt, Watson, and Mr. Speaker—34.

NOES—Andreas, Bashore, Collins, Sam L., Del Mutolo, Dickey, Dills, Dilworth, Field, Green, Hastain, Johnson, Kellems, Lyon, Maloney, McCollister, Middough, Millington, Pfaff, Poole, Potter, Richie, Stream, Tenney, Turner, Waters, Welch, and Weybret—27.

Time, 2.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR UNANIMOUS CONSENT

Mr. Sawallisch asked for, and was granted, unanimous consent to take up Senate Bill No 680, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF SENATE BILL NO. 680

Senate Bill No. 680—An act validating the formation, existence and boundaries of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, strike out the period, and insert: ", declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 2 of the printed bill, after line 22, insert.

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows:

Many people in this State are now either without an adequate supply of water for their domestic, fire protection and irrigation needs, or, having such supply, lack utility facilities for the distribution of such water. This act, if it becomes effective immediately, will enable county waterworks districts to rectify this situation by removing all doubt as to the validity of annexation proceedings previously taken by such districts to embrace territory the inhabitants of which are in dire need of water and water utilities that can be supplied by such districts, and as to the validity of bonds issued to enable such districts to obtain additional necessary funds for these purposes."

Amendments read and adopted.

Bill ordered to reprint.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 63

At 3.12 p m., on motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

House Resolution No. 63 Stricken From File by Unanimous Consent

Mr Heisinger asked for, and was granted, unanimous consent, to have House Resolution No. 63 withdrawn and stricken from the file, and another House resolution substituted in its place

Motion carried.

Return of Resolution by Unanimous Consent

Original House Resolution No. 63 returned to Mr. Heisinger.

RESOLUTIONS

The following resolution was offered:

By Mr. Heisinger:

House Resolution No. 63

WHEREAS, There has been authorized the appointment of an Investigating Committee on Governmental Efficiency and Economy, which committee will endeavor to learn facts which may assist the Legislature in the enactment of legislation to relieve taxpayers from over-taxation or inequitable taxes, and

WHEREAS, It appears that in the matter of motor transportation fees, taxes and other costs pertaining thereto and also the matter of taxes, fees and licenses levied by counties and cities thereon, there appears a wide variation of costs of licenses and taxes as between various motor vehicles; therefore be it

Resolved by the Assembly, That we suggest the Investigating Committee on Governmental Efficiency and Economy consider the matters referred to in this resolution.

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up House Resolution No. 63, at this time, without reference to committee.

Resolution read and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2059: By Mr. T. Fenton Knight—An act to amend Section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2060: By Mr. Lyon—An act to amend Section 2 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health thereto," approved June 13, 1913, relating to the disposition and use of license fees.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2061: By Mr. Lyon—An act to add a new section to the Political Code to be numbered 696, relating to the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2062: By Mr. Lyon—An act to amend Sections 2100, 2101, 2102, 2103, 2104 and 2105 of the Health and Safety Code, and to add Sections 2100.1, 2100.2, 2101.1, 2104.1 and 2104.2 thereto, relating to the inspection and registration of aviaries, pet shops and other places where birds of the parrot family are raised for sale or offered for sale, trade, or barter, and for the licensing of aviary owners and dealers.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2063: By Mr. Lyon—An act providing for the publication and distribution of a State Blue Book.

Referred to Committee on Rules.

Assembly Bill No. 2064: By Mr. Maloney—An act to add a new section to the Vehicle Code, to be numbered 410.3, relating to the financial responsibility of an employee.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2065: By Mr. Maloney—An act making an appropriation of ten thousand dollars ($10,000) payable to James Flynn.

Referred to Committee on Ways and Means.

Assembly Bill No. 2066: By Mr. O'Day—An act making an additional appropriation for construction, improvements, and equipment at San Francisco.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2067: By Mr. Poulson—An act to amend the Improvement Act of 1911 by adding Section 28b thereto, relating to the refunding, repayment and adjustment of assessments and bonds issued thereunder.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2068: By Mr. Poulson—An act to amend the Street Opening Act of 1903 by adding Section 18b thereto, relating to the refunding, repayment and adjustment of assessments and bonds issued thereunder.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2069: By Mr. Poulson—An act to amend Section 661 of the Political Code, relating to deficiency appropriations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2070: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to amend Sections 694 and 697 of the Vehicle Code, relating to height, length and width of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2871: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to add Section 745 to the Vehicle Code, relating to the detention of persons arrested for violations of the Vehicle Code.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2072: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to add Section 444 to the Vehicle Code, relating to persons operating parking lots for motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2073: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to amend Sections 673 and 675.5 of, and to add Section 676.1 to, the Vehicle Code, relating to equipment upon motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2074: By Messrs. Sawallisch, Bashore, Stream and Cronin—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles

Referred to Committee on Motor Vehicles

Assembly Bill No. 2075: By Mr. Turner—An act to add Section 3666d to the Political Code, relating to the taxation of insurance companies and the collection of tax from such companies, and to provide for the administration of such taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2076: By Mr. Turner—An act making an additional appropriation for construction, improvements, and equipment at the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2077: By Mr. Voigt—An act to amend Section 367 of the Code of Civil Procedure, relating to the complainant in an action.

Referred to Committee on Judiciary General.

Assembly Bill No. 2078: By Mr. Hugh M. Burns—An act to repeal Section 4 of Chapter 788 of the General Laws of the State of California, approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2079: By Mr. Hugh M. Burns—An act to amend the title and Sections 3, 8½ and 9 of the Retail Sales Tax Act of 1933, relating to the tax imposed thereby, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2080: By Mr. Hugh M. Burns—An act to amend Section 3.352 of the School Code, relating to junior colleges.

Referred to Committee on Education.

Assembly Bill No. 2081: By Mr. Hugh M. Burns—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2082: By Mr. Hugh M. Burns—An act to amend Section 736 12 of the Agricultural Code, relating to the establishment of milk prices.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2083: By Mr. Hugh M. Burns—An act to add Article 6, consisting of Sections 5980 to 5984, inclusive, to Chapter 5 of Division 8 of the Elections Code, relating to absent voting in school district elections.

Referred to Committee on Elections

Assembly Bill No. 2084: By Mr. Hugh M. Burns—An act to repeal an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled 'An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof,' approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately," approved July 1, 1937.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2085: By Mr. Hugh M. Burns—An act authorizing any county in the State of California, to aid any city operating under a freeholder's charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same.

Referred to Committee on Aviation and Aircraft.

Assembly Bill No. 2086: By Mr. Hugh M. Burns—An act to amend Section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2087: By Mr. Hugh M. Burns—A act to amend Section 352 of the Political Code, relating to traveling expenses of State officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2088: By Mr. Desmond—An act to add Section 2380 5 to the Business and Professions Code, relating to the advertising of medical business.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2089: By Mr. Desmond—An act to amend Sections 2135 and 2287 and to repeal Sections 2138, 2142 5, 2230, 2231, 2290 and 2291 of, and to add Section 2231 to the Business and Professions Code, relating to drugless practitioners.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2090: By Mr. Frederick F Houser—An act to add Sections 1443, 1444, 1445, 1446, to the Probate Code, relating to the appointment of guardians of minors and incompetent persons.

Referred to Committee on Judiciary General.

Assembly Bill No. 2091: By Mr. Doyle—An act to amend Section 542.1 of the Political Code, relating to charges for State printing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2092: By Mr. Poulson—An act to add Article 1a to Chapter 1 of Part 1 of Division 3 of the School Code, relating to fees charged students.

Referred to Committee on Education.

Assembly Bill No. 2093: By Mr. Poulson—An act to add Section 1.101-1 to the School Code, relating to the health supervision in school districts.

Referred to Committee on Education.

Assembly Bill No. 2094: By Mr. Cooke—An act to repeal Section 184 of the Military and Veterans Code, relating to purchases of property by The Adjutant General.

Referred to Committee on Military Affairs.

Assembly Bill No. 2095: By Mr. Cooke—An act to amend Section 898 of the Military and Veterans Code, relating to veterans' dependents, and making an appropriation for aid to veterans' dependents.

Referred to Committee on Military Affairs.

Assembly Bill No. 2096: By Mr. Poulson—An act to add Section 6.37 to the School Code, relating to the powers and duties of governing boards of school districts.

Referred to Committee on Education.

Assembly Bill No. 2097: By Mr. Bennett—An act to add a new section to the Health and Safety Code to be numbered 115, relating to the creation of the Department of Public Health Fund, and providing for the expenditure of moneys from said fund.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2098: By Messrs. Bennett and Poulson—An act to repeal an act entitled "An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River," approved May 28, 1929, and to abolish the Pajaro River Flood Control Fund which is created thereby.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2099: By Messrs. Bennett and Poulson—An act to add a new section to the Health and Safety Code, to be numbered 116, relating to pro rata charges of administrative expense in the Department of Public Health.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2100: By Mr. Bennett—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of unpaid or unclaimed dividends of liquidated building and loan associations.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 2101: By Mr. Poulson—An act to add Section 4.731 to the School Code, relating to the apportionment of State funds to school districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2102: By Messrs. Gaffney, O'Day and Green—An act to amend Section 54 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2103: By Mr. Bashore—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2104: By Messrs. Andreas and Phillips—An act making an additional appropriation for construction, improvements, and equipment at the Southern California Prison.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2105: By Mr. Call—An act to add Sections 39, 39.1, 39.2, 39.3 and 39.4 to the Fish and Game Code, relating to the powers of the commission to determine and fix the sizes, seasons and bag limits for the taking of game fish, animals, birds, mollusks and crustaceans.

Referred to Committee on Fish and Game.

Assembly Bill No. 2106: By Mr. Call—An act to amend Section 1003 of the Elections Code, relating to elections including the publication and posting of election proclamations.

Referred to Committee on Elections.

Assembly Bill No. 2107: By Mr. Call—An act to amend Sections 147 and 158 of, and to add Sections 158.4, 158.5, 177.5, 177.6 and 209 to, the Vehicle Code, relating to license plates and devices therefor.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2108: By Mr. Call—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of San Mateo, State of California

Referred to Committee on County Government.

Assembly Bill No. 2109: By Mr. Call—An act to add Section 140.1 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to police officers of municipal corporations.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2110: By Mr. Call—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials

from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things, declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2111: By Mr. Call—An act to amend Sections 4.962 and 4.973 of the School Code and to add Section 4.978 thereto, relating to school bonds, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2112: By Messrs. Leonard, Weybret, Call, Thurman, Doyle, Salsman, Allen and Green—An act to add Sections 65.1 and 127 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service, prescribing the probationary period therefor and requiring the confirmation of appointments thereto by the Senate.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2113: By Mr. Potter—An act to amend Section 40 of the State Civil Service Act, relating to hearings and subpenas.

Referred to Committee on Judiciary General.

Assembly Bill No. 2114: By Mr. Potter—An act to amend Section 144 of and to add Sections 144.5 and 172.5 to the State Civil Service Act, relating to the State civil service and the rights and duties of employees in the State civil service.

Referred to Committee on Civil Service.

Assembly Bill No. 2115: By Mr. Phillips—An act to add Section 326.5 to the Political Code, relating to the construction of statutes.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2116: By Mr. George D. Collins—An act to amend Section 50.5 of the Labor Code, relating to the powers of the Department of Industrial Relations.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2117: By Mr. George D. Collins—An act to amend Section 1 of the Fair Trades Act, relating to certain sale contracts declared lawful.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2118: By Mr. Dickey—An act to add Section 30 of the Probate Code, relating to the deposit of wills with the county clerk.

Referred to Committee on Judiciary General.

Assembly Bill No. 2119: By Messrs. Dills and Johnson—An act to amend Section 50¾ of the Public Utilities Act, relating to the granting of certificates of public convenience and necessity, the establishment of joint rates and routes, providing for establishing divisions of joint rates, and for the coordination of transportation service.

Referred to Committee on Public Utilities

Assembly Bill No. 2120: By Mr. Wollenberg—An act to add Section 63 to the Labor Code, relating to refunds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2121: By Messrs. Millington, Tenney, Allen, Cooke, Potter, Poole and Crowley—An act to amend Sections 894 and 895 of the Military and Veterans Code, relating to veterans' dependents.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 2122: By Messrs. Millington, Tenney, Cooke, Crowley, Potter, Poole and Allen—An act authorizing the creation of a debt or debts, liability or liabilities through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of Chapter 3 of Division 4 of the Military and Veterans Code, and of any and all acts amendatory thereof or supplemental thereto; creating a Veterans' Welfare Finance Committee; defining the powers and duties of said committee and of the Veterans' Welfare Board and other State offices in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2123: By Messrs Millington, Tenney, Cooke, Crowley, Potter, Poole and Allen—An act to amend Section 800 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military Affairs

Assembly Bill No. 2124: By Mr. Phillips—An act to regulate membership in labor organizations and for other purposes.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2125: By Mr. Andreas—An act to amend Section 4376 of the Public Resources Code, relating to forests and the conservation, development and preservation thereof.

Referred to Committee on Natural Resources.

Assembly Bill No. 2126: By Mr. Andreas—An act to amend Section 4001 of the Public Resources Code, relating to forests and providing for the prevention and control of forest fires.

Referred to Committee on Natural Resources.

Assembly Bill No. 2127: By Mr. Poulson—An act to add Section 5.29 to the Retail Sales Tax Act of 1933 and Section 4.18 to the Use Tax Act of 1935, relating to the exemption of property sold or used in the National Defense Program.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2128: By Mr. Sawallisch—An act to amend Sections 39, 382 and 623 and to add a new Section 168 to the Motor Vehicle Code.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2129: By Mr. Sawallisch—An act to repeal Section 55.8 of the Alcoholic Beverage Control Act.

Referred to Committee on Public Morals.

Assembly Bill No. 2130: By Mr. Johnson—An act to add an article heading for Article 1, and Article 2, comprising Sections 955 and 956, to Chapter 1 of Title 2 of Part 3 of Division 2 of, and Section 3333.5 to, the Civil Code, and Section 1880 to the Code of Civil Procedure, and to amend Section 573 of the Probate Code, relating to survival of personal injury actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2131: By Mr. Johnson—An act to add Sections 955 and 3333 5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, and to amend Section 1880 of the Code of Civil Procedure, relating to survival of personal injury actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2132: By Mr. Johnson—An act to add Sections 955 and 3333.5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, and to amend Section 1880 of the Code of Civil Procedure, relating to survival of personal injury actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2133: By Mr. Johnson—An act to amend Sections 376 and 377 of the Code of Civil Procedure, all relating to actions for wrongful injury and death.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2134: By Mr. Johnson—An act to add Section 355½ to the Political Code, relating to defenses to claims against the State and political subdivisions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2135: By Mr. Johnson—An act to add Section 474a to the Political Code, relating to escheat actions brought by the Attorney General.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2136: By Mr. Johnson—An act to amend Section 474 of the Political Code, relating to escheated property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2137: By Mr. Johnson—An act to amend Section 284 of the Code of Civil Procedure, relating to substitution of attorneys.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2138: By Mr. Johnson—An act to add Section 2057 to the Code of Civil Procedure, relating to statements of parties to actions for personal injuries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2139: By Mr. Johnson—An act to amend Section 724 of the Welfare and Institutions Code, relating to fees and expenses in juvenile court proceedings.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2140: By Mr. Johnson—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2141: By Mr. Johnson—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2142: By Mr. Johnson—An act to amend Section 3391 and the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2143: By Messrs. Johnson, Massion, Howser, F. N., O'Day, Poulson, Gallagher, Knight, T. Fenton; Burns, Hugh M., and Mrs. Daley—An act to amend Sections 4009, 4030, 4035, 4036, 4044, 4045, 4061, 4210, 4212, 4228 and 4252, to amend and renumber Sections 4038 and 4039, and to repeal Sections 4032, 4034, 4037, 4040, 4041, 4042, 4043, 4046, 4060 and 4212 of, and to add Sections 4032, 4033, 4034, 4046, 4047, 4060, 4215 and 4234 to, the Business and Professions Code, relating to the sale and disposal of drugs and the persons engaged therein.

Referred to Committee on Medical and Dental Laws.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2143

Mr. Johnson moved that Assembly Bill No. 2143 be withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Public Health and Quarantine.

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

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch,

Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2144: By Mr. Johnson—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiropody.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2145: By Mr. Johnson—An act to add Section 2410 to the Business and Professions Code, relating to the advertising of chiropodical services.

Referred to Committee on Medical and Dental Laws

Assembly Bill No. 2146: By Mr. Johnson—An act to amend Section 5286 of the Business and Professions Code, relating to advertising displays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2147: By Mr. Johnson—An act to add Section 5312.5 to the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2148: By Mr. Johnson—An act to add Sections 11492, 11493.1, 11518 and 11518.1 to the Insurance Code and to amend Sections 11493 and 11493.5 of the Insurance Code and to amend the title of Chapter 11a, Part 2, Division 2 of the Insurance Code, relating to nonprofit hospital service plans.

Referred to Committee on Insurance.

Assembly Bill No. 2149: By Mr. Johnson—An act to amend the School Code by adding Part 6 to Division 5 thereof, consisting of Sections 5.1500 to 5.1519, inclusive, to provide for and to regulate the certification of librarians.

Referred to Committee on Libraries.

Assembly Bill No. 2150: By Mr. Johnson—An act to add Section 5.604 to the School Code, relating to the attendance of teachers upon institutes and educational meetings.

Referred to Committee on Education.

Assembly Bill No. 2151: By Mr. Johnson—An act to amend Section 6.224 of the School Code, relating to the sale of property of a school district.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2152: By Mr. Johnson—An act to amend School Code Section 2 51, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2153: By Mr. Johnson—An act to amend School Code Section 1.101, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2154: By Mr. Johnson—An act to repeal Part 2 of Division 5 of the School Code, to repeal Article 7 of Chapter 2 of Part 3 of Division 5 of said code, to repeal Section 5.440 of said code, and to add a new part of Division 5 to the School Code to be known as Part 2, all relating to authorization of service in the public schools.

Referred to Committee on Education.

Assembly Bill No. 2155: By Mr. Johnson—An act making an additional appropriation for construction, improvements, and equipment at the University of California.

Referred to Committee on Universities.

Assembly Bill No. 2156: By Mr. Middough—An act to add Sections $2\frac{1}{3}$ and $50\frac{5}{10}$ to the Public Utilities Act, relating to passenger stage corporations operating within the limits of a single incorporated city.

Referred to Committee on Public Utilities.

Assembly Bill No. 2157: By Mr. Dickey—An act to add Section 1034 to the Political Code, relating to public officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2158: By Mr. Crowley—An act to amend Section 35 of the State Civil Service Act to extend to State employment the principles and standards of employment of the California Labor Code.

Referred to Committee on Civil Service.

Assembly Bill No. 2159: By Mr. Crowley—An act to amend Section 70 of the State Civil Service Act, relating to salaries of State employees and minimum salaries.

Referred to Committee on Civil Service.

Assembly Bill No. 2160: By Mr Crowley—An act amending Section 154 of the State Civil Service Act, relating to hours and days of work of State employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2161: By Mr. Desmond—An act relating to the Immigration Inspector of the Division of Immigration and Housing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2162: By Mr. Desmond—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Commission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2163: By Mr Desmond—An act to add Section 18200.5 to the Health and Safety Code, relating to the Division of Immigration and Housing in the Department of Industrial Relations

and the State Department of Public Health, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2164: By Messrs. Dilworth, Knight, T. Fenton; Thorp, Weybret and Miss Miller—An act to add Section 15035 to Chapter 1, and Sections 17821 and 17822 to Chapter 27, Part 2, Division 13 of the Health and Safety Code, relating to definition of "building unfit for human habitation" and providing for demolition, closing or repair thereof.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2165: By Messrs. Knight, T. Fenton; Thorp, Weybret, Dilworth and Miss Miller—An act to amend Sections 4, 6, 8 and 10 of an act entitled "An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, cities and counties, and in counties, to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency," approved March 21, 1938, relating to the powers, duties and dissolution of housing authorities and to the powers and duties of governing bodies of cities, cities and counties, and counties with respect thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 42: By Messrs. Millington, Tenney, Cooke, Crowley, Potter, Poole and Allen—Proposed amendment to Article IV, by adding Section 31 1 and to Article XVI by adding Section 9.4, of the Constitution, providing for aid to veterans in the acquisition of, or payment for, farms or homes, and validating certain acts of the Legislature defining veterans and providing for the issuance of bonds in the amount of twenty million dollars ($20,000,000) for the purpose of creating a fund to be used to provide farm and home aid for veterans.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 43: By Messrs. Johnson and Kellems—Proposed amendment to Article XX of the Constitution, relative to an amendment to the Constitution of the State by adding Section 23 to Article XX thereof, creating a State Park Commission and prescribing the powers and duties.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 655—An act relating to the operation of motor vehicles in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect;

Assembly Concurrent Resolution No. 11—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling;

Assembly Concurrent Resolution No. 15—Relative to the American Association of School Administrators;

Assembly Joint Resolution No. 2—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded persons receiving old age assistance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1941, at 3:15 p.m.

JOHN B. KNIGHT, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Assembly Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 373

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 373—An act to amend Section 1202a of the Penal Code and to repeal Section 2 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor." approved July 9, 1935, relating to the execution of a sentence of imprisonment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 373?

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 10 to 14, inclusive.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 373 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thomas, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

Bill ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 24, 1941

To the Honorable Members of the Assembly,
Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 69, entitled "An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately."

My objections to this bill are as follows:

This bill provides that there may be annexed to an existing sanitary district "any territory any point of which * * * touches any point of any territory contiguous to the district." This would permit the annexation of widely separated territories, contrary to the intent of the Legislature. The author of this bill introduced Assembly Bill No. 595 to cure this defect.

Assembly Bill No. 595 has been passed by the Legislature and I have approved the same. This bill is therefore unnecessary.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 69—An act to amend Sections 6830 and 6870 of, and to add Section 6879.5 to, the Health and Safety Code, relating to the annexation of territory to a sanitary district, declaring the urgency thereof, and providing that it shall take effect immediately.

The question being: Shall Assembly Bill No. 69 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

REQUEST TO PRINT REPORT IN JOURNAL

Mr. Poulson requested that a report from the Bureau of Public Administration of the University of California be printed in the Journal.

Request referred to the Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Voigt:

House Resolution No. 64

WHEREAS, It appears that a State Blue Book will be compiled, published and distributed following the adjournment of this session of the Legislature; and,

WHEREAS, It is fitting that the members of the Assembly should receive copies of the State Blue Book in order that they and their constituents may be made better acquainted with the information therein contained; now, therefore, be it

Resolved by the Assembly of the State of California, That if provision is made by law for the compiling, publishing and distributing of a State Blue Book, the Chief Clerk of the Assembly is authorized to order 865 copies of the State Blue Book for delivery in accordance with the provisions of such law and the cost thereof, not to exceed $3,875, shall be payable from the legislative printing appropriation

Resolution read, and referred to Committee on Rules.

By Mr. Lyon:

House Resolution No. 65

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he is ex officio an additional member of all special fact-finding or investigating committees of the Assembly heretofore or hereafter created at this session of the Legislature.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 65, at this time, without reference to committee.

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Welch, and Wollenberg—53.

NOES—None.

By Miss Miller:

House Resolution No. 66

WHEREAS, A new State highway over a portion of Route 205 commonly known as the Arroyo Seco Parkway was opened to traffic on December 30, 1940; and

WHEREAS, Said highway was so constructed as to furnish a direct route for speedy nonstop traffic between the Cities of Pasadena, South Pasadena and Los Angeles, there being entrances and exits therefrom only at widely separated intervals and no crossings at grade with other highways; and

WHEREAS, The traffic now using said highway is composed almost entirely of light passenger vehicles and it is the desire of the Legislature to insure that the usefulness and safety of said highway will not be impaired by use thereof by vehicles of great size or weight, or vehicles that can not maintain the average speed used on said highway; and

WHEREAS, There is now pending before the present session of the Legislature, legislation which is designed to restrict the use of such highway to insure its utmost usefulness and safety; and

WHEREAS, There is now pending before the Railroad Commission of California an application for a certificate of public convenience and necessity to establish on said highway passenger bus or stage service, said application being set for hearing during the period in which the Legislature will be in its constitutional recess; now, therefore, be it

Resolved by the Assembly of the State of California, That it respectfully urges the Railroad Commission of California to postpone action on any applications that may be before it which would affect the use of said highway, until the Legislature has had full opportunity to give the matter full and complete consideration; and be it further

Resolved, That the Chief Clerk of the Assembly is authorized and directed to send a copy of this resolution to the Railroad Commission of California and to each of the members thereof.

Request for Unanimous Consent

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 66, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Thurman:

House Resolution No. 67

WHEREAS, The movement of troops, mechanized divisions, tanks, and other implements of defense over transcontinental highways in times of emergency may become a matter of extreme importance affecting the security of the people of California; and

WHEREAS, The condition of that portion of the transcontinental highway over Donner Summit, particularly from Auburn to Donner Lake, is such as would undoubtedly hamper efficient movement of troops, artillery, and other materials and implements of defense; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Highway Commission make an immediate survey to determine the cost and time necessary

to bring this highway to a condition that will facilitate its use for emergency defense use, securing in such survey the advice of military and naval authorities on the probably military demands that would be made upon such highway in times of emergency and report to this Fifty-fourth Session of the California Legislature during the first week of the second half of this regular session the cost, the availability of money and the time within which said condition can be remedied.

Request for Unanimous Consent

Mr. Thurman asked for, and was granted, unanimous consent to take up House Resolution No. 67, at this time, without reference to committee.

Resolution read and adopted.

MOTION FOR EXTRA COPIES OF GOVERNOR'S BUDGET

Mr. Lyon moved that each member of the Assembly may request not more than five extra copies of the Governor's Budget from the Chief Clerk.

Motion carried.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed her credentials and is duly recognized as representative of the publication set opposite her name:

California Business Women's Council Legislative News—Eva Alexander

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 24, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

Subject: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session.

DEAR MR. OHNIMUS: Handed you herewith for filing is the following report of the State Engineer:

A-36 Edna M. Finck Jensen, et al., and Island Reclamation District No. 2062. File S. J. 40-4. Restoration of levees.

This report is upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 102, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 102

Assembly Bill No. 102—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Richie—1.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs Daley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 4, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

Assembly Joint Resolution No. 4—Relative to violations of the Hatch Act.

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 352

Has had the same under consideration, and reports same back with the recommendation: Do pass.

KEPPLE, Chairman

Request for Unanimous Consent

Mr. Millington asked for, and was granted, unanimous consent to take up Senate Bill No. 352, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 352

Senate Bill No. 352—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district or flood control district, and declaring the urgency hereof, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Millington:

Resolved, That Senate Bill No. 352 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 352—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district or flood control district, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—68

NOES—None.

Senate Bill No. 352—An act to amend the title and Sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district, irrigation district or flood control district, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

RECESS

At 4.30 p m, on motion of Mr. Lyon, the Assembly recessed until 4.32 p.m.

REASSEMBLED

At 4 32 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time.

Assembly Bill No. 2166: By Mr. Bashore—An act to amend Section 5536 and to repeal Section 5537 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Building and Construction.

Assembly Bill No. 2167. By Mr. Burkhalter—An act making an appropriation for the matching of funds received from the United States Government for the continuation of flood control work on the Tujunga and Tacoima washes in Los Angeles.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 2168: By Mr. Burkhalter—An act making an appropriation for the construction of a bridge on State Highway Route 161.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2169: By Mr. Cain—An act to add Section 369c to the Penal Code, relating to signals and signal lights and light beams.

Referred to Committee on Public Utilities.

Assembly Bill No. 2170: By Mr. Cain—An act to amend Section 52.2 of the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Unemployment.

Assembly Bill No. 2171: By Mr. Cain—An act to add Section 57.3 to the Unemployment Insurance Act, relating to benefits for persons in the armed forces.

Referred to Committee on Unemployment.

Assembly Bill No. 2172: By Mr. Cain—An act to amend Section 20 of the Personal Property Brokers Act, as revised and amended by Chapter 1044 of the Statutes of 1939, relating to loans made by personal property brokers.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2173: By Mr. Cain—An act to amend Section 19 of the California Small Loan Act, as contained in Chapter 1045 of the Statutes of 1939, relating to small loans.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2174: By Mr. Cain—An act to amend Section 19 of the California Small Loan Act, as contained in Chapter 953 of the Statutes of 1939, relating to small loans.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2175: By Mr. Cain—An act to amend Section 20 of the Personal Property Brokers Act, as revised and amended by Chapter 952 of the Statutes of 1939, relating to loans made by personal property brokers.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2176: By Mr. Call—An act to add Section 3.5 to the act entitled, "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, extending the scope of the bureau to include fact-finding and reporting, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2177: By Mr Call—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2178: By Mr. Call—An act to add Section 840.5 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2179: By Mr. Call—An act to amend Sections 13302 and 13395 of the Health and Safety Code, to add Sections 13356 5 and 13406 thereto, and to repeal Sections 13305, 13306, 13398, 13399, 13400, 13401 and 13402 thereof, relating to clothes cleaning establishments, including applications for licenses, and the construction and use of clothes cleaning buildings and of rooms and equipment therein.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2180: By Mr. Cooke—An act making an appropriation for a revolving fund for financing the Federal Stamp Plan, declaring the urgency thereof to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2181: By Mr. Desmond—An act to amend Sections 2, 9 2, 11, 12, 26, 43, 44, 52.1, 52, 57 and 75 of, to add Sections 7 1, 12.4, 52 2, 59, 76 and 98 to, to repeal Sections 56, 57, 58, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88 of, and to renumber Section 52.2 to be Section 12 6 and to renumber Section 56.5 to be Section 56 of, the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 2182: By Messrs Sheridan and Cassidy—An act to repeal Section 3085 of the Elections Code, relating to signatures to nomination papers.

Referred to Committee on Elections.

Assembly Bill No. 2183: By Mr. Sheridan—An act to amend Section 1161a of the Code of Civil Procedure, relating to unlawful detainer.

Referred to Committee on Judiciary General.

Assembly Bill No. 2184: By Mr. Sheridan—An act to repeal Sections 401 and 454 of the Vehicle Code, relating to nonliability for damages, injuries or death caused by operation of authorized emergency vehicles, and exemptions granted such vehicles.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2185: By Mr. Sheridan—An act relating to the filing of claims against any chartered city, county or city and county, and providing that the charter provisions thereon shall control.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2186: By Mr. Sheridan—An act to amend Section 1181 of the Civil Code, relating to proof or acknowledgment of an instrument.

Referred to Committee on Judiciary General.

Assembly Bill No. 2187: By Mr. Desmond—An act to amend Sections 52 2, 53, 54, 55, 57 and 66 of the Unemployment Insurance Act, relating to benefits and claims therefor.

Referred to Committee on Unemployment.

Assembly Bill No. 2188: By Mr. Desmond—An act to amend Sections 41, 44 2 and 45 of, and to add Section 41.1 to, the Unemployment Insurance Act, relating to rates of contribution.

Referred to Committee on Unemployment.

Assembly Bill No. 2189: By Mr. Desmond—An act to amend Sections 2, 7, 11, 12 and 13 of, and to add Sections 7.1 and 7.2 to, the Unemployment Insurance Act, relating to the scope and application of the act.

Referred to Committee on Unemployment.

Assembly Bill No. 2190: By Mr. Dilworth—An act to amend Section 2 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2191: By Mr. Doyle—An act to amend Sections 692, 694, 699, 710 and 724 of the Vehicle Code, relating to the size, weight, and equipment upon vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2192: By Messrs Gunlock and Lowrey—An act making an appropriation for the burning of the brush and debris on a watershed for experimental purposes.

Referred to Committee on Natural Resources.

Assembly Bill No. 2193: By Mr. Hawkins—An act to repeal Section 205 of the Labor Code, relating to time of payment of wages and providing for the payment of wages of agricultural and domestic employees twice monthly.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2194: By Mr. Hawkins (By request)—An act to amend Sections 800 and 1043 of the Military and Veterans code, relating to veterans.

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 2195: By Mr Hawkins—An act to amend Section 395.5 of the Military and Veterans Code, relating to military service of State civil service.

Referred to Committee on Civil Service.

Assembly Bill No. 2196: By Mr. Hawkins—An act to amend Chapter 2 of Division 21, including Section 26230, of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Health in relation thereto.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2197: By Mr. Hawkins—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts, and auto and trailer camps.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2198: By Messrs. Lowrey, Call and Burkhalter—An act to amend Section 481 of the Fish and Game Code, relating to the pollution of streams.

Referred to Committee on Fish and Game.

Assembly Bill No. 2199: By Messrs. Hawkins and Sheridan—An act to amend Section 1254 of the Code of Civil Procedure, relating to proceedings to take possession pending appeal

Referred to Committee on Judiciary General.

Assembly Bill No. 2200: By Mr Hawkins—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawn-broking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, and possession of pledges.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2201: By Mr. Kepple—An act to amend School Code Sections 5.1103 and 5 1123, relating to District Retirement Systems.

Referred to Committee on Education.

Assembly Bill No. 2202: By Mr. Kilpatrick—An act to amend Section 2651 of the Labor Code, relating to industrial homework and to permit the manufacture of children's wearing apparel thereby.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2203: By Mr. Lyon—An act to amend Section 11 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to the determination of the ratio of assessed value to true value.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2204: By Messrs. Middough and Burkhalter—An act to amend Section 504 of the Public Resources Code, relating to the Department of Natural Resources and changing the name of the Division of Parks.

Referred to Committee on Natural Resources.

Assembly Bill No. 2205: By Mr. Phillips—An act to repeal Section 2746 and Article 8, comprising Sections 2790 to 2846, inclusive, of Chapter 2 of Division 5, and to add a new Article 8, consisting of Sections 2800 to 2825 5, inclusive, to Chapter 2 of Division 5 and a new Article 8, consisting of Sections 400 to 404, inclusive, and a new Article 8.3, consisting of Sections 2830 to 2831, inclusive, to Chapter 2 of Division 2, and to add Sections 3925 5 and 7024 to, and to amend Sections 26, 951, 2574, 2576, 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2747, 2753, 3925, 3946, 5563, 7966, 8720 and 8721 of, the Elections Code, relating to primary elections and party committees.

Referred to Committee on Elections

Assembly Bill No. 2206: By Mr. Potter—An act to provide for the formation of government of, issuance of bonds by and assessment in motor vehicle parking districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2207: By Mr. Salsman—An act relating to the exemption of educational institutions from the laws of this State providing for the taxing or licensing of persons engaged in the business of lending money.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2208: By Mr. Sheridan—An act to amend Section 1207 of the Penal Code, relating to entry of judgment of conviction.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2209: By Mr. Sheridan—An act to amend Section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage.

Referred to Committee on Judiciary General.

Assembly Bill No. 2210: By Mr. Sheridan—An act to amend Section 370 of the Elections Code, relating to indices of registration.

Referred to Committee on Elections.

Assembly Bill No. 2211: By Mr. Sheridan—An act to amend Section 373 of the Elections Code, relating to copies of printed indexes.

Referred to Committee on Elections.

Assembly Bill No. 2212: By Mr. Sheridan—An act to amend Section 555 of the Insurance Code, relating to proof by a third party under a policy of insurance.

Referred to Committee on Insurance.

Assembly Bill No. 2213: By Mr. Thorp—An act to amend Section 13, and to add Section 13a, 13b, 13c to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Referred to Committee on Public Morals.

Assembly Bill No. 2214: By Mr. Turner—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Referred to Committee on Judiciary General.

Assembly Bill No. 2215: By Mr. Weber—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2216: By Mr Weber—An act to add Section 3.5 to the act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913,

extending the scope of the bureau to include fact-finding and reporting, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2217: By Mr Weber—An act to add Article 8a to the State Civil Service Act, relating to standards of conduct of employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2218: By Mr. Weber—An act to amend Sections 4.871 and 4.884 of, and to add Sections 4.871a and 4.884a to the School Code, relating to evening schools

Referred to Committee on Education.

Assembly Bill No. 2219: By Mr. Weber—An act to amend the title of Chapter 8 of Part 1 of Division 2 of the School Code and to amend Section 2.510 of said code.

Referred to Committee on Education.

Assembly Bill No. 2220: By Mr. Weber—An act to add Section 3719a to the Political Code, relating to school districts

Referred to Committee on Education.

Assembly Bill No. 2221: By Mr. Weber—An act to amend Section 5.430 of the School Code, relating to school principals.

Referred to Committee on Education.

Assembly Bill No. 2222: By Mr. Weber—An act to amend Section 3719 of the Political Code, relating to the borrowing of money by political subdivisions of the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2223: By Mr. Voigt—An act to amend the Public Utilities Act by adding thereto Section 13¼, relating to inside telephone plant.

Referred to Committee on Public Utilities

Assembly Bill No. 2224: By Messrs. Bennett, Hawkins, Heisinger, Thomas, Burkhalter, Kilpatrick, Cooke, Richie, Crowley, Evans, Russell, Massion, Gunlock, Gaffney, Cain and Donnelly—An act making an appropriation for a Work Relief Program for the relief of hardship and destitution due to and caused by unemployment, declaring the policy of the State in regard thereto, providing standards for work relief projects and the purposes for which the appropriation may be expended, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2225: By Messrs. Evans, Cooke, Lowrey, Gaffney and Donnelly—An act to amend Section 11 of, and to add Section 11.1 to, the California Unemployment Relief Act of 1935, relating to the application of civil service to the State Relief Administration.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2226: By Mr. Cassidy—An act to add Sections 27.5, 193.5 and 193.6 to the Streets and Highways Code, providing for the installation and maintenance of highway lighting systems on primary State highways.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2227: By Messrs. Sheridan and Cassidy—An act to repeal Section 796 of the Political Code, relating to records of notaries public.

Referred to Committee on Judiciary General.

Assembly Bill No. 2228: By Mr. Desmond—An act to amend Section 1143 of the Penal Code, relating to jurors' fees and mileage

Referred to Committee on County Government.

Assembly Bill No. 2229: By Messrs. Dilworth and Garland—An act to add Section 39 to the Penal Code, relating to organizations directed, controlled, or instructed by foreign powers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2230: By Mr. Green—An act to add Section 5318 to the Labor Code, relating to workmen's compensation insurance, including the availability of records of the Industrial Accident Commission.

Referred to Committee on Insurance.

Assembly Bill No. 2231: By Mr. Green—An act to add Sections 58.5 and 97.7 to the Unemployment Insurance Act, relating to unemployment insurance benefits, eligibility for benefits, and availability of the State's records.

Referred to Committee on Unemployment.

Assembly Bill No. 2232: By Mr. Kepple—An act to repeal Section 3520 of, and to add Sections 3519 and 3520 to, the Revenue and Taxation Code, relating to property taxation, including tax liens and the deeding of delinquent property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2233: By Mr. Phillips—An act relating to property taxation, including tax delinquent property and property deeded for taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2234: By Mr. Phillips—An act relating to property taxation, property deeded to the State or to irrigation or reclamation districts for tax delinquency, and the leasing of such property.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2235: By Mr. Phillips—An act relating to irrigation and reclamation districts, and the paying of taxes out of rentals of the property of such districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2236: By Mr. Phillips—An act to amend Section 107 of the Revenue and Taxation Code, relating to property taxation, including the definition of possessory interests

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2237: By Mr. Phillips—An act to amend Section 202 of the Revenue and Taxation Code, relating to property taxation including property exempt from taxation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2238: By Mr. Phillips—An act relating to irrigation and reclamation districts, and the finances thereof

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2239: By Mr. Phillips—An act to add Section 3651.5 to the Revenue and Taxation Code, relating to property taxation, including property deeded to irrigation and reclamation districts for delinquent taxes or assessments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2240: By Mr. Phillips—An act relating to irrigation and reclamation districts, and financial accountings thereof.

Referred to Committee on Irrigation.

Assembly Bill No. 2241: By Mr. Phillips—An act to amend Section 3697 of the Revenue and Taxation Code, relating to property taxation, including sales of tax-deeded property.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2242: By Mr. Phillips—An act to add Section 3521 to the Revenue and Taxation Code, relating to property taxation, including the liens of irrigation and reclamation districts to tax delinquent property.

Referred to Committee on Irrigation.

Assembly Bill No. 2243: By Mr. Sheridan—An act to amend Section 1640 of the Insurance Code relating to exemptions from agents', brokers', and solicitors' qualifications.

Referred to Committee on Insurance.

Assembly Bill No. 2244: By Mr. Sheridan—An act to repeal Section 1151 of the Insurance Code, relating to the disposal of real estate by insurers.

Referred to Committee on Insurance.

Assembly Bill No. 2245: By Mr Sheridan—An act to amend Section 10270.9 of the Insurance Code, relating to approval of policy forms.

Referred to Committee on Insurance

Assembly Bill No. 2246: By Messrs. Sheridan and Cassidy—An act to add Section 189.5 to the Code of Civil Procedure, relating to vouchers filed in court proceedings.

Referred to Committee on Judiciary General.

Assembly Bill No. 2247: By Mr. Salsman—An act to amend Section 4601 of the Labor Code, relating to the medical or chiropractic treatment of injured employees.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2248: By Mr. Sheridan—An act to amend Section 7 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 2249: By Mr. Hugh M. Burns—An act to provide a Unified and Coordinated Program of Construction, repair and improvement of State colleges, including buildings, and making an appropriation for the purposes of this act.

Referred to Committee on State Colleges.

Assembly Bill No. 2250: By Mr. Hugh M. Burns—An act to add Section 7100.5 to the Health and Safety Code, relating to dead human bodies.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2251: By Mr. Hugh M. Burns—An act to amend Sections 7619 and 7631 of the Business and Professions Code and to repeal an act entitled "An act providing for the licensing of persons by the State Board of Funeral Directors and Embalmers," approved May 4, 1939, relating to funeral directors and embalmers.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2252: By Mr. Hugh M. Burns—An act to add Section 380.3 to the Political Code, relating to appointments made by the Governor, and requiring the confirmation thereof by the Senate.

Referred to Committee on Rules.

Assembly Bill No. 2253: By Mr. Michael J. Burns—An act to make an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission for the extension of the State Park System, providing for the acquisition of land in Del Norte County for State park purposes.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 2254: By Mr. Frederick F. Houser—An act to amend Section 3 of "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California, to adopt a system of group life, health and accident insurance, and health services for the benefit of officers and employees, and to deduct from the compensation thereof the premium upon such insurance," approved May 25, 1939, relating to wage or salary deductions for public officers and employees.

Referred to Committee on Insurance.

Assembly Bill No. 2255: By Mr. Maloney—An act to amend Section 117 of the Political Code, relating to the Congressional districts

Referred to Committee on Reapportionment.

Assembly Bill No. 2256: By Mr. Maloney—An act to amend section 164 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2257: By Mr. Maloney—An act to amend Sections 34 and 372 of the Vehicle Code, relating to commercial vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2258: By Mr Call—An act to provide the methods by which sewage and garbage may be disposed.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2259: By Messrs. Bennett and Thomas—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2260: By Messrs Bennett and Thomas—An act providing for the establishment and organization in the Executive Department of the State Government of a California State Council of Defense, in accordance with the recommendations of the Council of National Defense and its advisory commission and of other agencies of the United States Government, to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, health, safety, and welfare, for the protection of individual rights and consumer interests and for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and Local Government Participation in the National Defense Program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National Program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; and providing for participation in the work of the California State Council of Defense by members of the Legislature; and providing an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2261: By Mr. Donnelly—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the regulation of horse racing

Referred to Committee on Public Morals

Assembly Bill No. 2262: By Miss Miller—An act to add Section 172b to the Penal Code, relating to the sale of alcoholic beverages within one mile of military establishments

Referred to Committee on Public Morals.

Assembly Bill No. 2263: By Mr. Turner—An act authorizing the use of convict labor on projects to conserve the fish and game resources of the State.

Referred to Committee on Fish and Game

Assembly Bill No. 2264: By Mr. Turner—An act to add Section 3107 to the Business and Professions Code, relating to disciplinary actions under the chapter on optometry.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2265: By Mr. Waters—An act to amend Section 744 of the Vehicle Code, relating to records of convictions to be reported to the Department of Motor Vehicles

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2266: By Messrs Gaffney and Collins, George D. —An act to add Section 6956 to Chapter 3, Part 2, Division 5 of the Labor Code, relating to maintenance of lights on main line switch stands by common carriers by rail.

Referred to Committee on Public Utilities

Assembly Bill No. 2267: By Mr. Lyon—An act to add Section 3056 to the Business and Professions Code, relating to admission to the practice of optometry.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2268: By Mr Lyon—An act to amend Section 602 of the Vehicle Code, relating to driving hours for certain persons.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2269: By Mr. Lyon—An act to empower and direct the State Planning Board to prepare airport approach plans for publicly owned airports, to empower and direct municipalities and other political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of such airports; to authorize the acquisition, by purchase, grant, or condemnation, of air rights and other interests in land; and to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby.

Referred to Committee on Aviation and Aircraft

Assembly Bill No. 2270: By Mr. Lyon—An act relating to solicitation of funds and contributions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 19: By Messrs. Voigt and Desmond—Relating to a new State Capitol Building

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Assembly Bill No. 224

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Assembly Joint Resolution No. 16

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 16—Relative to memorializing Congress to render continued aid to Great Britain.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 16?

Amendment No. 1

On page 1, line 26, of the printed measure, after "aid", insert "short of war".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Joint Resolution No. 16 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Heisinger, Voigt, and Weber—3

Resolution ordered enrolled.

Explanation of Vote

I want it known that I would have voted against ratification of Senate amendment to Assembly Joint Resolution No. 16 had I not been out of the Chamber on other business, because I oppose the resolution in its entirety

PAUL A. RICHIE

REQUEST FOR UNANIMOUS CONSENT

Mr. Sawallisch asked for, and was granted, unanimous consent to take up Senate Bill No. 680, at this time, without reference to file

CONSIDERATION OF SENATE BILL NO. 680

Senate Bill No. 680—An act validating the formation, existence and boundaries of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger,

Howser, F. N., Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Bashore, Houser, Frederick F., Johnson, and Kepple—4

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

Motion carried. Time, 4.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Mr. Richie:

House Resolution No. 68

WHEREAS, A breach of good taste occurred in connection with the entertainment feature of the Governor's recent dinner in Sacramento at which members of the Assembly were among the honored guests; and

WHEREAS, Members of the Assembly are fully aware that this regrettable occurrence, precipitated by professional entertainers, did not have the sanction of the Governor; now, therefore be it

Resolved by the Assembly, That it herewith records, as a public duty, its disapproval of such violation of good taste; and be it further

Resolved, That the Assembly express its sympathy to the Governor in what we must feel was a situation distasteful to him

Request for Unanimous Consent

Mr. Richie asked for, and was granted, unanimous consent to take up House Resolution No. 68, at this time, without reference to committee.

Resolution read and adopted.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Lyon moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 680.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Cooke—1.

In Committee of the Whole

Speaker Gordon H. Garland presiding.

On motion of Mr. Lyon, the committee did arise, and report back to the Assembly.

In Assembly

Speaker Gordon H. Garland presiding.

Chief Clerk Arthur A. Ohnimus at the desk

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 680

At 4.36 p.m., on motion of Mr. Sawallisch, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 680 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Gaffney, Gallagher, Gunlock, Houser, Frederick F., Howser, F. N., Knight, T. Fenton; Lowrey, Masson, O'Day, Pfaff, Richie, Russell, Tenney, and Thomas—19.

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolutions were offered:

By Messrs. Call and Thurman:

House Resolution No. 69

WHEREAS, That certain highway designated as US 50 from the City of Sacramento to Lake Tahoe via Placerville and the Meyers Grade is closed at the present time and during every winter from the point easterly of Placerville to Lake Tahoe; and

WHEREAS, Said highway passes through an important recreational area devoted to winter sports; and

WHEREAS, Said highway constitutes an important military route giving access to the Naval Ammunitions Depot at Hawthorne, Nevada; now, therefore, be it

Resolved, That the Governor and Director of Public Works of the California Highway Commission are strongly urged to immediately open said highway by clearing snow therefrom and to keep said highway open during the present winter and each year hereafter; and be it further

Resolved, That a copy of this resolution be sent by the Clerk to the Governor and Director of Public Works of the California Highway Commission.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up House Resolution No. 69, at this time, without reference to committee.

Resolution read and adopted.

By Messrs Potter and Field:

House Resolution No. 70

WHEREAS, The Assembly is pleased to hear reports of the continued progress of the former Assemblyman Kent H. Redwine on the road to complete recovery of his good health; and

WHEREAS, We hear with gratification of the possibility of a visit from Mr. Redwine some time during the session of the Legislature following the constitutional recess; now, therefore, be it

Resolved by the Assembly of the State of California, That the day may be speeded when this able friend can be with us again, when we may renew with him the pleasures of a fine friendship developed over years of association, when we learned that he followed the true course of a capable legislator and real man in the days of legislative calm and storm alike.

Resolved, That the Chief Clerk of the Assembly be hereby directed to forward an engrossed copy of this resolution to the Honorable Kent H. Redwine.

Request for Unanimous Consent

Mr. Potter asked for, and was granted, unanimous consent to take up House Resolution No 70, at this time, without reference to committee.

Resolution read and adopted unanimously.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 920

Mr. Voigt moved that Assembly Bill No. 920 be withdrawn from the Committee on Public Charities and Corrections, and re-referred to the Committee on Public Health and Quarantine.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Hon. Frederick F. Houser Presiding

At 4.37 p.m., Hon Frederick F. Houser, member of the Assembly from the Fifty-third District, presiding

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2271: By Mr. Burkhalter—An act to amend Section 765 and to repeal Sections 761, 762, 763 and 764 of the Agricultural Code, relating to tomato canning

Referred to Committee on Agriculture.

Assembly Bill No. 2272: By Mr. Carlson—An act to add Section 48.2 to the State Lands Act of 1938, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2273: By Messrs. Bashore and Collins, Sam L.—An act to amend Section 6359 of the Revenue and Taxation Code, Section 5 of the Retail Sales Tax Act of 1933, and Section 4 of the Use Tax Act of 1935, relating to the exemption of food products

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2274: By Mr. Bashore—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions.

Referred to Committee on Civil Service.

Assembly Bill No. 2275: By Mr. Sam L. Collins—An act to amend the Vehicle Code by adding thereto a new section, to be numbered 515.1, relating to minimum speeds for commercial vehicles and combinations of commercial vehicles upon grades.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2276: By Mr. Call—An act to amend Section 13111 of the Health and Safety Code, relating to the State Fire Marshal's Fund.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2277: By Mr Cronin—An act to amend Section 585 of the Vehicle Code, relating to the removal of illegally stopped automobiles

Referred to Committee on Motor Vehicles

Assembly Bill No. 2278: By Mr. Cronin—An act to add Part 4 to the Penal Code, comprising Sections 1700 to 1767, creating the California Enforcement Bureau.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2279: By Mr Crowley—An act to amend Section 112 of the Code of Civil Procedure, relating to justices' courts

Referred to Committee on Judiciary General

Assembly Bill No. 2280: By Mr. Dills—An act to amend Section 7457 of the Business and Professions Code, relating to cosmetology

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 2281: By Mr. Dilworth—An act relating to State officers and the appointment thereof

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2282: By Mr. Dilworth—An act to amend Section 70 of and to add Section 70 3 to the Streets and Highways Code, relating to the California Highway Commission and providing for the establishment, appointment, organization and expenses thereof

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2283: By Mr Dilworth—An act to add Section 112 5 to the Labor Code, relating to the Industrial Accident Commission, providing for the appointment of the members thereof

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2284: By Mr. Dilworth—An act to add Section 40.5 to the Agricultural Code, relating to the State Board of Agriculture and the appointment of the members thereof.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2285: By Mr. Dilworth—An act to add Section 101.5 to the Welfare and Institutions Code, relating to the Social Welfare Board and the appointment of the members thereof

Referred to Committee on Judiciary Codes

Assembly Bill No. 2286: By Mrs Daley, Messrs. Stream, Houser, Frederick F., Watson, Allen, Garland, Miller, Field, Lyon, Hastain, Bashore, Turner, Desmond and Millington—An act to add Chapter 4, comprising Sections 250 to 312, inclusive, to Division 1 of the Welfare and Institutions Code, to amend the title of Chapter 2 of Division 4 of the Welfare and Institutions Code, to renumber and amend the title of Article 1 of, and to add Article 1, comprising Sections 2450 to 2461 inclusive, Article 2.5, comprising Sections 2560 to 2572, inclusive, and Article 6, comprising Sections 2630 to 2638, inclusive, to Chapter 2 of Division 4 of the Welfare and Institutions Code, to amend Sections 103, 105, 107, 113, 2500, 2503, 2506, 2550, 2553, 2556, 2576, 2601, 2602, 2603 and 2604, and to repeal Sections 1528, 1554, 1555, 1556, 2023, 2185, 2187, 2188, 2189, 2220, 2221, 2501, 2502, 2504, 2505, 2600, 3087.1, 3087.2 and 3087.3 of the Welfare and Institutions Code, and to add Sections 2501, 2502, 2507 and 2557 to the Welfare and Institutions Code, and to repeal the California Unemployment Relief Act of 1935 and an act entitled "An act to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare and declaring the urgency thereof, to take effect immediately," approved May 8, 1937, establishing an Integrated Program of State and County Welfare Activities, defining the scope of the powers and duties of the State and the counties in regard thereto, providing for the administration thereof, apportioning funds for the direct and administrative costs thereof, determining eligibility for aid and relief, penalizing persons violating its provisions, defining the purposes for which money appropriated for welfare activities may be used, transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare and the counties, and transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 2287: By Mrs. Daley, Messrs. Stream, Allen and Garland—An act to amend Sections 2021, 2186 and 2187 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2288: By Mrs. Daley, Messrs. Allen and Garland—An act to amend Section 7 of the Unemployment Relief Appropriation Act of 1940, relating to persons eligible for relief, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2289: By Mrs. Daley—An act to amend Section 65e of, and to add Section 83d to, the State Employees' Retirement Act, relating to the State Employees' Retirement System, including city policemen and firemen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2290: By Mrs. Daley—An act to amend Sections 4850, 4851, 4852, 4853 and 4855 of the Labor Code, relating to work-

men's compensation and special payments to city policemen, city firemen, city and county firemen, county firemen and county fire protection district firemen.

Referred to Committee on Insurance.

Assembly Bill No. 2291: By Mrs. Daley—An act to amend Sections 8c and 78 of the State Employees' Retirement System, including city policemen and county and city firemen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2292: By Mr. Dills—An act to amend Section 736.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2293: By Mr. Dills—An act to amend Section 736.3 of the Agricultural Code, relating to stabilization and marketing plans.

Referred to Committee on Agriculture.

Assembly Bill No. 2294: By Mr. Frederick F. Houser—An act to amend Section 5016 6 of the Business and Professions Code, relating to accountants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2295: By Messrs. Gaffney, O'Day, Cain, Gunlock, Del Mutolo and Hawkins—An act to add Section 1030.5 to the Political Code, relating to days of work of State officers and employees

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2296: By Messrs. Hawkins and Pelletier—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Referred to Committee on Rules.

Assembly Bill No. 2297: By Mr. Lyon—An act to amend Section 5.653 of the School Code, relating to the suspension of permanent employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 2298: By Mr. McCollister—An act to amend Section 10270 of the Insurance Code, relating to insurance.

Referred to Committee on Insurance.

Assembly Bill No. 2299: By Mr. Meehan—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on medicine on optometry.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2300: By Mr. Garland—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Referred to Committee on Fish and Game.

Assembly Bill No. 2301: By Mr. Garland—An act to amend Sections 1313 and 1340.6 of the Fish and Game Code, relating to traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 2302: By Mr. Millington—An act to repeal the Agricultural Prorate Act, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 2303: By Mr. O'Day—An act to amend Sections 1, 3, 4, 5, 6, 7, 8, 10 and 12 of, and to add Section 3½, 12¾, 15 and 16 to an act entitled "An act to create a Firemen's Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905, relating to pensions for firemen, their widows, orphans, and heirs.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2304: By Mr. Doyle (By request)—An act to repeal an act entitled "An act providing for the annexation of elementary school districts to high school districts," approved May 31, 1929, to repeal Sections 2.500, 2.501 and 2.503 of, and to add Section 2.500 to, the School Code, relating to the annexation of elementary school districts to high school districts.

Referred to Committee on Education.

Assembly Bill No. 2305: By Mr. Kilpatrick—An act making an appropriation to pay the claim of the Washington Furniture Company against the State of California

Referred to Committee on Ways and Means.

Assembly Bill No. 2306: By Mr. Kilpatrick—An act to add Section 50.4 to the Public Utilities Act, relating to buses and stages.

Referred to Committee on Public Utilities.

Assembly Bill No. 2307: By Mr. Phillips—An act providing employment for inmates of State prisons and reformatories and to establish a Prison Farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2308: By Mr. Poulson—An act to add Section 670.6 to the Vehicle Code, relating to brakes upon motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2309: By Mr. Poulson—An act to amend the Metropolitan Water District Act, as amended, by adding a new section numbered 5.1, relating to presentation of claims and demands against metropolitan water districts and providing limitation of actions thereon.

Referred to Committee on Judiciary General.

Assembly Bill No. 2310: By Mr. Poulson—An act to amend Section 5017 3 of the Business and Professions Code, relating to accountants.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2311: By Mr. Richie—An act to amend Sections 117 and 117r of the Code of Civil Procedure of California, relating to the jurisdiction of small claims.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2312: By Mr. Richie—An act to add Section 3440.3 to the Civil Code, relating to fraudulent transfers.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2313: By Messrs. Robertson, Bashore, Salsman, Howser, F. N., Weybret, Thurman, Maloney, Cooke, Sawallisch, Field, Collins, Sam L., and Mrs Daley—An act to amend Section 2.5 of the Retail Sales Tax Act of 1933, to add Section 5.3 to said act, and to amend Section 2.5 of the Use Tax Act of 1935, relating to the definition of "sale" and "purchase" respectively, and to the exemption from the sales tax of newsprint.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2314: By Mr. Robertson—An act to amend Section 418 of, and to add Section 410 3 to, the Vehicle Code, and to amend Sections 11731, 11732, 11738, 11739, 11740, 11770, 11778, 11784, 11820 and 11840 of, and to add Section 11736.5 to, the Insurance Code, all relating to compulsory liability insurance on motor vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2315: By Mr. Thomas—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals, are sold.

Referred to Committee on Fish and Game.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2315

Mr. Thomas moved that Assembly Bill No. 2315 be withdrawn from the Committee on Fish and Game, and re-referred to the Committee on Public Health and Quarantine.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Ptaff, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, and Weybret—54

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time

Assembly Bill No. 2316: By Mr. Thurman—An act to amend School Code Sections 3 331, 3 332 and 3 337, relating to high school pupils

residing in California and attending upon high schools in adjoining States

Referred to Committee on Education.

Assembly Bill No. 2317: By Mr. Turner—An act to amend Sections 5217, 5229, 5271, 5286, 5287 and 5312 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2318: By Mr. Waters—An act to add a new section to the School Code, to be numbered 5 723a, relating to sabbatical leaves.

Referred to Committee on Education.

Assembly Bill No. 2319: By Messrs. Wollenberg and Green—An act to add Article 2a, comprising Sections 1928 5 to 1928.9, both inclusive, to Chapter 3 of Title 2 of Part 4 of the Code of Civil Procedure, relating to official reports as evidence.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2320: By Mr. Weybret—An act to amend Section 737aa of the Political Code, relating to the salary of the judges of the Superior Court in and for the County of Monterey.

Referred to Committee on County Government.

Assembly Bill No. 2321: By Mr. Weybret—An act to amend Section 4250 of the Political Code, relating to the compensation of officers in counties of the twenty-first class.

Referred to Committee on County Government.

Assembly Bill No. 2322: By Messrs. Bashore, Kellems and Garland —An act to amend Section 10 of the Political Code, relating to holidays and making Good Friday a legal holiday.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2323: By Mr. Hugh M. Burns—An act to amend Section 2 81 of the School Code, relating to school districts situated partly in two counties.

Referred to Committee on Education.

Assembly Bill No. 2324: By Mr. Hugh M. Burns—An act to amend Section 5.541 of the School Code, relating to notices by the principal.

Referred to Committee on Education.

Assembly Bill No. 2325: By Mr Michael J Burns—An act to repeal Section 123 of the Vehicle Code, relating to the assignment of members of the California Highway Patrol for service outside the county of appointment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2326: By Mr. Michael J Burns—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2327: By Mr Michael J Burns—An act to amend Section 484 of the Vehicle Code, relating to accident reports.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2328: By Mr Cassidy—An act relating to taxation, providing for the licensing of slot machines, providing for the enforcement of this act, and making an appropriation of the funds collected hereunder, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 2329: By Mr. Clarke—An act to add a new section to be numbered 54a to the Civil Code, relating to an action against hospitals for discrimination against physicians and surgeons.

Referred to Committee on Judiciary General.

Assembly Bill No. 2330: By Mr. Crowley—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 2331: By Mr. Dickey—An act to add Section 640 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2332: By Mr. Dickey—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Referred to Committee on Insurance.

Assembly Bill No. 2333: By Mr. Dickey—An act to amend Section 540 of the Code of Civil Procedure, relating to attachment of property.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2334: By Mr. Del Mutolo—An act to amend Section 841 of the Political Code, relating to eligibility to hold civil office.

Referred to Committee on Judiciary General.

Assembly Bill No. 2335: By Mr. Green—An act to repeal Article 2 5, comprising Sections 1160 1 to 1160 9, inclusive, of Chapter 2, Part 2, Division 1, of the Insurance Code, relating to investment in, and taxation on comprehensive moderate cost housing projects by insurers, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2336: By Mr. Kilpatrick—An act to amend Sections 653.1, 653.3, 653.8, 653.9, 653.14, 653.15, of the Civil Code, relating to cooperative corporations

Referred to Committee on Corporations.

Assembly Bill No. 2337: By Mr. T. Fenton Knight (By request)—An act to add Section 1a to an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in any jail within the county, for the unconditional release and return to their native land of alien prisoners so confined, and authorizing and empowering such

boards to make rules and regulations in relation to such paroles and releases," approved March 25, 1909, relating to boards of parole commissioners.

Referred to Committee on County Government

Assembly Bill No. 2338: By Mr. McCollister—An act to amend Section 374b of the Penal Code, relating to the disposal of garbage and refuse upon public and private highways

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2339: By Mr. O'Day—An act to provide that persons in receipts of pensions from public bodies shall not receive such pensions while employed and receiving compensation for such employment

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2340: By Mr. O'Day—An act to diminish the causes of labor disputes injuriously affecting the welfare of the people of this State; to encourage the practice of collective bargaining between employers and representative employee groups; to insure to employees the right of self-organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide for the establishment of a California Labor Relations Board, including provisions defining its duties and powers, for administration and assistance therein, and for enforcement and review of its findings and orders, and to provide for enforcement of this act and penalties for its violation.

Referred to Committee on Judiciary General

Assembly Bill No. 2341: By Mr. Potter—An act to amend Section 5.822 of the School Code, relating to computation of service for retirement.

Referred to Committee on Education.

Assembly Bill No. 2342: By Mr. Potter—An act to add Section 511.5 to the Vehicle Code, relating to speed limits

Referred to Committee on Motor Vehicles

Assembly Bill No. 2343: By Mr. Potter—An act to amend Section 422 of the Probate Code, relating to persons entitled to letters of administration of the estate of a person dying intestate and order of their priority.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2344: By Mr. Potter—An act to amend Sections 2 and 17 of the Personal Property Brokers Act, as revised and amended by Chapter 1044 of the Statutes of 1939, relating to personal property brokers and their charges.

Referred to Committee on Financial Institutions

Assembly Bill No. 2345: By Mr. Sheridan—An act to amend Section 1183 of the Code of Civil Procedure, relating to maximum liability for mechanics' liens.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2346: By Mr. Tenney—An act to amend Sections 2 and 8½ of the Retail Sales Tax Act of 1933, to add Sections 7, 7.3 and 7.7 to said act, relating to tokens and the collection of the tax from the consumer, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2347: By Messrs Tenney, Call, Meehan and Dills —An act to regulate music brokers.

Referred to Committee on Judiciary General.

Assembly Bill No. 2348: By Messrs Tenney, Allen, Cooke, Potter, Dilworth, Millington, Wollenberg, Call, Poole and Dickey—An act to add Section 424 to the Military and Veterans Code, relating to the use of uniforms of military and semimilitary organizations of foreign governments

Referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 2349: By Messrs. Tenney, Field, Potter, Allen, Cooke, Call, Millington, Wollenberg and Poole—An act to add Section 6.752 to the School Code, relating to the use of school buildings by members of the Communist Party or any organization advocating the overthrow of the Government by force and violence

Referred to Committee on Judiciary General.

Assembly Bill No. 2350: By Messrs Tenney, Field, Allen, Cooke, Millington, Poole, Poulson and Waters—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2351: By Mr. Tenney—An act to add Section 1034 to the Political Code to provide for the payment of prevailing rates of wages to any musician employed by the State of California or by any department or agency thereof or by any county, municipality, or other political subdivision thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2352: By Mr. Tenney—An act to add Sections 12.5, 14.5, 17.5, 19.5 and 19.6 to the California Small Loan Act as contained in Chapter 1045 of the Statutes of 1939, relating to persons engaged in the business of making loans in the amount of three hundred dollars ($300) or less, including multiple loans to same individual or mutually dependent group, daily reports, revocation of licenses, violations and penalties.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2353: By Mr. Tenney—An act to amend Section 20 of the Personal Property Brokers Act, as amended and revised by Chapter 1044 of the Statutes of 1939, relating to prohibition in the making of loans, including the terms of loan contracts.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2354: By Mr. Tenney—An act to amend Section 19 of the California Small Loan Act, as contained in Chapter 1045 of the Statutes of 1939, relating to prohibitions in the making of loans, including the terms of loan contracts

Referred to Committee on Financial Institutions.

Assembly Bill No. 2355: By Mr. Tenney—An act to amend School Code Section 3 760, relating to course of study in day elementary schools

Referred to Committee on Education.

Assembly Bill No. 2356: By Mr. Tenney—An act to add Sections 3897 4 and 3897.5 to the Political Code, and to amend Section 3804 of, and to add Sections 3793 5 and 3793 6 to, the Revenue and Taxation Code, relating to property taxation, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2357: By Mr. Tenney—An act to add Sections 678 2, 678 4 and 678.6 to the Vehicle Code, relating to tires.

Referred to Committee on Judiciary General.

Assembly Bill No. 2358: By Mr. Watson—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2359: By Mr. Welch—An act to add Section 599 to the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2360: By Mr. Weybret—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2361: By Mr. Voigt—An act to amend Sections 13.18 and 14.01 of the Building and Loan Association Act, relating to building and loan associations and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also the following: defining and regulating the agents, salesmen and collectors of such associations, regulating their officers, directors and employees; defining, authorizing, and regulating the issuance of, shares, stock and investment certificates of such associations, and prescribing the rights, remedies and liabilities of holders thereof, and making such investment certificates legal investments for certain purposes; prescribing the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; regulating the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; creating and continuing the office of Building and Loan Commissioner, providing for and defining the rights, powers, remedies and duties of the commissioner and his assistants and employees; providing

penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations.

Referred to Committee on Building and Loan Associations.

Assembly Bill No. 2362: By Mr. Donnelly—An act to add Title 2a to Part 3 of the Political Code of the State of California, relating to pernicious political activities.

Referred to Committee on Judiciary General.

Assembly Constitutional Amendment No. 44: By Mr. Heisinger—Proposed amendment to Article VI of the Constitution by repealing Section 26 and adding Section 27, relative to Judicial Offices

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 45: By Mr. Watson—Proposed amendment to Article XX of the Constitution, by adding to said article thereof a new section, to be numbered 23, relating to a transfer of the powers and duties of the Board of Equalization to another agency.

Referred to Committee on Constitutional Amendments

Assembly Joint Resolution No. 22: By Messrs. Donnelly, Thorp and Weber—Relative to construction of a dam on the Stanislaus River.

Request for Unanimous Consent

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

Assembly Joint Resolution No. 22—Relative to construction of a dam on the Stanislaus River.

Resolution read.

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

AYES—Bennett, Burkhalter, Cain, Cassidy, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 23—By Messrs. Donnelly, Heisinger, Cain, Millington, Clarke, Cooke, Lowrey, Del Mutolo, Desmond, Gunlock, Robertson, Burkhalter and Thorp—Relative to memorializing the President and Congress to increase the import excise on foreign eggs and egg products

Request for Unanimous Consent

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 23, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 23

Assembly Joint Resolution No. 23—Relative to memorializing the President and Congress to increase the import excise on foreign eggs and egg products.

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cam, Call, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muldough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 24: By Mr. Crowley—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded blind recipients of public assistance.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 24, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 24

Assembly Joint Resolution No. 24—Relative to memorializing Congress to amend the Social Security Act with reference to the exempt income rights accorded blind recipients of public assistance.

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cam, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Muldough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—59

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1941.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 680

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 25, 1941

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

Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 4
Assembly Concurrent Resolution No. 17
Assembly Joint Resolution No. 17
Assembly Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered enrolled.

RECESS

At 4.38 p.m., on motion of Mr. Lyon, the Assembly recessed until 4.40 p.m.

REASSEMBLED

At 4.40 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, of the Fifty-ninth District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2363: By Mr. Doyle—An act making an appropriation to pay the claim of Billy Van, Jr., against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2364: By Mr. Dilworth—An act to add Section 120.5 to the Bank Act, relating to the Superintendent of Banks, and the appointment and qualification of such officer.

Referred to Committee on Banking.

Assembly Bill No. 2365: By Mr. Dilworth—An act to add Section 3a-1 to the California Real Estate Act, relating to the Real Estate Commissioner, including the appointment and qualification of such officer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2366: By Mr. Dilworth—An act to add Section 19421.5 to the Business and Professions Code, and to add Section 5.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying its provisions," approved June 5, 1933,

relating to the California Horse Racing Board, and the appointment and qualification of its members.

Referred to Committee on Public Morals.

Assembly Bill No. 2367: By Mr. Dilworth—An act to add Section 112.5 to the Labor Code, relating to the Industrial Accident Commission, providing for the appointment of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2368: By Mr. Dilworth—An act to add Section 101.5 to the Welfare and Institutions Code, relating to the Social Welfare Board and the appointment of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2369: By Mr. Dilworth—An act to add Section 40.5 to the Agricultural Code, relating to the State Board of Agriculture and the appointment of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2370: By Mr. Dilworth—An act to add Section 87.5 to the Unemployment Insurance Act, relating to the Unemployment Reserves Commission, and the appointment and qualification of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2371: By Mr. Dilworth—An act to add Section 162.5 to the Military and Veterans' Code, relating to the Adjutant General, including the appointment and qualifications of the Adjutant General.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2372: By Mr. Evans—An act to amend Sections 1, 2 and 3 of the Highway Carriers Act, relating to highway carriers.

Referred to Committee on Public Utilities.

Assembly Bill No. 2373: By Mr. Evans—An act to repeal Sections 2¾ and 50¾ of the Public Utilities Act, relating to highway carriers.

Referred to Committee on Public Utilities.

Assembly Bill No. 2374: By Mr. Bashore—An act to add Section 36.5 to the Public Utilities Act, relating to telephone corporations and telephone equipment.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2375: By Mr. Dilworth—An act to add Section 13.01a to the Building and Loan Association Act, relating to the Building and Loan Commissioner, and the appointment and qualification of such officer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2376: By Mr. Dilworth—An act to add Section 21.5 to the Corporate Securities Act, relating to the Commissioner of Corporations, and the appointment and qualifications of such officer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2377: By Mr. Dilworth—An act to add Section 2.5 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to the State Planning Board, and the appointment and qualifications of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2378: By Mr Dilworth—An act to add Section 1 5 to an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to the Board of Prison Terms and Paroles, and the appointment of the members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2379: By Mr. Dills—An act to provide for the retirement of justices of Class A justices' courts.

Referred to Committee on Judiciary General.

Assembly Bill No. 2380: By Mr. Dills—An act to amend Sections 2182 and 2184, and to add Sections 2163a and 2165a to the Welfare and Institutions Code, relating to aid to the aged

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2381: By Mr. Desmond—An act to amend Sections 631, 632, 633, 635, 637, 662 and 664 and to repeal Sections 597 to 606, inclusive, of the Welfare and Institutions Code, relating to probation committees and probation officers.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2382: By Mr. Desmond—An act to amend Section 1440 of the Probate Code, relating to the appointment of guardians.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2383: By Mr. Desmond—An act to amend Sections 3, 9 and 12, and to add Section 5a to an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the said Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2384: By Mrs Daley—An act to add Sections 531.5 and 587 5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2385: By Mrs. Daley—An act to add Section 372.5 to the Penal Code, relating to the keeping of roosters within cities.

Referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2386: By Mrs. Daley—An act to add Section 15.5 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, relating to the establishment of systems for the retirement and pension of certain county and county fire protection district officers and employees.

Referred to Committee on County Government.

Assembly Bill No. 2387: By Mr. Cronin—An act to add Section 8 to the Unemployment Insurance Act, relating to maintenance employees of the University of California.

Referred to Committee on Universities.

Assembly Bill No. 2388: By Mr. George D. Collins—An act to add Section 4041.5-a to the Political Code, relating to county expenditures out of funds derived from special taxes levied pursuant to Section 4041.5 of the Political Code.

Referred to Committee on County Government.

Assembly Bill No. 2389: By Mr. Dickey—An act to repeal Sections 11166.05, 11166.06, 11166.07, 11166.08, 11166.09, 11166.10, 11166.11 and 11166.12 of the Health and Safety Code, relating to prescriptions for drugs and narcotics.

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 2390: By Mr. Dickey—An act to repeal Chapter 4 of Part 4 of Division 6 of the Welfare and Institutions Code, comprising Sections 7100 to 7111, relating to inebriates.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2391: By Mr. Millington—An act to amend Section 20765 of, and to add Section 20766 to, the Business and Professions Code, relating to the sale of gasoline and other petroleum products.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2392: By Mr. George D. Collins—An act to amend Section 530 of the Probate Code, relating to powers of attorney and excluding certain instruments from the effect thereof.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2393: By Mr. George D. Collins—An act to amend Section 1201a of the Probate Code, relating to requisites of conveyance, etc., of interest in estate.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2394: By Mr. George D. Collins—An act to add Section 1631.5 to the Labor Code, relating to fees of private employment agencies.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2395: By Mr. George D. Collins—An act to add Section 2 to the Public Utilities Act, relating to the definition of a public utility.

Referred to Committee on Public Utilities.

Assembly Bill No. 2396: By Mr. George D. Collins—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2 and 972 3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and District Court of Appeals.

Referred to Committee on Judiciary General.

Assembly Bill No. 2397: By Mr. George D. Collins—An act to amend Sections 4 and 5 of the Inheritance Tax Act of 1935, relating to the rates of taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2398: By Mr. Clarke—An act relating to the dissolution of districts, including the dissolution of public utility districts

Referred to Committee on Public Utilities.

Assembly Bill No. 2399: By Mr. Cassidy—An act to amend Section 209 of the Penal Code, relating to kidnaping

Referred to Committee on Crime Problems.

Assembly Bill No. 2400: By Mr. Bennett—An act to add Section 690 29 to the Code of Civil Procedure, relating to exemptions from attachments and executions.

Referred to Comittee on Judiciary General

Assembly Bill No. 2401: By Mr. Bennett—An act to amend Section 170 of the Civil Code, relating to the liability of the husband for the debts of his wife.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2402: By Mr. Bennett—An act to add Section 4157.5 to the Political Code, relating to the powers and duties of county sheriffs.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2403: By Mr. Bashore—An act to add a new Section 4300n to the Political Code, relating to charges of marshals of municipal courts.

Referred to Committee on Judiciary Codes

Assembly Bill No. 2404: By Mr Allen—An act to add Article 8.5, comprising Section 7406, to Chapter 10 of Division 3 of the Business

and Professions Code, relating to minimum price schedules for persons licensed under the chapter on cosmetology.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2405: By Mr. Burkhalter—An act to add Section 4101.6 to the Revenue and Taxation Code, relating to property taxation, including postponement of certain tax sales, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2406: By Messrs. Burkhalter and Middough—An act appropriating money to pay the claim of Leon Cohn against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2407: By Mr. Green—An act to amend Sections 9, 7, 11 and 66 of the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 2408: By Mr. Gaffney—An act relating to money deposited with public utility companies, whether publicly or privately owned, and providing for the escheat of unclaimed deposits to the State of California.

Referred to Committee on Public Utilities.

Assembly Bill No. 2409: By Mr. Hawkins—An act providing for the licensing and regulation of individuals, firms, partnerships, associations and corporations engaged in the business of selling personal property on time by means of conditional sales contracts.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2410: By Mr. Hawkins—An act to add Section 54 5 to the Civil Code, relating to discrimination on account of race, color, or religion.

Referred to Committee on Judiciary General.

Assembly Bill No. 2411: By Mr. Hawkins—An act to establish a Public Works Program, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2412: By Mr. Hawkins—An act to amend Section 3 of the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution and the powers and duties of the Relief Commission and the Relief Administrator in connection therewith.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2413: By Mr. Hawkins—An act to provide for the organization of cooperative associations, and to make an appropriation.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2414: By Mr. Hawkins—An act to add Chapter 6, comprising Sections 860 to 868, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed and domestic employees.

Referred to Committee on Labor and Capital.

Assembly Bill No. 2415: By Mr. Hawkins—An act to amend Sections 1477 and 1478 of the Labor Code, relating to the Commission of Immigration and Housing.

Referred to Committee on Labor and Capital.

Assembly Bill No. 2416: By Mr. Hawkins—An act to amend Sections 14 and 15 of the Unemployment Relief Act of 1940, relating to unemployment relief.

Referred to Committee on Unemployment.

Assembly Bill No. 2417: By Mr. Hawkins—An act to amend Sections 8, and 10 of the Unemployment Relief Appropriation Act of 1940, relating to unemployment relief.

Referred to Committee on Unemployment.

Assembly Bill No. 2418: By Mr. Hawkins—An act to add Section 5.15 to the Retail Sales Tax Act, relating to exemptions.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2419: By Messrs. Potter and Lyon—An act to amend Section 7054 of the Health and Safety Code, relating to unlawful deposit or disposition of human remains.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2420: By Mr. Lyon—An act to amend Section 19433 of the Business and Professions Code, relating to the Secretary of the California Horse Racing Board.

Referred to Committee on Public Morals.

Assembly Bill No. 2421: By Mr. Turner—An act to add Section 2163.5 to the Welfare and Institutions Code, relating to real property as defined for the purposes of aid to the aged.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 2422: By Mr. Turner—An act to add Section 24900 to the Health and Safety Code, relating to sound deadening materials in buildings and structures in which sound amplifying devices are used.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2423: By Mr. Turner—An act to amend Section 19597 of the Business and Professions Code, and Section 12 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional

amendment ratifying its provisions," approved June 5, 1933, relating to the odd cents on redistributions of wagers on horse races

Referred to Committee on Public Morals.

Assembly Bill No. 2424: By Mr. Meehan—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2425: By Mr. Poulson—An act to amend Sections 1, 2 and 9 of, and to add Sections 1.1, 1.2, 1.3, 1.4, 7.1, 8.1, 8.2 and 9.1 to, an act entitled "An act to authorize boxing and wrestling contests for prize or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur contests conducted under Section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," relating to the State Athletic Commission of California, the secretary and employees thereof, and persons licensed thereby, and to the regulation of boxing and wrestling contests and matters incidental thereto.

Referred to Committee on Public Morals

Assembly Bill No. 2426: By Mr. Richie—An act to amend Section 19a of the Penal Code, relating to punishment for crime.

Referred to Committee on Crime Problems.

Assembly Bill No. 2427: By Mr. Richie—An act to amend Section 2 of the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen and permitting attorneys-at-law to act as such brokers.

Referred to Committee on Judiciary General.

Assembly Bill No. 2428: By Mr. Richie—An act to add Section 670.6 to the Vehicle Code, relating to equipment of motor vehicles.

Referred to Committee on Motor Vehicles

Assembly Bill No. 2429: By Mr. Sheridan—An act to add Section 4653.5 to the Revenue and Taxation Code, relating to property taxation, including tax-delinquent property and proceeds from the sales thereof.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2430: By Mr. Tenney—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, including the redemption of tax-sold and tax-deeded property

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2431: By Mr. Tenney—An act to add Section 689.5 to the Code of Civil Procedure, relating to third party claims.

Referred to Committee on Judiciary General.

Assembly Bill No. 2432: By Mr. Tenney—An act to amend Section 10 of the Personal Income Tax Act, relating to credits against net incomes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2433: By Mr. Turner—An act to amend Section 89 of the Agricultural Code, relating to moneys of district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 2434: By Mr. Voigt—An act to add Section 32¾ to the Public Utilities Act, relating to the regulation of the production and sale of dry gas.

Referred to Committee on Public Utilities.

Assembly Bill No. 2435: By Mr. Voigt—An act to amend Sections 7026 and 7065 of the Business and Professions Code, relating to contractors and the regulation thereof.

Referred to Committee on Building and Construction.

Assembly Bill No. 2436: By Mr. Waters—An act to amend Section 9 of the Retail Sales Tax Act of 1933 and Section 7 of the Use Tax Act of 1937, relating to the due date of the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2437: By Mr. Waters—An act to add Section 96 5 to the Unemployment Insurance Act, relating to returns.

Referred to Committee on Unemployment.

Assembly Bill No. 2438: By Mr. Waters—An act to amend Section 530 of the Probate Code, relating to powers of attorney and assignments of interest with respect to estates of decedents.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2439: By Mr. Watson—An act to amend Chapter 1 of Division 2 of the Health and Safety Code, relating to clinics and dispensaries.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2440: By Mr. Weber—An act to add Section 8.5 to an act entitled "An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption or ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict here-

with," approved June 17, 1929, relating to local planning by the State Planning Board.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2441: By Mr. Welch—An act to amend Section 1 of the California Real Estate Act, relating to real estate brokers and salesmen.

Referred to Committee on Judiciary General.

Assembly Bill No. 2442: By Mr. Welch—An act to amend Section 4063 of the Business and Professions Code, relating to itinerant vendors.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2443: By Mr. Massion—An act to amend Section 4256 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2444: By Mr. O'Day—An act to add Section 6125.3 to the Business and Professions Code, relating to the practice of law before the State Personnel Board, its officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2445: By Mr. O'Day—An act to add Section 6146 to the Business and Professions Code, relating to waiver of annual license fee of certain members of the State Bar of California.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2446: By Mr. O'Day—An act to add Section 6125.5 to the Business and Professions Code, relating to the practice of law before Industrial Accident Commission, its officers and employees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2447: By Mr. Kilpatrick—An act to amend Section 653.16 of the Civil Code, relating to cooperative corporations.

Referred to Committee on Corporations.

Assembly Bill No. 2448: By Mr. Hawkins—An act to amend Section 4.788 of the School Code, relating to the use of county elementary school supervision funds.

Referred to Committee on Education.

Assembly Bill No. 2449: By Mr. Hawkins—An act to amend Section 18652 of, and to add Chapter 3.5, consisting of Section 18800, to Division 8 of the Business and Professions Code, relating to the regulation of sporting events, and levying a tax upon admissions to the same.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2450: By Mr. Hawkins—An act to amend Section 8 of the Unemployment Relief Appropriation Act of 1940, relating to relief allowances.

Referred to Committee on Unemployment.

Assembly Bill No. 2451: By Mr. Hawkins—An act to amend Section 2500 of the Welfare and Institutions Code, relating to indigent persons.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2452: By Mr. Hawkins—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2453: By Mr. Heisinger—An act to amend Section 4 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately relating to the rate of tax and the persons liable for payment thereof," approved May 15, 1933, relating to taxation of transporters for hire or compensation.

Referred to Committee on Public Utilities.

Assembly Bill No. 2454: By Mr. F. N. Howser—An act to amend Section 45.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment.

Assembly Bill No. 2455: By Mr. Johnson—An act to add Chapter 2b, comprising Sections 2985 to 2985.30, both inclusive, to Title 14 of Part 4 of Division 2 of the Civil Code, relating to conditional sales.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2456: By Mr. Johnson—An act to amend Section 10 of "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, as amended.

Referred to Committee on Public Utilities.

Assembly Bill No. 2457: By Messrs. Johnson and Cain—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2458: By Mr. Johnson—An act to add Section 1817 to Article 8, Chapter 1, Part 7 of the Labor Code, relating to working laws on public work.

Referred to Committee on Labor and Capital.

Assembly Bill No. 2459: By Mr. Johnson—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty.

Referred to Committee on Military Affairs.

Assembly Bill No. 2460: By Mr. Johnson—An act to provide for the payment of the claim against the State of California of Meridith L. Wilson.

Referred to Committee on Ways and Means.

Assembly Bill No. 2461: By Messrs. Kellems and Robertson—An act appropriating money for the alleviation of flood conditions and resulting damage in Santa Barbara and San Luis Obispo counties under the direction of the Department of Public Works.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Speaker Pro Tempore Presiding

At 4.43 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Dills, Bashore, Doyle, Kilpatrick and Field:

House Resolution No. 71

WHEREAS, The prime reason for granting pensions to the aged citizens of this State is to afford them a measure of security against financial distress; and

WHEREAS, Complaints have been placed before this Assembly indicating that in the County of Los Angeles delay on the part of local officials in administering the Old Age Security Law has caused untold suffering to persons applying for and receiving old age pensions; and

WHEREAS, It appears that the most flagrant type of delay on the part of these officials has been in the matter of acting upon applications for aid, the evidence indicating that most applications are not acted upon for periods ranging upwards of three months; and

WHEREAS, It seems desirable that the cause of delay should be thoroughly investigated and that a report of such investigation be submitted to this Assembly for such corrective legislation as may be necessary; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Social Welfare is hereby requested to make a thorough investigation into the method and manner in which the Old Age Security Law is being administered in the County of Los Angeles, with particular reference to the reasons for delay in acting upon old age pension applications, and submit a report thereon to this Assembly not later than 30 days after the reconvening of the Legislature after the constitutional recess of 1941; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the Assembly to the Department of Social Welfare and to the members of the Social Welfare Board.

Request for Unanimous Consent

Mr. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 71, at this time, without reference to committee.

Resolution read and adopted.

By Mr. F. N. Howser:

House Resolution No. 72

Relative to memorializing the Congress of the United States to enact legislation to protect the rights of the State of California in submerged and tidelands.

WHEREAS, The State of California has reserved to itself all the right, title and interest in and to submerged lands bordering upon its territory, and expended large amounts of public funds for the improvement of such lands and the development of harbors and other State purposes, and through grants to municipalities and public

agencies and with its citizens has devoted such lands to other public and private uses, and

WHEREAS, Legislation has been introduced in the Congress of the United States wherein it is asserted that the Federal Government possesses the title to or holds an interest in submerged lands and tidelands bordering upon the various States of the Union, and

WHEREAS, There has been introduced by the Honorable Homer Angell, member of the House of Representatives, a resolution reasserting that the individual States have title to submerged and tidelands and condemning the invasion of the jurisdiction of the States in the operation of harbors and control of tidelands, and

WHEREAS, This resolution clarifies the rights and title of the respective States and further enables them to develop such land for State and local uses, both public and private, and the adoption of this resolution is, in the opinion of the Assembly of the State of California desirable and in conformity with the public interest; now, therefore, be it

Resolved by the Assembly, That the Assembly of the State of California respectfully urges and petitions the Congress of the United States to enact the resolution introduced by Representative Homer Angell and to refuse enactment of bills and resolutions which may seek to establish the asserted claim of the Federal Government to any title or interest in submerged lands or tidelands in the State of California, other than such lands as may have been expressly granted it by this State or under its authority; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the President of the United States, the Vice President, and to the Senators and Representatives of the State of California in Congress.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 72, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Hastain:

House Resolution No. 73

Relative to the Desert Cavalcade of Calexico Winter Festival.

WHEREAS, Calexico Winter Festival on February 20th, 21st and 22d is to present its Second Annual Desert Cavalcade and turn back the pages of history to those days when Signal Mountain was a signal peak for the Indian, a beacon of hope for the traveler and an inspiration to the desert dweller; and

WHEREAS, In this festival there is to be presented a cavalcade of events from the early explorations of Melchor Diaz in Imperial Valley and the laying out of the first trails through the Colorado Desert by Juan Bautista De Anza to the present glorious development of the country; and

WHEREAS, It is fitting that the State of California show its appreciation of the enterprise and efforts of the citizens of Calexico and the Imperial Valley in commemorating their past history; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Assembly of the State of California record its commendation of this festival and express its approval of the citizens who are presenting this cavalcade; and be it further

Resolved, That the Clerk of the Assembly is hereby requested to transmit copies of this resolution to the Governor of the State of California and to the chairman of the Calexico Festival Association.

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No 73, at this time, without reference to committee

Resolution read and adopted.

By Mr. Meehan:

House Resolution No. 74

WHEREAS, Among the most sacred of all rights granted by the Constitutions of the United States and of this State are the rights of free speech and of freedom of the press; and

WHEREAS, With these rights available to all we shall continue to stand as the greatest Democracy on earth, and without them we shall inevitably be enfolded by totalitarianism, and

WHEREAS, Instances in which these rights have been denied have been reported to this Assembly, one involving the weekly newspaper published in Oakland, California, known as the "Free Press," the editor of which is the well known Mr. Phillip Reilly; and

WHEREAS, It is incumbent upon this Assembly to ferret out the facts surrounding the denial of rights so that legislation in correction thereof may be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there be and there is hereby created the Special Assembly Committee to Investigate the Violation of Civil Rights, to consist of three members of the Assembly to be appointed by the Speaker of the Assembly; and be it further

Resolved, That said committee is hereby authorized and directed to make a thorough and complete study and investigation into all matters and things related in any way to the subject matter indicated in this resolution

Resolution read, and referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2462: By Mr. Kepple—An act to amend the Refunding Assessment Bond Act of 1935 by adding a new section thereto to be numbered 1.2, relating to the refunding of the indebtedness of special improvement districts, the levy and enforcement of assessments, and the contributions of public funds to assist in such refunding.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2463: By Mr. Kilpatrick—An act to add Section 2191 to the Welfare and Institutions Code, relating to pensions

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2464: By Mr. Kilpatrick—An act to add Section 2192 to the Welfare and Institutions Code, relating to pensions

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2465: By Mr. Kilpatrick—An act to add Section 2193 to the Welfare and Institutions Code, relating to pensions.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 2466: By Mr. Kilpatrick—An act to add Section 2194 to the Welfare and Institutions Code, relating to pensions.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2467: By Mr. Kilpatrick—An act to add Chapter 3, comprising Sections 1979 to 1980, inclusive, to Part 7 of Division 2 of the Labor Code, relating to public employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2468: By Mr. Kilpatrick—An act to add Section 2195 to the Welfare and Institutions Code, relating to pensions.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2469: By Mr. Kilpatrick—An act to amend the heading of Part 4, Division 2 and Sections 95, 96, 1171, 1172, 1173, 1174, 1175, 1181, 1185, 1188, 1191, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1297, 1298, 1352, 1392, 1393 and 1394 of the Labor Code and to

add Sections 98a, 100a, 101.1, 1170, 1172.1, 1194.1, 1197 1, 1197.2, 1197.3, 1197.4, 1198.1, 1198.2 and 1198.3, relating to the protection of employees and their wages, hours and working conditions

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2470: By Mr. Kilpatrick—An act to add Section 2190 to the Welfare and Institutions Code, relating to pensions

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2471: By Mr. Kilpatrick—An act to establish a tax supported System of Health Insurance providing for the administration thereof in defining the scope of the treatment thereunder.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2472: By Mr. Kilpatrick—An act to provide for the appointment and salary of a blind assistant in the State Library.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2473: By Mr. Kilpatrick—An act to add Chapter 3 to Division 7 of the Vehicle Code, relating to motor vehicles, including the registration thereof, fees in connection therewith and judgments against owners thereof.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2474: By Mr. Kilpatrick—An act to add Section 8.5 to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptables and containers used for food, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same." approved March 6, 1909, relating to the medical examination of persons handling food or food containers, intended for the consumption of others.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2475: By Mr. Lowrey—An act to amend Section 4271 of the Political Code, relating to compensation of county and township officers and court reporters in counties of the forty-second class.

Referred to Committee on County Government.

Assembly Bill No. 2476: By Mr. O'Day—An act to add Section 6125.7 to the Business and Professions Code, relating to the practice of law before the Industrial Accident Commission, its officers and employees.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2477: By Mr. Lowrey—An act to add Section 613.1 to the Streets and Highways Code, relating to State highways

Referred to Committee on Roads and Highways.

Assembly Bill No. 2478: By Mr. Lowrey—An act to add Sections 3655 5 and 3655.7 to the Revenue and Taxation Code, relating to property taxation and tax-deeded property

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2479: By Mr. Millington—An act to amend Sections 3366 and 4041.14 of the Political Code, relating to the licensing of businesses by the counties.

Referred to Committee on County Government.

Assembly Bill No. 2480: By Mr. Pelletier—An act to amend Section 270 of the Penal Code, relating to omission to provide for a minor child

Referred to Committee on Crime Problems.

Assembly Bill No. 2481: By Mr. Phillips—An act to amend Section 1203 of the Penal Code, relating to probation.

Referred to Committee on Judiciary.

Assembly Bill No. 2482: By Mr. Potter—An act to amend Section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products and the use of brands and trade-marks in connection therewith; providing for the licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps; regulating signs, placards, posters, streamers, cards and other advertising media advertising gasoline or other motor vehicle fuel or the price thereof; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith." approved June 5, 1931, relating to regulation of the sale and distribution of gasoline and other motor vehicle fuels.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2483: By Mr. Potter—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, and to give recognition to the rights of producers in common pools of oil and gas.

Referred to Committee on Oil Industries

Assembly Bill No. 2484: By Mr. Potter—An act to amend Section 20820 of the Business and Professions Code, relating to the sale and distribution of gasoline or other motor fuel

Referred to Committee on Oil Industries.

Assembly Bill No. 2485: By Mr. Salsman—An act to amend Section 1203.7 of the Penal Code, relating to probation officers.

Referred to Committee on Judiciary General.

Assembly Bill No. 2486: By Mr. Sawallisch—An act to amend Section 4986 of the Revenue and Taxation Code, relating to property taxation, including the cancellation of property taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2487: By Mr. O'Day—An act to amend Section 1203 4 of the Penal Code, relating to probations.

Referred to Committee on Judiciary General.

Assembly Bill No. 2488: By Mr. McCollister—An act to make an appropriation for the purpose of providing additional residences for employees at the State prisons.

Referred to Committee on Prisons and Reformatories

Assembly Bill No. 2489: By Mr. Leonard—An act to amend Section 19433 of the Business and Professions Code, relating to the regulation of horse racing, and the administration of the chapter.

Referred to Committee on Public Morals.

Assembly Bill No. 2490: By Mr. Sawallisch—An act to amend Section 12 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to a county peace officers' retirement system.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2491: By Mr. Bashore—An act to add Section 19560.3 to the Business and Professions Code, relating to the regulation of horse racing and private racing associations conducting horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 2492: By Mr. Maloney—An act to amend Section 159 of the Vehicle Code, relating to the registration of motor vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2493: By Mr. Maloney—An act to amend Section 156 of the Vehicle Code, relating to license places for vehicles.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2494: By Mr. Maloney—An act to add Sections 11650, 11651, 11652, and 11653 to the Elections Code, relating to abuse of the initiative, referendum, and recall.

Referred to Committee on Elections.

Assembly Bill No. 2495: By Mr. Leonard—An act to amend Section 356 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2496: By Mr. Leonard—An act to add Section 1140.1 to the Probate Code, relating to the Public Administrator.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2497: By Mr. Leonard—An act to amend Section 50¾ of the Public Utilities Act, authorizing the establishment of joint and through rates by highway common carriers.

Referred to Committee on Public Utilities.

Assembly Bill No. 2498: By Mr. Leonard—An act making an appropriation for the improvement and rehabilitation of Sea Cliff State Park in Santa Cruz County.

Referred to Committee on State Grounds and Parks.

Assembly Bill No. 2499: By Mr. Tenney—An act to amend Section 2615 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2500: By Mr. Maloney—An act to amend Section 78 of the Political Code, relating to Senatorial and Assembly districts.

Referred to Committee on Reapportionment.

Assembly Bill No. 2501: By Mr. Hugh M. Burns—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19065, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19012.5, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture.

Referred to Committee on Manufacturers.

Assembly Concurrent Resolution No. 20: By Mr. Del Mutolo—Relative to public recognition of persons attaining the age of 21 and becoming franchise citizens of the United States.

Referred to Committee on Judiciary General.

RECESS

At 4.44 p.m., on motion of Mr. Lyon, the Assembly recessed until 4.45 p.m.

REASSEMBLED

At 4.45 p. m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 175—An act to repeal Section 33 of, and to add Sections 34 and 35 to, an act entitled "An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4 3, consisting of Sections 3534 to 3562, and Chapter 4 6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833 3, 3857.2 and 3859.20 of, to repeal Sections 3773.1, 3833 and 3859.18 of, and to add Sections 3773.1, 3773 2, 3785 4, 3785 5 and 3785 6 to, and to add Chapter 9b, consisting of Sections 3860 01 to 3860 32, and Chapter 9c, consisting of Sections 3861.1 to 3861.8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation," approved June 1, 1940, and to repeal an act entitled "An act to amend Section 33 of an act entitled 'An act to amend Sections 124, 127, 3591, 3594, 3616, 3651, 3659, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend the title of Chapter 8 of Part 6 of Division 1 of, to repeal Sections 3614, 3707 and 4108 of, to add Sections 3511.5, 3521, 3662 and 3663 to, to add Chapter 4 3, consisting of Sections 3534 to 3562, and Chapter 4 6, consisting of Sections 3571 to 3578, to Part 6 of Division 1 of, the Revenue and Taxation Code, and to amend Sections 3833.3, 3857 2 and 3859 20 of, to repeal Sections 3773 1, 3833 and 3859.18 of, and to add Sections 3773 1, 3773 2, 3785.4, 3785.5 and 3785.6 to, and to add Chapter 9b, consisting of Sections 3860 01 to 3860 32, and Chapter 9c, consisting of Sections 3861.1 to 3861 8, to Title 9 of Part 3 of, the Political Code, relating to property taxation, including the right of redemption and the classification and control of tax-deeded property, and making an appropriation,' approved June 1, 1940, relating to the effective date of the provisions thereof," approved December 7, 1940, relating to property taxation and the effective date of the provisions of Chapter 47 of the First Extraordinary Session of 1940, to take effect immediately;

Assembly Bill No. 337—An act to amend Sections 107, 121, 252, 260, 531, 2905, 4337, 4990 and 5138 of, and to repeal Section 261 of the Revenue and Taxation Code, relating to property taxation, including the assessment and collection of taxes, installment payment of taxes, exemptions, cancellation of taxes, suits to recover taxes, and the definitions of real estate, real property, possessory interests, and taxing agency, to take effect immediately;

Assembly Bill No. 970—An act to amend Sections 763.5, 1641, 1648, 1648 6, 1664, 1670, 1671, 1679 and 1731 of, to add Sections 755 5, 1639, 1645 5, 1648.7, 1679 2 and 12280 2 to, and to repeal Sections 753, 754, 1703 8 and 1703 9 of, the Insurance Code, and to add Article 1 5, comprising Sections 1690 to 1691, inclusive, to Chapter 5, Part 2, Division 1, and Chapter 8, comprising Sections 1831 and 1831.5, to Part 2, Division 1 of the Insurance Code, all relating to insurance; declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1941, at 4 45 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 40—An act to amend Section 152.5 of the State Civil Service Act, relating to leaves of absence of State civil service employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately,

Assembly Bill No. 336—An act to repeal Sections 3519 and 3520 of, and to add Section 3520 to, the Revenue and Taxation Code, relating to property taxation and property deeded to the State for taxes, to take effect immediately;

Assembly Bill No. 637—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately;

Assembly Joint Resolution No. 8—Relative to excess profits tax legislation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1941, at 4:30 p m

JOHN B KNIGHT, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR SPEAKER: Your Committee on Rules recommends that the request of Mr. Poulson for the printing of the Report of the Bureau of Public Administration of the University of California, be granted

LYON, Chairman

REPORT OF THE BUREAU OF PUBLIC ADMINISTRATION

A Study of Administrative Expenses in the State Relief Administration

(Submitted pursuant to House Resolution Number 73, Fifty-third Extraordinary Session, California Legislature)

BUREAU OF PUBLIC ADMINISTRATION, UNIVERSITY OF CALIFORNIA
BERKELEY, January 25, 1941

Summary

Purpose of the Study

To determine proper size of work loads for SRA case workers

Findings of the Study

1. The most efficient procedure for determining eligibility of applicants for unemployment relief is a long office interview followed by a brief visit to the applicant's home.

2. The most economical work load for case workers who interview applicants for relief in the district offices is 50 applications per week; for case workers who make field investigations of applicants, 20 applications per week; for workers who handle the cases of persons accepted for relief, 60 active cases. These quotas resulted in fewer accepted applications, prompter case closings, and smaller agency expenditures than any other quotas tested

Conclusions

From the findings of this study it would seem that.

1. Any limit on administrative expenses should allow sufficient funds to establish the work loads found by this study to be most efficient and economical.

2. A cost analysis should be made to determine how high this limit on administrative expenses must be set to permit the establishment of such work loads.

3. Any limit should take into account number of applications, number of cases, travel time, and overhead, as well as direct relief expenditures It should be arranged so as not to penalize efficient operation.

4. Any limitation should be on an annual, rather than a quarterly or monthly, basis.

From California Legislature, Fifty-third (Extraordinary) Session, Assembly Daily Journal, Twenty-fourth Legislative Day, Twenty-eighth Calendar Day, February 25, 1940, page 430.

By Mr. Poulson.

House Resolution No. 73

Relative to the administration of unemployment relief.

WHEREAS, The Legislature is seeking feasible means of limiting the administration expenses of the State Relief Administration; and

WHEREAS, It has been claimed that the method of limiting administration expenses in terms of a percentage of the total appropriation will not necessarily result in efficient and economical administration; and

WHEREAS, The Bureau of Public Administration of the University of California has received a grant of money from the Rockefeller Foundation for the purpose of making studies in the field of public administration; and

WHEREAS, The Bureau of Public Administration of the University of California, in pursuance of these studies, has undertaken, with the coopera-

tion of the Relief Administration, to conduct an experiment to determine the most efficient and most economical methods of administering unemployment relief under the California Unemployment Act of 1935; now, therefore, be it

Resolved by the Assembly of the State of California, That the Bureau of Public Administration of the University of California is hereby respectfully requested to submit to the Assembly as soon as possible its findings and recommendations concerning the administration of unemployment relief, in order that the Assembly may have the benefit thereof in considering relief legislation at the said regular session

Request for Unanimous Consent

Mr Poulson asked for, and was granted, unanimous consent to take up House Resolution No 73, at this time, without reference to committee

House Resolution No. 73 read, and adopted.

A Study of Administrative Expenses in the State Relief Administration

(This report on a Study of Administrative Expenses in the State Relief Administration is submitted to the Legislature by the Bureau of Public Administration of the University of California pursuant to House Resolution No. 73, Fifty-third Extraordinary Session of the California Legislature, adopted February 25, 1940. A copy of the resolution is attached.)

This memorandum briefly summarizes the findings of a study which was undertaken to determine how many social workers were needed by the State Relief Administration for the most efficient and economical operation of that agency In spite of considerable changes in employment conditions in the State during the past few months, the problem of securing a proper balance between direct relief expenditures and administrative expenses in administering unemployment relief is of continuing importance.

Any unemployment relief agency is faced with two conflicting aims On the one hand, it desires to conserve as large a portion of its funds as possible for direct payments to eligible needy persons, and consequently to keep the internal administrative expenses of the agency at a minimum. On the other hand, it desires to keep ineligible persons off the relief rolls, a task which requires adequate staffing of the agency. The study of the SRA was intended to gather factual information on this problem in order that that agency or any similar agency administering unemployment relief might properly distribute its funds between administrative expenses and relief payments

It is hoped that the findings of this study may be of some assistance to the Legislature in setting limits, if they are desired, to the amount of money spent for the administration of unemployment relief. These findings should be equally applicable whether unemployment relief is administered through a State agency or whether it is handled by the counties.

Purpose of the Study

The study was conducted jointly by the Bureau of Public Administration of the University of California and the Division of Planning and Research of the State Relief Administration It was made possible by a grant of funds to the Bureau by the Rockefeller Foundation It was designed to determine how many cases should be handled by a case worker in the SRA for most efficient operation, and how many new applications for relief should be handled by each of the agency's interviewers

How the SRA Operates

The customary procedures of the State Relief Administration may be briefly summarized as follows:

(1) A needy unemployed person who believes himself eligible for relief presents himself at a district office of the SRA.

(2) The applicant is given an interview in the district office. At this interview information is obtained which will assist the case worker to determine in a preliminary way whether the applicant is eligible for relief.

(3) A visit is made to the home of each applicant who is tentatively accepted in the office interview in order to verify the information concerning eligibility Inquiries are also made with former employers, relatives, and others who may be able to supply additional information. It is only after the home visit that a final decision is reached as to whether the applicant is eligible. If eligible, he is certified for relief.

(4) After the applicant is accepted, his case is referred to a carrier worker who is expected to reinvestigate the case regularly in order to determine whether it is still eligible for relief. At the time the study was made this reinvestigation involved a monthly visit to the client's home, but at present the procedure has been changed to require the client to report periodically to the district office In addition to eligibility the carrier case worker is responsible for the correctness of the family

budget and is expected to refer the family for clothing, medical care and other services available through the SRA when they are needed

The SRA case worker devotes most of his time to determining the eligibility of applicants for relief, and reinvestigating the eligibility of active cases on the rolls It was in terms of this function—the accuracy with which workers determined eligibility—that their work was judged in the case load study. It was assumed that if the net amount of public funds expended by the agency could be decreased by increasing its staff, then an increase in staff would be desirable. But if increased administrative expenses would more than offset savings resulting from the removal of ineligible persons from the rolls, then the staff should not be increased.

Method of the Study

In order to determine the work quotas which would produce the most economical results, quotas of different sizes were actually tested in practice under comparable conditions. This was done for each step in the SRA procedure. That is, to test the office interview (step 2 above), different interviewers were assigned applications at the rates of 50, 75, 100 and 125 per week, respectively, and the operating results observed. Different field workers who made the intake home visits (step 3 above) were assigned applications at the rates of 8, 12 and 16 per week, respectively Similarly, carrier workers handling active cases (step 4 above) were assigned loads of 60, 100 and 150 active cases, respectively. No attempt was made to study clerical, accounting, or other special workers in the agency or employees in the State office; this report refers only to case workers in the local district offices of the SRA.

The study was conducted in two Los Angeles districts of the State Relief Administration during the months of January through April, 1940, and the findings are based on the activities of some 75 workers who handled 2,771 applications and 7,346 cases during that period.

Findings of the Study

The study of case workers under the different work loads which were established showed that the lighter loads generally resulted in the more economical and efficient operation. The most efficient procedure for determining the eligibility of new applicants proved to be a long office interview (step 2) followed by a brief visit to the applicant's home (step 3). It was shown that with this procedure the office interviewer could effectively handle 50 applications per week, while the worker making home calls could handle 16 to 20 such calls per week. Table 1 shows that the percentage of applicants accepted for relief was substantially smaller with a long than with a short office interview. The long interview, although it required a larger staff, resulted in smaller total agency expenditures.

Table 1

Estimated Effect of Interviewers' Work Loads on Agency Expenditures

Quota of office interviewer	*Percentage of total applications accepted for relief*	*Estimated agency expenditures per 100 applications**
50 applications per week	52 9	$10,810
75 applications per week	55.9	11,385
100 applications per week	56.4	11,470
125 applications per week	57 5	11,685

* This includes the administrative cost of handling applications, and the estimated cost of relief to cases accepted It should be emphasized that these costs are estimates, and that their significance lies in the differences between the results obtained under different quotas rather than in the absolute amount of expenditures

Likewise, in the handling of active cases already on the rolls, it was found that if case loads were reduced to 60 per worker, considerably prompter closing of cases could be expected than if case loads of 100 or 150 were established. As shown in Table 2, the average time that cases remained on relief was materially reduced with the lower case loads, with consequent saving to the agency in spite of larger administrative costs.

Table 2

Estimated Effect of Carrier Workers' Loads on Agency Expenditures

Case load of worker	*Average number days on relief per case*	*Estimated agency expenditures per 100 cases accepted***
60 active cases	181	$21,680
100 active cases	194	23,022
150 active cases	193	22,795

** This includes both direct relief payments and administrative costs. Again, it should be emphasized that these costs are estimates, and that their significance lies in the differences between the results obtained under different quotas rather than in the absolute amount of expenditures

These findings indicate that by relatively small increases in the agency's administrative expenses, substantial savings could be made in total agency expenditures. These savings are explained by the fact that increased administrative costs would be more than balanced by the removal of ineligible cases from the rolls.

It should be emphasized that these findings are based on net savings to public funds and do not include additional reductions in SRA expenditures through transfer of clients to the county relief rolls. It is felt that such transfers are largely bookkeeping transactions that do not result in any net saving to the general public (although they may shift part of the burden from one group of taxpayers to another), and therefore they are not included in the figures cited here. If such transfers were included, the estimated savings would be greatly increased.

While the study was in progress an over-all limitation of 15 per cent was placed upon SRA administrative expenses by the Legislature. It was not a function of this study to determine whether the work quotas which were found to be most efficient could be set up within this 15 per cent limitation. It should be possible, however, by an analysis of the agency's financial statements, to determine whether this would be possible.

Conclusions

If the Legislature is considering the continuation of the limit on SRA administrative expenses, the following conclusions regarding the manner of framing the limitations can be drawn from the study. The conclusions are equally valid if the administration of unemployment relief is assumed by the counties, and if the Legislature wishes to limit the administrative expenses incurred by the counties.

(1) If a limit is established, it should be set at a level which would permit the agency or agencies to operate with work loads of the most efficient and economical size. In this study, the most economical work loads were found to be approximately 50 applications per week for office interviewers, 20 home calls per week for intake field workers, and 60 active cases for carrier workers. The study showed that operation of the agency with higher loads resulted in an increase in the number of ineligible persons on the rolls.

(2) A cost analysis should be made to determine approximately what percentage of the agency's funds would be needed for administrative purposes in order to establish the most efficient work loads for its staff.

(3) Preferable to a flat percentage limitation would be a limitation based on a formula taking into account number of applications and number of cases on the rolls, with perhaps an additional allowance to rural areas for travel time and for the relatively high overhead per case. Since the flat percentage limit allows administrative expenses in proportion to the amount of money spent for relief, such a limit would penalize counties which rejected a relatively high percentage of applicants, and which had a high rate of turnover of their cases—and thus might tend to encourage the acceptance of cases of dubious eligibility and delays in closing cases.

(4) It would seem preferable to place a limitation on expenditures for an entire year rather than to limit expenditures on a monthly or quarterly basis. The number of unemployment relief cases fluctuates widely from month to month throughout the year because of seasonal unemployment in many occupations. If administrative expenditures are required to follow these fluctuations too closely, it will be impossible to maintain a trained and qualified staff of case workers in the county or district offices. The large number of dismissals which would be required during slack periods and the large number of hirings during periods of high application rate would lead to an extremely high and costly staff turnover rate. Under a monthly limitation, it is estimated that staff turnover would reach 50 per cent per year.

These fluctuations in staff could be materially reduced if the limitation on administrative expenses were on an annual basis. Staff requirements could be averaged over the entire year and workers could be transferred to tasks for which they were most needed at a particular time. Operation of the agency would be much more flexible. During a period of high application rates primary emphasis could be given to the handling of applications, and during a period favorable for placement in private industry, special attention could be given to the prompt closing of active cases. When it is realized that a case worker requires at least three months' training before he is of much value to the agency, and a much longer period before he can be said to be thoroughly experienced, the value of a stabilized staff is evident.

The complete report of the SRA study is not yet available in published form. Further information about the study can be supplied by the Bureau of Public Administration, University of California.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time

Assembly Bill No. 2502: By Mr. Del Mutolo—An act to amend Sections 52 1, 53 and 57 of the Unemployment Insurance Act, relating to the amount of wages required to be earned in the base period.

Referred to Committee on Unemployment

Assembly Bill No. 2503: By Mr. Donnelly—An act to amend Sections 52.1, 53 and 57 of the Unemployment Insurance Act, relating to the amount of wages required to be earned in the base period.

Referred to Committee on Unemployment.

Assembly Bill No. 2504: By Mr. Dills—An act to amend Section 2184 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2505: By Mr. Dills—An act to amend Section 2182 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2506: By Mr. Evans—An act to amend Section 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the regulation of horse racing and wagering on the results thereof.

Referred to Committee on Public Morals.

Assembly Bill No. 2507: By Mr. Field (By request)—An act to add Section 586.4 to the Vehicle Code, relating to parking.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2508: By Mr. Hawkins—An act to add Section 1650 to the Labor Code, relating to charges and fees for giving information of, and placing people in, employment.

Referred to Committee on Labor and Capital.

Assembly Bill No. 2509: By Mr. Hastain—An act to add a new section to be numbered 54a to the Civil Code, relating to an action against hospitals for discrimination against physicians and surgeons.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2510: By Mr. Kellems—An act to add Section 7401 to the Business and Professions Code, relating to persons receiving training in cosmetology through the Public School System.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2511: By Mr. Lyon—An act to amend Sections 1, 5, 6 and 15 of an act entitled "An act prescribing the terms upon

which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the practice of chiropractic.

Referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2512: By Mr. Lowrey—An act to provide for the return to private ownership of land tax deeded to the State or deeded to an irrigation district for delinquent irrigation district assessments, or both.

Referred to Committee on Irrigation.

Assembly Bill No. 2513: By Mr. McCollister—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2514: By Mr. O'Day—An act to amend Section 5 of the State Contract Act, relating to bids.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2515: By Mr. Phillips—An act to establish State rehabilitation and vocational farms and to provide for the employment of prisoner labor thereon.

Referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2516: By Mr. Phillips—An act to add Sections 377, 378 and 379 to the Political Code, creating a Bureau of Detective Licenses in the Division of Criminal Identification and Investigation and providing for the administration and the powers and duties thereof and transferring thereto the powers and duties of the State Board of Prison Directors in connection with the licensing of detectives.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2517: By Mr. Phillips—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to jurisdiction of municipal and justices' courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2518: By Mr. Phillips—An act to amend Section 171 of the Penal Code, relating to prisons and prisoners.

Referred to Committee on Crime Problems.

Assembly Bill No. 2519: By Mr. Phillips—An act to amend Section 110 of the Penal Code, relating to prisons and prisoners

Referred to Committee on Crime Problems.

Assembly Bill No. 2520: By Mr. Phillips—An act to amend Section 109 of the Penal Code, relating to prisons and prisoners.

Referred to Committee on Crime Problems.

Assembly Bill No. 2521: By Mr. Phillips—An act to amend Section 107 of the Penal Code, relating to prisons and prisoners.

Referred to Committee on Crime Problems.

Assembly Bill No. 2522: By Mr. Poulson—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and exemptions thereunder.

Referred to Committee on Unemployment.

Assembly Bill No. 2523: By Mr. Poulson—An act to amend Section 663 of the Political Code, relating to the State Board of Control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2524: By Mr. Potter—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2525: By Messrs. Sheridan and Dickey—An act transferring the possession of the statue of Juan Rodriguez Cabrillo to the City of Oakland.

Referred to Committee on Rules.

Assembly Bill No. 2526: By Mr. Thurman—An act to amend Section 117b of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2527: By Mr. Thurman—An act to amend Section 117c of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2528: By Mr. Phillips—An act to amend Section 3358 of the Revenue and Taxation Code, relating to property taxation, tax-delinquent property, and sales of tax-delinquent property.

Referred to Committee on County Government.

Assembly Bill No. 2529: By Mr. Frederick F. Houser—An act to amend the title and to add Sections 1e, 1f, 1g and 1h, to an act entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance of works and improvements mentioned in the Improvement Act of 1911 and of public utilities and other public works by municipalities, cities and counties, counties, unincorporated territory, and by any district or political corporation authorized by law to construct such public improvements, or by combination thereof; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of bonds to represent such assessments," approved June 6, 1913, Statutes of 1913, Chapter 247, as amended by Statutes of 1940, Chapter 35, approved February 29, 1940, relating to districts, political corporations, public corporations and unincorporated territory or any combination thereof, authorized by law to construct such public improvements; relating to the acquiring of legislative jurisdiction therefor; providing that such

proceedings shall be subject to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931; and providing that this act shall take effect immediately.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 2530: By Mr. Poulson—An act to add Section 19421.5 and to repeal and add Section 19425 to the Business and Professions Code, relating to membership on the California Horse Racing Board.

Referred to Committee on Public Morals.

Assembly Bill No. 2531: By Mr. Burkhalter—An act making an appropriation for the relief of hardship and destitution through assistance to unemployed California distributors associations

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2532: By Mr. Hugh M. Burns—An act to add Section 604.3 to the Vehicle Code, relating to vehicles operated by United States Army for transporting troops and supplies, permitting the escort thereof, and prohibiting interference with such operation.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2533: By Mr. Cain—An act to add Section 2200.5 to the Welfare and Institutions Code, relating to old age records.

Referred to Committee on Social Service and Welfare

Assembly Bill No. 2534: By Mr. Clarke—An act to amend Section 6731 of the Business and Professions Code, relating to civil engineering.

Referred to Committee on Judiciary General.

Assembly Bill No. 2535: By Mr. Crowley—An act to amend Sections 7370 and 7436 of the Business and Professions Code, relating to application and examination.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2536: By Mr. Crowley—An act to amend Section 7332 of the Business and Professions Code, relating to educational requirements and training.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2537: By Mr. Crowley—An act to amend Section 7314 of the Business and Professions Code, relating to authority of the board.

Referred to Committee on Public Health and Quarantine

Assembly Bill No. 2538: By Mr. Crowley—An act to amend Sections 7301, 7303 and 7315 of the Business and Professions Code, relating to members of the board.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2539: By Mr. Crowley—An act to repeal Section 743 of, and to add Section 743.1 to, the Vehicle Code, relating to change of venue.

Referred to Committee on Motor Vehicles.

Assembly Bill No. 2540: By Mr. Frederick F. Houser—An act to prevent the entry into the State of California of paupers, vagabonds and fugitives from justice, providing for enforcement of this act and prescribing penalties for the violation thereof.

Referred to Committee on Social Service and Welfare.

Assembly Bill No. 2541: By Mr. Frederick F. Houser—An act to add Section 58.5 to the Unemployment Insurance Act, relating to the amount of benefits.

Referred to Committee on Unemployment.

Assembly Bill No. 2542: By Mr. Voigt—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 2543: By Mr. Gunlock—An act to add Section 604 10 to the Vehicle Code, relating to the transportation, care and treatment of persons injured upon the highways.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2544: By Mr. Hugh M. Burns—An act to add Sections 9603.1 and 9603.2 to the Revenue and Taxation Code, and Sections 1.5 and 1.6 to the act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons operating ambulances or operating vehicles in the carriage of mail or parcel post.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2545: By Mr. Turner—An act to add Section 6.752 of the School Code, relating to the use of public school premises.

Referred to Committee on Education.

Assembly Bill No. 2546: By Mr. Gallagher—An act to amend Sections 78, 79 and 83 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a Retirement System for employees of the State of California, and making an appropriation therefor.

Referred to Committee on Civil Service.

Assembly Bill No. 2547: By Mr. Desmond—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2548: By Mr. Desmond—An act to amend Sections 103 and 103½ of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2549: By Mr. Welch—An act to create a port district for San Francisco Harbor, establishing the boundaries of such port district, determining the powers and jurisdiction of such port district, and providing for the transfer of San Francisco Harbor from the State of California to the San Francisco Port District.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 2550: By Mr. Potter—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Referred to Committee on Roads and Highways.

Assembly Bill No. 2551: By Mr. Thurman—An act to add a new Section 538d to the Penal Code, relating to press badges and press cards.

Referred to Committee on Judiciary General.

Assembly Bill No. 2552: By Mr. F. N. Howser—An act to amend Section 56 of, and to add Section 56.3 to, the Unemployment Insurance Act, relating to qualifications for benefits.

Referred to Committee on Unemployment.

Assembly Bill No. 2553: By Mr. Cronin—An act to amend Section 341 of the Code of Civil Procedure of California, relating to the time of commencement of civil actions.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2554: By Mr. Dilworth—An act to amend Sections 241 and 242 of the Code of Civil Procedure, relating to the composition and constituting of grand juries.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2555: By Mr. Clarke—An act to amend Section 6737 of the Business and Professions Code, relating to civil engineering.

Referred to Committee on Judiciary General.

Assembly Bill No. 2556: By Mr. Crowley—An act for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Referred to Committee on Ways and Means.

Assembly Bill No. 2557: By Mr. Cassidy—An act relating to taxation, providing for the licensing of slot machines, providing for the enforcement of this act, and making an appropriation of the funds collected hereunder, to take effect immediately

Referred to Committee on Public Morals.

Assembly Bill No. 2558: By Mr. Kilpatrick—An act to add Section 72 to the State Civil Service Act, relating to overtime of employees in State civil service.

Referred to Committee on Civil Service.

Assembly Bill No. 2559: By Mr. Del Mutolo—An act to amend Section 10 of the Political Code, relating to holidays and making Good Friday a holiday.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2560: By Mr. Hawkins—An act to amend Sections 476 and 476a of the Penal Code, relating to the issuance of checks.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2561: By Mr. Voigt—An act to repeal Section 1679 of and to add Section 1679 to the Insurance Code, relating to agents, brokers and solicitors.

Referred to Committee on Insurance.

Assembly Bill No. 2562: By Mr. Call—An act to amend Section 20 of the "Highway Carriers' Act," relating to exemptions from the provisions of said act.

Referred to Committee on Public Utilities.

Assembly Bill No. 2563: By Mr. Call—An act to add a new section to the Streets and Highways Code, to be numbered 662, relating to the care and protection of State highways

Referred to Committee on Public Utilities

Assembly Bill No. 2564: By Mr. Call—An act to amend Section 19 of the "City Carriers' Act," relating to exemptions from the provisions of said act.

Referred to Committee on Public Utilities.

Assembly Constitutional Amendment No. 46: By Miss Miller—Proposed amendment to Article XX of the Constitution, by repealing Section 22 of Article XX as amended in 1934 through initiative procedure, and adding a new section to be numbered 23 to Article XX, relating to alcoholic beverages.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 47: By Mr. Desmond—Proposed amendment to Article IV of the Constitution, relative to adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 48: By Mr. Hawkins—Proposed amendment to Section 1¼ of Article XIII of the Constitution, relative to veterans' exemption.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 49: By Mr. Kilpatrick—Proposed amendment to Article IV, Section 1 of the Constitution, relating to the initiative.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 50: By Mr. Leonard—Proposed amendment to Article XIII of the Constitution by adding an additional paragraph thereto, relative to veterans' exemption.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 51: By Mr. Tenney—Proposed amendment to Article XIII, Section 9 of the Constitution, relative to State and county boards of equalization.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 25: By Mr. Andreas—Relative to the sewing projects of the Works Projects Administration.

Referred to Committee on Rules.

Assembly Joint Resolution No 26: By Mr. Evans—Relative to memorializing the President and Congress to enact adequate legislation providing for speedy deportation of all aliens confined in prisons.

Referred to Committee on Rules.

Assembly Joint Resolution No. 27: By Mr. Andreas—Relative to the sewing projects of the Works Projects Administration.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 21: By Mr. Evans—Relative to peace in industry.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs Thurman and Desmond:

House Resolution No. 75

Relative to memorializing the President and the Congress of the United States to enact legislation that would aid in the construction of highways essential to the National defense.

WHEREAS, The construction of additional roads and highways into the mining areas of this State would stimulate the development and production of National resources essential to National defense; and

WHEREAS, A bill is now pending before the Congress of the United States to make an appropriation for the construction and improvement of roads and highways which are essential to the National defense; and

WHEREAS, Favorable action on such a measure would be of Nationwide benefit and would increase employment two-fold; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Congress of the United States are hereby respectfully requested to enact legislation that will result in the appropriation of not less than ten million dollars ($10,000,000) for the construction and improvement of the said highways, including roads and highways which are necessary in order to facilitate the development of minerals necessary for National defense; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House and to the Senators and Representatives of the State of California in Congress.

Request for Unanimous Consent

Mr Thurman asked for, and was granted, unanimous consent to take up House Resolution No 75, at this time, without reference to committee

Resolution read and adopted.

COMMITTEE FROM THE SENATE

Senators Phillips, Carter and Swan appeared before the bar of the Assembly and informed them that the Senate was now ready to adjourn.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 224—An act to add Sections 518 and 519 to the Military and Veterans Code, relating to Junior College Cadets, to take effect immediately;

Assembly Bill No. 282—An act to amend Section 10203 of the Insurance Code, relating to group life insurance, and declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 303—An act to add Section 2457.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on medicine thereof, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 373—An act to amend Section 1202a of the Penal Code and to repeal Section 2 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors, to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to the execution of a sentence of imprisonment;

Assembly Bill No. 922—An act increasing the Revolving Fund of the Los Angeles Industrial Workshop for the Blind from twenty thousand dollars ($20,000) to forty thousand dollars ($40,000), making an appropriation therefor, and declaring the urgency thereof;

Assembly Concurrent Resolution No. 13—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation;

Assembly Concurrent Resolution No. 14—Relative to approving certain charter amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of such city at a special election held therein on the fifth day of November, 1940;

Assembly Concurrent Resolution No. 16—Relative to approving certain amendments to the Charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 6, 1940;

Assembly Concurrent Resolution No. 17—Relative to the creation of a Joint Legislative Committee on State Buildings at Sacramento, to study and report to the Legislature thereon and to recommend an orderly program of State building;

Assembly Joint Resolution No. 4—Relative to violations of the Hatch Act;

Assembly Joint Resolution No. 13—Relative to memorializing the Secretary of the Navy to establish an airdrome at San Francisco Bay;

Assembly Joint Resolution No. 16—Relative to memorializing Congress to render continued aid to Great Britain,

Assembly Joint Resolution No. 17—Relative to Sacramento River Flood Control Project;

Assembly Joint Resolution No. 19—Relative to memorializing and petitioning Congress to enact legislation giving to draftees and others entering the military and naval service of the United States adequate insurance protection for themselves in the form of permanent total disability insurance as well as life insurance protection,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of January, 1941, at 4 55 p m.

JOHN B. KNIGHT, Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. Thomas:

House Resolution No. 76

Relating to the memory of Honorable Edwin O. Loucks.

WHEREAS, The members of the Assembly have learned with deep sorrow and profound regret of the sudden and untimely death of Honorable Edwin O. Loucks, who in the past so capably and faithfully served as a member of the Assembly; and

WHEREAS, Edwin O Loucks had served with distinction in other public offices; and

WHEREAS, Edwin O. Loucks was a devoted public servant admired and respected by all who knew him; and

WHEREAS, The members of this body wish to pay tribute to the memory of Edwin O. Loucks and to extend the deepest sympathy to his family; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns it does so out of respect to the memory of Edwin O. Loucks; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to convey to the family this expression of tribute and sympathy from the Assembly of the State of California.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up House Resolution No 76, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr Weber.

House Resolution No. 77

Relative to creation of Assembly Committee on Legislative Organization

WHEREAS, In order to enable the Assembly to determine what rules, organization and facilities are best suited to its needs in its consideration of legislation, it is imperative that all pertinent facts directly or indirectly related thereto be found, assembled and analyzed, and that such facts be reported to the Assembly for consideration by its members; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed by the Assembly through a committee of the Assembly charged with the study of every phase of legislative rules, organization and facilities, to sit during this session of the Legislature and any recesses thereof, and to report to the Assembly as soon as may be; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated the "Committee on Legislative Organization," of three members of the Assembly appointed by the Speaker thereof is hereby created, the Speaker to designate the chairman thereof; and be it further

Resolved, That the committee shall have and exercise the duty and power:

(1) To study the Standing Rules of the Assembly, the Joint Rules of the Legislature, the existing organization of the Legislature, questions of economy in the legislative procedure, and the advisability of creating as an adjunct to the Legislature an office or position to be filled by a person qualified to report directly to the Legislature on all matters respecting departmental budgets and personnel assignments in so far as the same may be embraced in matters pending before the Legislature;

(2) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as to it may appear appropriate;

(3) To make a complete study, survey and investigation of every phase of all subjects within the scope of its power to consider and to report its findings and recommendations to the Assembly from time to time and at any time;

(4) To meet at any and all times during this session of the Legislature, whether the Assembly be actually then sitting or not, and at any and all places in the State in the performance of its duties and in carrying out the objects and purposes of this resolution;

(5) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution; and, be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish such committee upon request, any and all such assistance, and information, records and documents as the committee deems proper for the accomplishment of the purposes for which the committee is created.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 77, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Donnelly:

House Resolution No. 78

Resolved, That the Speaker appoint a Committee of Three to wait upon the Governor and inform him that the Assembly is ready to adjourn for the constitutional recess.

Resolution read and adopted.

Appointment of Special Committee

In accordance with the above resolution, the Speaker appointed Messrs. Donnelly, Potter and Cain as such special committee.

By Mr. Middough:

House Resolution No. 79

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Resolution read and adopted.

Appointment of Special Committee

In accordance with the above resolution, the Speaker appointed Messrs Middough, Bashore and Thomas as such special committee.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, January 20, 1941; Tuesday, January 21, 1941; Wednesday, January 22, 1941; Thursday, January 23, 1941; Friday, January 24, 1941; and Saturday, January 25, 1941, were approved as corrected by the Minute Clerk.

REPORTS OF SPECIAL COMMITTEES

The committee appointed to wait upon His Excellency the Governor appeared before the bar of the Assembly, and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn

INTERIM COMMITTEES

Joint Legislative Interim Committee on State Buildings—

Messrs. Desmond, Chairman; Cain and Heisinger, and Senators Swan and Gordon.

Interim Committee on Governmental Efficiency and Economy—

Messrs. Field, Chairman; Allen, Bashore, Burns, Hugh M., Call, Clarke, Cronin, Dickey, Green, Lyon, Phillips, Poulson, Sawallisch, Turner and Voigt.

Interim Committee on Live Stock and Dairies—

Messrs. Thorp, Chairman; Burns, Michael J., Desmond, Dills and McCollister.

Joint Interim Committee on Un-American Activities—

Messrs. Tenney, Chairman; Burns, Hugh M, Kellems and Phillips, and Senators DeLap, Ward and Jespersen.

Joint Interim Fact-Finding Committee on Unemployment Relief—

Mrs. Daley, Chairman; Messrs. Dilworth, Field, Kilpatrick, Waters, Watson, Welch and Wollenberg, and Senators Phillips, Wagy, Deuel, Mixter, Mayo, Brown and Seawell.

Interim Committee on Legislative Procedure—

Messrs. Weber, Chairman; Desmond and Lyon.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Garland and Stream and Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Rudy Schmoke, San Diego County Squad, California Highway Patrol, San Diego.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Betty Balle of Los Angeles.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to S. W. Sodel, Traffic Officer, California Highway Patrol of Hollywood.

On request of Mr. Johnson and the Alameda County delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John D. McPherson, President of the Associated Students of the University of California, and William F. Calkins, Editor of the "California Monthly."

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Troy, wife of the Governor of Alaska, and member of the National Democratic Committee.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ben Greve of Los Angeles.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Joseph Maloney, former Sergeant-at-Arms of the Assembly.

ADJOURNMENT

At 5 p.m., Saturday, January 25, 1941, in accordance with the provisions of Assembly Concurrent Resolution No. 11, Hon. Gordon H. Garland, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the Fifty-fourth Session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until 12 m., Monday, March 3, 1941, out of respect to the memory of the late Edwin O. Loucks, former member of the Assembly.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY
FIFTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 3, 1941

At twelve o'clock m., pursuant to the requirements of Section 2, Article IV of the Constitution of the State of California, and to the provisions of Assembly Concurrent Resolution No. 11, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—68.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kilpatrick

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Waters.
Mr. King, on motion of Mr. Evans.
Mr. Maloney, on motion of Mr. Cronin.
Mr. Hastain, on motion of Mr. John B. Knight.
Mr. Watson, on motion of Mr. T. Fenton Knight.
Mr. Green, on motion of Mr. Robertson.
Mr. Sheridan, on motion of Mr. Carlson.

MOTION TO PRINT SPEECH IN JOURNAL

Mr. Field moved that the following speech by Hon. Gordon H. Garland be ordered printed in the Journal.

Motion carried.

Speech by Hon. Gordon H. Garland

This Assembly reconvenes today for the purpose of enacting laws which a majority of the Legislature shall conclude to be in the best interests of the State of California and its people.

These critical times, as well as the important nature of pending legislation, demand that our labor be conducted with diligence, prudence and expediency.

It is my earnest hope that we can transact the business awaiting our attention and adjourn within a few weeks.

While the fullest consideration must be given to every item on the legislative calendar, it is my conviction that each of us can best serve the State by earnestly seeking prompt disposal of the matters that are to come before us.

A practice has grown up here, and in other legislative bodies, whereby public business receives either desultory attention from those not primarily interested in its fate, or becomes the object of ill-considered judgment.

One of the greatest evils of legislative procedure is the practice of delaying action until the closing days and hours of a legislative session

This practice is vicious in two principal directions, as it not only jeopardizes the enactment of essential laws, many of which are discarded in the last-minute rush to reach adjournment, but it likewise results all too often in the adoption of measures which are neither necessary nor desirable.

We should give every interested person or group an opportunity to present its views and arguments; we should then act thereon according to our own independent and honest decisions.

The Speaker will lend his best efforts to facilitate the work of all committees and to aid all members to obtain prompt and adequate consideration of their proposals.

Without partisan prejudice, and, I am sure, without personal or individual selfishness, the members of this Assembly will proceed to the consideration of the business before it. We invite the fullest cooperation of the Governor and of all administrative officers and departments in effecting the strictest economies as well as the highest efficiency in State affairs.

There is no question in my mind that the Legislature as a whole is determined to place State business on a sound basis and that any effort to spend the people's money unwisely, or to inject politics into the conduct of State service will be frustrated by the *economy-minded* Assemblymen and Senators

We are not here to bicker either among ourselves or with any official or department of the Government I hope and I predict that this session will set a precedent for the capable and industrious manner in which public business shall be discussed, considered, and decided. To this end, I invite your sincere and intelligent cooperation.

MOTION FOR PURCHASE OF ADDITIONAL MICROPHONES

Mr. Lyon moved that the Chief Clerk be instructed to purchase additional microphones for the Assembly.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Mr. Michael J. Burns:

House Resolution No. 80

Resolved, That the Speaker appoint a Special Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Assembly Concurrent Resolution No. 11, and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Speaker—Hon. Gordon H. Garland
Speaker pro tempore—Hon. Earl D. Desmond
Chief Clerk—Arthur A. Ohnimus
Minute Clerk—David V. Oliver
Chaplain—Rev. Thomas H. Markham
Sergeant-at-Arms—Wilkie Ogg

Request for Unanimous Consent

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 80, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Special Committee

In accordance with House Resolution No. 80, the Speaker appointed Messrs. Burns, Michael J., Del Mutolo and Clarke as such Special Committee.

By Mr. Bennett:

House Resolution No. 81

Resolved, That a Special Committee of Five be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent

Mr. Bennett asked for, and was granted, unanimous consent to take up House Resolution No. 81, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Special Committee

In accordance with House Resolution No. 81, the Speaker appointed Messrs. Bennett, Kepple, Doyle, Phillips and Johnson as such Special Committee.

By Mr. Lyon:

House Resolution No. 82

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office.

Resolution read, and referred to Committee on Rules.

By Mr. Lyon:

House Resolution No. 83

WHEREAS, The purpose of the constitutional recess is primarily for the study of proposed and pending legislation; and

WHEREAS, It is essential that the legislative bills and Histories be printed in sufficient time to give the members and the public full opportunity to study proposed legislation; and

WHEREAS, Through the fine cooperation of Mr. George H. Moore, State Printer, Mr. Ewing Hass in charge of the Legislative Bill Room and the officers of both houses of the Legislature, the printed bills were made available within seven days and the Semi-Final History within 14 days of adjournment, breaking all previous records for this accomplishment; now, therefore, be it

Resolved, That the Assembly extend its appreciation to Mr. George H. Moore and the entire Printing Office, to Mr. Ewing Hass and his force in the Bill Room and to the officers of both houses of the Legislature for making this fine record possible.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 83, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Garland:

House Resolution No. 84

WHEREAS, House Resolution No. 200, introduced by Mr. Lyon at the Fifty-third Session of the Legislature on June 19, 1939, read and adopted, and contained on pages 3280 and 3281 of the Assembly Journal of said date, provided as follows:

"WHEREAS, It has been customary for many years for the State to print and distribute free of cost to the students in the schools and to others, copies of the Constitution of the State of California, and of the United States, and other documents; and

WHEREAS, The course of study in the schools of the State requires a study of State Government and the Constitution; and

WHEREAS, The Constitution of the State of California and the Constitution of the United States and other historical documents and information about the Legislature are of great use in the teaching of civics in the public schools and in the teaching of Americanism; and

WHEREAS, It is to the benefit of the State of California that the Constitution of the State and other similar documents be readily available to the students in public schools and colleges and for use in the teaching of Americanism; and

WHEREAS, The last edition of the Constitution and documents is now exhausted and there are numerous unfilled requests from the schools and others for copies of such Constitution and other documents; and

WHEREAS, For many years the Legislature has provided for the distribution of the Constitution by members and officers of the Legislature and paid for same from the Contingent Fund; therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to compile, revise and have published a volume similar to those previously issued by the Assembly containing information of an educational nature pertaining to the Legislature of the State of California, together with the Constitution of the State of California, the Constitution of the United States and other documents, and to distribute the same on request of members of the Assembly and to others properly entitled thereto; and be it further

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of one thousand five hundred dollars ($1,500) upon the Contingent Fund of the Assembly for the purpose of carrying out the provisions of this resolution and the Treasurer is hereby directed to pay the same," and

WHEREAS, The compilation and publication of this volume has not been completed, although the type has been set and much of the editorial work done; and

WHEREAS, At the general election on November 5, 1940, certain constitutional amendments were approved by the people of the State of California, which should be included in the volume above provided for at the Fifty-third Session of the Legislature; therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to complete, print and bring up to date, the volume above provided for, in accordance with the provisions of the afore-mentioned resolution; and be it further

Resolved, That no further nor additional charge be incurred against the Contingent Expense Fund of the Fifty-fourth Session of the Legislature for the completion of this work.

Resolution read, and referred to Committee on Rules

By Mr. Lyon:

House Resolution No. 85

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Carithers Sign Company, lettering	$21 63
Patrick and Moise-Klinkner Company, badges	49 74
Cascade Towel Supply Company, towel service	29 50
Department of Finance, telephone service	2 69
Department of Finance, telephone service	17 22
Department of Finance, telephone service	61 81
Department of Finance, labor and material	9 45
Department of Finance, labor and material	32 04
Department of Finance, labor and material	6 57
Department of Finance, labor and material	2 00

Resolution read, and referred to Committee on Rules.

By Mr. Pfaff:

House Resolution No. 86

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following members of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	312	312	$15 60
2	Wm I Gunlock	Dunsmuir, Siskiyou County	295	--	42	---	506	25 30
3	Lloyd W Lowrey	Russey, Yolo County	23	36	--	59	118	5 90
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Allen G Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	John Edward Cain	Sacramento, Sacramento County	---	--	--	---	---	-----
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	-----
10	Harold F Sawdlisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockeford San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	Randal F Dickey	Alameda, Alameda County	89	5	--	---	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur W Carlson	Piedmont, Alameda County	84	--	--	---	168	8 40
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	James R Phillips	Oakland, Alameda County	84	--	--	---	168	8 40
19	Gardner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	---	180	9 00
21	John D Welch	San Francisco, San Francisco County	90	--	--	---	180	9 00
22	George D Collins, Jr	San Francisco San Francisco County	90	--	--	---	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Edward F O'Day	San Francisco, San Francisco County	90	--	--	---	180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90	--	--	---	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	---	180	9 00
27	Albert C Wollenberg	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90	--	--	---	180	9 00
29	Harrison W Call	Redwood City, San Mateo County	119	--	--	---	238	11 90
30	Byrl R Salsman	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
31	M G Del Mutolo	San Jose Santa Clara County	128	--	--	---	256	12 80
32	Hugh P Donnelly	Turlock Stanislaus County	77	14	--	91	182	9 10
33	George A Clarke	LeGrand, Merced County	114	15	--	129	258	12 90
34	Jacob M Leonard	Hollister, San Benito County	173	--	--	---	346	17 30
35	Fred Wevbret	Soledad Monterey County	208	44	--	252	484	24 20
36	Hugh M Burns	Fresno, Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno Fresno County	169	--	--	---	338	16 90
38	Gordon H Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara Santa Barbara County	460	--	--	---	920	46 00
40	John B Cooke	Ventura, Ventura County	490	--	--	---	980	49 00
41	Rodney L Turner	Delano Kern County	278	--	30	218	496	24 80
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
45	Thomas F Doyle	Los Angeles Los Angeles County	447	--	--	---	894	44 70
46	Jack B Tenney	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	T Fenton Knight	La Cañada, Los Angeles County	447	16	--	463	926	46 30
49	Lee T Bashore	Glendora, Los Angeles County	447	26	--	473	946	47 30
50	Gerald C Kepple	Whittier Los Angeles County	447	15	--	462	924	46 20
51	F Ray Bennett	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
52	William H Poole	Bell Los Angeles County	447	8	--	455	910	45 50
53	Frederick F Houser	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John B Knight	Los Angeles Los Angeles County	447	--	--	---	894	44 70
55	Vernon Kilpatrick	Los Angeles Los Angeles County	447	--	--	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Franklin J Potter	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters, Jr	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Jesse Randolph Kellems	Los Angeles Los Angeles County	447	--	--	---	894	44 70
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles Los Angeles County	447	--	--	---	894	44 70
63	Don A Allen	Los Angeles Los Angeles County	447	--	--	---	894	44 70
64	Roger Alton Pfaff	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	John W Evans	Los Angeles Los Angeles County	447	--	--	---	894	44 70

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	Lorne D Middough	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Fred N Howser	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	53 00
73	Frank C Russell	Crestline, San Bernardino County	508	15	--	523	1046	52 30
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Sam L Collins	Fullerton Orange County	481	--	11	470	940	47 00
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Harvey E Hastain	Brawley, Imperial County	661	--	15	646	1292	64 60
78	Jeanette E Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Resolution read, and ordered printed in the Journal.

COMMITTEE FROM THE SENATE

Senators Powers, Keating and Breed appeared before the bar of the Assembly, and informed the Assembly that, pursuant to the provisions of Assembly Concurrent Resolution No. 11, the Senate had reconvened, and was ready to proceed with the business of the State with all officers heretofore elected present.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Concurrent Resolution No. 22: By Mr. Lyon—Relative to adjournment in respect to the memory of Henry H. Yonkin.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to committee, print or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to adjournment in respect to the memory of Henry H. Yonkin.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST TO PRINT EXTRA COPIES OF ASSEMBLY BILL NO. 1959

Mr. Doyle requested 1,500 additional copies of Assembly Bill No 1959 be printed.

Request referred to Committee on Rules.

SCHEDULE ORDERED PRINTED IN THE JOURNAL

By order of the Speaker, the following schedule was ordered printed in the Journal:

Schedule of Assembly Committee Meetings

Monday

8:30 a.m.	Room	10:00 a.m.	Room	7:30 p.m.	Room
Banking	435	Elections	426	Labor and Capital	430
Building and Loan	428	Federal Relations	431	Public Health and Quarantine	428
Crime Problems	431	Insurance	432	Ways and Means	432
Financial Institutions	426				
Prisons and Reformatories	432A				
Public Charities and Corrections	430				

Tuesday

8:30 a.m.	Room	10:00 a.m.	Room	7:30 p.m.	Room
Agriculture	435	Constitutional Amendments	426	Public Morals	426
Aviation and Aircraft	426	Exhibitions and Fairs	430	Unemployment	435
Building and Construction	431	Live Stock and Dairies	432	Ways and Means	432
Commerce and Navigation	432A	Motor Vehicles	435		
Manufactures	430				
Mines and Mining	428				
Oil Industries	432				

Wednesday

8:30 a.m.	Room	10:00 a.m.	Room	7:30 p.m.	Room
Agriculture	435	Live Stock and Dairies	432	Governmental Efficiency and Economy	432
Education	426	Motor Vehicles	435	Judiciary Codes	435
Governmental Revenue and Expenditures	428	Roads and Highways	428	Judiciary General	426
Labor and Capital	430				
Municipal Corporations	432				

Thursday

8:30 a.m.	Room	10:00 a.m.	Room	7:30 p.m.	Room
Education	426	Civil Service	426	Fish and Game	428
Irrigation	430	County Government	432	Governmental Efficiency and Economy	432
Natural Resources	435	Revenue and Taxation	435	Judiciary Codes	435
River Navigation, Reclamation and Flood Control	428			Judiciary General	426
Social Service and Welfare	432				
State Grounds and Parks	431				

Friday

8:30 a.m.	Room	10:00 a.m.	Room
Corporations	435	Fish and Game	428
Public Utilities	428	Hospitals and Asylums	431
Social Service and Welfare	432	Medical and Dental Laws	426
State Colleges	431	Revenue and Taxation	435
Universities	432A		

Subject to Call of the Speaker or Chairman

Room		Room		Room	
Contested Elections	436	Engrossment and Enrollment	423	Mileage	436
Direct Legislation	428	Introduction of Bills	423	Military Affairs	431
		Libraries	431	Reapportionment	432
				Rules	436
				Soldiers and Sailors Affairs	431

PETITIONS

The following petitions were received, read, and ordered filed with the Secretary of State:

1. From the "California Federation of Women's Clubs," relating to Senate Bill No. 1088.
2. From H. H. Kelsey, relative to liquor licenses within one mile of the University of California.
3. From Electrical Contractors Association, relating to preventative accident prevention work.
4. From Albert Alexander, relating to the license of restaurants.
5. From Mid-West Realty Board, relating to Assembly Bill No. 60.

COMMUNICATIONS

The following communications were received, read, and ordered filed with the Secretary of State:

By the Chief Clerk:

Report of State Engineer.

By the Chief Clerk:

Report of California Highway Commission.

By the Chief Clerk:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., February 13, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento, California

DEAR MR. OHNIMUS: This acknowledges receipt of your letter of January 31st inclosing copy of the Assembly Daily Journal of January 25th. Thank you for sending it to me.

I have read the resolutions with interest. With reference to the first one I think it is unnecessary for Congress to enact legislation to protect the rights of California in submerged and tidelands. However, I believe that it is necessary to see that legislation taking away the State's rights is not enacted. That, the California Delegation is endeavoring to prevent.

Sincerely yours,

FRANK H. BUCK

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1941

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

International News Service—Jack Salt.
Fresno Bee—Brown Maloney.
Modesto Bee—Brown Maloney.

ARTHUR A. OHNIMUS
Chief Clerk Assembly

By the Chief Clerk:

WAR DEPARTMENT, OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, February 13, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento, California

DEAR SIR: The department has received your letter of January 27, 1941, with which you inclosed a copy of Assembly Joint Resolution No. 17, adopted on January 25, 1941, by the Assembly of the California Legislature, urging Congress to make available such funds as may be recommended in the Interim Report on that part of the Sacramento River dealing with the existing Flood Control Project.

I am pleased to inform you that the Interim Report on the Sacramento River and Tributaries Within the Existing Flood Control Project has been prepared by the Division Engineer, South Pacific Division and the District Engineer at Sacramento pursuant to an existing Congressional authorization for a detailed survey

of the Sacramento River Valley in the interest of flood control and that this report has just been received in this office. The Interim Report has been referred to the Board of Engineers for Rivers and Harbors for review as required by law prior to its transmission to Congress with the recommendations of the department. As you know, the Detailed Survey Report on the entire Sacramento River Valley is not expected to be submitted to this office until March, 1942.

You may be assured that the department is fully aware of the flood problems in the Sacramento Valley and that every effort consistent with the necessity for sound engineering study and analysis will be made to expedite the department's action on the afore-mentioned Interim Report and to submit it to Congress at the earliest practicable date. In order that the Board of Engineers may know of the interest of the Assembly of the California Legislature in this Interim Report, I am today taking the liberty of forwarding your letter and its inclosure to Colonel Charles L. Hall, the resident member of the board, for the board's information and consideration in connection with their review of the report.

For the Chief of Engineers:

Very respectfully,

MILES REBER, Major, Corps of Engineers
Assistant Chief, Construction Section

By the Chief Clerk:

STATE OF CALIFORNIA
CALIFORNIA HORSE RACING BOARD, February 14, 1941

Hon. Paul Peek, Secretary of State
State of California, Sacramento, California

DEAR SIR: Pursuant to the provisions of the Racing Act requiring that this board biennially make a report of its proceedings to the Legislature of the State of California, we are enclosing herewith two copies of our Fourth Biennial Report for delivery to the Secretary of the Senate and Chief Clerk of the Assembly.

We are,

Very respectfully yours,

THE CALIFORNIA HORSE RACING BOARD
By W. C. BUCHANAN, Secretary

Transmitted to the Senate and Assembly this 18th day of February, 1941.
PAUL PEEK, Secretary of State

By Mr. Weber:

SACRAMENTO, CALIFORNIA, February 19, 1941

Honorable Gordon Garland, Speaker of the Assembly
Sacramento, California

DEAR MR. SPEAKER. Your Special Committee on Legislative Organization consisting of Messrs. Desmond, Lyon and Weber, respectfully submits herewith a Report on the Organization of the Standing Committees of the Assembly and the arrangement of a schedule for their meetings

The report recommends the adoption of several new Standing Rules by the Assembly, immediately after the reconvening of the Legislature on March 3, 1941.

Your committee respectfully refers you to the Supplemental Report on Reorganization of the Standing Committees of the Assembly made pursuant to House Resolution No. 205, adopted June 20, 1939, which proposed the amendment of the rules *in a manner similar* to that recommended by the present report.

Respectfully.

CHARLES M. WEBER, Chairman
Assembly Committee on Legislative Organization

MOTION TO PRINT REPORT IN JOURNAL

Mr. Weber moved that the following report be ordered printed in the Journal:

Motion carried.

Reorganization of the Standing Committees of the Assembly

Arrangement of a Schedule for Committee Meetings

In arranging a time schedule for the meetings of the 58 standing committees of the Assembly, a most difficult problem presents itself. There are available only 27 periods of time during each week for the meeting of about 50 standing committees, which obviously creates conflicts in the schedule of the individual member, whereby he is required to serve on more than one committee at the same time. Under present committee assignments, each member serves on eight to ten committees so that when the meetings are set to schedule, it is found that from four-tenths to seven-tenths of the members of each committee have conflicts. Under such circumstances, it is almost impossible to have a quorum present in order to hold committee

meetings. It is difficult to relieve this condition to any satisfactory degree by changing the meeting times of the committees because the further limitation exists that certain committees require specific rooms of large size in order to accommodate the committeemen and the public.

The final result of this improper organization is that the Assembly faces a break-down in its system of consideration of legislation during the present session, which will cause a prolonged period of confusion, obstruct proper consideration of bills, prevent cooperation on the part of the public, increase the nerve strain and exhaustion of the members and add possibly a month to the duration of the session with great attendant expense.

The Senate on its part has merged its committees' work and has reduced the number of its standing committees to 20. This action took place on May 20, 1940, during the extraordinary session. Although one year prior thereto the Assembly, acting upon the report of its Special Committee, adopted Assembly Resolution No. 205 on June 20, 1939, consolidating its committees in a rational manner and reducing their number to 28, during the special session which followed, as there were comparatively few bills submitted under the proclamation convening the First Extraordinary Session of 1940, the Assembly readopted the old Rules.

The present session was organized as a result of action taken at the special session of last December and consequently the list of standing committees under the old Rules was used by the members of the Assembly in selecting the committees of their choice Thus it is that the Assembly again finds itself in the same position as in the Session of 1939 and faced with far worse confusion.

It should be obvious to every member that some consolidation on the schedule or merging of committees must take place in order that excessive conflicts be eliminated.

By using the present organization of the committees as a basis, it is found that a rational method of merging some committees is possible, while still preserving the rights of their respective chairman, although slightly modifying their duties.

Your committee, therefore, respectfully recommends that the following resolution amending the Standing Rules of the Assembly be adopted in order to reduce the conflicts in schedule which would otherwise occur and to aid in the proper consideration of bills before committees and that action necessary to facilitate the operation of the amendments be taken by the chairmen and members of the standing committees:

House Resolution No. ___

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"61 Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly, by a majority vote of the entire membership, shall refer it to some other committee."

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"75. There shall be standing committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows:

1 House Functions _____members
2. Legislative Procedure, _____members.
3. Conservation and Planning, _____members
4. Highways, _____members
5 Fish and Game, _____members
6 Governmental Efficiency, _____members
7. Revenue and Taxation, _____members
8. Ways and Means, _____members.
9. Education, _____members.
10. Crime and Correction, _____members.
11. Public Morals, _____members.
12. Public Health, _____members.
13. Social Welfare, _____members.
14. Civil Service and Departments, _____members.
15. Military and Police, _____members
16. County and Municipal Government, _____members.
17. Elections, _____members.
18. Judiciary Codes, _____members
19. Judiciary General, _____members.
20 Constitution and Direct Legislation, _____members.

21. Agriculture, _____members.
22. Manufacturing and Mineral Industry, _____members.
23. Corporations and Utilities, _____members.
24. Labor and Capital, _____members.
25. Commerce and Transportation, _____members.
26. Motor Vehicles, _____members.
27. Finance and Insurance, _____members.
28. Reapportionment, _____members."

Resolved, That Rule 75a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75a. For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

Two committees to consider matters concerning legislative organization and procedure: One on House functions, No. 1; and one on legislative procedure, No. 2.

Nineteen committees to consider legislative measures affecting government and governmental organization: Three on conservation and planning, Nos. 3 to 5; three on fiscal matters, Nos. 6 to 8; one on education, No. 9; four on social welfare, Nos. 10 to 13; one on civil service and departments, No 14; one on military and police, No. 15; two on political subdivisions, Nos. 16 and 17; three on judiciary and laws, Nos. 18 to 20; one on reapportionment, No. 28.

Seven committees to consider legislative measures affecting industry: Two on production, Nos. 21 and 22; two on labor and capital, Nos. 23 and 24; two on distribution and transportation, Nos. 25 and 26; one on finance, No. 27.

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule 75b be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75b The functions of the presently existing standing committees of the Assembly shall be consolidated in the following manner:

1. Those of the standing Committees on Rules, on Contested Elections and on Mileage shall be vested in the standing Committee on House Functions.

2 Those of the standing Committees on Engrossment and Enrollment and on Introduction of Bills shall be vested in the standing Committee on Legislative Procedure.

3. Those of the standing Committees on Conservation, on River Navigation, Reclamation and Flood Control, on State Grounds and Parks and on Irrigation shall be vested in the standing Committee on Conservation and Planning.

4. Those of the standing Committees on Governmental Efficiency and Economy and on Governmental Revenues and Expenditures shall be vested in the standing Committee on Governmental Efficiency.

5. Those of the standing Committees on Education, on State Colleges and on Universities shall be vested in the standing Committee on Education.

6. Those of the standing Committees on Crime Problems, on Prisons and Reformatories and on Public Charities and Corrections shall be vested in the standing Committee on Crime and Correction.

7. Those of the standing Committees on Hospitals and Asylums, on Medical and Dental Laws and on Public Health and Quarantine shall be vested in the standing Committee on Public Health.

8 Those of the standing Committees on Military Affairs and on Soldiers and Sailors Affairs shall be vested in the standing Committee on Military and Police.

9. Those of the standing Committees on County Government, on Libraries and on Municipal Corporations shall be vested in the standing Committee on County and Municipal Government.

10. Those of the standing Committees on Constitutional Amendments and on Direct Legislation shall be vested in the standing Committee on Constitution and Direct Legislation.

11. Those of the standing Committees on Agriculture, Exhibitions and Fairs and on Live Stock and Dairies shall be vested in the standing Committee on Agriculture.

12 Those of the standing Committees on Aviation and Aircraft, on Building and Construction, on Manufactures, on Mines and Mining and on Oil Industries shall be vested in the standing Committee on Manufacturing and Mineral Industry.

13. Those of the standing Committees on Corporations and on Public Utilities shall be vested in the standing Committee on Corporations and Utilities.

14. Those of the standing Committees on Labor and Capital and on Unemployment shall be vested in the standing Committee on Labor and Capital.

15. Those of the standing Committees on Banking, on Building and Loan Associations, on Financial Institutions and on Insurance shall be vested in the standing Committee on Finance and Insurance."

Resolved, That Rule 75c be added to the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75c The chairman of any committee the functions of which have been vested in another committee by Rule 75b, other than the chairman of a committee which is listed in Rule 75d, shall become a member and joint chairman of the consolidated committee and shall sit as chairman when the committee acts upon bills which were previously assigned to his committee, or to which under the Permanent Standing Rules existing immediately prior to the adoption of this resolution a bill would have been referred.

The Speaker shall appoint or the several joint chairmen of a consolidated committee shall select one of their number to serve as executive chairman in order to dispatch the business of the committee

The names of the several chairmen and members of the consolidated committees, shall be listed in the Histories and Journals under both their former and their present titles."

Resolved, That Rule 75d be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75d. The following committees shall immediately meet and proceed to consider the bills assigned to them, and either recommend that the bills be referred to the proper consolidated committee for further action out of that committee with or without recommendation, or be tabled by that committee in accordance with the recommendation of the recommending committee in order to simplify the records in the Daily History and File After these committees have completed this work they shall be subject to the call of the Speaker and shall continue to be listed on the schedule

These committees are listed below:

Contested Elections, with no bills to consider.
Engrossment and Enrollment, with no bills to consider.
Federal Relations, with seven bills to consider.
Governmental Revenue and Expenditures, with one bill to consider.
Introduction of Bills, with no bills to consider.
Manufactures, with three bills to consider
Mileage, with no bills to consider.
State Grounds and Parks, with six bills to consider."

Resolved, That Rule 79a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"79a. Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file.

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, with the consent of each author, and this shall not be deemed a violation of Assembly Standing Rule No 49. If such a recommendation of a committee is adopted by a majority vote of the Assembly, the bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolved, That Rule 82a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"82a. There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings."

Resolved, That Rule 82b be added to said Rules to read as follows:

"82b. There is a Committee on Legislative Procedure consisting of____ members, including the Speaker, which shall also be the Committee on

Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolved, That Rule 85 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

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

Resolved, That Rule 86 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

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

It is further recommended that prior to the assignment of members to serve on the several standing committees, the Speaker or the Committee on House Functions shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time and that the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the membership of the committee should be made otherwise than by a majority vote of the Assembly.

Report referred to Committee on Rules.

ADJOURNMENT

At 12.40 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 4, 1941, out of respect to the memory of the late Henry H. Yonkin, former Member of the Assembly and the Senate of the State of California.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY
FIFTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday March 4, 1941

The Assembly met at 10 a m
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassady, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters Watson, Weber, Welch, Weybret Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thomas.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day

Mr. Green, on motion of Mr. Maloney.
Mr Poulson, on motion of Mr. Waters.
Mr. Sheridan, on motion of Mr. Carlson.
Mr King, on motion of Mr Kilpatrick
Mr Sawallisch, on motion of Mr Hugh M. Burns

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 449—An act to add Division 2, consisting of Part 1, comprising Sections 6001 to 7176, inclusive, and Section 50006 to the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Retail Sales Tax Act of 1933 and the Use Tax Act of 1935, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 449:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 449

"An act to add Division 2, consisting of Part 1, comprising Sections 6001 to 7176, inclusive, and Section 50006 to the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Retail Sales Tax Act of 1933 and the Use Tax Act of 1935, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 449 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Basbore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Solsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 450—An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 450:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 450

"An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 450 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 451—An act to add Part 3, comprising Sections 8601 to 9354, inclusive, to Division 2 of, and to add Section 50009 to, the Revenue and Taxation Code, thereby consolidating and revising the laws relating to taxation and the raising of revenue, including the provisions of the Use Fuel Tax Act of 1937, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 451:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 451

"An act to add Part 3, comprising Sections 8601 to 9354, inclusive, to Division 2 of, and to add Section 50009 to, the Revenue and Taxation Code, thereby consolidating and revising the laws relating to taxation and the raising of revenue, including the provisions of the Use Fuel Tax Act of 1937, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 451 as an emergency measure

Respectfully submitted

CULBERT L OLSON, Governor of California

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—54

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 452—An act to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of, and to add Section 50010 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 452:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS

ASSEMBLY BILL NO. 452

"An act to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of, and to add Section 50010 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of 'An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately,' approved May 15, 1933, as amended, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 452 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCol-

lister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 453—An act to add Part 5, comprising Sections 10701 to 11005, inclusive, to Division 2 of, and to add Section 50011 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, as amended, and repealing acts and parts of acts specified herein.

Bill read third time

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 453·

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS

ASSEMBLY BILL NO 453

"An act to add Part 5, comprising Sections 10701 to 11005, inclusive, to Division 2 of, and to add Section 50011 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exempting of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund and making an appropriation of the moneys therein,' approved June 25, 1935, as amended, and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 453 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F, Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 454—An act to add Part 6, comprising Sections 11201 to 11752, inclusive, to Division 2 of, and to add Section 50012 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Private Car Tax Act of 1937, and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 454:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 454

"An act to add Part 6, comprising Sections 11201 to 11752, inclusive, to Division 2 of, and to add Section 50012 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Private Car Tax Act of 1937, and repealing acts and parts of acts, specified herein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 454 as an emergency measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1440 FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Carlson asked for, and was granted, unanimous consent to have Assembly Bill No. 1440 withdrawn from the Committee on Municipal Corporations, and placed upon the file for purpose of amendment.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

SECOND READING OF ASSEMBLY BILL NO. 1440

Assembly Bill No. 1440—An act to amend the title of, and to add Sections 30 to 72, inclusive, to an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to authorizing the creation and establishment of sewage disposal districts within the boundaries of a municipal utility district, and authorizing the issuance of bonds, including revenue bonds, for the acquisition or construction of sewage disposal systems, providing for the operation and maintenance thereof, and providing for the fixing, collecting and application of rates and charges for the use of such sewage disposal systems.

Bill read second time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within heavy brackets.

Amendment No. 1

Strike out the title of the printed bill and insert

"An act to amend Sections 1, 2, 5, 6, 6a, 6c, 6d, 6e, 11, 12, 15, 15a, 18 and 19 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," relating to the organization of and annexation to municipal utility districts; control of publicly owned utilities within utility districts; contest of annexation proceedings; powers and duties of a board of directors; powers of the district, special districts within municipal utility districts; incurring, refunding and retirement of indebtedness of special districts; levy and collection of taxes for special district operations and obligations; investment of funds; sale of by-products, loans, contributions and cooperative agreements; limitation of indebtedness, payment of interest from bond funds; fixing and collecting rates, tolls and charges, and the levy and collection of taxes; contracts for the use of commodities or services, and to add Sections 1a, 6f to 6i inclusive, 15d to 15q inclusive, 29a and 29b, defining the term 'public agency'; providing for annexation to special districts; creation of special districts for sewage disposal purposes, the contesting of the validity of their creation and any bonds issued by a special district; the issuance of bonds by the electors therein for said purposes, the use of said bonds for investment and security for public deposits; the levy and collection of taxes to pay the principal and interest of said bonds, and the expenses of formation and operation of said special districts, contracts and agreements for the use of sewage disposal facilities, and the dissolution of special districts, and relating to special districts generally; issuance of revenue bonds under general law; disposition of records; and the severability of the act, all relating to municipal utility districts."

Amendment No. 2

Strike out all of the printed bill from page 1, line 1, to page 16, line 38, inclusive, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows.

Section 1. A municipal utility district may be created as herein provided and when so created may exercise the powers herein granted. Any [municipality] *public agency* together with unincorporated territory may so organize and incorporate; likewise any two or more [municipalities] *public agencies*, whether contiguous or otherwise or in the same or different counties, may organize and incorporate as a municipal utility district. Unincorporated territory may be embraced and

included therein, but no [municipality] *public agency* [or election precinct] shall be divided in the formation of such a district, nor shall any [municipality] *public agency* or unincorporated territory be included therein without the consent of a majority of the electors thereof voting at any election on such proposition. Unincorporated territory in separated parcels shall be considered separately in the organization of a district.

Unincorporated territory which is not contiguous to a district organized hereunder may not be annexed if said district does not possess facilities for supplying utility service to said territory.

SEC. 2. Section 1a is hereby added to said act, to read as follows

Sec. 1a The term "public agency" wherever appearing in this act includes any public corporation, municipal corporation, political subdivision, governmental agency or public district within the State of California.

SEC. 3. Section 2 of said act is hereby amended to read as follows.

Sec. 2. The procedure for organizing and creating a municipal utility district under the provisions of this act is as follows:

Resolutions shall first be passed by the legislative bodies of half or more of the [municipalities] *public agencies* designed to be included in the proposed district, declaring that in their opinion public interest or necessity demands the creation and maintenance of a municipal utility district to be known as "the (giving the name) municipal utility district." Said resolutions may state the kind of utility proposed to be first acquired, but failure to acquire such utility shall not affect the validity of the district. They shall describe the exterior boundaries of the proposed district *provided, that if it is intended to organize said district of [incorporated municipalities] public agencies only*, then and in that case a statement of the names of such [municipalities] *public agencies* shall constitute a sufficient description of said district. Certified copies of said resolutions shall be presented to the board of supervisors of the county containing the largest number of registered electors within the proposed district requesting said board to call an election without delay for determining whether such district shall be created.

Instead of said resolutions, a petition may be presented to the board of supervisors of said county signed by qualified electors within the boundaries of said district equal in number to at least 10 per cent of the total vote cast at the last general State election within the territory proposed to be included in said district Said petition shall contain substantially the same declarations and statements required to be contained in the resolutions aforementioned, and declare that, in the opinion of the petitioners, public interest or necessity demands the creation and *maintenance of a municipal utility district. Such petition may be on separate* papers, but each paper shall contain the affidavit of the party who circulated it certifying that each name signed thereto is the true signature of the person whose name it purports to be. The clerk of the board of supervisors of said county shall compare the signatures with the affidavits of registration and certify to the sufficiency or insufficiency of such petition.

SEC. 4. Section 5 of said act is hereby amended to read as follows:

Sec 5 Before calling said election the board of supervisors shall divide the proposed district into five wards or subdistricts, the boundaries of which shall be so drawn that each shall contain approximately an equal number of electors, as nearly as may be The [municipalities] *public agencies* and any other territory included in the proposed district may be divided for the purpose of establishing the boundaries of said wards or subdistricts.

SEC. 5. Section 6 of said act is hereby amended to read as follows

Sec. 6. Upon establishing the wards as aforestated, the board of supervisors of said county shall give notice of an election to be held within the proposed district for the purpose of determining whether the same shall be created and established, also for the purpose of electing directors if established. Said notice shall state the name of the proposed district, and describe the boundaries thereof; it shall also describe the boundaries of the wards or subdistricts provided for the purpose of electing directors Said notice shall be published once a week for at least three weeks before the day of said election in [each municipality included in] *a newspaper of general circulation published within* the proposed district In case no newspaper of general circulation is published [in any of the *municipalities included* therein] *within said proposed district*, said notice shall be posted for at least three weeks in not less than three public places [in each of such municipalities] *within said proposed district* [In case unincorporated territory is included therein said notice shall be posted for a like period in at least three public places in such unincorporated territory.]

The ballot for said election shall contain such instructions as are required by law to be printed thereon and in addition thereto [shall] *there shall* appear thereon the following.

Shall the (giving the name thereof) "Municipal Utility District" be created and established?	YES	
	NO	

Said ballots shall also contain the names of the persons nominated in each ward to serve as a member of the board of directors from such ward, showing separately each ward and its nominees. Any person may be nominated for the office of director upon written petition of 50 or more qualified electors of the ward or subdistrict in which such person resides.

Said election, including the nomination and election of directors and all matters pertaining thereto not otherwise provided for herein, shall be held and conducted and the result thereof ascertained, determined and declared in accordance with the General Election Law of the State, as nearly as may be, and no person shall be entitled to vote at said election unless he or she be a qualified elector of the territory included in the proposed district. Said election may be held on the same day as any other State, county or city election and be consolidated therewith.

Said board of supervisors shall meet on Monday next succeeding the day of said election and canvass the votes cast thereat.

They shall canvass the returns of each [municipality] *public agency* and each parcel of unincorporated territory, if any, separately, and shall order and declare said district created and established of the [municipalities] *public agencies* and territory in which a majority of those who voted on the proposition voted in favor of the creation of said district, provided, however, that the total number of electors in such approving [municipalities] *public agencies* and territory be not less than two-thirds the number of electors within the district as first proposed, according to the register used at said election.

No person shall be entitled to serve as a director unless he be a resident and elector of the district as finally determined, and any vacancies on the board of directors caused by the elimination of territory shall be filled by remaining directors, in which case ward lines may be disregarded in their appointment thereof. Said board of supervisors shall also canvass the returns of the election with respect to the persons voted for as directors, and shall declare the persons receiving the highest number of votes, for each ward, respectively, to be duly elected as directors of said district, providing they are residents and electors thereof as finally determined.

The board of supervisors shall cause a certified copy of said order declaring the result of said election to be filed in the office of the Secretary of State, from and after which the establishment of said municipal utility district shall be deemed complete, and the persons elected as directors thereof shall enter immediately upon their official duties after qualifying according to law. Said directors shall hold their respective offices only until the first Monday after the first day of January next following the next general election [as provided by section 1041 of the Political Code] and until their successors are elected and qualified.

The board of supervisors calling the election shall make all provision for the holding thereof throughout the entire district as proposed, and shall pay the cost thereof. In case a special election is held exclusively on the proposition of organizing such a district, the expenditure therefor shall be reimbursed to the county which called the election by means of a special tax on all the taxable property within the [municipalities] *public agencies* and unincorporated territory which was proposed to be included in the district, which tax shall be added to the next county tax bills by the proper officials of the counties involved, respectively.

No informality in any proceeding or in the conduct of said election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of any municipal utility district, and any proceedings wherein the validity of such incorporation is denied, shall be commenced within three months from the date of filing the aforesaid order with the Secretary of State, otherwise such incorporation and the legal existence of said municipal utility district shall be held to be valid and in every respect legal and incontestable.

SEC. 6. Section 6a of said act is hereby amended to read as follows:

Sec. 6a. Any [municipality or county water district] *public agency* not included within the boundaries of said utility district [at the time of its creation] may be subsequently annexed thereto in the manner following:

The legislative [bodies] *body* of such [municipality or county water district] *public agency* shall agree in writing with the board of directors of said utility district upon the terms and conditions of such annexation, which agreement (among other things) may provide for [payment] *the levy and collection* of special taxes within the [municipality or county water district] *public agency* to be annexed, in

addition to the taxes elsewhere in this act provided for, the fixing of rates, rentals and charges differing from those fixed or existing elsewhere within the utility district, the incurring or assumption of indebtedness or the making of a payment or payments, or the transfer of property, real and personal, and other assets to said utility district by the [municipality or county water district] *public agency* proposed to be annexed. The corporate boundaries of the [municipality or county water district] *public agency* to be annexed need not be coterminous with any election precincts. Such agreement shall become effective and be binding upon the utility district and the [municipality or county water district] *public agency* to be annexed when approved in the manner hereinafter set forth.

(a) Approval by Municipal Utility District: The board of directors of said utility district shall by ordinance setting forth such agreement at length declare its intention of causing the same to be executed by said utility district. Said ordinance, together with a notice fixing the time and place for hearing thereon, shall be published once in a newspaper of general circulation printed and published in said utility district. The time fixed for such hearing shall be not less than thirty (30) nor more than sixty (60) days from the date of the first publication of said ordinance. At such hearing any person interested may file written objections to the execution of said agreement with the board of directors of the utility district. Upon such hearing the board of directors of the utility district shall determine whether or not said agreement shall be carried into execution and shall hear and determine all objections thereto. Failure of any person interested in said utility district or in the matter of the proposed execution of said agreement to show cause in writing as aforesaid, shall be deemed and taken as an assent on his part to a change in the boundaries of the utility district and to the execution of such agreement. Any such hearing may be adjourned from time to time by the board of directors without further notice other than an order to be entered upon the minutes of the meeting fixing the time and place of such adjournment. In the event no protests are filed or the protests filed are overruled and denied by the board of directors such board shall thereupon, by resolution, finally approve said agreement and authorize its execution, which shall become effective when executed by the other party thereto, duly authorized in the manner hereinafter provided. When so executed by the utility district the same shall be dated and an executed copy thereof filed with the secretary of said utility district, and an executed copy shall also be filed with the secretary or clerk of the [municipality or county water district] *public agency* to be annexed.

(b) Approval by [municipality or county water district] *Public Agency* to Be Annexed: At any time after the board of directors of the utility district has finally approved the agreement of annexation in the manner hereinabove set forth the legislative body of the [municipality or county water district] *public agency* to be annexed shall cause an election to be held in said [municipality or county water district] *public agency* to determine whether such [municipality or county water district] *public agency* shall be annexed to said utility district upon the terms and conditions stated in said agreement. Notice of such election shall be published once a week for two weeks prior to the date fixed for said election, or posted at least two weeks in three public places in said [municipality or county water district] *public agency* in the event no newspaper of general circulation is published therein. It shall not be necessary to set forth the terms and conditions of said agreement of annexation at length but the notice of said election shall state that a copy thereof is on file in the office of the secretary or clerk of the [municipality or county water district] *public agency* proposed to be annexed, open to the inspection of all persons interested; provided, however, the legislative body of the [municipality or county water district] *public agency* to be annexed may in its discretion set forth the terms and conditions of said agreement of annexation at length in said notice of election, but this requirement is not mandatory.

The ballots for said election shall contain substantially the instructions required to be printed on ballots for use at general State and county elections and in addition thereto shall set forth the proposition of annexation substantially as follows:

Shall the [city of] _____ (*public agency*) [(or the town of _____ or the county water district)] be annexed to _____ Municipal Utility District in accordance with and subject to all of the terms and conditions of an agreement of annexation dated _____ now on file in the office of the clerk (or secretary) of _____ (*public agency*) [(city, town or county water district)]?	YES	
	NO	

Said election, in all matters pertaining thereto not otherwise provided for herein, shall be held and conducted and the result thereof ascertained, determined and declared in accordance with the General Election Laws of the State so far as the same may be applicable.

If upon a canvass of such election it shall be found that a majority of all votes cast at said election were cast in favor of the annexation said proposition and all of the terms and conditions of said agreement of annexation shall be deemed to have been carried and approved by the electors; provided, however, that if the terms and conditions of said agreement of annexation provide for the assumption of any indebtedness of said utility district by any [municipality] *city* proposed to be annexed, said proposition of annexation shall not be deemed carried unless approved by the vote of two-thirds of all the voters voting at such election. If such proposition fails to carry the result thereof shall be entered upon the minutes of the governing body of such [municipality or county water district,] *public agency*. In the event said proposition receives the vote of the requisite majority of electors hereinabove set forth the governing body of said [municipality or county water district] *public agency* shall enter in its minutes an order declaring the result of such election and shall thereupon cause the agreement of annexation to be executed by its duly authorized officers Upon receipt by said utility district of a certified copy of said agreement of annexation properly executed by the municipal utility district and the [municipality or county water district] *public agency* proposed to be annexed thereto the board of directors of said utility district shall pass a resolution declaring said [municipality or county water district] *public agency* annexed to said utility district, and shall cause a certified copy of said resolution to be filed with the Secretary of State of the State of California. From and after the date of filing of said resolution with the Secretary of State the annexation of said [municipality or county water district] *public agency* to said municipal utility district shall be complete.

No such annexation or inclusion of any [municipality or county water district] *public agency* to such utility district shall operate to dissolve or terminate the legal existence of the [municipality or county water district] *public agency* so annexed, and such [municipality or county water district] *public agency* shall, nevertheless, retain its corporate existence until otherwise dissolved pursuant to provisions of law now or hereafter enacted for that purpose

From and after the date of such annexation the board of directors of the municipal utility district shall be authorized and directed to levy upon all of the property in such [municipality or county water district] *public agency* so annexed such taxes, tolls or charges as may be necessary in order to provide funds for the payment of the indebtedness assumed by such [municipality or county water district] *public agency* or otherwise necessary to comply with the terms and conditions of said annexation agreement, all in addition to the general district taxes authorized elsewhere in this act to be levied and collected.

SEC. 7 Section 6c of said act is hereby amended to read as follows:

Sec. 6c. Any territory heretofore or hereafter annexed in accordance with the law to any [municipality] *public agency* included in the *utility* district shall, upon the completion of such annexation proceeding, be deemed incorporated into and annexed to the *said utility* district and shall thereafter become subject to taxation, along with the entire territory of the *utility* district in accordance with the assessable valuation of the property thereof for general district purposes, and for the payment of any indebtedness theretofore or thereafter incurred by said *utility* district

SEC. 8 Section 6d of said act is hereby amended to read as follows:

Sec. 6d. [Nothing herein contained shall be deemed to authorize or empower] *Except as hereinafter provided with reference to sewage disposal*, the board of directors of the district [to] *shall not* interfere with or exercise any control over any existing utility owned and operated by any [municipality or any county water district] *public agency* in said *utility* district, unless by consent of the [city council] *legislative body* of such [municipality or such water district] *public agency* and upon such terms as may be mutually agreed upon between the board of directors of the district and the [city council of such city or the board of directors of such county water district as expressed by ordinance] *legislative body of such public agency*.

SEC. 9. Section 6e of said act is hereby amended to read as follows:

Sec. 6e. The validity of any proceedings for the annexation of any [municipality, county water district] *public agency* or unincorporated territory to any municipal utility district *or special district within the municipal utility district* shall not be contested in any action unless such action shall have been brought within three months after the completion of such proceedings, or, in case such proceedings are completed prior to the time that this act takes effect, then within three months after this act shall have become effective

SEC. 10. Section 6f is hereby added to said act, to read as follows:

Sec 6f. Any public agency or portion thereof or unincorporated territory (hereinafter referred to collectively as "territory") not included within the boundaries of a special district may be annexed thereto in the manner following:

The board of directors of said utility district shall, by resolution, determine that the annexation of said territory will facilitate the acquisition or operation of a public utility for said special district, describe therein said territory, declare its intention to annex said territory to said special district, set forth the terms and conditions

upon which said territory shall be annexed, fix the time and place for hearing on the question of said annexation and provide for the giving of notice thereof.

No public agency, or portion thereof, shall be annexed to a special district unless the legislative body thereof shall, by resolution, consent thereto.

The terms and conditions for the annexation of said territory to a special district may provide, among other things, for the payment of special taxes within the territory to be annexed in addition to the taxes elsewhere in this act provided for, the fixing of rates, rentals and charges differing from those fixed or existing elsewhere within the special district, the making of a payment or payments, or the transfer of property, real and personal, and other assets to said utility district by the territory proposed to be annexed

SEC. 11. Section 6g is hereby added to said act, to read as follows:

Sec. 6g. Notice fixing the time and place for hearing on the question of the annexation of said territory to said special district shall be published once in a newspaper of general circulation printed and published in said municipal utility district. If no such newspaper is printed and published therein, the notice of such hearing shall be given by posting a notice thereof in three (3) public places within the boundaries of such municipal utility district, at least one of which shall be within the boundaries of the territory proposed to be annexed. The time for such hearing shall be not less than thirty (30) nor more than sixty (60) days from the date of the first publication of said notice, or its posting, in the event that same is posted.

SEC. 12. Section 6h is hereby added to said act, to read as follows:

Sec. 6h. At or before said hearing any person interested may file with the secretary of the utility district written objections to the annexation of said territory to said special district or to the inclusion of his property therein. Upon such hearing, the board of directors of the utility district shall hear and determine all protests and objections. Any such hearing may be adjourned from time to time by the board of directors without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of such adjournment. In the event that no protests are filed, or the protests filed are overruled and denied by the board of directors, said board shall thereupon by resolution declare such territory, or a portion thereof, annexed to said special district. From and after the date of filing of said resolution with the secretary of said utility district the annexation of said territory, or portion thereof, to said special district shall be complete.

SEC. 13. Section 6i is hereby added to said act, to read as follows:

Sec. 6i. No such annexation to such special district shall operate to dissolve or terminate the legal existence of any public agency within or partly within the territory so annexed, and such public agency shall, nevertheless, retain its corporate existence until otherwise dissolved pursuant to provisions of law now or hereafter enacted for that purpose.

From and after the date of such annexation the board of directors of the municipal utility district shall be authorized and directed to levy upon all of the property in such territory so annexed such taxes, tolls or charges as may be necessary in order to comply with the terms and conditions of said annexation, all in addition to the general district taxes authorized elsewhere in this act to be levied and collected.

SEC. 14. Section 11 of said act is hereby amended to read as follows:

Sec. 11. The board of directors shall constitute the legislative body of such district and determine all questions of policy.

The board of directors shall supervise and regulate every utility owned and operated by such district, including the fixing of rates, rentals, charges and classifications, and the making and enforcement of rules, regulations, contracts, practices and schedules, for or in connection with any service, product or commodity owned or controlled by such district.

Each utility which a municipal utility district is authorized to acquire, construct, own, operate, control or use pursuant to the provisions of this act, shall be considered to be a utility owned and operated by such municipal utility district even though service therefrom is limited to a special district created as in this act provided.

Said board shall appoint a general manager and may in its discretion, appoint an accountant, a secretary, a treasurer, and an attorney, which appointees except the general manager shall hold office during the pleasure of the said board. The general manager shall hold office for an indefinite term and shall be removable as hereinafter provided. Each appointee shall give such bond and in such amount as the board of directors may require. Said board may consolidate any of said offices in one and the same person. Said board may also provide for assistants to any officer of the district which assistants, when appointed by the board shall hold office at the pleasure of the board and may perform any and all acts that their principal may perform, when authorized so to do by the board.

The general manager may be removed by the board but only upon the adoption of a resolution by the affirmative vote of not less than three members of the board. Before the general manager may be removed, he shall, if he so demand, be given a written statement of the reasons alleged for his removal and shall have the right

to be publicly heard thereon at a meeting of the board prior to the final vote on the resolution providing for his removal, but pending and during such hearing the board may suspend him from office Neither may the board reduce the salary of the general manager except upon the adoption of a resolution by a like vote and after a like opportunity to be heard. The action of the board in suspending or removing the general manager or reducing his salary, if approved by a majority of the membership of the board, shall be final; provided, however, that until such time as the district shall have operated, controlled or used works or parts of works for the providing of the inhabitants and [municipalities] *public agencies* within the boundaries of said district with the utility services, or any of them, specified in the fifth paragraph of Section 12 hereof for a period of six months, the board, in its discretion, may or may not, appoint a general manager, who during such time shall hold office at the pleasure of the majority of the board.

The board of directors may from time to time contract for or employ any professional service required by this district or by the board or any officers of the district

SEC. 15 Section 12 of the said act is hereby amended to read as follows:

Sec. 12. Any municipal utility district incorporated as herein provided shall have power:

First—To have perpetual succession

Second—To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction

Third—To adopt a seal and alter it at pleasure

Fourth—To take by grant, purchase, gift, devise, or lease, or condemn in proceedings under eminent domain, or otherwise acquire, and to hold and enjoy real and personal property of every kind within or without the district necessary to the full or convenient exercise of its powers. The directors of the district may lease, mortgage, sell or otherwise dispose of any real or personal property within or without the district when in their judgment it is for the best interests of the district so to do The provisions of this section shall apply to all sales or mortgages heretofore or hereafter made.

Fifth—To acquire, construct, own, operate, control or use, within or without, or partly within and partly without, the district, works or parts of works for supplying the inhabitants of said district and [municipalities] *public agencies* therein, *or some of them*, with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the *collection, treatment or* disposition of garbage, sewage, or refuse matter, and to do all things necessary or convenient to the full exercise of the powers herein granted; also to purchase any of the commodities or services aforementioned from any other utility district, [municipality] *public agency*, person, or private company, and distribute the same. Whenever there is a surplus of water, light, heat or power above that which may be required by such inhabitants or [municipalities] *public agencies* within the district, such district shall have power to sell or otherwise dispose of such surplus outside of the district to persons, firms, and public or private corporations, or [municipalities] *public agencies* outside said district

Whenever any of the facilities, works, or utilities of the district, or part thereof, is not used or employed to its fullest capacity for the benefit or requirements of the district or its inhabitants, such district shall have power to enter into an agreement or agreements with [counties, cities, municipalities, irrigation districts, public utility companies, or any public corporations or agencies] *public agencies or any person, firm or corporation*, upon such terms and conditions as may be satisfactory to its board of directors, for renting, leasing, or otherwise using the available portion or parts of such facilities, works, or utilities, and in connection with any such agreement, renting or leasing, the district may undertake or perform any services incidental thereto.

Sixth—To have or exercise the right of eminent domain in the manner provided by law for the condemnation of private property for public use To take any property necessary or convenient to the exercise of the powers herein granted, whether such property be already devoted to the same use or otherwise, in the proceedings, venue and trial, relative to the exercise of such right the district shall have all the rights, powers and privileges of a municipal corporation, and all rights, powers and privileges herein conferred.

Seventh—To construct works across or along any street or public highway, or over any of the lands which are now or may be the property of this State, and to have the same rights and privileges appertaining thereto as have been or may be granted to municipalities within the State, and to construct its works across any stream of water or water-course. The district shall restore any such street or highway to its former state as near as may be, and shall not use the same in a manner to unnecessarily impair its usefulness.

Eighth—To borrow money and incur indebtedness, and to issue bonds or other evidences of such indebtedness; also to refund or retire any indebtedness that may exist against or be assumed by the district, *and any special district established pursuant to the provisions of this act* ; provided, no indebtedness shall be incurred exceeding the ordinary annual income and revenue of the district without the

approval of a two-thirds vote of the electors voting on the proposition to incur such indebtedness; provided, however, that a further vote of the electors is not required for any indebtedness heretofore or hereafter incurred within the purposes and not exceeding the available amount of any previously authorized bond issue and as to such indebtedness the proceeds of any of such bonds unexpended in the treasury of the district, or the par value of any of such bonds which are unsold shall be deemed a part of the ordinary annual income and revenue of such district; provided further, that any district operating a utility under rules and regulations requiring applicants for extensions to advance the expenses of such extensions and facilities for serving additional territory may enter into agreements to refund to such applicants in a subsequent year the whole or any part of such expenses so advanced and such refunds may be paid out of the revenues of such subsequent years.

Ninth—To levy and collect, or cause to be levied and collected, taxes for the purpose of carrying on the operations and paying the obligations of the district, *and any special district established pursuant to the provisions of this act.*

Tenth—To make contracts and to enter into stipulations of any nature whatsoever, either in connection with eminent domain proceedings or otherwise, including, without limiting the generality of the foregoing, contracts and stipulations to indemnify and save harmless, also to employ labor, and to do all acts necessary and convenient for the full exercise of the powers herein in this act granted.

Eleventh—To proceed in the name of the district in case of condemnation proceedings.

Twelfth—To invest any surplus money in the district treasury, including money in any sinking fund established for the purpose of providing for the payment of the principal or interest of any bonded or other indebtedness or for any other purpose, not required for the immediate necessities of the district, in its own bonds, [or in the treasury notes or bonds of the United States, or of this State, or bonds of any city and county, city school district or county water district situated within the county or counties in which the municipal utility district is situated in whole or in part, or bonds of any county which includes any part of such municipal utility district] *or in bonds of any special district established pursuant to the provisions of this act or in treasury notes or bonds of the United States, or of this State or bonds of any county, city and county, city, school district or in bonds of any other public or municipal corporation or public district within this State which are legal as security for the deposit of public funds*, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may from time to time be sold and the proceeds reinvested in bonds or treasury notes as above provided. Sales of any bonds or treasury notes thus purchased and held shall from time to time be made in season so that the proceeds may be applied to the purposes for which the money, with which the bonds or treasury notes were originally purchased, was placed in the treasury of the district.

Thirteenth—*To sell, or otherwise dispose of any water, sewer effluent, fertilizer or other by-product resulting from the operation of a sewage disposal system, and to construct, maintain and operate such pipe lines and other works as may be necessary for that purpose.*

Fourteenth—*To accept, without limitation by any other provisions of this act requiring approval of indebtedness, contributions or loans from the United States of America, or any department, instrumentality or agency thereof, for the purpose of financing the construction, maintenance and operation of any enterprise in which the district is authorized to engage, and to enter into contracts and cooperate with, and accept cooperation from, the United States of America, or any department, instrumentality or agency thereof, in the construction, maintenance and operation, and in financing the construction, maintenance and operation, of any such enterprise in accordance with any legislation which Congress may have heretofore adopted or may hereafter adopt, under which aid, assistance and cooperation may be furnished by the United States of America in the construction, maintenance and operation or in financing the construction, maintenance and operation of any such enterprise; and to do any and all things necessary in order to avail itself of such aid, assistance and cooperation under any Federal legislation now or hereafter enacted.*

Fifteenth—*To accept, without limitation by any other provisions of this act requiring approval of indebtedness, contributions of money, rights of way, labor, materials and any other property for the construction, maintenance and operation of any enterprise in which the district is authorized to engage, and to enter into any contracts and cooperate with, and accept cooperation from, the State of California, or any department, instrumentality or agency thereof, or any public agency of this State in the construction, maintenance and operation of, and in financing the construction, maintenance and operation of, any such enterprise.*

SEC. 16. Section 15 of said act is hereby amended to read as follows:

SEC. 15. Any district organized under this act may from time to time, as hereinafter provided, incur a bonded indebtedness to pay the cost of acquiring, constructing or completing the whole or any portion of any utility or works referred to

in this act, or for acquiring any works, lands, structures, rights or other property necessary or convenient to carry out the objects, purposes or powers of such district.

Whenever the board of directors of any such district shall, by resolution passed by vote of two-thirds of all its members, determine that the public interest or necessity demands the acquisition, construction or completion by the district of any public utility or utilities referred to in this act, or any part thereof, or any works, lands, structures, rights or other property necessary or convenient to carry out the objects, purposes or powers of such district, the cost of which will be too great to be paid out of the ordinary annual income and revenue of such district, it may at any subsequent meeting of said board of directors provide for the submission of the proposition of incurring a bonded debt for the purpose set forth in said resolution, to the qualified voters of such district, at any election held for that purpose; provided, that propositions for incurring indebtedness for more than one object or purpose may be submitted at the same election. The ordinance calling such election shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the utility, works, lands, structures, rights or other property proposed to be acquired, constructed or completed, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such election will be held, the manner of holding such election, and the voting for or against incurring such indebtedness, and in all particulars not recited in said ordinance, such election shall be held as provided by law for holding general elections in such district; provided, however, that if the rate of interest to be paid on such indebtedness shall not exceed 4½ per cent per annum, payable semiannually, the rate of interest need not be recited in said ordinance, but in its discretion the board of directors may recite in said ordinance a maximum rate of interest to be paid on such indebtedness, not exceeding 6 per cent per annum, payable semiannually, which rate, when so recited, shall not be exceeded in the issuance of bonds for such indebtedness.

Said ordinance shall be published once a day for at least seven days in some newspaper published at least six days a week in such district, or once a week for two weeks in some newspaper published less than six days a week in such district; and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. In districts where no such newspaper is published, said ordinance shall be posted in three public places therein for two succeeding weeks. No other notice of such election need be given. It shall require the votes of two-thirds of all the voters voting at such election to authorize the issuance of the bonds herein provided; provided, however, should the proposition so submitted at such election fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the board of directors of such district shall have no power or authority within six months after such election to call or order another election for incurring any indebtedness for the acquisition, construction or completion of improvements or property substantially the same as voted upon at such prior election, unless a petition signed by at least 15 per cent of the qualified electors of such district computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected be filed with the board of directors of such district, requesting that said proposition, or a proposition substantially the same, be submitted at an election to be called for the submission of such proposition and to be held in accordance with the provisions of this act. The bonds so authorized shall mature serially in amounts to be fixed by the board of directors; provided, that the payment of said bonds shall begin not later than 10 years from the date thereof and be completed in not more than 50 years from said date. Said bonds shall be issued in such denominations as the board of directors of the district determine, except that no bonds shall be of a less denomination than one hundred dollars ($100), nor of a greater denomination than one thousand dollars ($1,000), and shall be payable on the day and at the place or places fixed in said bonds, and with interest at the rate specified therein, which interest shall be payable semiannually. The board of directors may provide for the call and redemption of any or all of said bonds on any interest payment date prior to their fixed maturity at not exceeding the par value thereof and accrued interest plus a premium of not exceeding 5 per cent upon the principal amount of said bonds, in which event a statement to that effect shall be set forth in the ordinance calling the election and the call price fixed by the board of directors shall be set forth on the face of the bond. Notice of such redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published within the district or if there be no such newspaper printed and published within the district then the publication shall be made in a newspaper of general circulation printed and published within the county in which the said district or any part thereof is situated, the first publication of which shall be at least 30 days prior to the date fixed for such redemption. After the date fixed for such redemption, interest on said bonds thereafter shall cease. Said bonds shall be signed by the president of the board of directors of the district or by such officer thereof as the board of directors shall, by resolution adopted by a two-thirds vote of all its members,

authorize and designate for that purpose. They shall also be signed by the treasurer thereof, and be countersigned by the secretary thereof. The coupons of said bonds shall be numbered consecutively and be signed by the treasurer by his lithographed or engraved signature. All such signatures and countersignatures except that of the treasurer, on said bonds may be printed, lithographed or engraved. In case any of such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of said bonds to the purchaser, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until the delivery of the bonds. Said bonds may be issued and sold by the board of directors of the district as they determine, but for not less than their par value. The proceeds of said bonds shall be placed in the district treasury to the credit of the proper fund, and shall be used exclusively for the objects or purposes for which said bonds were voted.

No municipal utility district shall incur an indebtedness for public works which shall in the aggregate exceed 20 per cent of the assessed value of all the real and personal property of such district; provided, however, any indebtedness which has been incurred for the construction and operation of a public utility, where the revenue from said utility for three years or more next preceding has been sufficient to pay the interest and principal due on any bonds issued for its construction or acquisition, in addition to the cost of operation and maintenance, shall not be counted and included in ascertaining the limit of indebtedness; *provided further, that any indebtedness incurred for the construction or operation of a public utility within any special district created pursuant to the provisions of this act shall be excluded in ascertaining the aggregate indebtedness hereinabove specified.*

The board of directors of such district shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until said bonds are paid, or until there shall be a sum in the treasury of such district set apart for that purpose to meet all sums coming due for principal and interest on said bonds, a tax sufficient to pay the annual interest on said bonds, and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy; provided, however, that if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of the issuance thereof, said tax shall be levied and collected at the time and in the manner aforesaid annually each year, sufficient to pay the interest on said indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for district purposes, and shall be collected at the time and in the same manner as other district taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

In lieu of a resolution passed as hereinbefore provided by its board of directors, proceedings for the issuance of bonds for the purposes in this section provided may be initiated by petition of the qualified electors of such district.

Whenever any petition or petitions, each signed by electors of the district equal in number to 15 per cent of the qualified electors of such district, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected, shall be presented to the board of directors of said district asking for the acquisition, construction or completion of the whole or any portion of any utility, or works referred to in this act, or for acquiring any works, lands, structures, rights, or other property necessary or convenient to carry out the objects, purposes or powers of such district, and also asking that a bonded indebtedness be incurred to pay for the cost thereof, then it shall be the duty of the secretary of the district to immediately proceed to examine and verify the signatures of such petition or petitions, and to certify the result of such examination to the board of directors. If the required number of signatures be found to be genuine, the secretary shall transmit to the board of directors an authentic copy of such petition or petitions without the signatures thereto. Upon receiving the petition or petitions with the certificate of the secretary stating that it or they contain the required number of signatures, the board of directors shall formulate for submission to the electors of the district at a special election called for that purpose the proposition of incurring a bonded debt for the purposes set forth in said petition, and thereafter the said election and all things and proceedings with reference to the said bonds and the issuance thereof shall be conducted and performed in the same manner as if the proceedings had been initiated by resolution of the board of directors of said district as hereinbefore provided. In its discretion the board of directors may defer the calling of said election until the next general election to be held in the district in order that the same may be consolidated therewith.

Any election called for the submission of any question or proposition under the provisions of this section, may be held separately, or may be consolidated with any other election authorized by law at which the qualified voters of such district are entitled to vote; provided, however, that in the event any such election called pursuant to the provisions of this section is consolidated with any other election, the

provisions of this section setting forth the procedure for the calling and holding of the election called pursuant to the provisions of this section, shall be complied with, except that the ordinance calling such election need not set forth the election precincts, polling places and officers of election, but may provide that the precincts, polling places and officers of election shall be the same as those set forth in the ordinance, notice or other proceedings calling the election with which the election called pursuant to the provisions of this section, is consolidated, and shall refer to such ordinance, notice or other proceeding by number and title, or by other definite description.

SEC. 17. Section 15a of said act is hereby amended to read as follows:

Sec. 15a. In lieu of the immediate levy of a tax to pay the interest or any part thereof on any bonded debt hereafter incurred [as provided in Section 15] *in accordance with any provisions* of this act the board of directors may in the estimate of the amount of money necessary to be raised by such bonds include a sum sufficient to pay interest on all of such bonds or part thereof during the period of acquisition, construction or completion, and until revenues may be earned by the contemplated public utility or utilities, but for no period in excess of five years. Thereafter the board may use so much of the proceeds from the sale of the said bonds as may be necessary for the payment of such interest until the receipt of revenues, the amount used however not to exceed the sum so included by the board in its estimate for such purpose.

SEC. 18. Section 15d is hereby added to said act, to read as follows:

Sec. 15d. One or more special districts for sewage disposal purposes may be created within the boundaries of a municipal utility district in the manner following:

Resolutions shall first be passed by the legislative bodies of half or more, but of not less than two, of the public agencies, all or any part of the areas of which it is intended to include in the proposed special district, declaring that the public interest or necessity demands the creation of a special district for sewage disposal purposes and shall describe the boundaries of the same. The boundaries of the proposed special district may include territory outside any such public agency, provided such territory is within the area of the municipal utility district. When the entire area of any public agency is to be included in such special district it may be described in said resolutions by name. Certified copies of said resolutions shall be filed with the secretary of said municipal utility district.

Instead of said resolutions, a petition may be filed with the secretary of said municipal utility district signed by qualified electors within the boundaries of a proposed special district, which boundaries shall include two or more public agencies, equal in number to at least 10 per cent of the total vote cast at the last preceding general election within the territory proposed to be included in such special district, which said territory shall be described in said petition. A statement of the name of any public agency shall constitute a sufficient description of the territory thereof if the entire area of such agency is included. Such petition shall declare that the public interest or necessity demands the creation of such special district for sewage disposal purposes within such area of said municipal utility district described in said petition. Such petition may be on separate papers, but each paper shall contain the affidavit of the party who circulated same, certifying that each name signed thereto is the true signature of the person whose name it purports to be. The secretary of said municipal utility district shall compare the signatures with the affidavits of registration and certify to the sufficiency or insufficiency of such petition.

The board of directors of any municipal utility district on its own motion, and without any previous resolution or resolutions of any public agency included within such municipal utility district, or without any petition therefor as hereinbefore provided, may initiate proceedings for the creation of any special district for sewage disposal purposes within the area of such municipal utility district by passing a resolution declaring that the public interest or necessity demands the creation of such special district for sewage disposal purposes, and in said resolution shall describe that portion of the area of said municipal utility district which it is proposed to include in such special district, which shall include two or more public agencies. A public agency to be included may be described by name. No certified copy of such resolution need be filed with the secretary of such municipal utility district.

SEC. 19. Section 15e is hereby added to said act, to read as follows:

Sec. 15e. Within sixty (60) days after receipt of the resolution or resolutions of said public agencies or the certification of the sufficiency of such petition by the

secretary of the district, or the passage of the resolution of the board of directors of the municipal utility district, the said board of directors shall, by resolution, designate said special district as "_____(here insert name) Municipal Utility District, Special District No.____(here insert number)" (all such special districts shall be numbered consecutively) and shall fix a time and place for a hearing on the proposed creation of said special district for sewage disposal purposes, and shall publish notice thereof. Said notice shall be published once in a newspaper of general circulation printed and published in said municipal utility district. If no such newspaper is printed and published therein, then notice of such hearing shall be given by posting a notice thereof in three (3) public places within the boundaries of such municipal utility district at least one of which shall be within the boundaries of said proposed special district. The time fixed for such hearing shall be not less than thirty (30) nor more than sixty (60) days from the date of the first publication of said notice, or of its posting, in the event that same is posted.

SEC. 20. Section 15f is hereby added to said act, to read as follows:

Sec. 15f. At or before said hearing, any person interested may file with the secretary of the utility district written objections to the creation of said special district or to the inclusion of his property therein. Upon such hearing, the board of directors of the utility district shall hear and determine all protests and objections. Any such hearing may be adjourned from time to time by the board of directors without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of such adjournment. In the event that no protests are filed, or the protests filed are overruled and denied by the board of directors, said board shall thereupon, by resolution, approve the creation of the district either as originally described, or may, with or without the filing of any protest or objection, and on its own motion, revise by reducing or enlarging the boundaries of said special district, so that such enlarged boundaries may include any area in said municipal utility district; provided, that said board of directors shall not approve the creation of a district containing territory not included in the resolutions or petition filed with the secretary of the municipal utility district, or in its own resolution, until notice of its intention to include such additional territory has been published or posted for the time and in the manner hereinbefore fixed for the hearing on the original matter, and a hearing is had pursuant to such notice.

SEC. 21. Section 15g is hereby added to said act, to read as follows:

Sec. 15g. At any time after the board of directors has approved the creation of said proposed special district, and fixed its boundaries, said board shall call an election within said proposed special district for the purpose of determining whether the proposed special district shall be created, and if the board so determines, for the submission of a proposition for incurring a bonded indebtedness for the acquisition, construction or completion of any works, lands, structures, rights, or any and all other property necessary or convenient for the collection, treatment or disposition of sewage matter for said special district. If the board of directors determines that no bonded indebtedness is presently necessary, the board may call the election for the creation and establishment of said special district only, and a bond election may later be called.

SEC. 22. Section 15h is hereby added to said act, to read as follows:

Sec. 15h. Said election for creating and establishing such district, with or without the proposal for incurring any bonded indebtedness, and all matters pertaining thereto not otherwise provided for herein, shall be held and conducted and the result thereof ascertained, determined and declared, in accordance with the General Election Laws of the State, as nearly as may be, and no person shall be entitled to vote at said election unless he or she be a qualified elector of the territory included in the proposed special district. All such elections may be held on the same day as any other State, county or city election, and may be consolidated therewith.

Said board of directors shall meet and canvass the votes cast at said election as soon thereafter as is practicable.

SEC. 23. Section 15i is hereby added to said act, to read as follows:

Sec. 15i. On the question of the creation of such special district, the board of directors shall canvass the returns of each public agency and of each parcel of unincorporated territory, if any, separately, and shall order and declare said district created and established if in each public agency and if in each parcel of unincorporated territory, a majority of those who voted on the proposition of creating said special district voted in favor of the creation thereof.

SEC. 24. Section 15j is hereby added to said act, to read as follows:

Sec 15j. On the question of incurring a bonded indebtedness, the board of directors shall separately canvass the votes cast on that proposition in the special district as a whole. It shall require the favorable vote of two-thirds of all the voters voting on the proposition of issuing said bonds within the special district as finally established to authorize the issuance of said bonds. The form of said bonds shall be as herein provided for special district bonds.

SEC 25. Section 15k is hereby added to said act, to read as follows:

Sec. 15k. In addition to the authority conferred by any other provision of this act, and at any time after the creation of a special district for sewage disposal purposes as herein provided, the board of directors of any such utility district may, by resolution passed by a vote of two-thirds of all its members, determine that the public interest or necessity of said special district demands the acquisition, construction or completion by the district of a public utility for the collection, treatment or disposition of sewage matter, or the acquisition of any works, lands, structures, rights of way, or other property necessary or convenient for the operation thereof for such special district.

At any subsequent meeting, said board of directors may provide for the submission of the proposition of incurring a bonded debt for the purposes set forth in said resolution to the qualified voters within said special district at an election to be called and held for that purpose.

It shall require the favorable vote of two-thirds of all the voters within said special district voting on said proposition to authorize the issuance of said bonds.

All special district bonds issued under any provision of this act shall be designated as "_____Municipal Utility District, Special District No._____Bond" and only the property in said special district shall be taxable for the payment of the principal and interest on bonds voted by said special district, and said tax shall be levied and collected in substantial compliance with the provisions of this act relating to the levy and collection of taxes generally.

SEC. 26. Section 15*l* is hereby added to said act, to read as follows:

Sec 15*l*. Except as otherwise provided herein, the provisions of Sections 15, 15a, 15c, 16 and 20 of this act shall substantially govern as to all matters therein contained, including, among other things, and without limiting the generality of the foregoing, the calling and holding of any special district bond election, the form, execution, issuance, maturity, redemption, refunding, validation, the payment of interest from bond funds, and the levy and collection of taxes to pay the principal and interest on said bonds.

Proceedings for the issuance of special district bonds may be initiated by petitions signed by 15 per cent of the qualified electors within said special district, and shall comply substantially with the provisions of Section 15 of this act.

The bonds of said special district shall be legal investment for all trust funds and other funds, and shall be legal for use as security for the deposit of public funds to the same extent as are the bonds issued by any municipal utility district.

SEC. 27. Section 15m is hereby added to said act, to read as follows

Sec. 15m Any proceeding denying the validity of the creation of any such special district, or of any bonds authorized by the voters thereof pursuant to the provisions of this act, must be brought within three (3) months after the date upon which such bond election is held.

SEC. 28. Section 15n is hereby added to said act, to read as follows:

Sec. 15n The board of directors shall, by resolution, determine the cost of a special district election and of any survey, and of legal, engineering, administrative and other expenses incurred by such municipal utility district in connection with the creation of any special district and the planning of its project, and shall reimburse such municipal utility district by means of a special tax on all the property within said special district as created or as proposed, or from any future revenues of such special district

The board may use temporarily any utility district funds for the payment of any immediate expenses of operation and maintenance of any such sewage disposal system, which funds the board shall recover by means of a special tax levied upon all property within such special district or from any future revenues of such special district; provided, however, that nothing in this section contained shall compel reimbursement if the tax required therefor would amount to less than one mill on each one hundred dollars ($100) of the assessed value of the property within said special district.

SEC. 29. Section 15o is hereby added to said act, to read as follows:

Sec. 15o. Any special district created pursuant to the provisions of this act may be dissolved by resolution of the board of directors if any proposition for the

incurring of a bonded indebtedness, as in this act provided, fails to carry, provided such special district is then subject to no other indebtedness or liability pursuant to the provisions of this act. Such dissolution of such special district shall not prevent subsequent proceedings for the creation of a special district including the same or any part of the area of the special district dissolved.

SEC. 30. Section 15p is hereby added to said act, to read as follows:

Sec. 15p. Nothing in this act contained shall require the utility district to construct any sewers other than intercepting and outfall sewers. The determination by the board of directors of the utility district of what are intercepting and outfall sewers, within the meaning of this act, shall be final and conclusive.

Connections of all sewers within the special district to such intercepting sewers of the utility district shall be made at such points and in such manner and under such rules, regulations, terms, charges and conditions as the board of directors of the utility district may prescribe.

The term "sewage disposal," as used in this act, shall mean the acquisition, construction, enlargement, operation and maintenance of intercepting sewers, sewage treatment works, pumping plants, outfall sewers and appurtenances.

Without limiting in any way the foregoing provisions of this act, the respective *public agencies within the utility district and the utility district may contract* regarding the collection, treatment or disposition of sewage.

Upon completion of sewage disposal facilities for any special district all sewage and industrial waste originating within the special district shall be disposed of through the sewage disposal facilities of the utility district.

SEC. 31. Section 15q is hereby added to said act, to read as follows:

Sec. 15q. Nothing in this act contained shall prevent the issuance of revenue bonds by a municipal utility district for the entire municipal utility district or any special district created therein, under any provision of law now or hereafter enacted permitting the issuance of revenue bonds by municipal utility districts.

SEC. 32. Section 18 of said act is hereby amended to read as follows:

Sec. 18. [Only revenue producing utilities shall be acquired, owned or operated by a district formed under the provisions of this act.] The rates and charges for commodities or service furnished shall be fixed by the board of directors. As far as possible utilities shall be self-supporting but in order so to do the board shall not be required to fix a rate which in its opinion is unreasonably high, nor to cover large expenditures and the interest thereon required for future needs and developments.

[The words "revenue producing utilities" as used in this act, shall be deemed to mean such utilities as those from which revenue is customarily or may be derived by means of charges, rates, or rentals imposed upon or collected from users, consumers or customers thereof, together with such works, facilities and appliances used or useful in connection therewith or incidental thereto.]

The board may provide that rates, tolls and charges for any sewage disposal enterprise or service shall be collected with the rates, tolls and charges for any water or other utility service rendered by the utility district, and that all rates shall be billed upon the same bill and collected as one item, and that in the event of failure to pay the whole or any part thereof, the utility district may discontinue any and all service for which such bill is rendered; provided further, that the utility district may also provide for the collection of any such fees, tolls, rates, rentals or other charges in any lawful manner the board may determine, and may provide for the collection of the same by action at law, and any and all such remedies for the collection and enforcement of all such fees, tolls, rates, rentals or other charges shall be cumulative and may be pursued alternatively or consecutively as the board may determine. In addition to such fees, tolls, rates, rentals or other charges, the board may provide for a penalty of not more than 10 per cent, in the event of nonpayment thereof within the time and in the manner as may be prescribed by the board, and may provide for collection of such penalty.

The board of directors may apportion all or a portion of the expenses of operation and maintenance of any sewage disposal facilities constructed by said utility district, and the interest on any bonds issued therefor, among the public agencies whose sewers are connected with said facilities. Said board shall establish rules for determining said apportionment, which rules shall, among other things, be based on the quantity, quality or characteristics of the sewage delivered by each public agency.

Notwithstanding any of the provisions of this section, the board of directors may, in its discretion, finance any sewage disposal enterprise, the interest on and retirement of any bonded indebtedness therefor, and provide for the maintenance and operation thereof entirely by the levy and collection of taxes upon the property within the special district for which said enterprise is constructed or operated, or

by rates and charges imposed upon the users of the facilities of said enterprise, or by both taxes, rates and charges, apportionment of expenses among public agencies served, or any combination of the foregoing.

SEC. 33. Section 19 of said act is hereby amended to read as follows:

Sec. 19. The *utility* district and any [municipalities] *public agencies* included therein, may at any time enter into appropriate contracts for the use by such [municipality or municipalities] *public agency or public agencies* of commodities or service furnished by any of the [utilities] *works* acquired, owned, [and] *or* operated, or authorized to be acquired, constructed or completed by the *utility* district, as in this act provided, *or of any of the facilities of said utility district.*

SEC. 34. Section 29a is hereby added to said act, to read as follows:

Sec. 29a. Whenever the board of directors shall by resolution determine that any record, map, book or paper in the possession of such district, or any officer or employee thereof, is of no further value to said district, said board of directors may authorize its sale, destruction or other disposition thereof.

SEC. 35. Section 29b is hereby added to said act, to read as follows:

Sec. 29b. If any section, subsection, sentence, clause, or phrase of this act, or of the act or acts of which this act is amendatory or supplemental, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases of this act, or that any one or more sections, subsections, sentences, clauses or phrases of the act or acts of which this act is amendatory or supplemental, be declared unconstitutional. If any section, subsection, sentence, clause or phrase of this act, for any reason, be held to be unconstitutional, and such unconstitutional provision shall have purported to repeal or amend any provision of the act or acts of which this act is amendatory or supplemental, the provision existing and in force at the time of the enactment of this act shall remain and be in full force and effect notwithstanding such purported repeal or amendment."

Amendments read and adopted.

Bill ordered printed and engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2510

Mr. Kellems asked for, and was granted, unanimous consent to have Assembly Bill No. 2510 withdrawn from the Committee on Public Health and Quarantine, and re-referred to the Committee on Governmental Efficiency and Economy.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N. Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 87

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

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names payable weekly, and the Controller is hereby directed to draw

his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same.

Commencing Monday, March 3, 1941.	*Per day*
Arthur A. Ohnimus, Chief Clerk	$10 00
Frank Reed, Assistant Chief Clerk	9 00
David V. Oliver, Minute Clerk	9 00
Wilkie Ogg, Sergeant-at-Arms	8 00
Father Thomas H. Markham, Chaplain	4 00
C. W. Queale, Assistant Clerk	7 00
R. J. Finnie, Jr., Assistant Clerk	7 00
Desmond Sullivan, Assistant Minute Clerk	7 00
Nina Ronstadt, Assistant Clerk	7 00
Carroll Dudley, File Clerk	7 00
Albert Day, Journal Clerk	7 00
Mildred Watson, History Clerk	7 00
Stanley Dennis, Assistant Clerk	7 00
Charles W. Robbins, Engrossing and Enrolling Clerk	7 00
Juanita L. Dependener, Chief Stenographer	6 00
Irene Mosher, Stenographer	5 00
Lillian Larkin, Stenographer	5 00
Carmelita Lozano, Stenographer	5 00
Katherine Friddel, Stenographer	5 00
Jacqueline Morgan, Stenographer	5 00
June Ballard, Stenographer	5 00
Florence Miller, Stenographer	5 00
Jean McKee, Stenographer	5 00
Cristel Hastings, Stenographer	5 00
Mrs Georgia Crowley, Assistant Sergeant-at-Arms	5 00
Richard Del Mutolo, Assistant Sergeant-at-Arms	5 00
Harold Lewright, Assistant Sergeant-at-Arms	5 00
Isaac Woolfson, Assistant Sergeant-at-Arms	5 00
Tom Lyons, Assistant Sergeant-at-Arms	5 00
Ed. Nathan, Assistant Sergeant-at-Arms	5 00
George Petrick, Assistant Sergeant-at-Arms	5 00
William Reinhart, Assistant Sergeant-at-Arms	5 00
Claude Roberts, Assistant Sergeant-at-Arms	5 00
W. O. Grady, Assistant Sergeant-at-Arms	5 00
Earl Halstead, Assistant Sergeant-at-Arms	5 00
Ernest Debs, Assistant Sergeant-at-Arms	5 00
Harry Kessler, Assistant Sergeant-at-Arms	5 00
Morris L. Martin, Assistant Sergeant-at-Arms	5 00
Michael Connolly, Assistant Sergeant-at-Arms	5 00
Andrew A. Crist, Assistant Sergeant-at-Arms	5 00
James Doyle, Assistant Sergeant-at-Arms	5 00
Louis Meyer, Assistant Sergeant-at-Arms	5 00
George Doering, Assistant Sergeant-at-Arms	5 00
E. E. Gehring, Assistant Sergeant-at-Arms	5 00
Harry K. Bos, Assistant Sergeant-at-Arms	5 00
Mark Golden, Assistant Sergeant-at-Arms	5 00
H. P. Parker, Assistant Sergeant-at-Arms	5 00
Hattie Newsom, Postmistress	4 00
Marion Hendricks, Assistant Engrossing and Enrolling Clerk	6 00
Elizabeth Webber, Assistant Engrossing and Enrolling Clerk	6 00
William Coffman, Chief Page	3 00
Jack Shafer, Page	2 50
Domingo Correa, Page	2 50
Paul Silva, Page	2 50
Mason Riegel, Page	2 50
Warren Gabrielli, Page	2 50
Albert Menefee, Page	2 50

Resolved, further, That the compensation of the above named stenographers shall be on a six-day-per-week basis, and that all other attaches, including the Chief Stenographer, Lillian Larkin, Stenographer, and Irene Mosher, Stenographer, shall be compensated on a seven-day-per-week basis.

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo,

Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 84
House Resolution No. 82
House Resolution No. 85

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 84

House Resolution No. 84

WHEREAS, House Resolution No. 200, introduced by Mr. Lyon at the Fifty-third Session of the Legislature on June 19, 1939, read and adopted, and contained on pages 3280 and 3281 of the Assembly Journal of said date, provided as follows: now

"WHEREAS, It has been customary for many years for the State to print and distribute free of cost to the students in the schools and to others, copies of the Constitution of the State of California, and of the United States, and other documents; and

WHEREAS, The course of study in the schools of the State requires a study of State Government and the Constitution; and

WHEREAS, The Constitution of the State of California and the Constitution of the United States and other historical documents and information about the Legislature are of great use in the teaching of civics in the public schools and in the teaching of Americanism; and

WHEREAS, It is to the benefit of the State of California that the Constitution of the State and other similar documents be readily available to the students in public schools and colleges and for use in the teaching of Americanism; and

WHEREAS, The last edition of the Constitution and documents is now exhausted and there are numerous unfilled requests from the schools and others for copies of such Constitution and other documents; and

WHEREAS, For many years the Legislature has provided for the distribution of the Constitution by members and officers of the Legislature and paid for same from the Contingent Fund; therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to compile, revise and have published a volume similar to those previously issued by the Assembly containing information of an educational nature pertaining to the Legislature of the State of California, together with the Constitution of the State of California, the Constitution of the United States and other documents, and to distribute the same on request of members of the Assembly and to others properly entitled thereto; and be it further

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of one thousand five hundred dollars ($1,500) upon the Contingent Fund of the Assembly for the purpose of carrying out the provisions of this resolution and the Treasurer is hereby directed to pay the same," and

WHEREAS, The compilation and publication of this volume has not been completed, although the type has been set and much of the editorial work done, and

WHEREAS, At the general election on November 5, 1940, certain constitutional amendments were approved by the people of the State of California, which should be included in the volume above provided for at the Fifty-third Session of the Legislature; therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to complete, print and bring up to date, the volume above provided for, in accordance with the provisions of the afore-mentioned resolution; and, be it further

Resolved, That no further nor additional charge be incurred against the Contingent Expense Fund of the Fifty-fourth Session of the Legislature for the completion of this work.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 82

House Resolution No. 82

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 85

House Resolution No. 85

Resolved, That the Controller be and is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Carithers Sign Co.—Lettering	$21 63
Patrick and Morse-Klinkner Co.—Badges	49 74
Cascade Towel Supply Co.—Towel service	29 50
Department of Finance—Telephone service	2 69
Department of Finance—Telephone service	17 22
Department of Finance—Telephone service	61 81
Department of Finance—Labor and material	9 45
Department of Finance—Labor and material	32 04
Department of Finance—Labor and material	6 57
Department of Finance—Labor and material	2 00

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

March 1, 1941

Hon. Gordon H. Garland, Speaker, California State Assembly, 1941
State Capitol, Sacramento, California

DEAR MR. SPEAKER. As I find I am unable to return to my position with the Assembly this last half of the session, I wish to convey to you and the chairman and members of the Committee on Rules my appreciation for the generous and equitable regard given my name and the position I held in past sessions of the California Assembly, as sponsored by the San Francisco Delegation

To my many friends in the Assembly and their families, I send genuine appreciation for their many, many kindnesses and great loyalty in past sessions; and to these same friends, whom I so highly esteem and whose friendships I so greatly value, my best wishes for a splendid and successful 1941 legislative year.

Sincerely yours,

BEULAH VAN WART

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2252

Respectfully reports that Assembly Bill No. 2252 be stricken from the file, upon the request of the author, Hugh M. Burns.

LYON, Chairman

ASSEMBLY BILL NO. 2252 WITHDRAWN AND STRICKEN FROM FILE

Mr. Hugh M. Burns moved that Assembly Bill No. 2252 be ordered withdrawn and stricken from the file.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1941

MR. SPEAKER. Your Committee on Rules recommends that the report rendered by Charles M. Weber, Chairman of the Assembly Committee on Legislative Procedure, be not adopted.

Your Committee on Rules, also, recommends that the request of Mr. Doyle for 1500 copies of Assembly Bill No. 1959 be denied

LYON, Chairman
Committee on Rules

Above report read and adopted.

RESOLUTIONS

The following resolution was offered:

By Mr. Weber:

House Resolution No. 88

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"61 Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly, by a majority vote of the entire membership, shall refer it to some other committee."

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"75 There shall be standing committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows:

1. House Functions, ____members.
2. Legislative Procedure, ____members.
3. Conservation and Planning, ____members
4. Highways, ____members.
5. Fish and Game, ____members.
6. Governmental Efficiency, ____members.
7. Revenue and Taxation, ____members
8. Ways and Means, ____members.
9. Education, ____members.
10. Crime and Correction, ____members.
11. Public Morals, ____members.
12. Public Health, ____members.
13. Social Welfare, ____members.
14. Civil Service and Departments, ____members
15. Military and Police, ____members.
16. County and Municipal Government, ____members
17. Elections, ____members.
18. Judiciary Codes, ____members.
19. Judiciary General, ____members.
20. Constitution and Direct Legislation, ____members
21. Agriculture, ____members.
22. Manufacturing and Mineral Industry, ____members.
23. Corporations and Utilities, ____members.
24. Labor and Capital, ____members.
25. Commerce and Transportation, ____members
26. Motor Vehicles, ____members.
27. Finance and Insurance, ____members.
28. Reapportionment, ____members."

Resolved, That Rule 75a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75a. For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

Two committees to consider matters concerning legislative organization and procedure: One on House Functions, No. 1; and one on Legislative Procedure, No. 2

Nineteen committees to consider legislative measures affecting government and governmental organization: Three on conservation and planning, Nos. 3 to 5; three on fiscal matters, Nos 6 to 8; one on education, No. 9; four on social welfare, Nos. 10 to 13; one on civil service and departments, No. 14; one on military and police, No. 15; two on political subdivisions, Nos. 16 and 17; three on judiciary and laws, Nos. 18 to 20; one on reapportionment, No. 28.

Seven committees to consider legislative measures affecting industry: Two on production, Nos. 21 and 22; two on labor and capital, Nos. 23 and 24; two on distribution and transportation, Nos. 25 and 26; one on finance, No. 27

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule 75b be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75b. The functions of the presently existing standing committees of the Assembly shall be consolidated in the following manner:

1. Those of the standing Committees on Rules, on Contested Elections and on Mileage shall be vested in the standing Committee on House Functions.

2. Those of the standing Committees on Engrossment and Enrollment and on Introduction of Bills shall be vested in the standing Committee on Legislative Procedure.

3. Those of the standing Committees on Conservation, on River Navigation, Reclamation and Flood Control, on State Grounds and Parks and on Irrigation shall be vested in the standing Committee on Conservation and Planning.

4. Those of the standing Committees on Governmental Efficiency and Economy and on Governmental Revenues and Expenditures shall be vested in the standing Committee on Governmental Efficiency.

5. Those of the standing Committees on Education, on State Colleges and on Universities shall be vested in the standing Committee on Education.

6. Those of the standing Committees on Crime Problems, on Prisons and Reformatories and on Public Charities and Corrections shall be vested in the standing Committee on Crime and Correction.

7. Those of the standing Committees on Hospitals and Asylums, on Medical and Dental Laws and on Public Health and Quarantine shall be vested in the standing Committee on Public Health.

8. Those of the standing Committees on Military Affairs and on Soldiers and Sailors Affairs shall be vested in the standing Committee on Military and Police.

9. Those of the standing Committees on County Government, on Libraries and on Municipal Corporations shall be vested in the standing Committee on County and Municipal Government.

10. Those of the standing Committees on Constitutional Amendments and on Direct Legislation shall be vested in the standing Committee on Constitution and Direct Legislation.

11. Those of the standing Committees on Agriculture, Expositions and Fairs and on Live Stock and Dairies shall be vested in the standing Committee on Agriculture.

12. Those of the standing Committees on Aviation and Aircraft, on Building and Construction, on Manufactures, on Mines and Mining and on Oil Industries shall be vested in the standing Committee on Manufacturing and Mineral Industry.

13. Those of the standing Committees on Corporations and on Public Utilities shall be vested in the standing Committee on Corporations and Utilities.

14. Those of the standing Committees on Labor and Capital and on Unemployment shall be vested in the standing Committee on Labor and Capital.

15. Those of the standing Committees on Banking, on Building and Loan Associations, on Financial Institutions and on Insurance shall be vested in the standing Committee on Finance and Insurance."

Resolved, That Rule 75c be added to the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75c. The chairman of any committee the functions of which have been vested in another committee by Rule 75b, other than the chairman of a committee which is listed in Rule 75d, shall become a member and joint chairman of the consolidated committee and shall sit as chairman when the committee acts upon bills which were previously assigned to his committee, or to which under the Permanent Standing Rules existing immediately prior to the adoption of this resolution a bill would have been referred.

The Speaker shall appoint or the several joint chairmen of a consolidated committee shall select one of their number to serve as executive chairman in order to dispatch the business of the committee.

The names of the several chairmen and members of the consolidated committees, shall be listed in the Histories and Journals under both their former and their present titles."

Resolved, That Rule 75d be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75d. The following committees shall immediately meet and proceed to consider the bills assigned to them, and either recommend that the bills be referred to the proper consolidated committee for further action out of that committee with or without recommendation, or be tabled by that committee in accordance with the recommendation of the recommending committee in order to simplify the records in the Daily History and File. After these committees have completed this work they shall be subject to the call of the Speaker and shall continue to be listed on the schedule.

These committees are listed below:

Contested Elections, with no bills to consider
Engrossment and Enrollment, with no bills to consider
Federal Relations, with seven bills to consider.
Governmental Revenue and Expenditures, with one bill to consider
Introduction of Bills, with no bills to consider
Manufactures, with three bills to consider
Mileage, with no bills to consider.
State Grounds and Parks, with six bills to consider."

Resolved, That Rule 79a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"79a. Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file.

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, with the consent of each author, and this shall not be deemed a violation of Assembly Standing Rule No. 49. If such a recommendation of a committee is adopted by a majority vote of the Assembly, the bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolved, That Rule 82a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"82a. There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings."

Resolved, That Rule 82b be added to said Rules to read as follows:

"82b. There is a Committee on Legislative Procedure consisting of ____ members, including the Speaker, which shall also be the Committee on Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolved, That Rule 85 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

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

Resolved, That Rule 86 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

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

It is further recommended that prior to the assignment of members to serve on the several standing committees, the Speaker or the Committee on House Functions shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time and that the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee should be made otherwise than by a majority vote of the Assembly.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 88, at this time, without reference to committee.

Resolution read.

Motion to Refer House Resolution No. 88

Mr. Bashore moved that House Resolution No. 88 be referred to the Committee on Rules.

Mr. Turner seconded the motion.

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

AYES—Bashore, Burns, Hugh M., Call, Carlson, Crowley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B., Lyon, Millington, Potter, Stream, Thorp, Turner, and Weybret—23.

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Waters, Watson, Weber, Welch, and Wollenberg—43.

House Resolution No. 88 read.

Demand for Previous Question

Messrs. Kilpatrick, Evans, Russell, Bennett and Burkhalter demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 88.

The roll was called, and House Resolution No 88 refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Salsman, Thomas, Waters, Weber, and Welch—37.

NOES—Bashore, Burns, Hugh M., Call, Carlson, Cronin, Crowley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B., Leonard, Lyon, Maloney, McCollister, Millington, Poole, Potter, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weybret, and Wollenberg—33

Motion to Expunge Record and Rescind Action

Mr Weber moved to expunge the record and rescind the action whereby House Resolution No. 88 was refused adoption.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—67.

NOES—Bashore, Heisinger, Knight, John B., and Watson—4

House Resolution No. 88 read.

Motion to Expunge Record and Rescind Action

Mr. Millington moved to expunge the record and rescind the action whereby the demand for the previous question was sustained.

Motion carried.

House Resolution No. 88 read.

Motion to Amend House Resolution No. 88

Mr. Evans moved to amend House Resolution No. 88 as follows:

Amendment No. 1

After the last line of said resolution, insert "Be it further, *Resolved*, That this resolution shall take effect on January 1, 1942"

Amendment read.

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

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, Sam L., Crowley, Desmond, Dickey, Dills, Dilworth, Evans, Field, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B, Leonard, Lyon, Maloney, Massion, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Stream, Tenney, Thorp, Thurman, Turner, and Weybret—37.

NOES—Andreas, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Johnson, Kilpatrick, Knight, T. Fenton; Lowrey, McCollister, Miller, O'Day, Richie, Robertson Russell, Salsman, Thomas, Waters, Watson, Weber, and Wollenberg—30

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to have the following explanation printed in the Journal:

Explanation Pertaining to Report of Assembly Committee on Legislative Organization

On page 709 of the Assembly Journal of March 3, 1940, appears a communication from the Assembly Committee on Legislative Organization, wherein the said committee apparently makes certain recommendations for the adoption of new Standing Rules

The report is signed by Charles M. Weber as chairman, and not by the undersigned, but our names are mentioned in the report, and indicates we approve the report.

Such is not the case, and while we do not favor the immediate adoption of the changes in the Rules as recommended by Mr. Weber in his report, we are in accord with many of his proposals and would, at the commencement of a new session of the Legislature, favor the changes he proposes, but we do not favor these changes in the middle of a legislative session because of the confusion such a change would entail.

EARL D. DESMOND and
CHARLES W. LYON

House Resolution No. 88, as Amended

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

"61. Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly, by a majority vote of the entire membership, shall refer it to some other committee"

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows.

"75. There shall be standing committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows:

1. House Functions, ____members.
2. Legislative Procedure, ____members
3. Conservation and Planning, ____members.
4. Highways, ____members.
5. Fish and Game, ____members.
6. Governmental Efficiency, ____members
7. Revenue and Taxation, ____members.
8. Ways and Means, ____members.
9. Education, ____members.
10. Crime and Correction, ____members
11. Public Morals, ____members
12. Public Health, ____members.
13. Social Welfare, ____members
14. Civil Service and Departments, ____members.
15. Military and Police, ____members.
16. County and Municipal Government, ____members.
17. Elections, ____members.
18. Judiciary Codes, ____members.
19. Judiciary General, ____members.
20. Constitution and Direct Legislation, ____members.
21. Agriculture, ____members
22. Manufacturing and Mineral Industry, ____members
23. Corporations and Utilities, ____members
24. Labor and Capital, ____members.
25. Commerce and Transportation, ____members
26. Motor Vehicles, ____members.
27. Finance and Insurance, ____members
28. Reapportionment, ____members"

Resolved, That Rule 75a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows

"75a For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject the several standing committees of the Assembly are respectively grouped into the following categories

Two committees to consider matters concerning legislative organization and procedure One on House functions, No. 1; and one on legislative procedure, No. 2

Nineteen committees to consider legislative measures affecting government and governmental organization. Three on conservation and planning Nos. 3 to 5, three on fiscal matters, Nos 6 to 8; one on education, No 9, four on social welfare, Nos 10 to 13; one on civil service and departments, No 14; one on military and police, No 15, two on political subdivisions, Nos. 16 and 17, three on judiciary and laws, Nos 18 to 20; one on reapportionment, No 28.

Seven committees to consider legislative measures affecting industry: Two on production, Nos 21 and 22, two on labor and capital, Nos 23 and 24, two on distribution and transportation, Nos. 25 and 26, one on finance, No 27

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule 75b be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows.

"75b. The functions of the presently existing standing committees of the Assembly shall be consolidated in the following manner:

1 Those of the standing Committees on Rules, on Contested Elections and on Mileage shall be vested in the standing Committee on House Functions

2 Those of the standing Committees on Engrossment and Enrollment and on Introduction of Bills shall be vested in the standing Committee on Legislative Procedure.

3 Those of the standing Committees on Conservation, on River Navigation, Reclamation and Flood Control, on State Grounds and Parks and on Irrigation shall be vested in the standing Committee on Conservation and Planning

4. Those of the standing Committees on Governmental Efficiency and Economy and on Governmental Revenues and Expenditures shall be vested in the standing Committee on Governmental Efficiency

5. Those of the standing Committees on Education, on State Colleges and on Universities shall be vested in the standing Committee on Education.

6. Those of the standing Committees on Crime Problems, on Prisons and Reformatories and on Public Charities and Corrections shall be vested in the standing Committee on Crime and Correction

7. Those of the standing Committees on Hospitals and Asylums, on Medical and Dental Laws and on Public Health and Quarantine shall be vested in the standing Committee on Public Health.

8 Those of the standing Committees on Military Affairs and on Soldiers and Sailors Affairs shall be vested in the standing Committee on Military and Police.

9. Those of the standing Committees on County Government, on Libraries and on Municipal Corporations shall be vested in the standing Committee on County and Municipal Government.

10. Those of the standing Committees on Constitutional Amendments and on Direct Legislation shall be vested in the standing Committee on Constitution and Direct Legislation.

11. Those of the standing Committees on Agriculture, Exhibitions and Fairs and on Live Stock and Dairies shall be vested in the standing Committee on Agriculture.

12. Those of the standing Committees on Aviation and Aircraft, on Building and Construction, on Manufactures, on Mines and Mining and on Oil Industries shall be vested in the standing Committee on Manufacturing and Mineral Industry.

13. Those of the standing Committees on Corporations and on Public Utilities shall be vested in the standing Committee on Corporations and Utilities.

14 Those of the standing Committees on Labor and Capital and on Unemployment shall be vested in the standing Committee on Labor and Capital.

15. Those of the standing Committees on Banking, on Building and Loan Associations, on Financial Institutions and on Insurance shall be vested in the standing Committee on Finance and Insurance."

Resolved, That Rule 75c be added to the Permanent Standing Rules of the Assembly as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75c. The chairman of any committee the functions of which have been vested in another committee by Rule 75b, other than the chairman of a committee which is listed in Rule 75d, shall become a member and joint chairman of the consolidated committee and shall sit as chairman when the committee acts upon bills which were previously assigned to his committee, or to which under the Permanent Standing Rules existing immediately prior to the adoption of this resolution a bill would have been referred

The Speaker shall appoint or the several joint chairmen of a consolidated committee shall select one of their number to serve as executive chairman in order to dispatch the business of the committee.

The names of the several chairmen and members of the consolidated committees, shall be listed in the Histories and Journals under both their former and their present titles."

Resolved, That Rule 75d be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"75d. The following committees shall immediately meet and proceed to consider the bills assigned to them, and either recommend that the bills be referred to the proper consolidated committee for further action out of that committee with or without recommendation, or be tabled by that committee in accordance with the recommendation of the recommending committee in order to simplify the records in the Daily History and File. After these committees have completed this work they shall be subject to the call of the Speaker and shall continue to be listed on the schedule.

These committees are listed below:

Contested Elections, with no bills to consider
Engrossment and Enrollment, with no bills to consider.
Federal Relations, with seven bills to consider
Governmental Revenue and Expenditures, with one bill to consider
Introduction of Bills, with no bills to consider
Manufactures, with three bills to consider
Mileage, with no bills to consider.
State Grounds and Parks, with six bills to consider."

Resolved, That Rule 79a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"79a. Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file.

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, with the consent of each author, and this shall not be deemed a violation of Assembly Standing Rule No. 49. If such a recommendation of a committee is adopted by a majority vote of the Assembly, the

bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolved, That Rule 82a be added to the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, to read as follows:

"82a. There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings."

Resolved, That Rule 82b be added to said Rules to read as follows:

"82b. There is a Committee on Legislative Procedure consisting of____ members, including the Speaker, which shall also be the Committee on Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolved, That Rule 85 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows:

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

Resolved, That Rule 86 of the Permanent Standing Rules of the Assembly, as printed on page 198 of the Assembly Daily Journal for January 14, 1941, is hereby amended to read as follows.

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

It is further recommended that prior to the assignment of members to serve on the several standing committees, the Speaker or the Committee on House Functions shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time and that the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the membership of the committee should be made otherwise than by a majority vote of the Assembly; Be it further

Resolved, That this resolution shall take effect on January 1, 1942.

House Resolution No 88, as amended, ordered on file.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Vivienne Pedersen of Inglewood, famous "Goose-girl" at Hollywood Park, last summer elected "Miss Young Democracy of 1940" in contest held by Young Democrats of Los Angeles County.

ADJOURNMENT

At 1.05 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 5, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY
FIFTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 5, 1941

The Assembly met at 10 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Desmond.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Waters.
Mr. King, on motion of Mr. Bennett.
Mr. Green, on motion of Mr. McCollister.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 51

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2510

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 51—An act to add Chapter 4.5, comprising Sections 1800 to 1862, inclusive, to Division 2 of, and to add Section 101.5 to, the Business and Professions Code of the State of California, relating to the regulations and government of persons engaged in the practice of massage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, lines 21 and 22, of the printed bill, strike out "or the external application of water, either natural or mineral, to the human body,".

Amendment No. 2

On page 3, lines 30 and 31, of the printed bill, strike out "only while under the direct supervision of a medical doctor".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2510—An act to add Section 7401 to the Business and Professions Code, relating to persons receiving training in cosmetology through the public school system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 7401 to the Business and Professions Code,".

Amendment No. 2

In line 3 of the title of the printed bill, strike out the period and insert ", declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 and 2; and in line 3, strike out "7401", and insert "Section 1".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "this chapter", and insert "the Cosmetology Act".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "board", and insert "State Board of Cosmetology".

Amendment No. 6

On page 1, line 12, of the printed bill, strike out "board", and insert "State Board of Cosmetology".

Amendment No. 7

On page 1, line 13, of the printed bill, strike out "this chapter", and insert "the Cosmetology Act".

Amendment No. 8

On page 1, line 14, of the printed bill, strike out "board.", and insert "State Board of Cosmetology.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall take effect immediately. A statement of the facts constituting such urgency are as follows

A large number of persons have completed an adequate and satisfactory course of training in the public school vocational education classes. Under the existing law such persons are not eligible to take an examination for a certificate of registration and license as a hairdresser and cosmetician or cosmetologist Unless this act takes effect immediately, such persons will not be examined and entitled to engage in the practice of cosmetology, will, therefore, be without means of support and as a result will suffer from hardship and destitution, thereby becoming a burden upon the State of California and endangering the public peace, health and safety."

Amendments read and adopted

Bill ordered printed and engrossed.

Motion to Rush Printing on Assembly Bill No. 2510

Mr. Field moved that an order for rush printing be placed on Assembly Bill No. 2510.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 4, 1941

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

Assembly Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 4, 1941

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

Senate Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 15—Relative to Reports of the Department Encampment, Roll Call and the Annual Convention of the Department of California and Nevada Grand Army of the Republic.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 15, at this time, without reference to committee, print or file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Senate Concurrent Resolution No. 15—Relative to Reports of the Department Encampment, Roll Call and the Annual Convention of the Department of California and Nevada Grand Army of the Republic.

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 89

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

Commencing March 5, 1941:	*Per Day*
Lena F. Heisenger, Stenographer	$5 00
Frances Hogin, Stenographer	5 00
Pete Finnie, Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

By Committee on Rules:

House Resolution No. 90

Resolved, That the compensation of the following named stenographers shall be upon a seven-day per week basis, instead of a six-day per week basis as heretofore specified. Katherine Friddel, Jacqueline Morgan, Carmelita Lozano, June Ballard, Florence Miller, Jean McKee and Cristel Hastings.

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

MOTION TO CORRECT JOURNAL

Mr. Lyon moved that page 739 of the Journal of March 4 be corrected as follows: That Assembly Bill No. 2250 be changed to Assembly Bill No. 2252 in the Corrected Journal.

Motion carried.

MOTION FOR ST. PATRICK'S DAY CELEBRATION

Mr. Maloney moved that the hour of 11 a m Monday, March 17, be set aside for the usual and customary St Patrick's Day celebration.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1426

Mr. Bashore moved that Assembly Bill No. 1426 be withdrawn from Committee on Civil Service, and re-referred to the Committee on Medical and Dental Laws

The roll was called, and the motion carried by the following vote.

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gunlock, Hastam, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2149

Mr. Meehan moved that Assembly Bill No. 2149 be withdrawn from the Committee on Libraries, and re-referred to the Committee on Education.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Doyle, Evans, Field, Gunlock, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2293

Mr. Dills moved that Assembly Bill No. 2293 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 28: By Mr. Heisinger—Relative to encouragement of sugar beet production in the United States.

Request for Unanimous Consent

Mr. Heisinger asked for unanimous consent to take up Assembly Joint Resolution No. 28, at this time, without reference to committee, print or file, and that the same be considered engrossed.

Mr. Carlson withheld his consent.

Motion to Temporarily Suspend the Rules

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No. 28, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Kilpatrick, Knight, John B., Lowrey, Massion, McCollister, O'Day, Pelletier, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Wollenberg, and Mr. Speaker—33.

NOES—Call, Carlson, Clarke, Collins, Sam L., Dills, Dilworth, Evans, Field, Gaffney, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Maloney, Middough, Miller, Millington, Poole, Potter, Richie, Thurman, Turner, Waters, and Welch—25.

Assembly Joint Resolution No. 28 referred to Committee on Agriculture.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 411

Mr. Desmond moved that Assembly Bill No. 411 be withdrawn from the Committee on Municipal Corporations, and re-referred to the Committee on Judiciary Codes.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lowrey, Thomas, Cain and Bennett:

House Resolution No. 91

WHEREAS, The tax delinquency of a large portion of the real property of the State of California has resulted in removing such property from the tax rolls, thus preventing the property from bearing its fair share of the costs of government and increasing the burden now imposed on property which is not tax-delinquent. This problem is further complicated by the overlapping of taxing agencies, which at times results in the same parcel becoming delinquent for several taxes or assessments, and being deeded to several taxing agencies. The solution to this problem may only be reached through well-founded legislation, far reaching in scope and vision, which is designed to make all property bear its share of taxes, to provide an incentive for the original owner or his successor to redeem delinquent property, to supply encouragement for the sales of tax-delinquent property and for the obtaining of good title thereto, and to furnish sound management of delinquent property while it remains tax-deeded so that the greatest return may be obtained therefrom. This legislative program can best be studied by a competent and impartial committee of members of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee to be known as the Tax-Delinquent Property Committee is hereby created, which committee is hereby authorized and directed to make a complete investigation into the extent of tax delinquency in California and the overlapping of taxing agencies, with a view to recommending to the legislators such legislation as will tend to make all

property bear its fair share of taxes, to return tax-delinquent property to the tax rolls, and to furnish sound management of delinquent property while it remains tax-deeded; and be it further

Resolved, That the committee shall consist of five members of the Assembly appointed by the Speaker. Vacancies in the membership of the committee occurring at any time shall be filled by the Speaker.

The committee in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon Assembly committees by the Rules of the Assembly, and the Joint Rules of the Senate and Assembly, as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such Rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Assembly during any session of the Fifty-fourth Legislature and with the Assembly during the regular session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procedure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths and the Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF HOUSE RESOLUTION NO. 86

House Resolution No. 86

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following members of the Assembly for the amount set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	312	312	$15 60
2	Wm I Gunlock	Dunsmuir, Siskiyou County	295	--	42	---	506	25 30
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Allen G Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	John Edward Cain	Sacramento, Sacramento County	---	--	--	---	---	------
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	------
10	Harold F Sawaltisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockford, San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	Randal F Dickey	Alameda, Alameda County	89	5	--	---	178	8 90
15	Bernard A Sheridan	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur W Carlson	Piedmont Alameda County	84	--	--	---	168	8 40
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	James H Phillips	Oakland Alameda County	84	--	--	---	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	---	180	9 00
21	John D Welch	San Francisco, San Francisco County	90	--	--	---	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	---	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Edward F O'Day	San Francisco, San Francisco County	90	--	--	---	180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90	--	--	---	180	9 00
26	Edward M Gaffney	San Francisco San Francisco County	90	--	--	---	180	9 00
27	Albert C Wollenberg	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90	--	--	---	180	9 00
29	Harrison W Call	Redwood City, San Mateo County	119	--	--	---	238	11 90
30	Byll R Salsman	Palo Alto Santa Clara County	128	18	--	146	292	14 60
31	M G Del Mutolo	San Jose Santa Clara County	128	--	--	---	256	12 80
32	Hugh P Donnelly	Turlock, Stanislaus County	77	14	--	91	182	9 10
33	George A Clarke	LeGrand, Merced County	111	15	--	129	258	12 90
34	Jacob M Leonard	Hollister San Benito County	173	--	--	---	346	17 30
35	Fred Weybret	Soledad, Monterey County	208	44	--	252	484	24 20
36	Hugh M Burns	Fresno Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno, Fresno County	169	--	--	---	343	17 40
38	Gordon H Garland	Woodlake Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara, Santa Barbara County	460	--	--	---	920	46 00
40	John B Cooke	Ventura Ventura County	490	--	--	---	980	49 00
41	Rodney L Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Everett G Burkhalter	North Hollywood Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles Los Angeles County	447	--	--	---	894	44 70
45	Jack B Tenney	Inglewood Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena Los Angeles County	447	13	--	460	920	46 00
48	T Fenton Knight	La Canada Los Angeles County	447	16	--	463	926	46 30
49	Lee T Bashore	Glendora Los Angeles County	447	26	--	473	946	47 30
50	Gerald C Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	F Ray Bennett	Los Angeles Los Angeles County	447	--	--	---	894	44 70
52	William H Poole	Bell Los Angeles County	447	8	--	455	910	45 50
53	Frederick F Houser	Alhambra, Los Angeles County	447	9	--	456	456	22 80

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
54	John B Knight	Los Angeles, Los Angeles County	447	--	--	---	894	$44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Franklin J Potter	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters, Jr	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
63	Don A Allen	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
64	Roger Alton Pfaff	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	Lome D Middough	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Fred N Howser	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	53 00
73	Frank C Russell	Crestline, San Bernardino County	508	15	--	523	1046	52 30
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Harvey E Hastain	Brawley, Imperial County	661	--	15	646	1292	64 60
78	Jeanette E Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Resolution read.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Cain and Desmond—2

COMMUNICATIONS

The following communications were received and read:

By the Chief Clerk:

From the State Highway Department—relative to State highways.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name.

Sacramento Bee—George Seidl

ARTHUR A. OHNIMUS, Chief Clerk

MESSAGES FROM THE GOVERNOR

A message from the Governor, relating to tax-deeded lands, was received, and ordered filed with the Secretary of State.

RECESS

At 10.50 a.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR. SPEAKER: Your Committee on Commerce and Navigation, to which were referred:

Assembly Bill No. 17
Assembly Bill No. 1056

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MALONEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 17—An act to add Chapter 17, comprising Sections 9000 to 9072, inclusive, to Division 3 of the Business and Professions Code, relating to the sale or other transfer of yachts and ships, and providing for the registration of marine surveyors and the creation of marine boards in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

In line 4 of the title of the printed bill, after "registration", insert "and regulation".

Amendment No. 2

Strike out lines 5 and 6 of the title of the printed bill, and insert "veyors".

Amendment No. 3

On page 2, line 7, of the printed bill, after "Inspection", insert ", or registered as required by Chapter 251, Statutes of 1935, as amended".

Amendment No. 4

On page 2 of the printed bill, strike out lines 17 to 51, inclusive; and on page 3, strike out lines 1 to 11, inclusive, and insert:

"9020. This chapter shall be administered by the Yacht and Ship Brokers Commission.

9021. The commissioner shall publish annually a list of".

Amendment No. 5

On page 3, line 27, of the printed bill, strike out "northern and southern marine boards", and insert "commissioner".

Amendment No. 6

On page 3, line 34, of the printed bill, strike out "marine board of the", and strike out line 35, and insert "Yacht and Ship Brokers Commission"

Amendment No. 7

On page 3, line 36, of the printed bill, strike out "marine board", and insert "Yacht and Ship Brokers Commission".

Amendment No. 8

On page 3 of the printed bill, strike out lines 38 to 40, inclusive, and insert "heard by the commissioner or by a referee appointed by him 15 days or more after the date the appeal was filed with the Yacht and Ship Brokers Commission"

Amendment No. 9

On page 3, line 45, of the printed bill, strike out "marine board", and insert "commission".

Amendment No. 10

On page 3, line 47, of the printed bill, strike out "Any member of either marine board", and insert "The commissioner or a referee appointed by him".

Amendment No. 11

On page 3, line 48, of the printed bill, strike out "the chairman of the board".

Amendment No. 12

On page 3, line 50, of the printed bill, strike out "before the board", and insert "in connection with any appeal".

Amendment No. 13

On page 4, line 1, of the printed bill, strike out "chairman of the board", and insert "commissioner or a referee under this section".

Amendment No. 14

On page 4, line 5, of the printed bill, after "him", insert "or by a referee".

Amendment No. 15

On page 4 of the printed bill, strike out lines 8 and 9, and insert.

"9045. The provisions of this chapter shall not apply to:

(a) The trading, selling or exchanging of any yacht or ship of 500 gross tons or over.

(b) The trading, selling or exchanging by any dealer of a yacht or ship in its original cradle, which has not been used for demonstration purposes and which has not been damaged in transit.

(c) The trading, selling or exchanging of any yacht or ship built in a recognized shipyard in this State prior to the time the shipyard relinquishes possession of the yacht or ship, provided it has not been damaged while being launched.

(d) The trading, selling or exchanging of any yacht or ship to a recognized motion picture company for motion picture purposes and which is not to be resold to the public, if such trade, sale or exchange is previously authorized in writing by the commissioner

9045.5. The commissioner may by rule exempt any type or class of yachts or ships under 16 feet in length, and not equipped with mechanical power, from the provisions of this chapter."

Amendment No. 16

On page 4 of the printed bill, between lines 21 and 22, insert:

"9050.5. In order to be entitled to registration as a marine surveyor, an individual must possess the minimum qualifications prescribed in either subdivision (a) or subdivision (b) of this section:

(a) He must either:

1. Be a graduate of a school of engineering of an accredited college or university specializing in marine engineering, or

2. Be a graduate naval architect of an accredited college or university.

In addition to the educational requirements referred to, he must have had at least two years experience within a period of 10 years immediately preceding the date of his application in any one of, or in any combination of any of, the following occupations:

1 Marine surveyor and inspector engaged in the survey and inspection of ocean-going vessels for such purposes as classification, appraisal, determination of general condition and fitness for operation, or determination of the extent of damages sustained, or repairs and reconditioning required.

2 Superintendent, assistant superintendent or general foreman at a shipyard or other marine repair plant, engaged in the supervision of repairs, reconditioning or reconstruction, in accordance with plans and specifications, of engines, boilers, and other propulsion machinery, or of hulls, fittings or appurtenances of ocean-going vessels.

3. Marine superintendent, assistant marine superintendent, or port engineer for operating steamship companies engaged in transoceanic or coastwise trade, where the principal duties were the maintenance of ocean-going vessels, embracing the survey of such vessels to determine the necessity, kind, amount, and cost of repairs and maintenance in all departments.

(b) He must have had at least four years of practical experience within a period of 10 years immediately preceding the date of his application in any one of, or in any combination of any one of, the occupations referred to in subparagraph (a) above."

Amendment No. 17

On page 4, lines 24 and 25, of the printed bill, strike out "both the northern and southern marine boards", and insert "the Yacht and Ship Brokers Commission"

Amendment No. 18

On page 4, line 33, of the printed bill, after "reputation", insert "and has the required qualifications".

Amendment No. 19

On page 4, line 34, of the printed bill, strike out "district", and strike out line 35, and insert "the Yacht and Ship Brokers Commission".

Amendment No. 20

On page 4, line 36, of the printed bill, after "fee", insert "and the furnishing of adequate proof of his qualifications"

Amendment No. 21

On page 5, line 13, of the printed bill, strike out "has been actively engaged in making", and strike out lines 14 and 15, and insert "meets the minimum qualifications for registration as a marine surveyor under this chapter, may be registered".

Amendment No. 22

On page 5, lines 28 and 29, of the printed bill, strike out "or upon the recommendation of either marine board".

Amendment No. 23

On page 5, line 38, of the printed bill, strike out "exclusive".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1056—An act to amend Sections 8941, 8950 and 8970 of, and to add Sections 8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5 to, the Business and Professions Code, relating to the regulating, licensing and supervision of persons engaged in business activities incident to the ownership and operation of yachts and ships

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8941, 8950", and insert "8902, 8903, 8909, 8923, 8937, 8938, 8940, 8954".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5", and insert "8927, 8942, 8943 and 8956"

Amendment No. 3

In line 5 of the title of the printed bill, after "of", insert "yacht and ship brokers, salesmen, owners, and other".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "8911 is hereby added to", and insert "8902 of".

Amendment No. 5

On page 1, line 2, of the printed bill, after "Code", strike out the comma and insert "is hereby amended"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within heavy brackets

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Amendment No. 6

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, on page 2, strike out lines 1 to 31, inclusive, on page 3, strike out lines 1 to 18, inclusive, and insert

"8902. "Broker" refers to a person who, as a whole or partial vocation, [for others, and for a compensation,] sells or offers for sale, buys or offers to buy, lists, solicits prospective purchasers of, *or* negotiates the purchase or sale or exchange of, charters, offers to charter, *or* negotiates the charter of, leases, rents, places for lease or rent, or negotiates *or makes* loans on yachts or ships *or advertises that he will do any or all of the foregoing.*

SEC 2 Section 8903 of the Business and Professions Code is hereby amended to read as follows.

8903 "Salesman" refers to an individual who, as a whole or partial vocation, [for compensation,] is employed by a licensed broker to do any or all things that the broker may do under this chapter.

SEC 3 Section 8909 of the Business and Professions Code is hereby amended to read as follows.

8909. "Persons" includes individual, copartnership, *association* and corporation.

SEC 4 Section 8923 of the Business and Professions Code is hereby amended to read as follows.

8923 In addition to his own action, the commissioner may assist any district attorney [and prosecuting attorney] *and city prosecutor* in the prosecution of any case arising out of *any* violation[s] of this chapter which constitute*s* a crime.

SEC 5 Section 8927 is hereby added to the Business and Professions Code, to read as follows:

8927. It is unlawful for any person with intent to defraud any broker or salesman of the commission to which he would otherwise be entitled, to execute or procure another to execute any instrument purporting to convey any yacht or ship, or any right or interest therein, to any person whatsoever.

SEC. 6. Section 8937 of the Business and Professions Code is hereby amended to read as follows:

8937. This chapter does not apply:

(a) To any person engaged in any transaction affecting [his own property] *yachts or ships of which he is the registered owner at the United States Custom House at the beginning of the transaction.*

[(b) To any person holding a duly executed power of attorney from the owner.]

[(c)] *(b)* To any attorney at law performing his duties as such attorney at law.

[(d)] *(c)* To any receiver, trustee in bankruptcy, or other person acting under the order of any court.

SEC. 7. Section 8938 of the Business and Professions Code is hereby amended to read as follows:

8938. All applications for licenses shall be made in writing and every application shall be accompanied by the recommendations of two [yacht and ship or real estate brokers of the county in which the applicant resides or has his place of business] *responsible persons satisfactory to the commissioner* certifying that the applicant is honest, truthful and of good reputation.

[If the applicant has not resided or engaged in business in the county for at least one year, the yacht and ship or real estate brokers of any county in which he formerly resided or had his place of business may make such recommendations.]

If the applicant is employed as a captain or master of any yacht or ship at the time of filing his application, his application shall not be accepted unless his application is accompanied by the recommendation of his employer certifying that the applicant is honest, truthful and of good reputation. The recommendation of his employer may be used as one of the two recommendations which are required

SEC. 8. Section 8940 of the Business and Professions Code is hereby amended to read as follows:

8940. Every license issued to a corporation entitles [the president] *one person designated by resolution* of the *board of directors of the* corporation *filed with the commissioner* to act as the licensee under the license and every license issued to a copartnership or *association* entitles one member to act as the licensee under the license.

If any officer *or employee* of a corporation other than [its president] *the person designated in the resolution* is to be [subject to] *act under* the provisions of this chapter, he shall secure a separate license. Any member of a copartnership *or association* who desires to act as a broker or salesman under this chapter on his own behalf shall procure a license.

SEC. 9. Section 8942 is hereby added to the Business and Professions Code, to read as follows:

8942. No person shall permit the use of his name in any advertisement or publication relating to the sale, transfer or exchange of a yacht or ship unless he has been licensed under this chapter.

SEC. 10. Section 8943 is hereby added to the Business and Professions Code, to read as follows.

8943. No broker or salesman shall share his commission with any unlicensed person, nor shall any person, whether licensed or not, compensate, directly or indirectly, any unlicensed person for performing any acts subject to this chapter.

Every person, who violates this section, is guilty of a misdemeanor and, in the case of a licensed person, the commissioner may, in addition, temporarily suspend or permanently revoke his license.

SEC. 11. Section 8954 of the Business and Professions Code is hereby amended to read as follows:

8954. The commissioner may temporarily suspend or permanently revoke the license of a broker or salesman found to be guilty of:

(a) Making any substantial misrepresentation.

(b) Making any false promise of a character likely to influence, persuade or induce any person with whom business is transacted under this chapter.

(c) A continued and flagrant course of misrepresentation or making of false promises.

(d) Acting for more than one party in a transaction without the knowledge and consent of all parties.

(e) Commingling the money or other property of his principal with his own.

(f) Selling or offering for sale, buying or offering to buy, negotiating the purchase or sale or exchange of, chartering, offering to charter, or negotiating the charter of, leasing, renting, or negotiating *or making* loans on, any ship or yacht which has not been registered and a certificate of registration issued therefor, as required by Chapter 251 of the Statutes of 1935 *or advertising that he will do any or all of the foregoing.*

(g) *Using any trick, artifice, misrepresentation or false promise to: (1) persuade or induce any person not to deal with any other broker or salesman; or to (2) interfere with, defeat, hinder or delay any other broker or salesman in making a sale.*

(h) Any other conduct constituting fraud or dishonest dealings.

SEC. 12. Section 8956 is hereby added to the Business and Professions Code, to read as follows:

8956. Every act for the commission of which a license may be suspended or revoked constitutes a misdemeanor for which every person committing it may be prosecuted."

Amendment No. 7

On page 3 of the printed bill, strike out lines 39 to 50, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2322

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bill No. 2322 withdrawn from the Committee on Judiciary Codes, for purposes of amending, and re-reference to the Committee on Judiciary Codes.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 712

Mr. Bashore asked for, and was granted, unanimous consent to have Assembly Bill No. 712 withdrawn from the Committee on Motor Vehicles for purposes of amending, and re-reference to the Committee on Motor Vehicles.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 52: By Mr. Bashore—Proposed amendment to Article XI of the Constitution by adding Section 5 5 to Article XI thereof, relative to regulating the compensation of boards of supervisors, district attorneys, auditors and municipal and superior court judges.

Referred to Committee on Constitutional Amendments.

REQUEST TO WITHDRAW AND RE-REFER ASSEMBLY BILLS NOS. 541, 611 AND 612

Mr. Doyle asked for unanimous consent to have Assembly Bills Nos. 541, 611 and 612 withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Labor and Capital.

Mr. Watson withheld his consent.

Motion

Mr. Doyle moved that the Rules be temporarily suspended and that Assembly Bill No. 611 be withdrawn and re-referred.

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

AYES—Bennett, Burkhalter, Cain, Cassidy, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Lowrey, Massion, McCollister, Middough, Miller, Pelletier, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Waters, Weber, and Welch—40.

NOES—Allen, Carlson, Clarke, Dilworth, Field, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Millington, Thorp, Turner, Watson, Weybret, and Mr. Speaker—16.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2510

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to take up Assembly Bill No. 2510, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 2510

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Kellems:

Resolved, That Assembly Bill No. 2510 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2510

Assembly Bill No. 2510—An act to add Section 7401 to the Business and Professions Code, relating to persons receiving training in cosmetology through the public school system

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 92

WHEREAS, The work in the Legislative Bill Room will be greatly facilitated and expedited by the addition of a National postal meter, and a post computing scale; and

WHEREAS, Cost of this machine will be more than saved in the speed with which legislative printed matter is sent through the mails and a great saving in time thereby accomplished; and

WHEREAS, Half of the cost of this machine will be met by the Senate; now, therefore, be it

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in the sum of one hundred eighty-eight dollars and forty-nine cents ($188.49) in favor of the State Printer, and the State Treasurer is hereby directed to pay the same.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 92, at this time, without reference to committee.

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole,

Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

By Committee on Rules:

House Resolution No. 93

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

Commencing March 5, 1941:	*Per day*
Iva Ross, Stenographer	$5 00
Edward C. Streich, Assistant Sergeant-at-Arms	5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

By Messrs. Pfaff, Collins, Sam L., Johnson, Maloney, Sheridan, Cronin, Carlson, Wollenberg, Desmond, Gallagher, Dills, Tenney, Kellems, O'Day, Houser, Frederick F., Knight, John B., Kepple, Howser, F. N., Dickey, Garland, Sawallisch, Bashore, Knight, T. Fenton; Bennett, Doyle, Salsman, Robertson, Burns, Hugh M., McCollister, Meehan, Phillips, Allen, Lyon, Poulson, Field, Potter and Miss Miller:

House Resolution No. 94

Relative to congratulating Honorable Frank J. Waters, Jr.

WHEREAS, Upon the first day of February, 1941, our popular and esteemed colleague, Frank J. Waters, Jr., and Rosemary Kraemer were united in the bonds of matrimony at the City of Anaheim; and

WHEREAS, There is every reason to believe, and both bride and groom give every external evidence, that they will enjoy a future of love, happiness and mutually devoted companionship; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby extends its heartiest congratulations and good wishes to Mr. and Mrs. Frank J. Waters, Jr.; and be it further

Resolved, That it is the earnest wish of the members of this Assembly that the happy couple may continue in the enjoyment of the good things this life has in store for them for many, many years to come; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Honorable Frank J. Waters, Jr., and his wife, Rosemary.

Request for Unanimous Consent

Mr. Pfaff asked for, and was granted, unanimous consent to take up House Resolution No. 94, at this time, without reference to committee.

Resolution read and adopted unanimously

By Mr. Lyon:

House Resolution No. 95

Rule 16—On the last line of Rule 16, strike out the period after the word "present", and insert in lieu thereof the following: "Or the Speaker may, in order to expedite the business of the Assembly, change the order of business on the daily calendar at any time."

Resolution read, and referred to Committee on Rules.

By Mr. Lyon:

House Resolution No. 96

Rule 58—On the last line of the first paragraph, strike out the period after the word "reference", and insert in lieu thereof the following: "And shall require a recorded vote of a majority of the elected members."

Resolution read, and referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cain:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act creating the State Highway Traffic National Defense Advisory Committee, and defining its powers and duties.

Respectfully submitted.

J. EDWARD CAIN

Request referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2322—An act to amend Section 10 of the Political Code, relating to holidays and making Good Friday a legal holiday.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Sec."

Amendment No. 2

On page 2 of the printed bill, after line 28, insert

"All public offices of the State and all State institutions including the State University and all public schools in the State shall be closed on the ninth day of September of each year known as "Admission Day." All public offices of the State and all State institutions, including the State University and all public schools in the State, shall be closed on the eleventh day of November of each year, known as "Armistice Day." "

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 712—An act to amend Section 576 of the Vehicle Code, relating to stopping vehicles at railway crossings.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "and to add Section 590.5 thereto,".

Amendment No. 2

In line 2 of the title of the printed bill, after "crossings", insert "and to vehicles disabled on railroad tracks".

Amendment No. 3

On page 1 of the printed bill, after line 31, insert:

"SEC. 2. Section 590.5 is hereby added to said code to read as follows:

590.5. Display of Warning Devices When Disabled Commercial Vehicle Fouls Railroad Track. Every vehicle mentioned in Section 590 shall also be equipped with and at all times carry at least four fusees which burn red when lighted. When any such vehicle, at any time mentioned in Section 618, is disabled on the highway so that it fouls any railroad track, the operator of the vehicle shall immediately light and place one such fusee between the rails of the track at a distance of not less than 1,000 feet from the vehicle, on each direction of approach to the vehicle by rail. Each such fusee shall be displayed continuously, during the times mentioned in Section 618, while the track remains fouled by the vehicle."

Amendments read and adopted.

Bill ordered printed and engrossed.

REPORT OF JOINT LEGISLATIVE FACT-FINDING COMMITTEE ON THE SOUTHERN CALIFORNIA PRISON AT CHINO

The report of the Joint Legislative Fact-Finding Committee on the Southern California Prison at Chino was read, and on motion of Mr. Phillips, ordered filed with the Secretary of State.

REQUEST TO PRINT OPINION IN JOURNAL

Mr. Lowrey requested that an opinion from the Attorney General, with respect to tax-deeded land, be printed in the Journal.

Request referred to Committee on Rules.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Hugh M. Burns of Fresno, Mrs. David V. Oliver of Sacramento and Miss Elaine Graham of Merced.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Loren Critser, instructor, and the following students of Napa Union High School: Jacqueline Wilkinson, Wilma Hammerich, Eudora Gillespie, Don Alexander, Robert Schwarze, June Parsons, Awilda Jean Gillespie, Clara Rall, Louise Lowe, John Burrows, Bill Brockhoff, Milton Emerick, Louise Wright, Warren Lincoln, Connie Jacks, Phyllis King, Arnold Jones, Julie Hullquist, Lillian Lacaze, Ada Jane Lacque, Chester Tennant, Helen Wakeman, Adeline Wallis, Eva Polidni, Gwendolyn Harris, June Mufich, Gino Meneguzzo, Nat Beland, Mary Noonan, George Simmons, Melvin Sallee, Dick Hill, Frank Markovich, James Le Bel, La Verne Horsky, Bill Lilienthal, Betty Hampton, Bill Atterbery, Al Carpignano, Bob Atterbery, Lee Jensen, Henry Ferrero, William Abate, Donald Inman, Mildred Wilson, Marie Gasser, George Danforth, Vivian Cannelora, Virginia Wakerley, Robert Bronstad, Myron Karcher, James Latta, Edgar O'Brien and May June Kyle

ADJOURNMENT

At 2.25 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11.30 a.m., Thursday, March 6, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY
SIXTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 6, 1941

The Assembly met at 11.30 a m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J , Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F , Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B , Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Hastain.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Donnelly, on motion of Mr. McCollister.
Mr. Crowley, on motion of Mr. Cain
Mr. King, on motion of Mr. Tenney.
Mr. Green, on motion of Mr. Maloney

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cain:

An act creating the State Highway Traffic National Defense Advisory Committee, and defining its powers and duties.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Dacy, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Mullington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2565: By Mr. Cain—An act creating the State Highway Traffic National Defense Advisory Committee, and defining its powers and duties

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred,

Assembly Bill No. 230
Assembly Bill No. 784
Assembly Bill No. 904
Assembly Bill No. 1499
Assembly Bill No. 1250

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred,

Assembly Bill No. 2433
Assembly Bill No. 549

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 51

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1440
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 51 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1440 re-referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 230—An act to amend Section 14899 of the Health and Safety Code and to add two new sections, to be numbered Sections 14920 and 14921, to the Health and Safety Code, providing for the cancellation or refund of erroneous, mistaken, or illegal special assessments for abating weeds, and providing for cancellation of any such assessments when the property is acquired by the State or by any county, city, school district, or other political subdivision and which because of said public ownership is not subject to sale for delinquent taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 784—An act to amend Section 12510 of the Business and Professions Code, relating to the use of false or improper equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 904—An act to add Sections 106.1 and 106.2 to Chapter 1 of Division 2 of the Agricultural Code, relating to plant quarantine inspection.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1499—An act to amend Section 817 of the Agricultural Code, relating to peas.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1250—An act to amend Section 828.4 of the Agricultural Code, relating to standard containers for fruits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 549—An act to amend Sections 828.65 and 829.45 of, to add Section 828.76 to, the Agricultural Code, relating to containers for sweet potatoes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the first "Section", and insert "Sections 819,".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "828.65", and insert "819".

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert:

"819. Sweet potatoes shall be free from mold, decay, and soft and wet rots; and free from serious damage due to insect injury, bruises, growth cracks, or other disease, freezing, grass roots, or other causes Damage to any one sweet potato is not serious unless it causes a waste of 10 per cent, by weight, of the individual potato.

Not more than 10 per cent, by weight, of the sweet potatoes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause.

All sweet potatoes when in containers which are closed must be in standard containers numbers 27, 47, 48, 48A and 50A. The container requirements of this section shall not apply to sweet potatoes in sacks or containers which are not closed.

SEC 1 5. Section 828.65 of the Agricultural Code is hereby amended to read as follows:".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2433—An act to amend Section 89 of the Agricultural Code, relating to moneys of district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "fees in", and insert "in live stock registry associations and".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 130

Mr. Stream moved that Assembly Bill No. 130 be withdrawn from file, and re-referred to the Committee on State Grounds and Parks.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 896

Mr. Thorp asked for, and was granted, unanimous consent to have Assembly Bill No. 896 withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1224

Mr. Carlson asked for, and was granted, unanimous consent to have Assembly Bill No. 1224 withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Municipal Corporations.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1639

Mr. Doyle asked for, and was granted, unanimous consent to have Assembly Bill No 1639 withdrawn from the Committee on Judiciary General, for purpose of amending and re-reference to the Committee on Judiciary General.

REQUEST FOR ADDITIONAL COPIES OF ASSEMBLY BILL NO. 1134

Mr. Call requested that 1,500 additional copies of Assembly Bill No. 1134 be printed.

Request referred to Committee on Rules

REQUEST TO PRINT MESSAGE FROM THE GOVERNOR

Mr. Thomas requested that the message from the Governor, relating to tax-deeded lands, be printed in the Journal.

Mr. Bennett seconded the motion.

Substitute Motion

Mr. Call moved, as a substitute motion, that the request by Mr. Thomas be referred to the Committee on Rules.

Mr. Waters seconded the motion.

Motion to Lay on the Table

Mr. Allen moved that the substitute motion by Mr. Call and the original request by Mr. Thomas be laid on the table

Mr. Waters seconded the motion

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

AYES—Allen, Call, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—33.

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Lowrey, Maloney, Masson, O'Day, Pelletier, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Weber, Welch, and Wollenberg—35.

The question being on the substitute motion by Mr. Call.

Point of Order

Mr. Lyon rose to the following point of order: That the message from the Governor was not before the House as it had already been filed in the Office of the Secretary of State.

Motion to Withdraw Message From the Governor From Office of Secretary of State

Mr. Bennett moved that the message from the Governor relating to tax-deeded lands be withdrawn from the Office of Secretary of State.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 712
Assembly Bill No. 2322

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 17
Assembly Bill No. 1056

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 712 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2322 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 17 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1056 re-referred to Committee on Commerce and Navigation.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2482

Mr. Potter asked for, and was granted, unanimous consent to have Assembly Bill No. 2482 withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Oil Industries.

REQUEST TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 1754

Mr. Gaffney asked for unanimous consent to have Assembly Bill No. 1754 withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Labor and Capital.

Mr Call withheld his consent.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Rules recommends that the request of Mr. Lowrey for the printing in the Journal of an Opinion from the Attorney General be granted.

LYON, Chairman
Committee on Rules

Mr. Lyon moved the adoption of the report.

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

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo,

Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, and Mr. Speaker—59.

NOES—None.

REQUEST FOR OPINION OF ATTORNEY GENERAL

February 15, 1941

Honorable Earl Warren, Attorney General
State Building, San Francisco, California

DEAR GENERAL WARREN: Throughout the last several years property tax delinquencies have increased in the Colusa Irrigation District. The titles to these delinquent properties have reverted to the State in accordance with the law and the Colusa Irrigation District has been granted permission to rent many of the holdings for agricultural purposes to farmers in that locality.

Naturally, this has had the effect of narrowing the county tax base. In attempting to correct this situation, one and possibly two problems present themselves. They are as follows: First, is it now within the powers of the State Controller to provide that Colusa County shall have the first claim upon the revenue from such properties, to the extent that such funds are necessary to meet their fair share of the taxes, or, second, is it within the province of the Legislature to empower the State Controller or the board of supervisors of the county to have the revenue from these tax-delinquent rented properties accrue to the credit of the county?

Some have contended that a constitutional amendment would be necessary to authorize such procedure. I would greatly appreciate a statement of your opinion, first, as to the powers of the board of supervisors or the State Controller, or both, under existing law; and second, in the event the legislation is necessary, the power of the Legislature to enact authority for such action. I might say that this request is being made at the suggestion of the California Farm Bureau Federation.

I am enclosing herewith a copy of Assembly Bill No. 2478, which I have introduced by request. I should appreciate it if you would furnish me with your opinion as to whether, if this bill should be enacted into law, the County of Colusa has the power to lease and sublease tax-deeded property from the State. In this connection, and in connection with the other two questions above set forth, I should like to know as to what the respective powers of the State Controller and irrigation districts are in a situation where property has been tax-deeded both for nonpayment of county taxes and nonpayment of the irrigation district taxes or assessments.

Thanking you for an early reply to these queries, I am

Yours very truly,

LLOYD W. LOWREY

Opinion of Attorney General

STATE OF CALIFORNIA, LEGAL DEPARTMENT
SAN FRANCISCO, March 4, 1941

Honorable Lloyd W. Lowrey, Assemblyman, Third District
Rumsey, California

DEAR MR. LOWREY: I have your letter of February 15th relative to property which has been deeded to the State for delinquent taxes and also has been deeded to an irrigation district for delinquent assessments.

You ask my opinion upon certain questions of law and also request advice as to the effect of Assembly Bill No. 2478 should it be enacted into law.

Your first question is whether it is now within the power of the State Controller to provide that Colusa County shall have the first claim upon the revenue from tax-deeded properties in that county.

The Controller has no such power. His authority to collect rentals from tax-deeded property is found in Sections 3651-3661 of the Revenue and Taxation Code (Old Section 3773 of the Political Code). Section 3659 provides that all moneys received by the Controller under this chapter (Chapter 6, Revenue and Taxation Code) shall be placed in the Tax-Deeded Land Rental Fund in the State Treasury.

Your second question is whether the Legislature could empower the State Controller or the board of supervisors of the county to have the revenue from tax-deeded property accrue to the credit of the county.

Since the Constitution is silent on the subject, I think the Legislature has plenary power to make any provision it may see fit regarding the disposition of rentals from tax-deeded properties. Under the present law the property is not subject to local taxation after it has been deeded to the State, so the counties derive no revenue therefrom, and any rentals collected by the Controller go into the Tax-Deeded Land

Rental Fund in the State Treasury. The Legislature could, by appropriate amendments to existing statutes, provide for a different system.

Where land has been deeded both to the State and to an irrigation district, the law is not entirely clear as to the respective rights of the State and the district to rentals therefrom.

In some instances, and I think generally by common consent, the practice is for the Controller to lease such properties to the district upon an agreed per acre rental, and the district then rents the property to private lessees. Or the district may proceed under Sections 3791, et seq. of the Revenue and Taxation Code (old Section 3897d, Political Code) and purchase from the State its tax title. Thereafter the district may rent the property or it may sell it into private ownership.

I am advised that most irrigation districts which purchase the State's tax title endeavor to sell rather than to lease the property, as in the case of a sale the property is returned to the county tax rolls. As long as the title remains in the district the property is not subject to taxation for county purposes (*Anderson-Cottonwood Irrigation District* vs. *Klukhert*, 13 Cal. 2d 191).

Unquestionably it is to the great disadvantage of the counties to have large areas of land withdrawn from the tax rolls, and yet some irrigation districts are apparently not making sustained efforts to resell these properties, with the result that year after year they remain off the tax rolls.

As to Assembly Bill No. 2478:

This bill reads as follows:

> "SECTION 1. Section 3655.5 is hereby added to the Revenue and Taxation Code, to read as follows:
>
> 3655.5. In renting tax-deeded property, the Controller or, in the name of the Controller, any person designated by him shall give preference to an offer to lease tax-deeded property received from a county when the county's offer has the same or substantially the same terms as an offer received from any other taxing agency, a revenue district, or a person.
>
> SEC. 2. Section 3655.7 is hereby added to the act cited in the title hereof, to read as follows:
>
> 3655.7. When the county so requests, a lease of tax-deeded property made to a county shall contain a clause permitting the county to sublease the property."

I see no objection to these provisions although in all probability the Controller could adopt such a plan without specific authorization. Inasmuch as the words "from any other taxing agency, a revenue district, or a person" are somewhat restrictive and might exclude a corporation, for instance, would it not be advisable to strike those words and substitute the words "from any other source"?

The bill makes no provision for the disposition of moneys received by a county by way of subleasings. Possibly this is not necessary but some consideration of that matter might be advisable. What I have in mind is whether the bill should designate a particular county fund to which such payments should be credited. In a sense these payments would be in lieu of taxes and possibly should go into the General Fund rather than into some special fund. Also there may be some question as to the effect of a redemption upon a county sublease. So far as a lease by the Controller is concerned this is taken care of by Section 3656 of the Revenue and Taxation Code. If property leased to a county and subleased by the county should be redeemed, the rights of the lessee may be terminated by cancellation of the lease by the Controller as provided in Section 3656 of the Revenue and Taxation Code. That section reads:

> "Every lease made under this chapter shall provide that the Controller may cancel the lease as of the date of redemption from tax sale or as of the date of a sale terminating the right of redemption, and that the lessee is not thereupon entitled to any damages or reimbursement except as provided in this section. On redemption or sale of the property, the Controller may refund from the Tax-Deeded Land Rental Fund to the lessee the unearned portion of any rental paid in advance."

Whether the Controller *must* cancel the lease, upon demand of the redemptioner may be an open question. I am inclined to think he would have no discretion but must cancel the lease. See *Hayes* vs. *Los Angeles County*, 99 Cal. 74; *City of Los Angeles* vs. *Board of Supervisors*, 108 Cal. App. 655. While the Controller is authorized by Section 3656 to refund to the lessee the unearned portion of any rent paid in advance, there might be a question whether without some legislation the county could similarly refund the unearned portion of rental paid in advance by a lessee from the county.

I suggest that you might discuss these matters with Mr. Claire Proctor of the Controller's Office if you think they merit further attention.

Very truly yours,

EARL WARREN, Attorney General
By H. H. LINNEY, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 95

House Resolution No. 96

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolutions ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 96

House Resolution No. 96

Resolved, That the Standing Rules of the Assembly be amended as follows:

Rule 58—On the last line of the first paragraph strike out the period after the word "reference" and insert in lieu thereof the following: "And shall require a recorded vote of a majority of the elected members."

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Mr. Speaker—62.

NOES—None.

OPINION ORDERED PRINTED IN THE JOURNAL

On motion of Mr. Evans, the following opinion of the Legislative Counsel was ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 5, 1941

Honorable John W Evans, Assembly Chamber
State Capitol, Sacramento, California

SUBJECT: Postponed effective date of a house resolution amending the legislative rules.

REQUEST: No. 982.

DEAR MR. EVANS:

You have pointed out that House Resolution No 88 which proposes certain amendments to the Permanent Standing Rules of this, the Fifty-fourth Session of the Legislature, was amended to provide that the resolution will take effect on January 1, 1942. You have asked what the effect of that amendment will be.

It is our opinion that House Resolution No. 88 can only operate upon the Rules of this, the Fifty-fourth Session of the Legislature.

Upon the adjournment sine die of the Fifty-fourth Session of the Legislature, the Rules of that session will cease to have any operative effect.

Each succeeding session of the Legislature may adopt its own Rules without regard to the Rules of any previous legislative session.

Therefore, if the Fifty-fourth Session of the Legislature adjourns sine die prior to January 1, 1942, House Resolution No. 88 will cease to be of any effect in so far as the Rules of the Fifty-fourth Session are concerned Any subsequent session of the Legislature may or may not incorporate into the Rules adopted by it the provisions of House Resolution No. 88.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By GEORGE W. WAKEFIELD, Deputy

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON HOUSE RESOLUTION NO. 88

Mr. Weber moved to expunge the record and rescind the action whereby House Resolution No. 88 was amended on March 4, 1941.

Demand for Previous Question

Messrs. Johnson, Robertson, Howser, F. N., Evans and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the motion to expunge the record and rescind the action on House Resolution No. 88.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Dickey, Dills, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Waters, Watson, Weber, Welch, and Wollenberg—46

NOES—Bashore, Burns, Hugh M., Call, Clarke, Collins, Sam L., Daley, Desmond, Dilworth, Doyle, Field, Heisinger, Howser, F. N., Leonard, Lyon, Middough, Millington, Poole, Potter, Sawallisch, Stream, Thorp, Thurman, Turner, Weybret, and Mr. Speaker—25.

House Resolution No. 88 ordered on file.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 97

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective person for the said respective amounts, and the Treasurer is hereby directed to pay the same; said compensation to be upon a 7-day per week basis.

Commencing March 3, 1941:	*Per day*
Gertrude Marton, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 29: By Mr. Bashore—Relative to memorializing Congress to enact H. R. 3021, repealing from the Social Security Act certain restrictions on exempt income and resources of persons receiving old age assistance.

Referred to Committee on Federal Relations.

MESSAGES FROM THE GOVERNOR

Mr. Lyon moved that the following message from the Governor be ordered printed in the Journal:

Motion carried.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 4, 1941

To the Honorable Members of the Senate and Assembly of the State of California
State Capitol, Sacramento, California

GRETINGS: I deem it advisable to address this communication to you regarding the manner in which the State's tax-deeded lands have been handled by the State Controller, who has the sole authority to lease properties deeded to the State for delinquent taxes, and to collect rent therefor and generally administer such properties under the provisions of Sections 3651 to 3661 of the Revenue and Taxation Code, formerly Section 3773 of the Political Code. Some months ago at my direction the Director of Finance conducted an investigation of the system adopted by the Controller's Office of administering this law. A preliminary report was made to the Director of Finance by the staff assigned to this investigation, which was presented to me shortly before the first of this year. In this report the question of the legality of the methods followed in handling these properties is raised, as is also the question as to whether under this method the State has been defrauded and deprived of revenues which it should have received from these properties. For instance, this preliminary report shows that tax-deeded lands in Los Angeles County were leased to one Hayden F. Jones at a nominal rental of one dollar ($1) per year. Mr Jones in turn sublet these properties with the Controller's approval, making monthly reports of amounts collected, expended and retained by this nominal rental lessee acting as agent for the Controller. After deducting 25 per cent of collections as "commission" for his services as lessee-agent and making deductions for cost of repairs, purchases, refunds, etc, payments of the residue of his collections were made to the Controller's Office

Questions as to the legal status of such a lessee or agent who was not hired in accordance with the Civil Service Laws of this State; whether the Controller may refund from the Tax-deeded Land Rental Fund as unearned rental on redeemed property a larger amount than has been paid into the fund as rental of the redeemed property; whether he may settle accounts with this lessee-agent through offsets that effect the same results; whether the Controller may incur indebtedness for expenses of operating and repairing tax-deeded properties by procedures not subject to the provisions of the applicable sections of the Political Code, or may do so through the lessee-agent, and whether the Controller may pay a claim for damage to tax-deeded property without proceeding pursuant to Sections 688 and 667 of the Political Code through this method of settling accounts with his lessee-agent are raised in this report. Soon after the first of January of this year, I called the Attorney General into conference with the Director of Finance and his accountants and investigators of this subject, for the purpose of acquainting him with the progress of the investigation and to procure his advice upon the legal questions raised by this preliminary report Following and pursuant to the purpose of this conference, I sent a communication to the Attorney General on February 12, 1941, a copy of which is hereto attached.

The purpose of securing the advice of the Attorney.General on the legal questions raised is to assist the Director of Finance and his accountants and investigators in continuing their inquiry and determining its proper scope and the legal directions it should follow in ascertaining facts relevant and material to the right of the State to recover rental values of these tax-deeded lands of which it may have been deprived by this method of the administration of tax-deeded lands. The Department of Finance will continue its investigation in the light of legal advice from the Attorney General and make full and complete report thereof for the information of the Governor and the Legislature, which report will be duly transmitted to you.

I bring this matter to your attention at this time so that you may have it in mind in connection with any legislation which you may be considering affecting the disposition of lands deeded to the State for tax delinquencies. The preliminary report indicates that valuable properties with substantial improvements have thus been leased and subleased with low rentals, and properties thus handled have not been sold or put back on the county tax rolls, operating to the distinct disadvantage of both the State and the counties.

The problem of tax-deeded lands is a serious one which merits the attention of the Legislature, the real estate taxpayers, and the county boards of supervisors. When land is tax-deeded it is taken from the tax rolls, and the remaining real estate in the county must pay a higher rate It is thus highly important that tax-deeded land valuable for private ownership be returned to the tax rolls at the earliest possible time A great step in this direction was taken by the enactment of Chapter 47 of the Statutes of 1940, which will enable the State to clear the titles

of tax-deeded lands so as to render them more saleable. This chapter has also set up a governmental agency for the utilization of tax-deeded lands for public purposes, and the withdrawing from sale of perennially tax-deeded lands which may be classed as waste lands.

In considering legislation for the future administration of lands deeded to the State for tax delinquencies, with a view of deriving the true rental value thereof for the State and for the counties, I recommend that their administration be placed under the State Lands Commission. I further recommend that provision be made for the leasing of these tax-deeded lands only to actual occupants for beneficial use at their fair rental values, and that subventions be made to the counties of a proper proportion of the net rentals received by the State from these properties equivalent to the amount of county and local taxes properly assessable thereto. It seems to me that such a system of handling tax-deeded lands would do away with tax dodging and speculation in tax-delinquent lands which too often prevents their acquisition by persons desiring to acquire and occupy them for homes or other beneficial uses.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, February 12, 1941

Hon. Earl Warren, Attorney General
State Building, San Francisco, California

DEAR MR. WARREN: When the Director of Finance called my attention to a preliminary report of auditors and investigators of his department on the manner in which tax-deeded lands have been handled by the office of the State Controller, from which it appeared that the legality of this system is questioned, and that under it the State may have been defrauded and deprived of revenues from these properties which it should have received, I deemed it advisable and proper to call you in and acquaint you with the matter so that the Department of Finance may have the benefit of your legal advice and opinions in the further course of its investigation and development of facts pertinent to the inquiry.

As you will observe, this preliminary report shows, for instance, that tax-deeded lands in Los Angeles County were leased to one Hayden F. Jones, at a nominal rental of $1 per year. Mr. Jones in turn sublet these properties, securing the Controller's approval of principal terms and some of the leases of major properties, and in rare instances sending copies thereof to the Controller's Office. Monthly reports of amounts collected, expended and retained by this agent (who, in dealing with the public, represents himself to be the agent of the Controller) are made, stating the property and rental periods to which collections pertain, deducting 25 per cent "commission" from the collections for the services of this agent, and deductions for cost of repairs, purchases, water bills, refunds, etc.

Questions as to the status of such a sublessee or agent; whether the Controller may refund from the Tax-Deeded Land Rental Fund as unearned rental on redeemed property, a larger amount than has been paid into the fund as rental of the redeemed property; whether he may settle accounts with the sublessee or agent through offsets that effect the same results; whether the Controller may incur indebtedness for repairs or expenses of operating tax-deeded property by procedures not subject to the provisions of the applicable sections of the Political Code or may achieve the same result by handling transactions and settling accounts with the lessee or agent effecting the same result; and whether the Controller may pay a claim for damage to tax-deeded property without proceeding pursuant to Section 688 and Section 667 of the Political Code, through this method of settling accounts with lessee or agent are raised in this report.

In seeking to ascertain the effect of this method of handling tax-deeded lands upon their return to the tax rolls, and upon the State's General Fund, and to ascertain whether all revenues from tax-deeded properties to which the State is entitled has reached the fund, these investigators spread their survey over all types of properties and geographical locations in the State. While this preliminary report only purports to cover a portion of the properties of the tax-deeded lands leased by the Controller, it appears to be comprehensive enough to present a factual condition that not only raises the legal questions above mentioned, but also the question of whether the State has not been actually defrauded of moneys which should have been derived from the leasing of these lands, considering their true rental value and the manner in which sublessees derived the benefit of their true rental value, as shown in such instances as have been called to your attention.

I am writing you now to ask you to please give me your opinion on these legal questions involved in this investigation at your earliest convenience after you have analyzed the matter presented in this preliminary report and the law applicable thereto.

Thanking you for your cooperation, I remain

Very respectfully yours,

CULBERT L. OLSON, Governor of California

COMMITTEE SCHEDULE

The following committee schedule was ordered printed in the Journal:

Schedule of Assembly Committee Meetings

Monday

8.30 a.m.	Room	10 a.m.	Room	7.30 p.m.	Room
Banking	435	Federal Relations	431	Labor and Capital	430
Building and Loan	428	Insurance	432	Public Health and Quarantine	428
Crime Problems	431			Ways and Means	432
Prisons and Reformatories	432A				
Public Charities and Corrections	430				

Tuesday

8.30 a.m.	Room	10 a.m.	Room	7.30 p.m.	Room
Agriculture	435	Exhibitions and Fairs	430	Public Morals	426
Aviation and Aircraft	426	Constitutional Amendments	426	Unemployment	435
Building and Construction	431	Elections	428	Ways and Means	432
Commerce and Navigation	432A	Live Stock and Dairies	432		
Manufactures	430	Motor Vehicles	435		
Mines and Mining	428				
Oil Industries	432				

Wednesday

8.30 a.m.	Room	10 a.m.	Room	7.30 p.m.	Room
Agriculture	435	Financial Institutions	426	Judiciary Codes	426
Governmental Revenue and Expenditures	428	Live Stock and Dairies	432	Judiciary General	435
Labor and Capital	430	Motor Vehicles	435	Governmental Efficiency and Economy	432
Municipal Corporations	432	Roads and Highways	428		
Education	426				

Thursday

8.30 a.m.	Room	10 a.m.	Room	7.30 p.m.	Room
Irrigation	430	Civil Service	426	Fish and Game	428
Natural Resources	435	County Government	432	Judiciary Codes	426
River Navigation, Reclamation, and Flood Control	428	Revenue and Taxation	435	Judiciary General	435
Social Service and Welfare	432			Governmental Efficiency and Economy	432
State Grounds and Parks	431				
Education	426				

Friday

8.30 a.m.	Room	10 a.m.	Room
Corporations	435	Fish and Game	428
Public Utilities	428	Hospitals and Asylums	431
Social Service and Welfare	432	Medical and Dental Laws	426
State Colleges	431	Revenue and Taxation	435
Universities	432A		

Subject to Call of the Speaker or Chairman

Room	Room	Room
Contested Elections 436	Introduction of Bills 423	Reapportionment 432
Direct Legislation 428	Libraries 431	Rules 436
Engrossment and Enrollment 423	Mileage 436	Soldiers and Sailors Affairs 431
	Military Affairs 431	

REQUEST TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 1754

Mr. Gaffney asked for unanimous consent to have Assembly Bill No. 1754 withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Labor and Capital.

Mr. Kellems withheld his consent.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1754

Mr. Gaffney moved that Assembly Bill No. 1754 be withdrawn from the Committee on Public Utilities and re-referred to the Committee on Labor and Capital.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawalhsch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Kellems, Knight, T. Fenton; Middough, Stream, and Watson—5.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

DOUGLAS AIRCRAFT COMPANY, INC.
SANTA MONICA, CALIFORNIA, February 28, 1941

Chief Clerk, State Assembly
Sacramento, California

DEAR SIR: Inclosed herewith please find copy of a letter to the California Air Industries Association which we should appreciate your bringing to the attention of the Chairman of the Assembly.

Thanking you in advance for your courtesy in this regard, we are

Yours very truly,

DOUGLAS AIRCRAFT COMPANY, INC.
CARL A. COVER, Vice President and General Manager

(Copy)

February 28, 1941

California Air Industries Association
Legislative Committee, Los Angeles, California

ATTENTION: Mr. Hollis R. Thompson, Chairman

GENTLEMEN: We have been advised that the California Air Industries Association has recently selected Mr. John R. MacFaden, as the representative of the association before the Legislature now in session, in regard to certain bills that have been introduced in the Legislature. We wish to notify you that we repudiate and disavow any authority on behalf of Mr. MacFaden or any other representative or lobbyist selected by the California Air Industries Association to represent or to speak for the Douglas Aircraft Company, Inc., on any matter before the Legislature or in any other capacity.

The California Air Industries Association was organized for entirely different purposes. We consider the selection or appointment of any lobbyist to appear before the Legislature on behalf of the association or any of its members to be a perversion of the purposes for which the association was formed, and we do not countenance it. It has never been the policy of this company to utilize the services of any lobbyist or any representative other than a regular officer or employee of the company and we do not wish to be placed in the position of having employed a lobbyist to appear for us or represent us in any manner before the Legislature.

We deem it necessary to advise you of our position on this matter and we hope that the California Air Industries Association might reconsider its action in employing any representative for the purposes above mentioned.

We beg to remain,

Yours very sincerely,

DOUGLAS AIRCRAFT COMPANY, INC.
CARL A. COVER

REPORTS OF STANDING COMMITTEES

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 221	Assembly Bill No. 833
Assembly Bill No. 241	Assembly Bill No. 860
Assembly Bill No. 262	Assembly Bill No. 1111
Assembly Bill No. 334	Assembly Bill No. 1543
Assembly Bill No 659	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No 149	Assembly Bill No. 1101
Assembly Bill No. 593	Assembly Bill No 1102
Assembly Bill No. 616	Assembly Bill No. 1103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DALEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred.

Assembly Bill No. 878

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER. Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 253

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DALEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 241—An act to amend Section 764 of the Probate Code, relating to sales of real and personal property in probate

Bill read second time, and ordered engrossed.

Assembly Bill No. 262—An act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 334—An act to amend Section 4300b of the Political Code, relating to fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 659—An act to amend Section 161a of the Civil Code, relating to interests in community property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 833—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of justices' courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 860—An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1101—An act to add Section 1552.3 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare in regard to aid to needy children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1102—An act to add Section 2184.5 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare under the Old Age Security Law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1103—An act to add Section 3086.5 to the Welfare and Institutions Code, relating to the powers and duties of the State Board of Social Welfare in regard to aid to needy blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 149—An act to add Section 20 to the California Unemployment Relief Act of 1935, relating to the support of persons in need of unemployment relief.

Bill read second time, and ordered engrossed.

Assembly Bill No. 593—An act to add Section 103.5 to the Welfare and Institutions Code, relating to the State Board of Social Welfare.

Bill read second time, and ordered engrossed.

Assembly Bill No. 616—An act to amend Sections 1526 and 1527 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 253—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read second time, and ordered engrossed.

Assembly Bill No. 221—An act to amend Section 103 of, to renumber Section 103e to be Section 103k of, and to add Sections 103g, 103h, 103i and 103j to, the Code of Civil Procedure, relating to justices of the peace and justices' clerks and assistant clerks in cities of the second class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1111—An act to amend Section 1600 of Chapter 13 of the Probate Code, relating to request for special notice after the issuance of letters of guardianship.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1543—An act to amend Section 16 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the terms of office and election of judges of such courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 878—An act to amend Sections 111, 1551, 2005, 2182, 3077, 3078, 3079, 3085, 3086 and 3089, and to repeal Sections 2141, 2142 and 3076 of the Welfare and Institutions Code, relating to the organization, powers and duties of the State Department of Social Welfare.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 3, line 34, of the printed bill, after "records", insert "pertaining to his case".

Amendment No. 2

On page 3 of the printed bill, strike out lines 36 and 37, and insert "Welfare and on file in the office of any county clerk".

Amendments read and adopted.

Bill ordered printed and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 998

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 998—An act to add Section 555 to the Labor Code, relating to railroads, their employees, and days of rest.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 9, inclusive, and insert "common carrier, engaged in the transportation of passengers or property by railroad, in respect to employees actually engaged in or connected with the movement of any train."

Amendment read and adopted.

Bill ordered printed and engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 312

Mr. Pfaff moved that Assembly Bill No. 312 be withdrawn from the Committee on Public Health and Quarantine, and re-referred to the Committee on Judiciary Codes.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 314	Assembly Bill No. 1051
Assembly Bill No 338	Assembly Bill No 1996
Assembly Bill No. 360	Assembly Bill No 2219
Assembly Bill No. 883	Assembly Bill No. 2221
Assembly Bill No. 1050	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 314—An act to amend School Code Section 6.471, relating to the purchase of articles by governing boards of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 338—An act to add Section 3.265 to the School Code, relating to the average daily attendance of junior high school pupils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 360—An act to amend School Code Sections 2.870, 2.871, 2.879 and 2.879½, all relating to the election of members of governing boards of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 883—An act to amend School Code Section 5.654, relating to the dismissal of permanent employees of a school district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1050—An act to add Section 6.94 to the School Code, and to amend Section 6.90a of the School Code, relating to the construction and maintenance of dormitories by school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1051—An act to amend School Code Section 2.680, relating to elections for the formation of junior college districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1996—An act to add Article 3 to Chapter 11 of Part 1 of Division 2 of the School Code, relating to junior college districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2219—An act to amend the title of Chapter 8 of Part 1 of Division 2 of the School Code and to amend Section 2.510 of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2221—An act to amend Section 5.430 of the School Code, relating to school principals.

Bill read second time, and ordered engrossed.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Cassidy and Sheridan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. R. Conroy and Miss Barbara Conroy, both of Oakland.

On request of Messrs. Garland and Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Iver Nielson, member of the State Highway Commission.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following

teachers and students of Napa High School: Harry Ault, Don Reed, Roy Banchero, Bill Strohl, Bill Clarke, Jim Wigger, Howard Fisher, Chester Brandlin, Beryl Carruthers, Carolee Colvin, Rosalie Muzzio, Geraldean Smith, Alta George, Bob Humpert, Virginia Viney, Alita Lincoln, Ray Monte, Madeline Bergantini, Sidney McMurtry, Elmer Andrews, Ray McGowan, Leroy Soper, Dick Woods, Doris Sander, Betty Jo Musgrove, Nancy Roberts, Muriel Elder, Dorothy King, Stanley Castner, Henry Stockton, Frank Barker, Donald McKee, Marvin Plass, Bob Fletcher, Peter Bardessono, Bob Vidler, Dick Porter, Betty Ann Hattler, Jeanne Harris, Dorothy Simmons, Eva Gruening, Mary Hughes, Roy Bohen, Fred Borman, Barbara Gross, Walter Kinder, Louis Scaruffi, Eleanor Bones, John Grattone, Joe Tamborini, Bob Bertino, Neva Mendenhall, Irene Armenino, Barbara Richardson, Barbara McFall, Gloria Clerici, Lorraine Rossi, and Artemis Smernes, students, and L. Critser, instructor.

ADJOURNMENT

At 1.25 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Friday, March 7, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY
SIXTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 7, 1941

The Assembly met at 11 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Allen, Andreas, Basbore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Plaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—73.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Sheridan, on motion of Mr Carlson.
Mr Green, on motion of Mr. Maloney.
Mr Donnelly, on motion of Mr Cain
Mr. King, on motion of Mr Evans.
Mr. F. N. Howser, on motion of Mr. Robertson.
Mr. Kellems, on motion of Mr. Waters
Mr. Massion, on motion of Mr. Bennett.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal.

STATE OF CALIFORNIA, OFFICE OF THE CONTROLLER
SACRAMENTO, March 7, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: My attention has been directed to a communication addressed to your Honorable Body by the Governor in which reference is made to an asserted audit report concerning the State Controller's administration of tax-deeded property.

No such report has ever been submitted to me. If such a report exists, the Governor and the Director of Finance have failed to discuss it with me or to provide me with a copy as required by law.

It may be significant that the Governor in his message proposed that control of these distressed properties be handed over to a commission dominated by the Administration.

Under statutory authority the Controller is custodian of all property which unfortunate home owners and others have lost for nonpayment of taxes.

Pioneering in a difficult endeavor without sufficient appropriation, he has administered this growing volume of delinquent land for the best interests of the people of the State with these results:

Thousands of wage earners who otherwise would have been dispossessed have been enabled to retain the homes for which they struggled.

Countless businessmen have been assisted in redeeming property into which their life savings, their dreams and the sweat of their brow have gone.

Struggling laborers have been aided in acquiring through purchase of tax-distressed property homes for which they otherwise could not have hoped.

In three years the Controller's program has returned $7,500,000 worth of non-producing property to the tax rolls, thereby aiding cities and counties from the border of Oregon to the Mexican Line. The burden on the other loyal taxpayers thus has been lightened.

A million dollars has been turned over to California's 58 counties through sales authorized by the Controller.

Rental of tax-deeded land has brought a flow of half a million dollars into the State Treasury.

The Controller's primary duty under the law is to keep custody and maintain in good repair this unfortunately huge volume of property until the financially embarrassed owner can redeem it or otherwise return it to the tax rolls.

Wherever possible such property has been rented. The bulk of it, regrettably, is worthless. To secure tenants willing to pay for use of property which over a period of many years has not produced sufficient money to even pay taxes is difficult and in many cases impossible.

The State has at all times received 100 per cent of the net proceeds from such rentals.

Prior to 1935 the Controller was not authorized to employ representatives to administer tax-deeded property.

When authorization finally was granted, no funds were available to finance such a program. As a result my predecessor, eager to properly discharge his responsibility, worked out with the cooperation of other reputable State officials a careful plan to obtain the services of recognized businessmen throughout the State as agents to help meet the problem.

This entire program was discussed with and approved by attorneys of the Department of Finance before it was placed in operation.

By this means the State was relieved of the expense of maintaining these many thousands of homes and millions of acres of land, a revenue began to pour into State, city and county treasuries, and a way was opened that began a large-scale return of property to the tax rolls.

More than 50 per cent of the property handled by these representatives was redeemed and returned to a tax-paying basis without the representatives receiving any compensation for their work. In Los Angeles County, 70 per cent of all property thus managed was promptly redeemed.

When I became Controller, I recommended that as rapidly as possible the work of administering tax-deeded land be taken over by full-time civil service employees. I had and continue to have complete faith in the integrity of the gentlemen who served the State as agents. As a matter of sound business policy, however, I insisted that money be made available to handle the job with civil service employees.

When, at last, the Department of Finance made the requested funds available, I abolished the agent-representative system. For nearly a year now qualified employees chosen from the civil service lists have efficiently administered this work.

Merchants, business operators, farmers and working people alike are reluctant to occupy or install equipment in tax-deeded property from which they can be

ejected at any moment the record owner chooses to start a redemption plan through payment of a small portion of the delinquent taxes.

The Controller is legally unable to guarantee a renter tenancy for a month, a week, or even a day.

In the face of this uncertainty, property obviously can not bring the same rental as healthy, productive property in which a tenant can be secure enough to make an investment.

The audit report to which the Governor referred in his message is said to mention several parcels of bankrupt property owned by the State.

If and when I am permitted to see this report, I shall be happy to make a detailed report to the Legislature upon such property. The records are and always have been open to everyone.

I assure you of my desire to be of continued service to your Honorable Body and again offer to be of all possible assistance in the conduct of this investigation which I welcome.

Respectfully,

HARRY B. RILEY, Controller

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS BY UNANIMOUS CONSENT

Mr. Kilpatrick asked for, and was granted, unanimous consent to have Assembly Bill No. 2474 withdrawn from the Committee on Public Health and Quarantine, for the purpose of amending, and re-reference to the Committee on Public Health and Quarantine.

Mr. Kilpatrick asked for, and was granted, unanimous consent to have Assembly Bill No 1858 withdrawn from the Committee on Elections for the purpose of amending, and re-reference to the Committee on Elections

Speaker Presiding

At 11.45 a m, Hon Gordon H. Garland, Speaker of the Assembly, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 799

Mr. Wollenberg moved that Assembly Bill No. 799 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Fish and Game.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF HOUSE RESOLUTION NO. 88

Mr. Weber moved that House Resolution No 88 be withdrawn from file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 22—Relative to adjournment in respect to the memory of Henry H. Yonkin.

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of March, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 549
Assembly Bill No. 998
Assembly Bill No. 2433

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 149
Assembly Bill No. 221
Assembly Bill No. 230
Assembly Bill No. 241
Assembly Bill No. 262
Assembly Bill No. 314
Assembly Bill No. 334
Assembly Bill No. 338
Assembly Bill No. 360
Assembly Bill No. 593
Assembly Bill No. 616
Assembly Bill No. 639
Assembly Bill No. 784
Assembly Bill No. 833
Assembly Bill No. 860
Assembly Bill No. 883
Assembly Bill No. 878
Assembly Bill No. 904
Assembly Bill No. 1050
Assembly Bill No. 1051
Assembly Bill No. 1101
Assembly Bill No. 1102
Assembly Bill No. 1103
Assembly Bill No. 1111
Assembly Bill No 1250
Assembly Bill No. 1449
Assembly Bill No. 1543
Assembly Bill No. 1996
Assembly Bill No. 2219
Assembly Bill No. 2221

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1791

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 359

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2218

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No 378

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 2144
Assembly Bill No. 2145

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRONIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 562

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CRONIN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 265
Assembly Bill No. 353
Assembly Bill No. 619
Assembly Bill No. 1115
Assembly Bill No. 1118
Assembly Bill No 1495
Assembly Bill No. 1788

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which were referred:

Assembly Bill No. 2121
Assembly Bill No. 2348
Assembly Bill No. 1527
Assembly Bill No. 1110

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DOYLE, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No. 846

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1941

MR SPEAKER. Your Committee on Judiciary Codes, to which were referred.

Assembly Bill No. 268
Assembly Bill No 1834

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 994
Assembly Bill No. 1816

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 378—An act to repeal Section 4½ of, and to add Section 4.5 to, the California Toll Bridge Authority Act, relating to transportation facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2144—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiropody

Bill read second time, and ordered engrossed.

Assembly Bill No. 2145—An act to add Section 2410 to the Business and Professions Code, relating to the advertising of chiropodical services

Bill read second time, and ordered engrossed.

Assembly Bill No. 265—An act to amend Sections 103.5 and 103 6 of the Fish and Game Code, relating to Fish and Game Districts 103.5 and 103.6.

Bill read second time, and ordered engrossed.

Assembly Bill No. 353—An act to amend Section 651.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 619—An act to amend Section 650.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1115—An act to amend Section 619.5 of the Fish and Game Code, relating to Mackinaw Trout.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1118—An act to amend Section 610 of the Fish and Game Code, relating to trout season and bag limits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1495—An act to amend the Fish and Game Code by amending Section 612 thereof, relating to steelhead trout fishing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1788—An act to amend Section 421 of the Fish and Game Code, relating to sale of fish taken under sporting fishing licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2121—An act to amend Sections 894 and 895 of the Military and Veterans Code, relating to veterans' dependents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2348—An act to add Section 424 to the Military and Veterans Code, relating to the use of uniforms of military and semimilitary organizations of foreign governments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1527—An act to provide for free tolls for funeral corteges of war veterans on publicly owned toll bridges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1110—An act to add Section 395.2 to the Military and Veterans Code, relating to employees of school districts performing military services.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1791—An act to amend Section 2.492 of the School Code, relating to transfers of elementary schools from one high school district to another.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2.492", and insert "Sections 2.487 and 2.488".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2.492", and insert "2.487".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 12, inclusive, and insert "2.487 If two-thirds of the votes cast at the election shall be in favor of the exclusion and annexation, the board of supervisors shall within 15 days after

receiving the notice, enter upon its minutes an order excluding the territory of the elementary school district from the high school district and annexing it to the contiguous high school district, except that if, by the exclusion of the elementary district, the assessed valuation of the high school district would be less than twenty-five thousand dollars ($25,000) per student in average daily attendance as shown by the attendance reports in the office of the county superintendent of schools for the previous school year and the assessment rolls of the current year, the board of supervisors shall, within 15 days after receiving the notice, notify the high school board of the high school district of the result of the election, and if the high school board does not protest the exclusion of the district from the high school district within 30 days after receiving the notice, the board of supervisors shall exclude the territory from the high school district and annex it to the contiguous high school district as provided in the election.

SEC 2. Section 2.488 of the School Code is hereby amended to read as follows:

2.488. If, in accordance with Section 2.487, the high school board of the high school district protest the exclusion and annexation, the board of supervisors shall notify the Superintendent of Public Instruction of the election and its result, and of the protest of the high school board, whereupon the Superintendent of Public Instruction shall create a Board of Review composed of three county superintendents of schools of counties not contiguous to the county or counties in which is located the high school district from which the elementary school district desires separation."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 359—An act to repeal School Code Section 2.889 and to amend School Code Section 2.981, relating to the conducting of elections for members of governing boards of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, following line 18, insert

"Immediately following its canvass of the returns, the governing board of the district shall forward the returns to the county superintendent of schools having jurisdiction over the district, who shall keep the returns on file for one year"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 846—An act to amend Section 332 of the Vehicle Code, relating to the driving of vehicles by persons without operators' or chauffeurs' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In the title of the printed bill, strike out lines 2 and 3, and insert "the driving of a vehicle by a person who has been refused an operator's or chauffeur's license, or by a person whose operator's or chauffeur's license or whose driving privilege has been suspended or revoked"

Amendment No. 2

On page 1, line 3, of the printed bill, after "332", insert "Driving When License Refused or Suspended or Revoked."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2218—An act to amend Sections 4.871 and 4.884 of, and to add Sections 4 871a and 4 884a to the School Code, relating to evening schools.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out all of line 3, and insert "the support of the public school system."

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "approved".

Amendment No. 3

On page 1, line 20, of the printed bill, strike out "approved".

Amendment No. 4

On page 1, line 21, of the printed bill, strike out the period, and insert a comma and "provided that such apportionment shall be made only for evening high schools and junior colleges which shall have complied with all requirements made by the State Department of Education."

Amendment No. 5

On page 1, line 25, of the printed bill, strike out "approved".

Amendment No. 6

On page 1, line 26, of the printed bill, strike out "approved".

Amendment No. 7

On page 1, line 28, of the printed bill, strike out the period, and insert a comma and "provided that such apportionment shall be made only for evening high schools and junior colleges which shall have complied with all requirements made by the State Department of Education."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 562—An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 5 of the title of the printed bill, after "Federal funds", strike out the period, and insert "; and to authorize nonprofit hospital service corporations organized under Division 2, Part 2, Chapter 11a of Article 3 of the Insurance Code to enter into and perform contracts with Federal agencies and to receive and administer, in trust, Federal funds."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "now".

Amendment No. 3

On page 1, lines 5 and 6, of the printed bill, strike out "all duly licensed doctors of medicine practicing medicine and surgery in", and insert "physicians and surgeons licensed under the provisions of the Business and Professions Code of".

Amendment No. 4

On page 1 of the printed bill, after line 15, insert:

"SEC. 2. Any nonprofit hospital service corporation heretofore or hereafter organized and created under the provisions of Division 2, Part 2, Chapter 11a of Article 3 of the Insurance Code and engaged in the operation of a hospital service plan may contract with any agency or instrumentality of the United States of America and, in aid or furtherance of said contracts, may accept, receive and administer in trust, funds directly or indirectly made available by any agency or instrumentality of the United States of America. Any nonprofit hospital service corporation in the administration and trust of such funds shall be conclusively deemed to be for the purpose of all laws of this State an instrumentality of the United States of America."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 268—An act to amend the chapter heading of Chapter 8 of Division 9 and to amend Sections 10600, 10601, 10602, 10603, 10607, 10625 and 10626 of the Health and Safety Code, relating to vital statistics, including proceedings to establish the fact of birth, death or marriage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 5 of the title of the printed bill, after "marriage", insert ", to take effect immediately".

Amendment No. 2

On page 2, line 12, of the printed bill, after "Chapter 2", insert "of this division, of the city or county in this State in which the birth, death or marriage is alleged to have occurred, or if the birth, death or marriage occurred outside of this State, of the city or county in which the person, if a living person, resides, or if the person has died, in the city or county in which he was domiciled at the date of his death".

Amendment No. 3

On page 2, line 26, of the printed bill, after "statistics", insert "referred to in Article 3 of Chapter 2 of this division upon whom a copy of the petition was originally served,".

Amendment No. 4

On page 2 of the printed bill, after line 47, insert

"SEC. 9. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

The facts constituting such necessity are as follows: Persons seeking employment in or now employed in connection with the rapidly expanding and vital defense industries in this State are being required to furnish certificates establishing the time and place of their birth as one of the conditions of their employment.

In order to avoid hardship and to remove every obstacle possible in the National Defense Program, it is essential that the procedure for the judicial establishment of the time and place of birth, death or marriage in this State be clarified and simplified. This act should therefore go into effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1834—An act to amend Section 1407 of the Probate Code, relating to the appointment of guardians of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 between lines 9 and 10, of the printed bill, insert "(4) To a relative;".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "(4)", and insert "(5)".

Amendment No. 3

On page 1 of the printed bill, strike out lines 12 and 13, and insert "said court."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 994—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 26, of the printed bill, strike out "takes effect", and insert "became effective".

Amendment No. 2

On page 2 of the printed bill, strike out lines 2 to 4, inclusive, and insert "into effect long after the lien date. Also it is essential that the provisions of this act take effect as soon after the effective date of the Revenue and Taxation Code as is possible in order that".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1816—An act to amend Section 7351 of the Revenue and Taxation Code and Section 3 of the Motor Vehicle Fuel License Tax Act, relating to the rate of tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7351 of the Revenue and Taxation"; strike out lines 2 and 3 of said title, and insert "add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "7351 of the Revenue and Taxation Code"; and strike out lines 2 to 27, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert "18.5 is hereby added to the Motor Vehicle Fuel License Tax Act, to read as follows:

Sec 18.5. In addition to the three cents ($0.03) tax imposed by Section 3 of this act upon the privilege of distributing motor vehicle fuel, from and after the effective date of this section and until July 1, 1943, every distributor shall pay a license tax to the State Controller of an additional one cent ($0.01) for each gallon of motor vehicle fuel refined, manufactured, produced, blended, compounded, or dis-

tributed by him in this State. The tax shall be computed, paid and collected in the same manner and at the same intervals of time as prescribed in this act for the computation, payment and collection of the tax imposed by Section 3.

All money received by the State Controller pursuant to this section shall be deposited by him in the State Treasury and shall be credited to the "Additional Motor Vehicle Fuel Fund," which fund is hereby created. The money in this fund is hereby appropriated as follows:

(a) For the payment of refunds authorized by this act.

(b) Of the balance:

(1) Fifty per cent shall be paid quarterly to counties for the construction, improvement and maintenance of county streets, roads and highways, the amount payable to any county to be determined by the ratio which the total street, road and highway mileage, exclusive of State highways and city streets, roads and highways, within the county bears to the total street, road and highway mileage, exclusive of State highways and city or city and county streets, roads and highways, within all counties. No county is entitled to any payment unless its board of supervisors first adopts an ordinance declaring that, in consideration of payment, the county will refrain from levying any county street, road or highway tax, except such tax as may be necessary to enable it to pay the principal and interest on any county street, road or highway bonds previously authorized, issued and sold.

(2) Twenty-five per cent shall be paid quarterly to the cities and cities and counties for the construction, improvement and maintenance of city or city and county streets, roads and highways of major importance, the amount payable to any city or city and county to be determined by the ratio which the total street, road and highway mileage, exclusive of State highways and county streets, roads and highways, within the city or city and county bears to the total street, road and highway mileage, exclusive of State highways and county streets, roads and highways, within all cities and cities and counties. No city or city and county is entitled to any payment unless its legislative or governing board or agency first adopts an ordinance declaring that, in consideration of payment, the city or city and county will refrain from levying or imposing any excise tax or license of any kind upon any motor vehicle carrier of merchandise whose principal place of business is not located within the city or city and county.

(3) Twenty-five per cent shall be paid quarterly to the State Department of Public Works for the construction, improvement and maintenance of State highway bridges, and for the separation of grades at crossings of railroads by State highways

SEC. 2. The act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, is hereby repealed

SEC 3. This act, inasmuch as it provides for a tax levy, shall, under the provisions of Section 1 of Article IV of the State Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2198—An act to amend Section 481 of the Fish and Game Code, relating to the pollution of streams.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and insert

"481. It is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of this State:

(a) Any petroleum or by-products of petroleum

(b) Any coal tar, oil or by-products of coal

(c) Any sawdust, slabs, bark, edgings or sawmill refuse.

(d) Any refuse, liquid or solid, from any refinery, gas house, tannery, distillery, chemical works, mill or factory of any kind

(e) Any lime, acid, slag, carbonaceous material, cyanide, metallic salts, brine, chlorine, ammonia, or any substance deleterious to fish, mollusks, crustaceans, spawn, fish foods, plant life, bird life or mammals.

(f) Any tailings or effluent from any mechanical placer mining operation unless adequate settling ponds and clarifiers that remove suspended solids and slimes are installed and operated in a manner that prevents an undue decrease in the clarity of said waters.

(g) Any sanitary sewage, garbage or industrial waste from any municipal sewer that pollutes or contributes to the pollution of said waters to the extent that said

waters are more acid than pH6 0 or more alkaline than pH9 0; or to the extent that the dissolved oxygen content is less than five parts per million; or to the extent that fungus or other abnormal aquatic growths develop; or to the extent that fish, mollusks, or crustaceans become undesirable or unfit for human consumption because of odor, taste, or bacterial contamination; or to the extent that floating solids, grease, scum or oil are visible; or to the extent that sludge beds are deposited; provided, however, that the provisions of this subdivision with respect to sanitary sewage shall not be effective until January 1, 1946, unless a municipality fails to submit adequate plans, approved by the State Department of Public Health to meet the provisions of this section, by January 1, 1943"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1858—An act to add Sections 659.5 and 659.6 to the Elections Code, relating to elections and election officers.

Bill read second time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out ", and shall main-", and strike out lines 15 and 16, and insert a period.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2474—An act to add Section 8.5 to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the medical examination of persons handling food or food containers, intended for the consumption of others.

Bill read second time.

Consideration of Committee Amendments

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and on page 2, strike out lines 1 to 16, inclusive, and insert

"Sec. 8.5. Every person, other than an agricultural employee or domestic employee, engaged in the preparation of food to be served or sold to others, engaged in the serving of food to others, or engaged in the handling of open containers either containing food or in a condition in which they will contain food prior to their next

cleansing or sterilization, when such food will be served or sold to others, shall obtain a certificate from a licensed physician and surgeon that he or she, the employee, is free from communicable diseases. A new certificate shall be obtained every three months so that at no time will such employee be so engaged without a certificate issued less than three months prior. The State Board of Public Health shall issue certificate forms and shall establish by regulation the scope of the examination to be given by the examining physician and surgeon, which examination shall be sufficiently comprehensive as to determine the existence of any communicable disease. Any employer who employs a person required to have a certificate, when such person does not have a certificate which is less than three months old, is guilty of a misdemeanor. Every employer employing a person required to possess a certificate shall pay to the employee at his first pay day after the last obtaining of a certificate, and in addition to such employee's wages, a sum equal to the cost of the certificate to the employee Any employer not paying any employee the cost of the certificate as required by this section shall for each failure as to each employee be guilty of a misdemeanor.

The members of the State Board of Health, inspectors and agents appointed by the board, and all local health officers, and inspectors, in making examinations pursuant to Section 9, may ask for the production of the certificates required by this section, and upon finding the provisions of this section to be violated, shall at once report the same in the manner provided for the reporting of other violations of this act."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General.

Amendment No. 1

On page 1 of the printed bill, strike out lines 4, 5 and 6, and insert "For serving or executing any process, writ, order, paper or notice, except as in this section provided, required by law or litigants to be served, fifty cents ($0.50)."

Amendment No. 2

On page 1, line 7, of the printed bill, after "serving", insert "or levying".

Amendment No. 3

On page 1, between lines 11 and 12, of the printed bill, insert "For serving or executing a writ of attachment, execution or order on real property, one dollar ($1)."

Amendment No. 4

On page 1, line 15, of the printed bill, after the period, insert "One day shall constitute 24 hours."

Amendment No. 5

On page 1 of the printed bill, strike out line 16, and insert "For copy of any writ, process, paper, order or notice actually made by"

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "each, fifty cents ($0.50) ", and insert "fifty cents ($0.50) each."

Amendment No. 7

On page 1, between lines 22 and 23, of the printed bill, insert "For furnishing notice for publication, twenty-five cents ($0.25).

For conducting and postponing sale of personal property as required by law or litigant, besides mileage, one dollar ($1)."

Amendment No. 8

On page 1 of the printed bill, strike out lines 23, 24 and 25.

Amendment No. 9

On page 2, line 1, of the printed bill, strike out "notices", and insert "notice".

Amendment No. 10

On page 2, line 2, of the printed bill, after "law", insert a comma.

Amendment No. 11

On page 2, lines 3 and 4, of the printed bill, after "publication", insert a comma, and strike out "or furnishing notice for sale,".

Amendment No. 12

On page 2, line 9, of the printed bill, strike out "one dollar and fifty cents ($1.50)", and insert "three dollars ($3)".

Amendment No. 13

On page 2, between lines 9 and 10, of the printed bill, insert

"For serving a garnishment one dollar and fifty cents ($1.50).

For serving notices under Section 561 of the Code of Civil Procedure, one dollar and fifty cents ($1.50).

For making a demand for payment on execution, or the delivery of property, besides mileage, fifty cents ($0.50).

For making a nulla bona return on execution, besides mileage, twenty-five cents ($0.25).

For making a not found return on summons, besides mileage, twenty-five cents ($0.25).

For collecting money on attachment or execution, with or without levy, 1½ per cent.

For executing and delivering certificate of sale, fifty cents ($0.50).

For executing and delivering any other instrument, ten cents ($0.10) per folio."

Amendment No. 14

On page 2, between lines 11 and 12, of the printed bill, insert

"For taking acknowledgment for each signature of any process, writ, order, paper or notice, except as herein provided, as required by law in this or any other jurisdiction, fifty cents ($0.50).

For serving or executing a civil order or warrant of arrest, besides mileage, one dollar ($1).

For the giving or sending by registered mail of any process, writ, order, paper, notice or demand when required by law or litigant, twenty-five cents ($0.25)."

Amendment No. 15

On page 2 of the printed bill, strike out lines 14, 15, 16, 17, 18, 19, 20 and 21 and insert

"For traveling in the service or execution of any process, writ, order, paper or notice required by law or litigant, to be served for each mile actually and necessarily traveled from any sheriff's, constable's or marshal's office to point of service, one way only, twenty-five cents ($0.25); provided, that any additional miles actually and necessarily traveled in the consummation of the service or execution of any process, writ, order, paper or notice, and provided, further, that when, after due and diligent search, and through no negligence or lack of diligence on part of either the sheriff, constable or marshal, service can not be made of said process, writ, order, paper or notice, the same rate of mileage shall be charged."

Amendment No. 16

On page 2 of the printed bill, strike out lines 22 to 50, both inclusive; and on page 3, strike out lines 1, 2, 3, 4 and 5, and insert

"For each mile actually traveled within his township in the service of any process, writ, order, paper or notice except a warrant of arrest in counties of the third class, a constable or marshal shall receive for each mile actually traveled within his township, in going only, per mile fifteen cents ($0.15); and further provided, that in townships which consist in whole or part of cities of the first and one-half class, the constable or marshal shall receive in lieu of said mileage, his actual traveling expenses going to and returning from place of service.

For each mile actually and necessarily traveled outside of his township to serve any process, writ, order, paper or notice, the constable shall charge, in going only, twenty-five cents ($0.25); provided, that a constable shall not be required to travel outside of his township to serve any civil process, writ, order, paper or notice

For transporting prisoners to the county jail, the sheriff shall charge actual cost of such transportation.

For each mile necessarily traveled within his county, the constable or marshal, in executing a warrant of arrest, both in going to and returning from place of arrest, fifteen cents ($0.15).

For each mile traveled out of his county, a constable shall charge, both going to and returning from place of arrest, five cents ($0.05); provided, that for traveling in the performance of two or more official services at the same time, including the service of civil process or criminal warrants, or transportation of person charged or convicted of a criminal offense, but one mileage shall be charged.

For executing a search warrant, a constable shall charge such fees and mileage as may be allowed for executing warrant of arrest.

For arresting prisoner and bringing him into court or jail, a constable shall charge the actual cost of such transportation.

For transporting prisoners to and from the county jail, a constable shall charge the actual cost of such transportation.

In addition to the fees hereinbefore provided for, the sheriff, constable or marshal shall be entitled to collect from the litigant, or person requiring their services, besides mileage, inspecting, checking, releasing or any other handling of property under his custody, charge or keeping pursuant to any process, writ, order, paper or notice."

Amendments read and adopted.

Bill ordered printed and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 6, 1941

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

Assembly Bill No. 2510

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 6, 1941

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

Senate Bill No. 41
Senate Bill No. 49
Senate Bill No. 187
Senate Bill No. 475

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 6, 1941

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

Senate Joint Resolution No. 3
Senate Joint Resolution No. 4
Senate Concurrent Resolution No. 14

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 41—An act to add to the Code of Civil Procedure new Section 1110b, relating to stay of execution.

Referred to Committee on Judiciary General.

Senate Bill No. 49—An act to add to the Code of Civil Procedure Section 117*ll*, relating to the deposit of cash in lieu of bond on appeal in small claims courts.

Referred to Committee on Judiciary General.

Senate Bill No. 187—An act to amend Section 162 of the Probate Code, relating to interest on deferred legacies.

Referred to Committee on Judiciary General.

Senate Bill No. 475—An act to amend Section 607 of the Code of Civil Procedure, relating to the closing argument on a trial.

Referred to Committee on Judiciary General.

Senate Joint Resolution No. 3—Relative to memorializing the Biological Survey of the United States Department of the Interior to fix two dove seasons in California.

Referred to Committee on Fish and Game.

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress to take the steps necessary to permit meat and meat products prepared under California State inspection to be sold on the same basis as meat and meat products under Federal inspection.

Referred to Committee on Live Stock and Dairies.

Senate Concurrent Resolution No. 14—Amending Joint Rule No. 13, relative to distribution of legislative publications.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 30: By Messrs. Bashore, Dills, Field and Tenney—Relative to memorializing Congress to enact H. R. 3021, repealing from Social Security Act certain restrictions on exempt income and resources of persons receiving old age assistance.

Request for Unanimous Consent

Mr Bashore asked for unanimous consent to take up Assembly Joint Resolution No. 30, at this time, without reference to committee, print or file, and that the same be considered engrossed

Mr. Call withheld his consent

Resolution referred to Committee on Federal Relations

Assembly Joint Resolution No. 31: By Mr. Hawkins—Relative to the full utilization of the Nation's skills and resources in the National Defense Program and the building of National unity, irrespective of race or color.

Referred to Committee on Federal Relations

Assembly Constitutional Amendment No. 53: By Mr. Maloney—Proposed amendment to Article XIII by adding Section 14 4/5 of the Constitution, relative to taxation of insurers.

Referred to Committee on Insurance.

Assembly Concurrent Resolution No. 23: By Mr. Hugh M. Burns—Relative to the creation of a Welfare Personnel Policies Investigating Committee.

Referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 29

Mr Bashore moved that Assembly Joint Resolution No. 29 be withdrawn from the Committee on Federal Relations, and stricken from the file.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 230—An act to amend Section 14899 of the Health and Safety Code and to add two new sections, to be numbered

Sections 14920 and 14921, to the Health and Safety Code, providing for the cancellation or refund of erroneous, mistaken, or illegal special assessments for abating weeds, and providing for cancellation of any such assessments when the property is acquired by the State or by any county, city, school district, or other political subdivision and which because of said public ownership is not subject to sale for delinquent taxes.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 904—An act to add Sections 106.1 and 106.2 to Chapter 1 of Division 2 of the Agricultural Code, relating to plant quarantine inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1499—An act to amend Section 817 of the Agricultural Code, relating to peas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2433—An act to amend Section 89 of the Agricultural Code, relating to moneys of district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher,

Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 334—An act to amend Section 4300b of the Political Code, relating to fees.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Carlson, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Evans, Hastain, Johnson, Knight, John B., Knight, T. Fenton; Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Salsman, Stream, Tenney, Thomas, Voigt, Waters, Watson, Weber, and Mr Speaker—32

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dickey, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Millington, O'Day, Richie, Russell, Sawallisch, Thorp, Thurman, Turner, Welch, Weybret, and Wollenberg—36.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 334

Mr John B. Knight gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 334 was this day refused passage.

Assembly Bill No. 1111—An act to amend Section 1600 of Chapter 13 of the Probate Code, relating to request for special notice after the issuance of letters of guardianship.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1250—An act to amend Section 828 4 of the Agricultural Code, relating to standard containers for fruits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599 inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately

Respectfully submitted.

T. A. MALONEY

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Maloney:

An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599 inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately.

(Signed out)

MIDDOUGH, Chairman
POOLE
PFAFF

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2566: By Mr Maloney—An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599 inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately.

Referred to Committee on Insurance.

RESOLUTIONS

The following resolutions were offered:

By Mr. Poole:

House Resolution No. 98

Relative to message of sympathy on the death of Mrs. Rae Rosenthal

WHEREAS, Mrs Rae Rosenthal, aged 65, mother of former Assemblyman Ben Rosenthal, now Judge of the Municipal Court of Los Angeles, died March 3, 1941, as the result of having been struck by an automobile, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby extends heartfelt sympathy to her son the Honorable Ben Rosenthal, and her spouse, Mr. Rae Rosenthal, for their profound loss; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Honorable Ben Rosenthal and to Mr. Rae Rosenthal; and be it further

Resolved, That when this Assembly adjourns today, it do so out of respect to the memory of the late Mrs Rae Rosenthal, mother of Honorable Ben Rosenthal, former member of the Assembly of the State of California.

Request for Unanimous Consent

Mr. Poole asked for, and was granted, unanimous consent to take up House Resolution No 98, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Committee on Rules:

House Resolution No. 99

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect as follows:

Effective as of and including March 3, 1941:

	Per day
Ernest Halstead, Assistant Sergeant-at-Arms	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

By Messrs. Pfaff, Garland, Knight, John B., Waters, Turner, Russell, McCollister, Tenney, Robertson, Del Mutolo, Burns, Michael J., Salsman, Gallagher, Potter, Collins, George D., Poulson, Maloney, Weybret, Andreas, Pelletier, Poole, Cain, Lowrey, Crowley, Knight, T. Fenton; Cronin, Weber, Thomas, Houser, Frederick F., Voigt, Cassidy, Desmond, Millington, Evans, Stream, Wollenberg, Bashore, Bennett, Burkhalter, Hawkins, Watson, Dilworth, Meehan, O'Day, Kepple, Kilpatrick, Burns, Hugh M., Call, Thorp, Richie, Hastain, Gaffney, Thurman, Carlson, Clarke, Welch, Heisinger, Cooke, Middough, Doyle, Collins, Sam L., Johnson, Dickey, Field, Kellems, Phillips, Lyon, Dills, and Mrs. Daley:

House Resolution No. 100

Relative to birthday greetings to Honorable Eleanor Miller

WHEREAS, On Friday, March 7, 1941, recurs the natal day of Assemblywoman Eleanor Miller, our esteemed Colleague, who has well and truly served the people of the State of California for 10 consecutive sessions, 1923 to 1941, inclusive; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby extends to Miss Eleanor Miller its heartiest greetings on her birthday, and best wishes for many happy returns of the day; and be it further

Resolved, That it is the earnest wish of the members of this Assembly that our colleague may continue in good health and happiness for many, many years to come and that she may continue to serve the people of our State with honor and distinction as a member of the California State Assembly; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Miss Eleanor Miller.

Request for Unanimous Consent

Mr. Pfaff asked for, and was granted, unanimous consent to take up House Resolution No. 100, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

On motion of Mr. Lyon, the following remarks by Miss Miller were ordered printed in the Journal:

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: I am as much embarrassed as was Domingo at this tribute which has been accorded me. On previous years I have been able to keep secret my natal day, but it seems to have slipped out at this session. I certainly wish to voice my deep appreciation of your congratulations and good wishes so beautifully expressed and shall remember them with joy in future years. I shall hope to have all of your names inscribed on this lovely resolution.

While sitting here at my desk in reminiscent mood I have penned these lines which I now dedicate to you:

A birthday is "a lovesome thing, God wot,"
With gifts and flowers, good wishes—age forgot;
When hope springs new, exempting all our sorrow,
And one fares forth expectant of a glad tomorrow.

I thank you heartily.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Rules recommends the request for the printing of 1,500 additional copies of Assembly Bill No. 1134 by Mr. Call be granted.

LYON, Chairman
Committee on Rules

Report read and adopted.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No. 238

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 2275

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1078

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED) (OUT OF ORDER)

Assembly Bill No. 238—An act to amend Section 1 of the California Nautical School Act, relating to the California Nautical School and the place of its maintenance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Nautical School", and insert "Maritime Academy".

Amendment No. 2

In line 3 of the title of the printed bill, after "maintenance", insert "; declaring the urgency hereof, and providing that this act shall take effect immediately".

Amendment No. 3

On page 1 of the printed bill, after line 30, insert:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity.

The Federal Government has been compelled to order the California Maritime Academy from its present site. The academy training ship is now on cruise and upon its return will have no place to dock unless another site is immediately provided. It is therefore imperative that construction work on a new site be started immediately so that at least a pier be constructed before the training ship returns. It is therefore essential that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2275—An act to amend the Vehicle Code by adding thereto a new section to be numbered 515.1, relating to minimum speeds for commercial vehicles and combinations of commercial vehicles upon grades.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, after line 5, insert

"(a) Grade Zone. The term "grade zone" when used herein shall mean and include any segment or segments of the State Highway System of this State paved or surfaced for an area designed to accommodate not more than two lanes of traffic by motor vehicles in which is included any ascending or descending grade of 3 per cent or more for a distance of 2,000 feet or more.

Such grade zones shall be defined by the State Department of Public Works and designated at the beginning and end, and at entrances thereto, by appropriate signs to be posted by the State Department of Public Works, which signs shall indicate the per cent of maximum grade within such zone.

(b) Minimum Speed. The term "minimum speed" when used herein shall mean a speed of not less than 20 miles per hour.

(c) Minimum Grade. The term "minimum grade" when used herein shall mean a grade of 3 per cent over a distance of not less than 2,000 feet.

(d) Grade Zone Plates. On application for registration of each commercial vehicle or combination of vehicles the applicant, in addition to other things, shall state the aggregate number of cubic inches of piston displacement in the motor or motors of such vehicle. At the time of issuance of registration plates for such vehicle there shall be issued an additional plate to be known as a "grade zone plate". Such grade zone plate shall contain thereon a legend indicating the maximum gross

load which may be transported by such vehicle into or through any grade zone. Such maximum gross load shall be determined by the cubic inches of piston displacement as set forth in the following table, to wit:

Piston Displacement In Cubic Inches	Weight Limitation
200	21,000
225	24,000
250	26,000
275	28,000
300	30,000
325	32,000
350	34,000
375	36,500
400	38,600
425	39,500
450	41,000
475	42,200
500	43,500
525	44,500
550	46,000
575	47,500
600	49,000
625	51,500
650	53,000
675	54,100
700	55,000

Such grade zone plate shall be affixed at a conspicuous place on the rear of the vehicle for which it is intended.

It shall be unlawful to operate any motor vehicle or combination of vehicles into or through any grade zone the maximum gross load of which, including the vehicle or combination of vehicles and its load, exceeds the gross weight as fixed in the table in paragraph (d) hereof and the grade zone plate appropriate therefor

(e) Adjustment of Grade Zone Limits. The owner of any motor vehicle or combination, believing his vehicle or combination of vehicles is capable of propelling at a speed in excess of twenty (20) miles per hour over a grade of 3 per cent, a gross load in excess of that fixed in the table shown in paragraph (d) hereof, may apply to the department for a test of such vehicle On application such department shall promptly conduct an appropriate test for such vehicle and if the contention of applicant is found correct shall forthwith issue a substitute plate affording authority to move such loads as such examination may show such vehicle is capable of moving at the required speed up such minimum grade. When in the opinion of the department any vehicle is incapable of moving at the requisite speed up the minimum grade a gross load as great as that permitted under the said table in paragraph (d) and by such grade zone plate permitted, such owner shall submit such vehicle to an appropriate test by such department. If on such test it is found such vehicle is incapable of moving at the minimum speed up such minimum grade, a load as great as that provided by such table and by such grade zone plate, the department shall forthwith cancel and appropriate such grade zone plate, and shall issue in lieu thereof a grade zone plate for such lesser gross load as such vehicle is competent to move up such minimum grade at such minimum speed.

The gross load fixed herein shall be applicable in grade zones where the maximum grade does not exceed 3 per cent For each grade zone containing any grade of 4 per cent, as indicated on appropriate signs posted as herein specified, the gross load permitted on any vehicle shall be 20 per cent less than that permitted by and shown upon such grade zone plate For each grade zone in which is contained a grade of 5 per cent or more, the gross load permitted shall be 30 per cent less than that shown upon or permitted by such grade zone plate."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1078—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, after "at", insert "Morrow Cove,".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "State Nautical School", and insert "Maritime Academy and for the support and maintenance thereof, declaring the urgency hereof, and providing that this act shall take effect immediately".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "State Nautical School", and insert "Maritime Academy".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "and navigation building", and insert "classroom and other buildings".

Amendment No. 5

On page 1, line 9, of the printed bill, strike out "school", and insert "academy".

Amendment No. 6

On page 1 of the printed bill, after line 11, insert

"SEC. 2. The Board of Governors of the California Maritime Academy may use any amount of the funds hereby appropriated as the contribution of the State to any Works Progress Administration Funds which may be allocated for this project and may also use any amount of the funds hereby appropriated that may be necessary for the support and maintenance of the California Maritime Academy.

SEC. 3. Notwithstanding any of the provisions contained in Section 1 of the California Nautical School Act, the California Maritime Academy may be located upon San Francisco Bay, San Pablo Bay, Suisun Bay, the straits connecting any such bays or the mouth of any river flowing into any such bays and the funds hereby appropriated may be expended for the purposes herein designated upon any such site determined upon by the Board of Governors of the California Maritime Academy.

SEC. 4. All laws and parts of laws in conflict herewith are hereby repealed

SEC 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

The unsettled condition of world affairs has resulted in a situation in this country that can only be met by a prompt and widespread Military and Naval Armament Program and by taking all possible measures to secure the peace and safety of this Nation The California Maritime Academy provides a basic training course in seamanship, navigation and engineering. The expansion and improvement of its facilities is necessary for the National defense. In order that the program of armament and protection will not be delayed and that adequate provision for the preservation of the peace of this country can be made as promptly as possible it is essential that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. C. Delvry, Jr., County Clerk, Bridgeport, Mono County.

On request of Mr. Weybret, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gwynn Hollrihan, County Clerk, San Luis Obispo County.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Sanders, County Clerk of Yolo County.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lewis Morrill, County Clerk, Solano County, and Mrs. Morrill.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. B. McLees, County Clerk, San Diego County.

On request of Mr. Michael J. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry M. Burke, County Clerk, Mendocino County.

On request of Messrs. Del Mutolo and Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank W. Hogan, County Clerk, Santa Clara County.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Duncan of Los Angeles.

On request of Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. E. Wade, County Clerk, and James Holland, Deputy County Clerk of Alameda County.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to G. O. Kenyon, County Clerk of Imperial County, and Mrs. Kenyon.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor Frank Chandler, City Attorney Thomas Bewley of Whittier, Chief of Police O. E. Smith, H. L. Perry, and B G. Martin.

On request of Mr Michael J Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred J. Moore, Jr., County Clerk, Humboldt County.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Gladys Steward of Tulare County and Mr. E. F. Pickerill, Kings County.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Augustus, County Clerk of San Mateo County.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Gordon Pequegnat, County Clerk of Riverside County, and Mrs. Pequegnat.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert Cothran, County Clerk of Merced County, and Mrs. Cothran.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Laurie E. Lertara and C. E. Towle of Hollister.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. L. E. Hallowell, County Clerk of Ventura County.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray George, President Democratic Luncheon Club and Widows Protective League of Los Angeles.

ADJOURNMENT

At 1.50 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 10, 1941, out of respect to the memory of the late Mrs. Rae Rosenthal, mother of former Assemblyman Judge Ben Rosenthal of Los Angeles.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY
SIXTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 10, 1941

The Assembly met at 11 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—79.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cooke.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:
Mr. Sheridan, on motion of Mr. Carlson.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

San Francisco Chronicle—E. O. Kelsey.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2510—An act to add Section 7401 to the Business and Professions Code, relating to persons receiving training in cosmetology through the Public School System;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of March, 1941, at 2 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 265	Assembly Bill No 1495
Assembly Bill No 353	Assembly Bill No. 1527
Assembly Bill No. 378	Assembly Bill No. 1788
Assembly Bill No. 619	Assembly Bill No 2121
Assembly Bill No. 1110	Assembly Bill No. 2144
Assembly Bill No. 1115	Assembly Bill No. 2145
Assembly Bill No 1118	Assembly Bill No. 2348

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 238	Assembly Bill No 1791
Assembly Bill No 268	Assembly Bill No 1816
Assembly Bill No 359	Assembly Bill No 1834
Assembly Bill No. 562	Assembly Bill No. 1858
Assembly Bill No 846	Assembly Bill No. 2198
Assembly Bill No. 994	Assembly Bill No. 2218
Assembly Bill No. 1078	Assembly Bill No. 2275
Assembly Bill No 1639	Assembly Bill No 2474

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs Desmond and Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

Respectfully submitted.

EARL D DESMOND
S. L. HEISINGER

Request referred to Committee on Introduction of Bills.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Desmond and Heisinger:

An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

(Signed out)

MIDDOUGH, Chairman
POOLE
F. N. HOWSER

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Middough moved a call of the Assembly.

Motion carried. Time, 11:10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Allen, ordered printed in the Journal:

CITY OF LOS ANGELES
CITY HALL, March 6, 1941

Clerk of the Assembly, State of California
Sacramento, California

SIR: I herewith transmit certified copy of resolution adopted by the City Council of the City of Los Angeles at its meeting held March 6, 1941.

Respectfully,

WALTER C. PETERSON, City Clerk

Resolution

WHEREAS, During the recent heavy rain storms extensive flood damage has resulted to bridges, streets, drainage structures and other public property and works throughout the City of Los Angeles and in many other municipalities and unincorporated areas throughout the State of California; and

WHEREAS, The cost of replacing, reconstructing or repairing such public works and other storm damage is greatly in excess of the revenues and available funds of the local jurisdictions above mentioned; and

WHEREAS, In the interest of public safety and welfare and the continued development of the affected communities it is of paramount importance that such public works and storm damaged property be restored at the earliest possible moment; now, therefore, be it

Resolved by the City Council of the City of Los Angeles, That His Excellency, the Governor of the State of California, and the honorable members of the Senate and Assembly, constituting the Legislature of the State of California, be and they are hereby memorialized to provide, as early during its current session as its business may permit, all necessary funds for the complete restoration of the public works and property, including bridges, streets, highways, beaches and drainage structures, damaged by storms and flood waters during the heavy rains of the past several weeks; be it further

Resolved, That the city clerk shall certify to the passage of this resolution by unanimous vote and cause duly authenticated copies thereof to be mailed forthwith to His Excellency, the Governor, and to the duly appointed, qualified and Acting Clerk of the Senate and of the Assembly of the Legislature of the State of California now in session.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Los Angeles by a unanimous vote of all members present at its meeting held March 6, 1941.

[SEAL]

WALTER C. PETERSON, City Clerk

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 334.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Kilpatrick, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 149—An act to add Section 20 to the California Unemployment Relief Act of 1935, relating to the support of persons in need of unemployment relief.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Kilpatrick, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 616—An act to amend Sections 1526 and 1527 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—67

NOES—Desmond—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE BILL

At 11 22 a.m , on motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Messrs. Desmond and Heisinger, by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2567: By Messrs. Desmond and Heisinger—An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

Referred to Committee on State Grounds and Parks.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1101—An act to add Section 1552.3 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare in regard to aid to needy children.

Bill read third time.

Demand for Previous Question

Messrs Robertson, Houser, Frederick F., Andreas, Pelletier and Poulson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1101.

The roll was called, and Assembly Bill No. 1101 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N. Johnson, Kilpatrick, King, Knight, John B., Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Tenney, Thomas, Voigt, Waters, Weber, and Welch—42.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dilworth, Field, Hastain, Houser, Frederick F., Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Potter, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Weybret, Wollenberg, and Mr Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 1101

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1101 was this day passed.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SACRAMENTO, March 10, 1941

DEAR MR SPEAKER. Circumstances prevent me from serving as chairman of the committee in a manner which would be appropriate to the proper consideration of the Legislature I find after discussing these problems with Mr. Dickey that he has a great interest in these matters and suggest that he might be willing to serve as chairman.

WEBER

APPOINTMENT TO STANDING COMMITTEE

The Speaker announced the following change in standing committee:

Mr Dickey appointed chairman of Committee on Hospitals and Asylums in place of Mr Weber.

APPROVAL OF JOURNALS

On motion of Mr Lyon, the Journals of Monday, March 3, 1941; Tuesday, March 4, 1941; Wednesday, March 5, 1941; Thursday, March 6, 1941; and Friday, March 7, 1941; were approved as corrected by the Minute Clerk.

RECESS

At 12 05 p m, on motion of Mr Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m, the Assembly reconvened

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1102 AND 1103

Mr. Lyon moved that Assembly Bills Nos. 1102 and 1103 be withdrawn from file, and re-referred to Committee on Social Service and Welfare.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 241—An act to amend Section 764 of the Probate Code, relating to sales of real and personal property in probate.

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Bashore, Burkhalter, Burns, Michael J Call, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 262—An act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judges

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 833—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff Phillips Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—72.

NOES—Dilworth—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 860—An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier Pfaff, Phillips, Poole Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—Houser, Frederick F., and Poulson—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1543—An act to amend Section 16 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the terms of office and election of judges of such courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff,

Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—Gaffney—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 314—An act to amend School Code Section 6.471, relating to the purchase of articles by governing boards of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 338—An act to add Section 3.265 to the School Code, relating to the average daily attendance of junior high school pupils.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 360—An act to amend School Code Sections 2.870, 2.871, 2.879 and 2.879½, all relating to the election of members of governing boards of school districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 883—An act to amend School Code Section 5.654, relating to the dismissal of permanent employees of a school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Wollenberg, Collins, George D., Gaffney, Maloney, Cronin, O'Day, Welch, Gallagher, Weber, and Pfaff:

House Resolution No. 101

WHEREAS, Robert Miller Green, our esteemed fellow member, and Elizabeth (Betty) Magruder, the object of his affections, were the principal participants in an exchange of marriage vows on Sunday, March 2, 1941; and

WHEREAS, This union of a young man from the North and a young lady from the South again demonstrates that the State of California is one large community of mutual interests and tastes, and bodes well for an amicable solution of the problem of reapportionment and other issues of a sectional nature now pending in the Legislature; and

WHEREAS, The charming, personable and comely Mrs. Robert Miller Green is, indeed, an addition of the first magnitude to the rapidly expanding cluster of Legislators' wives; and

WHEREAS, This Assembly desires to express its felicitations; now, therefore, be it

Resolved, That the Assembly of the State of California hereby wishes Mr. and Mrs. Robert Miller Green the utmost in happiness in the years of wedded life that lie ahead; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to deliver a suitably prepared copy of this resolution to the happy couple.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up House Resolution No. 101, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

At 3.11 p.m., on motion of Mr. Wollenberg, the Assembly recessed until 3.16 p.m., to hear from Senator Kuchel.

Upon invitation of the Speaker, Mrs. Robert Miller Green was escorted to the rostrum by Assemblyman Robert Miller Green.

REASSEMBLED

At 3.16 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 32: By Messrs. Heisinger and Garland—Relative to Kings River flood control.

Referred to Committee on Federal Relations.

Assembly Joint Resolution No. 33: By Messrs. Burkhalter, Knight, John B., Field and Potter—Relative to the extension of flood control works in the Los Angeles River and the construction of such works in the San Fernando Valley.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Speaker Pro Tempore Presiding

At 3.20 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1050—An act to add Section 6.94 to the School Code, and to amend Section 6.90a of the School Code, relating to the construction and maintenance of dormitories of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—61.

NOES—Carlson, and McCollister—2.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1433 AND 1434

Mr. Call moved that Assembly Bills Nos 1433 and 1434 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Revenue and Taxation.

Motion carried

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1051—An act to amend School Code Section 2.680, relating to elections for the formation of junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Poole, Potter, Poulson, Richie, Russell, Sals-

man, Sawallisch, Stream, Thomas, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1996—An act to add Article 3 to Chapter 9 of Part 1 of Division 2 of the School Code, relating to junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Waters, Watson, Weber, Welch, and Wollenberg—56
NOES—Call, and Cooke—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2219—An act to amend the title of Chapter 8 of Part 1 of Division 2 of the School Code and to amend Section 2.510 of said code

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Waters, Watson, Weber, Welch, and Wollenberg—60.
NOES—Crowley, and Houser, Frederick F.—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2221—An act to amend Section 5.430 of the School Code, relating to school principals.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1527

Mr. Carlson moved that Assembly Bill No. 1527 be withdrawn from the file, and re-referred to the Committee on Soldiers and Sailors Affairs.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 265—An act to amend Sections 103.5 and 103.6 of the Fish and Game Code, relating to Fish and Game Districts 103.5 and 103.6.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock Hastain Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 353—An act to amend Section 651.6 of the Fish and Game Code, relating to salmon.

Bill read third time.

Withdrawal and Re-reference of Assembly Bill No. 353

Mr. Donnelly moved that Assembly Bill No. 353 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

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

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Dilworth, Donnelly, Gaffney, Gallagher, Green Gunlock, Hawkins, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, McCollister, O'Day, Pelletier, Poulson, Robertson Waters, and Welch—31.

NOES—Allen, Bashore, Burkhalter, Burns, Hugh M., Call, Daley, Dickey, Dills, Doyle, Hastain, Houser, Frederick F., Howser, F. N., Kellems Kepple, Knight, T. Fenton; Leonard, Lyon, Middough, Miller Millington, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thurman, Voigt, Watson, Weybret, and Wollenberg—34

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Green, Hastain, Heisinger Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters Watson, Weber, Weybret, and Wollenberg—51.

NOES—Cain, Cassidy, Collins, George D., Donnelly, Gaffney, Gunlock, Hawkins, Kilpatrick, King, Massion, O'Day, Pelletier, Richie, and Russell—14.

Notice of Motion to Reconsider Assembly Bill No. 353

Mr. Donnelly gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 353 was this day passed.

Explanation of Vote

The reason we voted "No" on Assembly Bill No 353 is because Assemblyman Donnelly, whose district the bill affects, requested an opportunity to have it heard in committee with notice to him and was refused the opportunity

EDWARD F. O'DAY
GEORGE D COLLINS
WM. I. GUNLOCK
JOHN EDWARD CAIN

REPORTS OF STANDING COMMITTEES

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR SPEAKER Your Committee on Insurance, to which were referred:

Assembly Bill No. 964
Assembly Bill No 1397
Assembly Bill No. 1401
Assembly Bill No. 2566

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2566, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 2566

Assembly Bill No. 2566—An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599, inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Maloney:

Resolved, That Assembly Bill No 2566 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2566

Assembly Bill No. 2566—An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599, inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Assembly Bill No. 2566—An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599, inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr Lyon:

House Resolution No. 102

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by members of the Assembly, for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 102, at this time, without reference to committee.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masston, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

By Committee on Rules:

House Resolution No. 103

Resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect as follows:

Effective as, of and including March 9, 1941:

Marion Hendricks, Assistant Engrossing and Enrolling Clerk	$7 00
Elizabeth Webber, Assistant Engrossing and Enrolling Clerk	7 00
Irene Mosher, Stenographer	5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masston, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—65.

NOES—None.

By Committee on Rules:

House Resolution No. 104

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

Commencing March 10, 1941:

Marion Hendricks, Assistant Clerk	$7 00
Elizabeth Webber, Assistant Clerk	7 00
Irene Mosher, Assistant Clerk	7 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

By Mr. Lyon:

House Resolution No. 105

Relative to Birthday Greetings to Domingo Correia

WHEREAS, On March 7, 1941, Domingo Correia, a Page of the Assembly, attained the age of 21 years, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends greetings and best wishes to Domingo Correia upon his birthday; and be it further

Resolved, That a suitably prepared copy of this resolution be transmitted by the Chief Clerk of this Assembly to Domingo Correia.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 105, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Committee on Rules:

House Resolution No. 106

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, and the Controller is hereby directed to draw his warrant in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

Commencing March 3, 1941, to and including March 6, 1941, only:

Marie Pope, Stenographer $5 00

LYON, Chairman
Committee on Rules

Resolution read:

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 268—An act to amend the chapter heading of Chapter 8 of Division 9 and to amend Sections 10600, 10601, 10602, 10603, 10607, 10625 and 10626 of the Health and Safety Code, relating to vital statistics, including proceedings to establish the fact of birth, death or marriage.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—68

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

LYON, Chairman

Above reported resolution ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Mr Hugh M. Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

Assembly Concurrent Resolution No. 23—Relative to the creation of a Welfare Personnel Policies Investigating Committee.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Masson, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR SPEAKER: Your Committee on Insurance, to which were referred.

Assembly Bill No 1403
Assembly Bill No 1404
Assembly Bill No. 1516

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred.

Assembly Bill No. 962
Assembly Bill No. 963
Assembly Bill No. 1398

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Assembly Bill No. 1234

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DOYLE, Chairman

Above reported bill ordered to second reading.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 777

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

HEISINGER, Chairman

Above reported resolution ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 30—Relative to memorializing Congress to enact H. R. 3021, repealing from Social Security Act certain restrictions on exempt income and resources of persons receiving old age assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Federal Relations:

Amendment No. 1

On page 1, line 14, of the printed measure, following the comma, strike out all matter to the end of the line, and in line 15, strike out "has", and insert "there has been".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1639 re-referred to Committee on Judiciary General.

Assembly Bill No. 1858 re-referred to Committee on Elections.

Assembly Bill No. 2474 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1791 re-referred to Committee on Education.

Assembly Bill No. 2218 re-referred to Committee on Education.

Assembly Bill No. 846 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 994 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1816 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2198 re-referred to Committee on Fish and Game.

Assembly Bill No. 2275 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1078 re-referred to Committee on Governmental Efficiency and Economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs Garland and Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Samuel William Yorty, of Los Angeles, former member of the Assembly.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jack Long of Baldwin Park and John Biasotti of Monrovia

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ira J. McDonold of Los Angeles.

On request of Mr Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Allyce Covey of San Francisco and Wm. Neindorf of Palm Springs

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W J. McClelland, County Clerk of Imperial County, and Mrs Kenyon.

On request of Messrs. Desmond and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Sheetz, instructor, and the following Journalism students of the Sacramento Junior College: Gloria James, Mary-Ellen Adams, Elaine Jopson, Wahnetta Addy, Barbara Link, Jean Harelson, Dorothy Johnson, Phyllis Kelk, June O'Keefe and Forest Black

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Dun of Hollywood.

On request of Mr Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ira J. MacDonold and Norman L. Cramb of Los Angeles.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Willard Huyck of Los Angeles.

On request of Mr Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. Paschall, member of State Pharmacy Board, of Long Beach.

On request of Mr. Garland and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gaffney and family, Mary, Helen, Matthew and Peter.

On request of Mr. Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Hazel Anderson of Everett, Washington.

ADJOURNMENT

At 4.40 p m, on motion of Mr Lyon, the Speaker declared the Assembly adjourned until 2 p m., Tuesday, March 11, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 11, 1941

The Assembly met at 2 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—73.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cooke.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Kellems, on motion of Mr. Robertson.
Mrs Daley, on motion of Mr. Stream.
Mr. Gunlock, on motion of Mr. Cain.
Mr Welch, on motion of Mr. Gallagher.
Mr. Phillips, on motion of Mr. Carlson.
Mr. Tenney, on motion of Mr. Dills.
Mr. Cassidy, on motion of Mr. Meehan.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 10, 1941

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

Senate Bill No. 32
Senate Bill No. 104
Senate Bill No. 207
Senate Bill No. 231
Senate Bill No. 353
Senate Bill No. 354
Senate Bill No. 355
Senate Bill No. 356
Senate Bill No. 357
Senate Bill No. 358
Senate Bill No. 359
Senate Bill No. 361
Senate Bill No. 362
Senate Bill No. 406
Senate Bill No. 446
Senate Bill No. 471
Senate Bill No. 485
Senate Bill No. 564
Senate Bill No. 632
Senate Bill No. 905

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 10, 1941

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

Assembly Bill No. 160
Assembly Bill No. 597
Assembly Bill No. 598
Assembly Bill No. 599
Assembly Bill No. 600
Assembly Bill No. 601
Assembly Bill No. 602
Assembly Bill No. 604
Assembly Bill No. 605
Assembly Bill No. 449
Assembly Bill No. 451
Assembly Bill No. 452
Assembly Bill No 453
Assembly Bill No. 454
Assembly Bill No. 596

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 10, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 450

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Bill No. 450, at this time, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 450—An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 450?

Amendment No. 1

On page 19 of the printed bill, strike out lines 31 and 32, and insert

"8358. The money paid into the State Highway Fund is appropriated to the Department of Public Works to be expended in accordance with law for the payment of all necessary charges incurred in carrying out the provisions of the Streets and Highways Code, and of any other law relating to the acquisition of real property for and the construction, maintenance, or improvement of highways."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 450 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 450 ordered enrolled.

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 32—An act adding Section 665½ to the Code of Civil Procedure, defining submission of causes.

Referred to Committee on Judiciary Codes.

Senate Bill No. 104—An act amending Sections 26 and 28 of the County Employees Retirement Act of 1937, relating to retirement, declaring the urgency thereof and that this act shall take effect immediately.

Referred to Committee on Civil Service.

Senate Bill No. 207—An act to amend Section 616 of the Fish and Game Code, relating to trout and whitefish in Tuolumne County.

Referred to Committee on Fish and Game.

Senate Bill No. 231—An act to amend School Code Section 3.516, relating to employees of the State Board of Education.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 353—An act to add Division 6, comprising Sections 14000 to 14004, inclusive, to the Business and Professions Code, thereby consolidating and revising the law relating to general provisions concerning business rights, defining the terms used in connection therewith, describing the effect of the provisions on business rights and providing the manner in which said rights may be asserted

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 354—An act to add Chapter 1, comprising Sections 14100 to 14103, inclusive, to Division 6, and to add Section 30023 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the definition and transfer of good will, and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 355—An act to add Chapter 2, comprising Sections 14200 to 14325, inclusive, to Division 6, and to add Section 30024 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to trade-marks, and repealing acts and parts of acts specified herein

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 356—An act to add Chapter 3, comprising Sections 14400 to 14491, inclusive, to Division 6 and to add Section 30040 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to trade names and designations, and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 357—An act to add Chapter 4, comprising Sections 14700 to 14740, inclusive, to Division 6 and to add Section 30025 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to protection of the rights of authorship and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 358—An act to add Division 7, comprising Part 1, Chapters 1 to 3, inclusive, Sections 16000 to 16240, inclusive, and to add Section 30026 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to licensing by the State, counties and cities, and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 359—An act to add Chapter 4, comprising Sections 16300 to 16451, inclusive, to Part 1 of Division 7, and to add Section 30027 to Division 30 of the Business and Professions Code, thereby consolidating and revising the laws regulating itinerant merchants and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 361—An act to add Part 3, comprising Chapter 1, Sections 17500 to 17535, to Division 7 and to add Section 30041 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to false advertising, and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 362—An act to add Chapter 2, comprising Sections 17700 to 17702, inclusive, to Part 3 of Division 7, and to add Section 30029 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to redeemable coupons, and repealing acts and parts of acts specified herein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 406—An act to amend Section 4247 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighteenth class.

Referred to Committee on County Government.

Senate Bill No. 446—An act to repeal Section 171 of the Fish and Game Code, relating to Fish and Game District 1U.

Referred to Committee on Fish and Game.

Senate Bill No. 471—An act to amend Section 1230 of the Fish and Game Code, relating to predatory mammals.

Referred to Committee on Fish and Game.

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3 to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately.

Referred to Committee on County Government.

Senate Bill No. 564—An act to amend Section 653 of the Fish and Game Code, relating to salmon in Districts 2 and 2½.

Referred to Committee on Fish and Game.

Senate Bill No. 632—An act to amend Section 1875 of the Code of Civil Procedure and to establish Article 1 of Chapter 1 of Title 2 of Part 4 of the Code of Civil Procedure, comprising Section 1875, and to add Article 2 to Chapter 1 of Title 2 of Part 4 of the Code of Civil Procedure, comprising Sections 1876 to 1876.6, inclusive, all relating to judicial notice.

Referred to Committee on Judiciary Codes.

Senate Bill No. 905—An act to add Section 450.1 to the Fish and Game Code, making the taking, mutilating, or destruction of any wild fish, bird, mammal or other game lawfully in the possession of another a misdemeanor and providing the penalty therefor.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 964—An act to add Part 7, comprising Sections 12001 to 13113, inclusive, to Division 2 of, and to add Section 50013 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the taxation of insurance companies and associations and the collection of taxes from such companies and associations, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1397—An act to amend Sections 1703.5, 1704, 1708, 1709 and 1713 of, to repeal Section 1713.8 of the Insurance Code and to add Sections 1708.5, 1708.6 and 1709.2 thereto, relating to the transaction of life and disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1401—An act to amend Sections 981, 3016, 3035, 3036, 3039, 3040, 11715 and 12091, and to repeal Section 3017 of the Insurance Code, relating to insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 962—An act to amend Section 3669c of the Political Code, relating to the taxation of insurance companies and the

collection of taxes from such companies, including the suspension of corporate rights, privileges and powers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 3 of the printed bill, after line 36, insert

"SEC. 2. In the event Part 7 is added to Division 2 of the Revenue and Taxation Code by a bill enacted at the Fifty-fourth Regular Session of the Legislature, the provisions of this act shall take effect simultaneously with the provisions of such act. The taking effect of the provisions of this act is contingent upon the taking effect of Part 7 of Division 2 of the Revenue and Taxation Code."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 963—An act to add Section 1283 to the Insurance Code, relating to the taxation of insurers, including reciprocal or interinsurance exchanges.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert

"SEC. 2. In the event Part 7 is added to Division 2 of the Revenue and Taxation Code by a bill enacted at the Fifty-fourth Regular Session of the Legislature, the provisions of this act shall take effect simultaneously with the provisions of such act. The taking effect of the provisions of this act is contingent upon the taking effect of Part 7 of Division 2 of the Revenue and Taxation Code."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1398—An act to amend Sections 760, 781 and 1706.8 of, and to add Section 760.5 to, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert a comma and "declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 3 of the printed bill, after line 51, insert

"SEC. 5. This act is hereby declared to be an urgency measure within the meaning of Section 1, Article IV of the Constitution of the State of California. The following is a statement of the facts constituting such necessity:

Under the present provisions of the Insurance Code amended by this bill, it is extremely difficult, if not impossible, by means of questions and answers in applications for renewal of licenses to determine whether licensees of this division are conforming with the requirements of law. The taking of immediate effect of this act will permit appropriate application forms and questions to be prepared and lawfully used during the current renewal period. Applications must be filed before June 1st

and in order to eliminate the attendant confusion and inconvenience to the public, it is therefore necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

In line 4 of the title of the printed bill, after "duties," strike out "and".

Amendment No. 2

In line 6 of the title of the printed bill, strike out the period, and insert "and making an appropriation therefor."

Amendment No. 3

On page 2, line 48, of the printed bill, after "Governor", insert "at least".

Amendment No. 4

On page 3, line 4, of the printed bill, after "Governor", insert "at least".

Amendment No. 5

On page 3, line 12, of the printed bill, strike out "or", and insert ", a lesser number than a quorum may adjourn from time to time, but not beyond the thirtieth day after the date fixed by this chapter for the meeting of the Advisory Panel. If".

Amendment No. 6

On page 3, line 14, of the printed bill, strike out "10 days after such meeting", and insert "40 days after the date fixed by this chapter for the meeting of the Advisory Panel".

Amendment No. 7

On page 3, line 21, of the printed bill, strike out "any position", and insert "membership".

Amendment No. 8

On page 3, line 22, of the printed bill, strike out the period, and insert ", as provided in this article.".

Amendment No. 9

On page 3, line 32, of the printed bill, strike out "act", and insert "confirm or reject the appointments".

Amendment No. 10

On page 4 of the printed bill, strike out lines 44 to 51, inclusive, and on page 5, strike out lines 1 to 34, inclusive, and insert

"1732 Except as otherwise provided in this chapter the court shall commit to the Authority every person convicted of a public offense who

(a) is found to be 23 years of age at the time of apprehension, and

(b) is not sentenced to death, imprisonment for life, imprisonment for not more than 90 days, or the payment of a fine, and

(c) is not granted probation.

1732.4 A person who is convicted of a public offense, who is found to have been less than 23 years of age at the time of apprehension, and who is sentenced to not more than 90 days imprisonment, may be imprisoned only in a place which has been approved for that purpose by the Authority.

1732.7. A person who is convicted of a public offense for which the maximum penalty provided by law is imprisonment for not more than 90 days, and who is found to be less than 23 years of age at the time of his apprehension, may be committed to the Authority only if it is brought to the court's knowledge that the person has been previously convicted of a public offense or has been a ward of the juvenile court by reason of a public offense and the court is satisfied that society will best be protected by commitment to the Authority."

Amendment No. 11

On page 5 of the printed bill, strike out all of line 39, and "granting", in line 40, and insert

"1734. The court shall not grant".

Amendment No. 12

On page 5, line 41, of the printed bill, strike out "does not require", and insert "requires".

Amendment No. 13

On page 5, line 51, of the printed bill, strike out "juveniles 16 years of age or over", and insert "persons subject to its jurisdiction".

Amendment No. 14

On page 6, lines 1 and 2, of the printed bill, strike out "commitments from the juvenile court of juveniles 16 years of age or over", and insert "such commitments"

Amendment No. 15

On page 6, lines 22 and 23, of the printed bill, strike out ", until the conviction has been set aside and the proceedings against him have been dismissed", and insert "until final disposition of the appeal".

Amendment No. 16

On page 6, line 35, of the printed bill, strike out "and".

Amendment No. 17

On page 6, line 36, of the printed bill, after "prosecution," insert "and the probation officer of the county,".

Amendment No. 18

On page 7, between lines 18 and 19, of the printed bill, insert

"1752.5. The Authority may establish or assist in the establishment of, any public council or committee, and may assist and cooperate with any existing agency, having as its object the prevention or decrease of delinquency among youths; and the Authority may cooperate with or participate in the work of any such councils, or any existing councils, including the improving of recreational, health and other conditions in the community affecting youths."

Amendment No. 19

On page 10, lines 10 and 11, of the printed bill, strike out "upon the expiration of a two-year period of control or".

Amendment No. 20

On page 10, line 12, strike out the period, and insert ", unless a petition is filed under Article 5 of this chapter. In the event such a petition is filed, the Authority shall retain control until the final disposition of the proceeding under Article 5."

Amendment No. 21

On page 10, line 50, of the printed bill, strike out "$_____", and insert "two hundred seventy-five thousand dollars ($275,000)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1403—An act to add Section 383.5 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 2 of the printed bill, after line 11, insert

"The purpose of this section is to prevent fraud or mistake in connection with the transaction of insurance covering motor vehicles and in furtherance of that purpose the commissioner may make reasonable rules and regulations therefor."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1404—An act to amend Sections 5050.5, 5057, 5058, 5090, 7031, 7088 and 9031 of, and to add Section 5090.2 to, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 4 and 5, and insert "shall be held on the third Monday of February of each year, unless its board of directors fixes the time for the annual meeting in which event the board may select the second Monday in February or any day between the second and third Mondays of February."

Amendment No. 2

On page 2, line 40, of the printed bill, strike out "A", and insert "Not more than one".

Amendment No. 3

On page 2, line 43, of the printed bill, strike out "not".

Amendment No. 4

On page 2, line 44, of the printed bill, after the period, insert "If a director of the board is licensed as an insurance agent, broker or solicitor, or is a member of an association or partnership or a stockholder or employee of a corporation which is so licensed, neither he nor the association, partnership or corporation shall transact insurance with or for a county mutual insurer as an agent, broker or solicitor, or receive any commission from a county mutual insurer."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1516—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875, 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650 and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 3 of the printed bill, strike out lines 23 to 25, inclusive, and insert "If the commissioner after hearing finds that a general agency or managerial contract, which an insurer subject to this chapter either proposes to enter into or has entered into prior to the effective date of this section, provides compensation to be paid".

Amendment No. 2

On page 3 of the printed bill, strike out lines 31 and 32, and insert "disapprove such contract. Disapproval in writing communicated to an insurer shall cancel a contract already entered into as of the date borne by the disapproval, and an insurer shall not enter into a proposed contract so disapproved".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1234—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees in military or naval service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Soldiers and Sailors Affairs:

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"If the period of absence of any such officer or employee continues for a period in excess of one year he shall not be compensated for any part of such absence in excess of 30 days".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

RECONSIDERATION OF ASSEMBLY BILL NO. 1101

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 1101 was passed be reconsidered.

Assembly Bill No. 1101 reconsidered by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Bennett, Collins, George D., and Dills—3.

Assembly Bill No. 1101 ordered on file.

Withdrawal and Re-reference of Assembly Bill No. 1101

Mr. Lyon moved that Assembly Bill No. 1101 be withdrawn from the file, and re-referred to the Committee on Social Service and Welfare.

Motion carried.

RECONSIDERATION OF ASSEMBLY BILL NO. 353

In compliance with a notice given on a previous day, Mr. Donnelly moved that the vote whereby Assembly Bill No. 353 was passed be reconsidered.

Assembly Bill No. 353 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Middough—1

Assembly Bill No. 353 ordered on file.

Withdrawal and Re-reference of Assembly Bill No. 353

Mr. Donnelly moved that Assembly Bill No. 353 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 784—An act to amend Section 12510 of the Business and Professions Code, relating to the use of false or improper equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Collins, Sam L., Evans, Howser, F. N., and Robertson—4.

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 334

In compliance with a notice given on a previous day, Mr. John B. Knight moved that the vote whereby Assembly Bill No. 334 was refused passage be reconsidered.

Assembly Bill No 334 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Call, Cronin, Gallagher, Knight, T. Fenton; Millington, O'Day, and Watson—7.

Assembly Bill No. 334 ordered on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 549—An act to amend Section 828.65 and 829.45 of, to add Section 828.76 to, the Agricultural Code, relating to containers for sweet potatoes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to repeal School Code Section 2.889 and to amend School Code Section 2.981, relating to the conducting of elections for members of governing boards of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2121—An act to amend Sections 894 and 895 of the Military and Veterans Code, relating to veterans' dependents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2348—An act to add Section 424 to the Military and Veterans Code, relating to the use of uniforms of military and semimilitary organizations of foreign governments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Weber, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Evans, Howser, F. N., and Salsman—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1110—An act to add Section 395.2 to the Military and Veterans Code, relating to employees of school districts performing military services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

MOTIONS TO POSTPONE ACTION INDEFINITELY

Mr. Lyon moved to postpone action on Assembly Bill No. 2062 indefinitely.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Mr. Wollenberg moved to postpone action on Assembly Bill No. 1365 indefinitely.

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

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Mr. Clarke moved to postpone action on Assembly Bill No. 2329 indefinitely.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—66.

NOES—None.

Mr. Heisinger moved to postpone action on Assembly Bill No. 107 indefinitely.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—66

NOES—None

Mr. Poulson moved to postpone action on Assembly Bill No. 940 indefinitely.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson,

Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—66.

NOES—None.

Mr. Meehan moved to postpone action on Assembly Bills Nos 84 and 1218 indefinitely.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Mr. Russell moved to postpone action on Assembly Bill No. 1303 indefinitely.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

Mr. Burkhalter moved to postpone action on Assembly Bill No. 607 indefinitely.

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

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Cooke, and Richie—2.

WITHDRAWAL AND RE-REFERENCE OF HOUSE RESOLUTION NO. 95

Mr Lyon moved that House Resolution No 95 be withdrawn from the file, and re-referred to the Committee on Rules.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 619

Mr Thurman moved that Assembly Bill No. 619 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1115—An act to amend Section 619.5 of the Fish and Game Code, relating to Mackinaw trout.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An act to amend Section 610 of the Fish and Game Code, relating to trout season and bag limits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1495—An act to amend the Fish and Game Code of the State of California by amending Section 612 thereof, relating to steelhead trout fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1788—An act to amend Section 421 of the Fish and Game Code, relating to sale of fish taken under sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey,

Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—56.
NOES—Allen, Collins, Sam L., Dills, Dilworth, Field, Heisinger, Howser, F. N., Robertson, Sheridan, Stream, and Mr. Speaker—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 562—An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2144—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiropody.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2145—An act to add Section 2410 to the Business and Professions Code, relating to the advertising of chiropodical services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Turner, Vogt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66
NOES—Dills and Thurman—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1834—An act to amend Section 1407 of the Probate Code, relating to the appointment of guardians of minors.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 378—An act to repeal Section 4½ of, and to add Section 4.5 to the California Toll Bridge Authority Act, relating to transportation facilities.

Bill read third time.

Motion to Set Special Order

Mr. Johnson moved that Assembly Bill No. 378 be made a special order of business for Wednesday, March 19, 1941, at 2 30 p m.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None

Assembly Bill No. 238—An act to amend Section 1 of the California Nautical School Act, relating to the California Nautical School and the place of its maintenance.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser,

F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 30

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

MOTION TO WITHDRAW AND STRIKE ASSEMBLY JOINT RESOLUTION NO. 30 FROM FILE

Mr. Bashore moved that Assembly Joint Resolution No. 30 be withdrawn, and stricken from the file.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1104

Mr. Bashore moved that Assembly Bill No. 1104 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Labor and Capital.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

VOTE OF THANKS

The Speaker ordered that a vote of thanks be extended to the members of the Assembly from Sacramento, and the Chief Clerk instructed to write a letter to the Sacramento Chamber of Commerce thanking them for the dinner accorded the members, on Monday, March 10.

MOTION TO SEND FLOWERS

On motion of Mr. Poulson, the Chief Clerk was instructed to send flowers to Mrs. Waters, wife of Assemblyman Waters, who is in the Sutter Hospital.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered to engrossment.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1297

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 897
Assembly Bill No. 1089

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Joint Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

WEYBRET, Chairman

Above reported bill ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 905
Assembly Bill No. 1090

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported bill ordered to engrossment.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 1653

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred

Assembly Bill No. 1273
Assembly Bill No. 1757
Assembly Bill No. 2265

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 310

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Elections, to which were referred:

Assembly Bill No. 129
Assembly Bill No. 133

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 964
Assembly Bill No. 1397
Assembly Bill No. 1401

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 1100
Assembly Bill No. 896

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 915
Assembly Bill No. 1348

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the San Francisco Delegation and Arthur A. Ohnimus, Chief Clerk, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Peter F. Courneen, Assistant District Attorney from San Francisco.

On request of Messrs. Millington and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elman, adviser, and the following students of the senior class, Sutter Union High School: Harold Baird, Avery Schellenger, John Howe, Hugh Wisner, Louis Custis, Bob Darrough, Joe Chisholm, Willard Aylesworth, Laverne English, Richard Wilson, Voriece Reische, Orlin Putman, Nadine Daly, Geralding Peck, Adamae Braselton, Betty Aylesworth, Gertrude Smith, Elsie Byer, Frances Woodard, Wilma Krull, Dorothy Nunes, Barbara Shedd, Betty Taylor, Louvena Woods, Adonamae Kemp, Shirley Gridley, Kathleen Crawford, Beverly Nielson, Corrinne Lewis, and Winifred Peck.

On request of Messrs. Gunlock and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and the following students of Fall River Joint Union High School: Freshmen: Boys—George Ingram; Girls—Pauline Brann, Mary Jane Estes, Joan Morris, Louise Ferguson, Annabel Perkins, Marjorie Davis, Lila Rae Reynolds, Betty Lee Kinyon and Francis Miller; Sophomores: Boys—Carson Estes, Claude Morton, Leland Kerns, Stanley Patterson, Everett Flynn, Gerald Eastman, Earl Collett, Bob Brewster and Jimmy Murray; Girls—Violet Vinyard, Alta Brown, LaVerne Sellars, Muriel Hawkins, Bonnie Vaughn, Jane Kerns, Mildred Selvester, Amy Schneider and Bobby Santos; Juniors: Boys—Jack Klaseen, Dick Norris, Andy Lakey, Don Parker and John Lyon; Girls—Mary Foster and Marjorie Bidwell; Seniors: Boys—Bill Kinyon and Frank Rodman; Girls—Bette Hassett, Adele March and Ethel Selvester.

ADJOURNMENT

At 4.45 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Wednesday, March 12, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY
SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 12, 1941

The Assembly met at 2 p m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Turner.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Gunlock, on motion of Mr. Cain.

Mr. Crowley, on motion of Mr. Meehan.

Mr. Weber, on motion of Mr. Wollenberg.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 11, 1941

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

Assembly Bill No. 2566

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 11, 1941

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

Senate Bill No. 91
Senate Bill No. 97
Senate Bill No. 98
Senate Bill No. 108
Senate Bill No. 297
Senate Bill No. 442
Senate Bill No. 470
Senate Bill No. 629
Senate Bill No. 766
Senate Bill No. 1193

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 11, 1941

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

Senate Constitutional Amendment No. 2
Senate Joint Resolution No. 9

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 11, 1941

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

Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered to enrollment.

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 91—An act to amend Section 1530 of the Water Code or Section 23b of the Water Commission Act, relating to fees for applications or permits to appropriate water.

Referred to Committee on River Navigation, Reclamation, and Flood Control.

Senate Bill No. 97—An act to amend an act entitled "An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner," approved July 1, 1937, as amended, by repealing Section 8, relating to refund of contributions, declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 98—An act to amend the County Water District Act, as amended, by amending Section 12, relating to powers of districts, amending Section 18, relating to right of ways, Section 19,

relating to water rates and Section 25, relating to additions to districts; repealing Sections 12 1 and 22a; repealing and reenacting Section 52; and by adding Section 1 1 declaring districts public agencies, 10.1, relating to contracts between districts and their officers or directors, 12 1 to 12 15, inclusive, relating to powers of districts, 14.1, relating to oaths, 14.2, relating to investment of funds, 16b, relating to callable bonds, 28.1, relating to findings on additions and exclusions of land and 66 to 71, inclusive, relating to dissolution of districts.

Referred to Committee on County Government.

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Referred to Committee on Public Morals.

Senate Bill No. 297—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats.

Referred to Committee on Commerce and Navigation

Senate Bill No. 442—An act to amend Section 3719 of the Political Code, to grant to junior college districts the right to borrow under the provisions of said section.

Referred to Committee on Education.

Senate Bill No. 470—An act to amend Section 493 of the Fish and Game Code, relating to fishing hours.

Referred to Committee on Fish and Game.

Senate Bill No. 629—An act to amend Section 1 of "An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume," approved May 25, 1923, relating to right of ways for electric power lines.

Referred to Committee on Irrigation.

Senate Bill No. 766—An act to amend Section 2 of the Private Car Tax Act of 1937 and Section 11203 of the Revenue and Taxation Code, relating to the meaning of words, terms and phrases and providing that this act shall take effect immediately.

Referred to Committee on Public Utilities

Senate Bill No. 1193—An act to amend Section 1 of an act entitled "An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto," approved May 14, 1927, relating to highways leading to State prisons or the Preston School of Industry.

Referred to Committee on Prisons and Reformatories.

Senate Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Section 23 of Article IV of the Constitution of said State, relating to the compensation of members of the Legislature.

Referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 9—Relative to memorializing Congress to enact legislation to establish an army school comparable to West Point Military Academy and a naval school comparable to Annapolis Naval Academy, in California, one thereof to be located in Northern California and one thereof to be located in Southern California.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to use certain funds in the Department of Agriculture Fund, derived under the provisions of Chapter 241, Statutes of 1935, and Chapter 401, Statutes of 1935, and making an appropriation thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1089—An act to amend Section 121 of the Agricultural Code, relating to moneys to be paid into the Department of Agriculture Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1273—An act to amend Section 130.1 of the Vehicle Code, relating to the use of the records of the department.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1757—An act to amend Section 11001 of the Revenue and Taxation Code and to add thereto Section 11003.5, relating to Vehicle License Fee Funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2265—An act to amend Section 744 of the Vehicle Code, relating to records of convictions to be reported to the Department of Motor Vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 129—An act to add Section 2700.5 to, and to amend Sections 2701, 2702 and 2843 of the Elections Code, relating to primary elections and county central committees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 133—An act to amend Sections 2604 and 2617 of the Elections Code, relating to nominations and sponsors' certificates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1100—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read second time, and ordered engrossed.

Assembly Bill No. 896—An act to add a new section to Chapter 6 of Division 4 of the Agricultural Code, to be numbered 721.5, relating to proceedings to enjoin violation of certain provisions thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 905—An act to amend Section 118 of the Agricultural Code, relating to the admissibility of the hosts of fruit flies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, immediately following "transport", insert "thereafter"

Amendment No. 2

On page 1, line 8, of the printed bill, immediately following "director", and immediately preceding the period, insert "if it is found that the species is harmless to agriculture or that an effective treatment of such hosts eliminates fruit fly risk".

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "their", and insert "its".

Amendment No. 4

On page 1, line 10, of the printed bill, after "entry", insert "or transportation within the State".

Amendment No. 5

On page 1, line 11, of the printed bill, immediately after "bailee", and immediately preceding the period, insert "unless under permit and in accordance with regulations of the director".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1297—An act to add Section 145.5 to the Agricultural Code, relating to the liability for the expenses of abatement of agricultural pests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "145.5", and insert "147.5".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "145.5", and insert "147.5".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 and 4, and insert "147.5. The owner of the land from which the".

Amendment No. 4

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "146 and 147, and the court, in an action pursuant to Section 147, shall, in proper cases, render judgment against the defendant for the amount of such deficiency."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1090—An act to add a new section to the Agricultural Code, to be numbered 120.5, relating to plant registrations and certifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, immediately following "may", insert "upon request".

Amendment No. 2

On page 1, line 20, of the printed bill, immediately following the period, insert "*Any service rendered in accordance with the provisions of this section shall be* paid from the Department of Agriculture Fund out of moneys derived under the provisions of this section and shall not be a charge against the General Fund of the State."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1653—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "may", and insert "is hereby authorized to".

Amendment No. 2

On page 1, lines 2 and 3, of the printed bill, strike out "under the provisions of this act", and insert "and maintain, either within or outside its territorial limits,".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 4 to 22, inclusive, and insert "SEC. 2. The direction and control of said industrial farm and house of correction shall be under the direct supervision of the board of police commissioners, or other board or authority having supervision over the police department of such city. Such board or authority shall appoint in the manner provided for the appointment of civil service employees of such city a superintendent and enough guards and other employees to properly conduct and manage said industrial farm and house of correction.

SEC. 3. The superintendent of said industrial farm and house of correction shall, subject to reasonable rules and regulations adopted by the board or authority having supervision thereof, conduct and manage such institution and supervise the guards and other employees thereof; supervise the conduct and employment of the persons confined in such institution; and furnish to the said board or other authority having supervision thereof such reports as may be required by the rules or regulations of such board or authority or by ordinance of such city. The superintendent, guards and other employees may be, but need not be, members of the police department of such city.

SEC. 4. Each person convicted of a criminal offense and by reason thereof committed to the city jail of such city, or confined at such industrial farm and house of correction, either as punishment for such offense, in satisfaction of any fine unpaid, or upon an order of probation, shall be deemed to have been sentenced or committed to labor. Such labor of not more than forty (40) hours in any week may be performed by such person upon the public streets, parks, or other public places in such city, or upon or in any industrial farm and house of correction established under the provisions of this act, any provision of the laws of the State to the contrary notwithstanding."

Amendment No. 4

On page 2, line 1, of the printed bill, strike out "4", and "Whenever", and insert "5", and "Except as otherwise provided herein, whenever".

Amendment No. 5

On page 2, line 4, of the printed bill, strike out "for violation of any penal law", and insert "as provided in Section 4 hereof."

Amendment No. 6

On page 2, line 5, of the printed bill, strike out "term of imprisonment", and insert "period of confinement."

Amendment No. 7

On page 2, line 7, of the printed bill, strike out "may", and insert "shall"

Amendment No. 8

On page 2, line 11, of the printed bill, strike out "to the effect", and insert "directing".

Amendment No. 9

On page 2, line 19, of the printed bill, strike out "5", and insert "6"

Amendment No. 10

On page 2, lines 19 and 20, of the printed bill, strike out "or other person in charge."

Amendment No. 11

On page 2, line 21, of the printed bill, after "any person committed thereto", insert "by transfer from the city jail."

Amendment No. 12

On page 2, lines 26 and 27, of the printed bill, strike out "it shall be the duty of the", and insert "said".

Amendment No. 13

On page 2, line 27, of the printed bill, strike out "to", and insert "shall".

Amendment No. 14

On page 2, line 27, of the printed bill, strike out "issue an order that", and insert "cause."

Amendment No. 15

On page 2, line 28, of the printed bill, after "son", insert "to".

Amendment No. 16

On page 2 of the printed bill, strike out all of lines 31 to 52, inclusive, and on page 3, strike out all of lines 1 to 52, inclusive, and insert

"SEC. 7. Whenever, under any law of the State of California, any court having jurisdiction to impose punishment for violation of the law amounting to a misdemeanor only is authorized to commit a person to the city jail of such city upon a sentence of imprisonment for violation of a penal law, in satisfaction of fine imposed upon such conviction, or as a condition of probation, such court may order that the confinement so ordered be at such industrial farm and house of correction. When so confined all provisions of law and rules of conduct applicable to persons transferred to such institution from the city jail shall be applicable, except such person may not be transferred from such institution to the city jail otherwise than upon order of such court. Such court shall have and retain jurisdiction to change the place of confinement of any person ordered by it to be confined at such institution to any other place of confinement authorized by law for the confinement of misdemeanants. Persons confined to such institutions upon order of probation are subject to all the obligations and entitled to all the rights of persons confined in city or county jails upon order of probation."

Amendment No. 17

On page 4, line 1, of the printed bill, strike out "11", and insert "8".

Amendment No. 18

On page 4, line 8, of the printed bill, after "commerce", insert ", nor shall any work be performed for the benefit or profit of any corporation or person other than such city."

Amendment No. 19

On page 4 of the printed bill, after line 8, insert

"SEC. 9. No person shall be transferred or committed to such industrial farm and house of correction whose maximum period of confinement under the order of court by which he is sentenced is less than twenty (20) days, or who is afflicted with any infectious or communicable disease."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 310—An act to amend Section 3935 of the Elections Code, relating to the order of names of candidates on primary ballots.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 3935.5 to,".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "or member of a county central committee,".

Amendment No. 3

On page 1, line 8, of the printed bill, strike out "in alphabetical order on one-", and strike out lines 9 to 28, inclusive, and insert "upon the ballot in alphabetical order.

SEC. 2. Section 3935.5 is hereby added to the Elections Code, to read as follows:

3935.5. If the office is that of member of a county central committee, the names of all candidates shall be arranged upon the ballot in order determined as follows:

At 10 a.m. on the second Monday following the last day on which declarations of candidacy may be filed, the county clerk shall hold a public drawing to determine the order of names on the ballot. The name of each candidate shall be written on a separate and identical slip of paper which shall then be folded to conceal the name and deposited in a box. After all slips have been deposited, the box shall be shaken to mix the slips thoroughly. The slips shall then be withdrawn by the clerk, and the names of the candidates listed in their order of withdrawal. This order shall determine the order in which the names of the candidates shall be printed on the ballot.

The drawings for each party's candidates shall be held in the order in which the parties rank in the county according to the size of their membership as shown by the registration of voters."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 915—An act to repeal Article 4 of Chapter 1 of Division 3 of the Agricultural Code, relating to poultry brands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, immediately following line 3, insert

"Any money remaining in the Department of Agriculture Fund which was collected under the provisions of Article 4 of Chapter 1 of Division 3 of the Agricultural Code shall be transferred to the General Fund of the State."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1348—An act to amend Section 559 of the Agricultural Code, relating to acidophilus milk.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 6, of the printed bill, following "acidophilus", insert a period, and strike out all of lines 7, 8 and 9.

Amendment read and adopted.

Bill ordered printed and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following procedure on the Assembly third reading file—

Whenever a bill or resolution is passed on file twice, it shall go to the end of the third reading file, except where the author of the bill has been excused for the legislative day.

LYON, Chairman

Report adopted.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 221—An act to amend Section 103 of, to renumber Section 103e to be Section 103k of, and to add Sections 103g, 103h, 103i and 103j to, the Code of Civil Procedure, relating to justices of the peace and justices' clerks and assistant clerks in cities of the second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 659—An act to amend Section 161a of the Civil Code, relating to interests in community property.

Bill read third time.

Demand for Previous Question

Messrs. Stream, Lyon, Allen, Robertson and Watson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 659.

The roll was called, and Assembly Bill No. 659 passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Field, Green, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Robertson, Salsman, Sheridan, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—41.

NOES—Bennett, Cassidy, Collins, George D., Collins, Sam L., Cooke, Dills, Dilworth, Evans, Gaffney, Gallagher, Houser, Frederick F., Kilpatrick, King, Massion, Meehan, O'Day, Richie, Russell, Tenney, Turner, and Waters—21.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1397—An act to amend Sections 1703.5, 1704, 1708, 1709 and 1713 of, to repeal Section 1713.8 of the Insurance Code

and to add Sections 1708.5, 1708.6 and 1709.2 thereto, relating to the transaction of life and disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1401—An act to amend Sections 981, 3016, 3035, 3036, 3039, 3040, 11715 and 12091, and to repeal Section 3017 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article IV, Section 6, of the Constitution, relative to the membership of the Reapportionment Commission.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62.

NOES—Burkhalter, Carlson, Collins, George D., Donnelly, Hawkins, Heisinger, and Kilpatrick—7.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 6

Mr. Kilpatrick gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was this day passed.

Assembly Joint Resolution No. 28—Relative to encouragement of sugar beet production in the United States.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo,

Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weybret, and Wollenberg—62.

NOES—Bashore, Collins, Sam L., Poole, Richie, and Waters—5.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 32—Relative to Kings River flood control.

Resolution read.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybert, and Wollenberg—63

NOES—Bashore—1.

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 304

Mr. Cronin moved that Assembly Bill No. 304 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Labor and Capital.

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

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—66

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 663

Mr. Stream moved that Assembly Bill No. 663 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on River Navigation, Reclamation, and Flood Control.

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

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Joint Resolution No. 34: By Messrs. Collins, George D., Massion, Gallagher, Russell, Thomas, Meehan, Pelletier, Cooke, O'Day,

and Burns, Michael J.—Relative to memorializing the President and the Congress in connection with legislation to provide marine hospitalization for fishermen.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 100
Assembly Bill No. 112
Assembly Bill No. 176
Assembly Bill No. 177
Assembly Bill No. 198
Assembly Bill No. 212
Assembly Bill No. 795
Assembly Bill No. 1022
Assembly Bill No 1023

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 6
Assembly Joint Resolution No 28
Assembly Joint Resolution No. 32

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 2168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Assembly Bill No. 82
Assembly Bill No. 721
Assembly Bill No. 2010

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1136
Assembly Bill No. 1967
Assembly Bill No. 1148
Assembly Bill No. 843
Assembly Bill No. 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 569

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No 892
Assembly Bill No 673
Assembly Bill No. 1113
Assembly Bill No. 1855

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No 1083
Assembly Bill No 1084

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2049

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred.

Assembly Bill No. 376
Assembly Bill No. 894

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 141
Assembly Bill No. 184
Assembly Bill No 1122

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1614

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1764

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with amendments with the recommendation: Be adopted as amended.

THORP, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 253

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2000

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Weybret:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 883 of the Fish and Game Code, relating to gill nets and round haul nets.

Respectfully submitted.

FRED WEYBRET

Request referred to Committee on Introduction of Bills

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Cronin and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Dan O'Day, mother of Assemblyman Edward F O'Day.

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs J. F. Etcheverry, wife of Chairman, Board of Supervisors, San Benito County.

On request of Mr Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Mathiesen, teacher, and the following students of Williams Union High School, Williams Ada May Hunt, Aura May Chatfield, Alice Jauregui, Kenneth Egbert, Charles Manning, Frank Kemp, Dan Rhinehart, Alice Ora Fowler, Josephine Wilcoxson, Warren Rathbun, Gail Commons, Alice Lee Griffin, Zane Marshall, Betty Schaad, and Marilyn Boyd.

On request of Mr Stream and the San Diego Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry C. Warner, Supervisor of the Fourth District, San Diego County.

On request of Mr. Green and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisors Dewey Mead and James B. McSheehy of San Francisco.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ed Hill, Supervisor of Riverside County.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Donial Sullivan, District Attorney of San Mateo County, and Mr. A. H. Sagehorn, Treasurer of San Mateo County.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. J. G. Brutons, superior court judge of Yolo County.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Robert W. Lefever, wife of Supervisor Lefever of Ventura City.

ADJOURNMENT

At 3.30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p m., Thursday, March 13, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY
SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 13, 1941

The Assembly met at 2 p m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—75

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Welch.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Crowley, on motion of Mr. Desmond.
Mr. Andreas, on motion of Mr. Kellems.
Mr. Weber, on motion of Mr. O'Day.
Mr. King, on motion of Mr. Bennett.
Mr. Cassidy, on motion of Mr. Meehan.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 100—An act to amend Sections 5 and 6 of, and to add two new sections to "An act authorizing municipalities to declare noxious or dangerous weeds growing upon streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same" (Stats. 1915, p. 841, as amended), relating to the abatement of nuisances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 112—An act to amend Section 4 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations," approved June 10, 1933, relating to duplicate bonds, warrants and other evidences of indebtedness, including the filing thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 176—An act to amend Section 15 of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal bankruptcy courts therein," approved June 5, 1933, as amended, relating to credits in making the reassessment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 177—An act to amend Section 17 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935, as amended, relating to credits in making the assessment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 198—An act to add Part 3, consisting of Chapters 1 and 2, consisting of Sections 8300 to 8308 and 8320 to 8324, to Division 9 of the Streets and Highways Code, relating to the vacation of city streets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 212—An act to amend Sections 6621, 6622 and 6623 of the Streets and Highways Code, relating to the foreclosure and cancellation of street improvement bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 795—An act to add Section 22140 to the Streets and Highways Code, relating to assessments levied to defray the cost of the planting, maintenance and removal of trees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1022—An act to amend Section 853 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to bonds of city clerks and city treasurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1023—An act to amend Section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the compensation of city clerks and city treasurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1614—An act to add Section 38.5 to the Alcoholic Beverage Control Act, relating to certificates of compliance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 721—An act to add Section 104.8 to the Streets and Highways Code, relating to the custody of evidences of title to property acquired for State highway purposes.

Bill read second time, and ordered engrossed

Assembly Bill No. 2010—An act to add Section 731.5 to the Streets and Highways Code, to prohibit the use of State highway right of way for the purpose of delivering motor vehicle fuel to vehicles thereon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1136—An act to amend Sections 6.195, 6.198 and 6.199 of the School Code, relating to payment by governing boards of commissions for the sale or lease of property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1967—An act to add Section 4.368-1 to the School Code, relating to school district funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1148—An act to add a section, to be known as Section 1.124, to the School Code, relating to absence of pupils from school for dental services.

Bill read second time, and ordered engrossed.

Assembly Bill No. 843—An act to amend Section 1.70 of the School Code, relating to transportation of pupils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 144—An act to add Section 4.352 to the School Code, relating to the payment of wages of uncertificated employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 376—An act to amend Section 212 of the Agricultural Code, relating to bringing goats into this State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2000—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits to State officers and employees during the Ninety-first and Ninety-second Fiscal Years, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 569—An act to add Section 828.9 to the Agricultural Code, and to repeal Section 795.6 of said code, relating to standards for field picking boxes for citrus fruits.

Bill read second time.

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "828.9", and insert "795.8".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "828.9", and insert "795.8".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "828.9", and insert "795.8".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 253—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "_____", and insert "two million forty-two thousand dollars ($2,042,000)".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "_____", and insert "forty-two thousand dollars ($42,000)".

Amendment No. 3

On page 2, line 4, of the printed bill, strike out "subdivision (a)", and insert "subdivisions (a) and (b)".

Amendment No. 4

On page 2 of the printed bill, strike out lines 8, 9, 10, 11 and 12, and insert

"(1) April, all money previously unexpended plus_____$400,000
(2) May _____ 900,000
(3) June _____ 700,000".

Amendment No. 5

On page 3, line 1, of the printed bill, strike out "therefor", and insert "for assistance under Chapter 2 of Division 4 of the Welfare and Institutions Code and have the residence qualifications required by Sections 2555 and 2556 of the Welfare and Institutions Code".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1764—An act to add a new section to the Agricultural Code, to be numbered 553.5, relating to sterilized milk and cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert "such milk or cream shall not be used in this State, nor sold in this State except for export to another State, territory, the District of Columbia, or any foreign country."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1083—An act to add Section 542.1 to the Code of Civil Procedure, relating to attachments of licenses issued under the Alcoholic Beverage Control Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, after "Attachments", insert "and sale on execution".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out the period and insert a comma, and "and such interest may be sold on execution as provided in said Alcoholic Beverage Control Act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1084—An act to add a new section to the Alcoholic Beverage Control Act, to be numbered 7.1, relating to transfer of license by operation of law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "executing", and insert "execution".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "serve", and insert "cause to be served".

Amendment No. 3

On page 1, line 22, of the printed bill, before "licensee" insert "judgment debtor".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 2168—An act making an appropriation for the construction of a bridge on State Highway Route 161.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "161", and insert "134".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "one hundred thousand dollars ($100,000)", and insert "sixty-five thousand dollars ($65,000)".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "161", and insert "134".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "Tujunga and Laurel Canyon Streets", and insert "Vineland and Tujunga Avenues".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 892—An act to add a new article, to be numbered Article 3, to Chapter 9 of Division 5 of the Business and Professions Code, to include Section 12912, relating to the tare of fruit and vegetable picking boxes, including tare of picking boxes used for tomatoes for canning purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 7, of the printed bill, after "may", insert "or upon the request of a grower or canner shall".

Amendment No. 2

On page 2, line 9, of the printed bill, after "may", insert "after such tests".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 673—An act to add Sections 802.6 and 828.53 to, and to amend Sections 828.1, 828.45 and 829.15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 5, of the printed bill, after "29,", insert "30A,".

Amendment No. 2

On page 1 of the printed bill, between lines 9 and 10, insert

"The depth dimension of containers, exclusive of cleats, designated for grapes in this chapter shall apply only to the depth of the head of each such container."

Amendment No. 3

On page 1, line 22, of the printed bill, after "9A,", insert "30A,".

Amendment No. 4

On page 2 of the printed bill, between lines 5 and 6, insert

"Containers numbers 30A and 38H shall be standard for grapes only when containing bunches which are (1) individually wrapped in paper or other protective wrapping material and (2) packed in excelsior or other similar packing material

Container number 37G shall also be considered standard for grapes when each head piece is beveled across each bottom corner at an angle of 45 degrees, starting two inches from each such corner, and is notched at the center of the base by a triangle with a base of four inches and an altitude of two inches and bottom slats are attached to each bevel and to each side of the notch, so as to affect the contour of the box"

Amendment No. 5

On page 2 of the printed bill, strike out line 6, and insert "Containers designated as 37D, 37F and 37G shall also be con-".

Amendment No. 6

On page 2 of the printed bill, strike out line 13, and insert "inches or less from the top or (2) consisting of a top piece 1¾ inches".

Amendment No. 7

On page 2 of the printed bill, between lines 19 and 20, insert

"Special Display Lug: Container 37F when constructed as a "display lug" shall have a 5½ inch head (1) "slotted" 1¾ inches or less from the top or (2) consisting of a top piece 1¾ inches deep nailed or fastened to a bottom piece 4¼ inches in depth, and shall be used without a cleat or cleats."

Amendment No. 8

On page 2 of the printed bill, strike out line 22, and insert "inches or less from the top or (2) consisting of a top piece 1¾ inches".

Amendment No. 9

On page 3 of the printed bill, between lines 11 and 12, insert

"30A Special lug box----------4⅝ 15 22⅛".

Amendment No. 10

On page 3 of the printed bill, strike out line 16.

Amendment No. 11

On page 3 of the printed bill, strike out line 36, and insert "packing material, numbers 28, 29, 49 or 50 Grapes with each bunch individually wrapped in paper or other protective wrapping material and packed in excelsior or other similar packing material, numbers 30A and 38H. All other grapes,".

Amendment No. 12

On page 3, line 49, of the printed bill, strike out "38H.".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1113—An act to add Section 873 to the Agricultural Code, relating to the inspection of canned fruits and vegetables.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within heavy brackets.

Amendment No. 1

Amend the title of the printed bill to read as follows

"An act to add Section [873] *767* to the Agricultural Code, relating to the [inspection of canned fruits and vegetables] *furnishing of boxes to growers of vegetables and deciduous fruit.*"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 7, inclusive, and insert "SECTION 1. Section 767 is hereby added to the Agricultural Code, to read as follows:

767 The failure of a canner without due cause to furnish vegetable or deciduous fruit picking boxes to a grower as agreed upon, or any wilful discrimination against any grower in this regard, shall subject such canner to an action for all damages sustained by the grower as a direct result thereof, and judgment against any such canner may be entered in the discretion of the court either for the amount of the damages sustained or for three times such amount so found Nothing in this section shall be held to affect existing remedies for violation of contract but shall be in addition thereto."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1855—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive, and insert "1630. All contracts for the sale of fruits, vegetables and edible nuts, not in actual existence or ready for immediate delivery, shall be in writing and all such contracts for a term not to exceed three years shall have stated therein the full purchase price to be paid for the commodity upon delivery thereof in accordance with the terms of the contract, which price must be stated in a definite sum, and if the price is to be paid upon the basis of units of weight or measure, or upon the basis of a physical or chemical test, such unit or test must be specified or described and the full unit price stated All contracts entered into in violation hereof shall be invalid and unenforceable."

Amendment No. 2

On page 1 of the printed bill, strike out all of line 10, and insert "This section shall not be held to apply to existing written contracts nor to include any nonprofit".

Amendment No. 3

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert "of their duties as such".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2049—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

Strike out all of lines 3 to 11 of the printed bill, and insert

"Sec. 6.5. From and after the effective date of this act, it shall be unlawful for any person to sell at retail any potable spirituous liquor product labeled as whiskey, including blended whiskey and blends of straight whiskies, except such products as shall contain 20 or more per cent of straight whiskey or whiskies which shall have been aged for four or more years after distillation and before bottling in charred oak containers: Provided, however, that nothing herein contained shall be construed to prohibit the sale at retail of unaged corn whiskey, when so labeled, or to prohibit the sale at retail of gins, brandies, rums, cordials, liquers, bitters or other distilled liquor products, or products compounded of distilled spirits and other materials, when in no wise labeled as whiskey or blended whiskey or blends of straight whiskies. This section shall take effect January 1, 1942."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 141—An act to amend Sections 6526, 6585, 6586, 6604, 6618 and 6627 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", 6618 and 6627", and insert "and 6618".

Amendment No. 2

On page 2 of the printed bill, strike out lines 13 to 23, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 184—An act to amend Section 7643 of the Business and Professions Code, relating to embalmers and embalming schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 20, inclusive, and insert "(2) An embalming school approved by the board."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1122—An act to amend Section 1 of, and to add Sections 1a, 2e, 2f and 2g, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is dis-

tributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of the persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1a,".

Amendment No. 2

On page 1, line 3, of the printed bill, after "room," insert "basement or cellar,".

Amendment No. 3

On page 2 of the printed bill, strike out lines 12 to 16, inclusive.

Amendment No. 4

On page 2, line 17, of the printed bill, strike out "3", and insert "2"

Amendment No. 5

On page 2, line 30, of the printed bill, strike out "4", and insert "3".

Amendment No. 6

On page 2, between lines 44 and 45, of the printed bill, insert

"Nothing in this section shall apply to the delivery of any of these products made at retail and when properly wrapped."

Amendment No. 7

On page 2, line 45, of the printed bill, strike out "5", and insert "4".

Amendments read and adopted.

Bill ordered printed and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1941

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

Senate Bill No. 150
Senate Bill No. 1020
Senate Bill No. 1033
Senate Bill No. 1058

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 150—An act to amend Sections 500, 502, 503 and 505 of, to add Sections 502.1, 502.2 and 516.1 to, and to repeal Section

504 of the Military and Veterans Code, all relating to High School Cadets, and making an appropriation therefor.

Referred to Committee on Soldiers and Sailors Affairs.

Senate Bill No. 1020—An act to amend Section 5505 of the Labor Code, relating to proceedings before the Industrial Accident Commission.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1033—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Insurance.

Senate Bill No. 1058—An act to amend Section 4271 of the Political Code, relating to compensation for public services in counties of the forty-second class.

Referred to Committee on County Government.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 983

Mr. Call moved that Assembly Bill No. 983 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Judiciary Codes.

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 998

Mr. Gunlock moved that Assembly Bill No. 998 be withdrawn from the file, and re-referred to the Committee on Public Utilities.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Watson—1.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 964—An act to add Part 7, comprising Sections 12001 to 13113, inclusive, to Division 2 of, and to add Section 50013 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the taxation of insurance companies and associations and the collection of

taxes from such companies and associations, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 962—An act to amend Section 3669c of the Political Code, relating to the taxation of insurance companies and the collection of taxes from such companies, including the suspension of corporate rights, privileges and powers

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 963—An act to add Section 1283 to the Insurance Code, relating to the taxation of insurers, including reciprocal or interinsurance exchanges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1398—An act to amend Sections 760, 781 and 1706 8 of, and to add Section 760.5 to, the Insurance Code, relating to insurance.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F.,

Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1089—An act to amend Section 121 of the Agricultural Code, relating to moneys to be paid into the Department of Agriculture Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1273—An act to amend Section 130.1 of the Vehicle Code, relating to the use of the records of the department.

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 2.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 2265—An act to amend Section 744 of the Vehicle Code, relating to records of convictions to be reported to the Department of Motor Vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Maloney, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 129—An act to add Section 2700.5 to, and to amend Sections 2701, 2702 and 2843 of the Elections Code, relating to primary elections and county central committees

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lowrey, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 1100—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenbret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Thorp, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 896—An act to add a new section to Chapter 6 of Division 4 of the Agricultural Code, to be numbered 721.5, relating to proceedings to enjoin violation of certain provisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Thorp, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 915—An act to repeal Article 4 of Chapter 1 of Division 3 of the Agricultural Code, relating to poultry brands.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Burkhalter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Assembly Bill No. 593—An act to add Section 103.5 to the Welfare and Institutions Code, relating to the State Board of Social Welfare

Bill read third time.

Demand for Previous Question

Messrs Cain, Gunlock, Cooke, Lowrey and McCollister demanded the previous question.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Bennett, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins,

Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Lowrey, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Voigt, and Welch—34.

NOES—Allen, Call, Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, O'Day, Potter, Poulson, Richie, Sheridan, Stream, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—31.

Bill read third time.

Motion to Postpone Action on Assembly Bill No. 593

Mr. Lyon moved that further action on Assembly Bill No. 593 be postponed until the next legislative day

Point of Order

Mr. Johnson rose to the following point of order: That when the demand for the previous question was sustained, the only matter before the House was the final vote on Assembly Bill No. 593.

The Speaker ruled the point of order well taken.

Motion to Expunge Record and Rescind Action

Mr. Lyon moved to expunge the record and rescind the action whereby the demand for the previous question was sustained

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

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Gunlock, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Cain, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Kepple, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Thomas, Waters, and Welch—25.

Motion to Postpone Action on Assembly Bill No. 593

Mr. Lyon moved that further action on Assembly Bill No. 593 be postponed until the next legislative day.

Motion carried by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—44

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Thomas, and Waters—24.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1273

At 3.32 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1273 passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Russell, Salsman,

Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Welch, Wollenberg, and Mr Speaker—48.

NOES—Call, Carlson, Donnelly, Evans, Green, Hastain, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, T. Fenton; Lyon, McCollister, Millington, Potter, Poulson, Richie, Robertson, Sheridan, Waters, Watson, and Weybret—22.

Bill ordered transmitted to the Senate.

MOTION TO EXTEND INVITATION TO SENATE

Mr. Maloney moved that the Chief Clerk be instructed to send an invitation by letter to the Senate, inviting them to attend the St. Patrick's Day celebration in the Assembly Chamber.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Middough asked for, and was granted, unanimous consent to have Mr. F N. Howser and himself excused from the Chamber to have a conference with Senator Kenny.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1348

Mr. Thorp moved that Assembly Bill No. 1348 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1193

Mr. Waters moved that Senate Bill No. 1193 be withdrawn from the Committee on Prisons and Reformatories, and re-referred to the Committee on Judiciary Codes.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1757—An act to amend Section 11001 of the Revenue and Taxation Code and to add thereto Section 11003.5, relating to Vehicle License Fee Funds.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO PROVIDE ST. PATRICK'S DAY DECORATIONS

Mr Lyon moved that the Chief Clerk be instructed to make available a sum not to exceed one hundred dollars ($100) for suitable decorations on St. Patrick's Day.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Collins, George D, Collins, Sam L, Cronin, Daley, Del Mutolo,

Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, *Wollenberg, and Mr Speaker*—58

NOES—None.

BIRTHDAY GREETINGS TO HARRISON W. CALL, JR.

Mr. Maloney moved that the Chief Clerk be instructed to draw up a suitable resolution and present it to Harrison W. Call, Jr., son of Assemblyman and Mrs Call, on this, his seventh birthday.

Motion unanimously adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 133—An act to amend Sections 2604 and 2617 of the Elections Code, relating to nominations and sponsors' certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D, Cooke, Cronin, Dilley, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kepple, Kilpatrick, Knight, John B, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Call, Clarke, Desmond, Dickey, Dilworth, Kellems, Salsman, and Sheridan—8.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Weybret:

An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cronin, Daley, Del Mutolo, Desmond Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, *Watson, Welch, Weybret, and Wollenberg*—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2568: By Mr Weybret—An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets.

Referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. O'Day:

ASSEMBLY CHAMBER SACRAMENTO, March 13, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the establishment and government of youth correction camps

Respectfully submitted

EDWARD O'DAY

Request referred to Committee on Introduction of Bills.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 107

Resolved, That the following named person be stricken from the list of Assembly attaches and her name be stricken from the pay roll of the Assembly, to take effect as follows:

Beginning March 9, 1941	*Per day*
Carmelita Lozano, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Clarke, Collins, George D, Collins, Sam L, Cooke, Del Mutolo, Desmond, Dickey, Dills Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Waters, Watson, Welch, Weybret, and Mr Speaker—55

NOES—None

By Committee on Rules:

House Resolution No. 108

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

	Per day
Commencing March 10, 1941:	
James Simms, Stenographer	$5 00
Commencing March 13, 1941:	
Lena Coates, Stenographer	5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Thomas, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—55.

NOES—None.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Frederick F. Houser, ordered printed in the Journal:

STATE OF CALIFORNIA, DIVISION OF MILITARY AFFAIRS
SACRAMENTO, March 2, 1941

The Hon. Gordon H. Garland, Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR SIR: Before turning over my responsibilities as Adjutant General, State of California, to my successor prior to my induction into the Federal Service, I take this occasion to thank the Assembly for its fine support of the Military Department.

As the National Guard enters the Federal Service for the performance of whatever military tasks may be assigned it, I feel certain it will live up to the best traditions of the service and afford additional satisfaction to you to know its present high standard of efficiency is in a large measure due to your generous support.

Sincerely yours,

R. E. MITTELSTAEDT, Brigadier General
The Adjutant General

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1602

Mr. Hugh M Burns moved that Assembly Bill No. 1602 be withdrawn from the Committee on Public Morals, and re-referred to the Committee on Exhibitions and Fairs.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 777 re-referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1403 re-referred to Committee on Insurance.

Assembly Bill No. 1404 re-referred to Committee on Insurance.

Assembly Bill No. 1516 re-referred to Committee on Insurance.

Assembly Bill No. 1234 re-referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No 1297 re-referred to Committee on Agriculture.

Assembly Bill No 1653 re-referred to Committee on Public Charities and Corrections.

Assembly Bill No. 310 re-referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 1263

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1469
Assembly Bill No. 1470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SALSMAN, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 930

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 387
Assembly Bill No. 388
Assembly Bill No. 1016
Assembly Bill No. 1443
Assembly Bill No. 1618
Assembly Bill No. 1805

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 129
Assembly Bill No. 133
Assembly Bill No. 777
Assembly Bill No. 896
Assembly Bill No. 897
Assembly Bill No. 962
Assembly Bill No. 963
Assembly Bill No. 1089
Assembly Bill No. 1100
Assembly Bill No. 1234
Assembly Bill No. 1273
Assembly Bill No. 1398
Assembly Bill No. 1403
Assembly Bill No. 1404
Assembly Bill No. 1516
Assembly Bill No. 1757
Assembly Bill No. 2265

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 310	Assembly Bill No. 1297
Assembly Bill No. 905	Assembly Bill No. 1348
Assembly Bill No. 915	Assembly Bill No. 1653
Assembly Bill No. 1090	

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 160—An act to amend Sections 454, 456, 457, 458, 693, 471, 471.5, 472, 478.1, 480, 478, 479, 481, 482, 483, 484, 485, 486, 487, 488, 490, 493, 585, 586, 587, 491, 458.1, 452, 492, 510, 511, 512, 513, 514, 515, 516, 592, 593, 656, 502, 589, 590, 725, 727, 728, 729, 730, 731, 732, 733, 504, 505, 506, 507, 508, 509, 591, 477, 494, 495, 588, 496, 497, 498, 499, 500, 501, 625, 473, 503, 534, 535, 536, 596, 597, 598, 599, 600, 601, 531, 532, 533, 594, 595, 538, 539, 540, 541, 542, 602, 626, 627, 628, 629, 653, 654, 655, 657, 658, 476, 543, 561, 562, 563, 564, 565, 583, 701, 459, 460, 691, 692, 692.5, 697, 698, 699, 474, 651, 652, 461, 584, 582, 581, 621, 622, 623, 630, 631, 632, 633, 455, 635, 636, 671, 672, 673, 674, 675, 676, 677, 678, 679, 694, 696, 453, 624 and 637 of the Agricultural Code, and to renumber them to be Sections 452, 453, 454, 455, 456, 466, 467, 468, 469, 470, 471, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 497, 498, 499, 501, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 541, 542, 543, 544, 545, 546, 547, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 591, 592, 593, 595, 596, 601, 602, 603, 604, 605, 606, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 631, 632, 633, 634, 635, 636, 637, 641, 642, 643, 644, 645, 646, 647, 648, 656, 661, 662, 663, 664, 665, 666, 671, 672, 673, 676, 677, 681, 682, 683, 686, 687, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 721, 722 and 723 thereof, to amend Section 451, and the headings of Chapter 2, and of Article 1 of Chapter 2, of Division 4 thereof, to add Sections 496, 500 and 724, and the headings of Chapters 1, 3, 4, 5 and 6, and of Articles 2, 3, 4, 5, 6 and 7 of Chapter 2, Articles 1, 2, 3 and 4 of Chapter 3, and Articles 1, 2, 3, 4, 5, 6, 7 and 8 of Chapter 4, of Division 4 thereof, and to repeal Sections 475, 537, 589.5, 726 and 734 and the headings of Chapters 1, 3, 4, 5, 6, 7, 8 and 9 and of Articles 2 and 3 of Chapter 2, of Division 4 of the said code, relating to dairies and dairy products and imitations thereof;

Assembly Bill No. 449—An act to add Division 2, consisting of Part 1, comprising Sections 6001 to 7176, inclusive, and Section 50006 to the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Retail Sales Tax Act of 1933 and the Use Tax Act of 1935, and repealing acts and parts of acts specified herein;

Assembly Bill No. 450—An act to add Part 2, comprising Sections 7301 to 8402, inclusive, to Division 2 of, and to add Sections 50007 and 50008 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Motor Vehicle Fuel License Tax Act, and repealing acts and parts of acts specified herein;

Assembly Bill No. 451—An act to add Part 3, comprising Sections 8601 to 9354, inclusive, to Division 2 of, and to add Section 50009 to, the Revenue and Taxation Code, thereby consolidating and revising the laws relating to taxation and the raising of revenue, including the provisions of the Use Fuel Tax Act of 1937, and repealing acts and parts of acts specified herein;

Assembly Bill No. 452—An act to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of, and to add Section 50010 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, and repealing acts and parts of acts specified herein;

Assembly Bill No. 453—An act to add Part 5, comprising Sections 10701 to 11005, inclusive, to Division 2 of, and to add Section 50011 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to

value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, as amended, and repealing acts and parts of acts specified herein;

Assembly Bill No. 454—An act to add Part 6, comprising Sections 11201 to 11752, inclusive, to Division 2 of, and to add Section 50012 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Private Car Tax Act of 1937, and repealing acts and parts of acts specified herein;

Assembly Bill No. 596—An act to add Chapter 3, comprising Sections 1200 to 1305, inclusive, to Division 2 and to add Section 30035 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of clinical laboratory technologists and clinical laboratory technicians, and repealing acts and parts of acts specified herein;

Assembly Bill No. 597—An act to add Chapter 11, comprising Sections 7500 to 7593, inclusive, to Division 3 and to add Section 30039 to Division 30 of the Business and Professions Code, relating to the licensing and regulation of private detectives, investigators, and detective agencies and repealing acts and parts of acts specified herein;

Assembly Bill No. 598—An act to add Division 8, comprising Chapter 1, Sections 18400 to 18413, inclusive, and to add Section 30032 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sales of motor vehicles, and repealing acts and parts of acts specified herein;

Assembly Bill No. 599—An act to add Chapter 2, comprising Sections 18600 to 18782, inclusive, to Division 8, and to add Section 30031 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of boxing contests and sparring and wrestling matches and exhibitions, and repealing acts and parts of acts specified herein;

Assembly Bill No. 600—An act to add Chapter 3, comprising Sections 19000 to 19221, inclusive, to Division 8, and to add Section 30030 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to the regulation of persons engaged in the business of manufacturing and selling at wholesale and retail, repairing, renovating and sterilizing upholstered furniture and bedding and repealing acts and parts of acts specified herein;

Assembly Bill No. 601—An act to add Chapter 4, comprising Sections 19400 to 19663, inclusive, to Division 8 and to add Section 30034 to the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of horse racing, horse race meetings and wagering on the results thereof, and repealing acts and parts of acts specified herein;

Assembly Bill No. 602—An act to add Chapter 6, comprising Sections 20500 to 20502, inclusive, to Division 8, and to add Section 30035 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the adulteration of paints, oil, varnishes and pigments, and repealing acts and parts of acts specified herein;

Assembly Bill No. 604—An act to add Chapter 8, comprising Sections 21200 to 21290, inclusive, to Division 8 and to add Section 30037 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the sale, disposition of, and regulation of prophylactics, and repealing acts and parts of acts specified herein;

Assembly Bill No. 605—An act to add Chapter 9, comprising Sections 21500 to 21556, to Division 8, and to add Section 30038 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of sale or disposition of secondhand goods, and repealing acts and parts of acts specified herein;

Assembly Bill No. 2566—An act to repeal Article 2 of Chapter 4, Part 2, Division 1 of the Insurance Code; to add a new article to said Chapter 4, to be numbered Article 2, comprising Sections 1580 to 1599, inclusive, relating to alien insurers; declaring the urgency thereof, and providing that it shall take effect immediately;

Assembly Concurrent Resolution No. 18—Relative to inviting the 1943 convention of the American Legion to be held in San Francisco;

Assembly Concurrent Resolution No. 23—Relative to the creation of a Welfare Personnel Policies Investigating Committee;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of March, 1941, at 2 p m.

JOHN B. KNIGHT, Chairman

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 1108
Assembly Bill No 866
Assembly Bill No. 34

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.

Assembly Bill No 1846

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bill ordered to second reading

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which were referred:

Assembly Bill No. 279
Assembly Bill No 1345
Assembly Bill No. 1629

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Joint Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

POTTER, Chairman

Above reported resolution ordered to engrossment.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER Your Committee on Education, to which were referred.

Assembly Bill No. 664
Assembly Bill No. 844

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 2005
Assembly Bill No. 543
Assembly Bill No. 315
Assembly Bill No. 2201
Assembly Bill No. 1160

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred.

Assembly Bill No. 2095

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

KING, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 890

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 776

Assembly Bill No. 1031

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 587

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER. Your Committee on Irrigation, to which was referred.

Assembly Bill No. 1795

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 510

Assembly Bill No. 847

Assembly Bill No. 1971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 151

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

KING, Chairman

Above reported bill ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Irrigation, to which were referred:

Assembly Bill No. 499
Assembly Bill No. 1798

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Irrigation, to which were referred:

Assembly Bill No. 345
Assembly Bill No. 1648

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 1125

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 455
Assembly Bill No 1109
Assembly Bill No 1199
Senate Bill No. 353
Senate Bill No. 354
Senate Bill No 355
Senate Bill No. 356
Senate Bill No 357
Senate Bill No. 358
Senate Bill No. 359
Senate Bill No 361
Senate Bill No 362

Has had the same under consideration, and reports the same back with the recommendation Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR SPEAKER: Your Committee on State Grounds and Parks, to which were referred.

Assembly Bill No. 1992
Assembly Bill No. 2567

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Cox, principal, and the following students of Edward Kelley grammar school, Sacramento County: Eighth Grade: Audrey Neely, Hannah Satou, June Lauridsen, Yoshiko Kobata, George Toguchi, Tom Yokoi, Yoshio Iwasa, George Oganecu, James Augusta, and Ted Kashimamoto; Seventh Grade: Mona Elaine Plumlee, Helen Doi, Violet Cabral, Sadako Furuike, Masae Furuike, Gertrude Mayeda, June Hamada, Yoko Oganecu, Aizo Sato, Billy Newton, and Domonic Domenico.

On request of Mr. F. N. Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C M. Cooke, Jr., wife of Captain Cooke, U S. N., and Mrs. Fulton Field

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Earl Redwine, District Attorney of Riverside County.

On request of Mr Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. I. Smoot, Los Angeles.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Martin Newall, president of San Francisco City and County Federation of Women's Clubs.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Bess Roantree, chairman of Red Cross, Division of San Francisco City and County Federation of Women's Clubs.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Evan T. Hewes, president of Imperial Irrigation District Board; board members: Charles H. Morrow, Frank Grubel and W. J. Gregg; attorneys for district· Harry W. Horton and George Kirk; secretary of the district, Walter Goodson.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carl D. Anderson, principal, and the following students of Seventh Day Adventist School, Sacramento: Davis Barnes, Dorothy Russell, Dorothy Risley, Geneva Blackwell, Mary Perkins, Annie Craven, Nellie Craven, Leslie Scott and Willard McGee.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Daniel K Beswick of San Francisco.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George Batchelder, Mrs Irene Huber and Mrs Everett Esterly.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chester Gibbs of Colfax.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Robert M. Crawford of Stockton.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Schwanenberg, city manager, City of Alameda, and H. Albert George, city attorney, City of Alameda.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Richard Del Mutolo of San Jose.

ADJOURNMENT

At 4.50 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Friday, March 14, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY
SIXTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 14, 1941

The Assembly met at 11 a.m.

Hon. Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawalhsch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. John B Knight, on motion of Mr. Hastain.
Mr. Phillips, on motion of Mr. Dickey.
Mr. Bashore, on motion of Mr. Kilpatrick.
Mr. Allen, on motion of Mr. Kilpatrick.
Mr. Andreas, on motion of Mr. Kellems.
Mr. King, on motion of Mr. Bennett.
Mr Massion, on motion of Mr. Bennett.

Mr. Call, on motion of Mr. Sawallisch.
Mr. Cronin, on motion of Mr. Gallagher.
Mr. Potter, on motion of Mr. Field.
Mr. Del Mutolo, on motion of Mr. Salsman.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. O'Day:

An act to provide for the establishment and government of Youth Corrections Camps.

MIDDOUGH, Chairman
PFAFF
F. N. HOWSER

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR 1,000 ADDITIONAL OF CHAPTER 47

Mr. Turner requested 1,000 additional copies of Chapter 47 in the special session of 1940 be printed.

Request granted.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 82	Assembly Bill No. 843
Assembly Bill No. 100	Assembly Bill No. 894
Assembly Bill No 112	Assembly Bill No 1022
Assembly Bill No. 144	Assembly Bill No. 1023
Assembly Bill No 176	Assembly Bill No. 1136
Assembly Bill No. 177	Assembly Bill No. 1148
Assembly Bill No. 198	Assembly Bill No. 1614
Assembly Bill No. 212	Assembly Bill No. 1967
Assembly Bill No. 376	Assembly Bill No. 2000
Assembly Bill No 721	Assembly Bill No. 2010
Assembly Bill No. 795	Assembly Joint Resolution No. 33

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 13, 1941

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

Senate Bill No. 26
Senate Bill No. 29
Senate Bill No. 302
Senate Bill No. 310
Senate Bill No. 407
Senate Bill No. 517
Senate Bill No. 590
Senate Bill No. 688
Senate Bill No. 693
Senate Bill No. 907
Senate Bill No. 964
Senate Bill No 1140
Senate Bill No 1158
Senate Bill No. 1262

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 26—An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside.

Referred to Committee on Judiciary Codes.

Senate Bill No. 29—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Referred to Committee on Judiciary Codes.

Senate Bill No. 302—An act to amend Section 29 of the Civil Code, relating to rights of unborn children, and providing for limitation of actions for prenatal injuries and injuries sustained in the course of birth.

Referred to Committee on Judiciary Codes.

Senate Bill No. 310—An act to add Section 369h to the Penal Code, relating to the erection and maintenance of lights and signs which interfere with the operation of railroad trains and declaring such lights and signs a public nuisance.

Referred to Committee on Public Utilities.

Senate Bill No. 407—An act to add Section 203.5 to the Streets and Highways Code, relating to funds paid to cities.

Referred to Committee on Municipal Corporations.

Senate Bill No. 517—An act to add Section 1 253 to the School Code, relating to assistant county supervisor of attendance.

Referred to Committee on Education.

Senate Bill No. 590—An act to amend Section 465 of the Vehicle Code, relating to signs, signals and traffic control devices.

Referred to Committee on Motor Vehicles.

Senate Bill No. 688—An act to add Section 46 to the California Irrigation District Act, relating to property sold for delinquent irrigation district assessments.

Referred to Committee on Irrigation.

Senate Bill No. 693—An act to add Section 72.5 to the California Irrigation District Act, relating to court proceedings brought by and against irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 907—An act relating to the payment of interest on and principal of bonds, and the holding of funds for such payment.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 964—An act to amend Section 688 of the Political Code and to add two new sections, to be numbered 688.1 and 688 2, to the Political Code, relating to claims and actions against the State of California.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1140—An act to add Section 8733.5 to the Health and Safety Code, relating to perpetual care funds of cemeteries.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 1158—An act to add Sections 3480g and 3480h to the Political Code, relating to reclamation districts

Referred to Committee on River Navigation, Reclamation, and Flood Control.

Senate Bill No. 1262—An act to amend Section 9 of an act entitled "An act to establish an institution for the punishment, treatment, supervision, custody and care of females convicted of felonies; to provide for its government, charge and superintendence, and to make an appropriation therefor," approved May 9, 1929, relating to the confinement and care of women convicted of crime, to take effect immediately.

Referred to Committee on Prisons and Reformatories

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 64—An act to add Section 201.5 to the State Civil Service Act, prohibiting discrimination upon account of race, religion or color and prescribing means for the enforcement thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 387—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 388—An act to amend the Probate Code, by adding Section 684 thereto, relating to the stay of payment of family allowances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1443—An act to amend Sections 3669c and 3669cc of the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1618—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1805—An act relating to the relief of debtors and guarantors; permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods of redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 279—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1345—An act to amend Section 15 of the "Reclamation Board Act," approved December 24, 1911, as amended, relating to assessments and to amend Section 5765 of the Water Code, relating to assessments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1629—An act to provide for the sale and conveyance of certain lands lying within the abandoned river channel of the American River lying in the County of Sacramento, State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2005—An act to amend School Code Section 3.93, relating to the maintenance of public school classes on Saturday and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 543—An act to add Sections 3.123, 3.174, 3.302 and 3.372 to the School Code, all relating to the admission of persons to the public schools of this State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 315—An act to amend School Code Section 3 180 and to add Section 3 223 to the School Code, relating to schools and classes of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2201—An act to amend School Code Sections 5.1103 and 5 1123, relating to district retirement systems.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1160—An act to amend School Code Section 5.460, relating to librarians in elementary and secondary schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 890—An act to amend Section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 510—An act to amend Section 1082 of the Military and Veterans Code, relating to the Woman's Relief Corps Home of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 847—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty and payment of their salaries

Bill read second time, and ordered engrossed.

Assembly Bill No. 1971—An act accepting a retrocession of jurisdiction from the United States of America over certain right of ways granted to the State of California over a certain road in the Presidio of San Francisco Military Reservation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 345—An act to amend Section 14a of the California Irrigation District Act, relating to annual statements by the board of directors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1648—An act to repeal Section 48.2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1992—An act to add Section 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2567—An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

Bill read second time, and ordered engrossed.

Assembly Bill No. 455—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1109—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, as amended, by adding a new section thereto, to be numbered Section 5, relating to the reconversion of registered bonds into coupon bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1199—An act to amend Sections 7921 and 7961 of the Elections Code, relating to the canvass of returns by the registrar of voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2095—An act to amend Section 898 of the Military and Veterans Code, relating to veterans' dependents, and making an appropriation for aid to veterans' dependents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1108—An act relating to poor litigants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 4, line 17, of the printed bill, after the period, insert "The clerk or justice of the court shall indorse upon the judgment recovered by the poor litigant a statement of the existence of the judgment in favor of the county, or city and county, the date of its entry and the place where entered and any abstract issued upon the judgment in favor of the poor litigant shall contain, in addition to the matters set forth in Section 674 of the Code of Civil Procedure, a statement of the judgment in favor of the county, or city and county, and the time and place of entry."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 866—An act to add Chapter 20, comprising Section 10000 to Section 10006, inclusive, to Division 3 of the Business and Professions Code, relating to the business of exchanging property or services.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out ", other than a corporation", and insert "or corporation".

Amendment No. 2

On page 1, line 11, of the printed bill, after "exchange", insert "without first obtaining a license from the Commissioner of Corporations".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "have a mini-", and strike out all of line 18.

Amendment No. 4

On page 1, line 12, of the printed bill, strike out "Each corporation", and insert "Every one".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "or", before the word "trust".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 34—An act to add Section 12700.5 to the Business and Professions Code, relating to public weighmasters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "not".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 664—An act to add Article 4 to Chapter 6 of Part 2 of Division 6 of the School Code, relating to the providing of educational facilities for pupils in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after the second word "the", insert "elementary"

Amendment No. 2

On page 1, line 8, of the printed bill, after "schools", insert "of the school districts under his jurisdiction".

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "shall", and insert "may".

Amendment No. 4

On page 1, line 16, of the printed bill, after "the", insert "high".

Amendment No. 5

On page 1, line 16, of the printed bill, after "schools", insert "of the school districts under his supervision".

Amendment No. 6

On page 1, line 20, of the printed bill, strike out "shall", and insert "may".

Amendment No. 7

On page 2, line 10, of the printed bill, strike out "and high school funds", and insert "school fund for the distribution of such materials and apparatus among elementary schools, and from the unapportioned county high school fund for the distribution of such materials and apparatus among high schools,".

Amendment No. 8

On page 2 of the printed bill, strike out all of lines 24 to 30, both inclusive, and insert

"6.498 The governing board of any school district may contract with the county superintendent of schools having jurisdiction over such district, or with the State, or any political subdivision thereof, or any agency referred to herein for the rendering to the schools of the district of any service authorized by this article to be rendered to the district, and may pay for such service out of any funds of the district.

All funds paid by a school district to a county superintendent of schools for services rendered to the elementary schools of the district shall be placed in the county unapportioned elementary school fund, and all funds paid by a school district for services rendered to the high schools of the district shall be placed in the county unapportioned high school fund."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 844—An act to amend Section 6.210 of the School Code, relating to the sale of personal property belonging to one school district to another.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, following line 14, insert

"This section does not authorize the purchase, in the manner provided by this section, of standard school supplies and equipment by any school district mentioned in Section 6.470 of this code."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 587—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, designated Section 16½, relating to the power of the Los Angeles County Flood Control District to condemn or acquire property and to use or exchange same for other property required by the district.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "conclusive", and insert "prima facie".

Amendment read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 776—An act to amend Section 683 of the Civil Code of the State of California, relating to joint tenancies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 19, 20, 21, 22, 23, 24, 25, 26 and 27 and insert "such joint tenancy is evidenced, either, by an instrument or agreement in writing describing the items of personal property affected thereby or the certificate of stock, bond, promissory note, or other like indicium of ownership bears written evidence in the body thereof, that it is held in joint tenancy or in the case of the transfer thereof the writing or instrument by which the transfer is accomplished, endorsed upon or attached to the indicium of ownership, bears evidence to like effect."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1031—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 9, of the printed bill, preceding "and", insert "a felony,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 499—An act to amend Section 21 of the California Irrigation District Act, relating to irrigation district elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Irrigation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Thirty", and insert "Not less than 30 nor more than 40".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1798—An act to add Section 52.5 to the California Irrigation District Act, relating to the surrender of obligations to irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Irrigation:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "that purpose", and insert "cancellation".

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1125—An act to add Division 4, comprising Sections 2800 to 3012, Division 5, comprising Sections 3200 to 3554, Division 6, comprising Sections 4000 to 4677, Division 7, comprising Sections 5000 to 6794, Division 8, comprising Sections 7000 to 7476, Division 9, comprising Sections 8000 to 8062, Division 10, comprising Sections 8500 to 8851, Division 14, comprising Sections 18000 to 19291, Division 15, comprising Sections 22000 to 22202, and Division 50, comprising Section 50000, to repeal the division heading of Division 20, and to amend by renumbering Sections 10000, 10001, 10002 and 10003 to be Sections 50001, 50002, 50003 and 50004, respectively, of the Streets and Highways Code, thereby consolidating and revising the law relating to public ways, works and improvements, and including but not limited to procedures for making, maintaining and financing the same and to repeal certain acts or parts of acts specified herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 39, lines 29 and 30, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 2

On page 39, lines 31 and 32, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 3

On page 39, line 34, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 4

On page 39, line 41, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 5

On page 39, line 42, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 6

On page 39, line 45, of the printed bill, strike out "resolution", and insert "ordinance".

Amendment No. 7

On page 89, line 26, of the printed bill, insert

"CHAPTER 2.5 CONTRIBUTION TOWARD COST OF WORK

5125. Notwithstanding any other provision in this division, the legislative body may accept and provide for contribution toward the cost and expenses of any work done under this division, from any funds made available for the purpose by any local, State or National agency or authority, and it shall not be necessary to set forth or give notice of such contribution in the resolution of intention or in any other proceedings under this division. It shall be sufficient for the legislative body, upon determining the amount of such contribution, to direct the street superintendent to deduct that amount from the total cost and expenses of the work before spreading the assessment. The amount of any such contribution shall be paid to the contractor or his assigns upon the issuance of the warrant to him."

Amendment No. 8

On page 145, line 6, of the printed bill, insert

"6404. Notwithstanding any other provision in this division, the legislative body may sell to any local, State or National public agency or authority authorized to purchase the same, all or any part of any bonds issued pursuant to the provisions of this part, or any bonds issued pursuant to the Improvement Bond Act of 1915, upon the security of assessments levied under this division. Any such bonds may be sold to any such public agency or authority without advertisement or bidding, but shall not be sold for less than par. The interest rate on such bonds shall be the rate fixed therefor by the legislative body, but may be for a lesser rate than that so fixed if the legislative body finds a purchaser at such lesser rate. Upon the sale of any such bonds to any such public agency or authority, the purchase price thereof shall be paid to the contractor or his assigns in lieu of the bonds and in satisfaction of the balance due upon the assessment."

Amendment No. 9

On page 281, line 47, of the printed bill, after "the", insert "ordinance or".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1263—An act to amend Sections 10008, 10112, 10118, 10200, 10325, 10326, 10327, 10328, 10330, 10375, 10427, 10451 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10626, of the Health and Safety Code, relating to vital statistics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 10, of the printed bill, after "10200.", insert

"The certificate of birth shall contain the following items and such other items as the State department may designate:

(1) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" shall be left blank.

(2) Place of birth, including State, county, township or town, village or city. If in a city, the street and house number; if in a hospital or other institution, its name shall be given, instead of the street and house number.

(3) Usual residence address of mother, giving city, village, township or town, county, and State of residence, and the street and house number if in a city.

(4) Sex of child.

(5) Whether twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births. For plural births, the number of each child in order of birth.

(6) Number of months of pregnancy.

(7) Date of birth, including year, month and day.

(8) Full name of father.

(9) Color or race of father.

(10) Age of father at last birthday.

(11) Length of residence of father in State.

(12) Birthplace of father; at least State or foreign country, if known

(13) Occupation of father. The occupation shall be reported if engaged in any remunerative employment, with the statement of the trade, profession or particular kind of work done.

(14) General industry or business in which work was done.

(15) Full maiden name of mother.

(16) Color or race of mother.

(17) Age of mother at last birthday.

(18) Birthplace of mother; at least State or foreign country, if known.

(19) Occupation of mother The occupation shall be reported if engaged in any remunerative employment, with the statement of trade, profession or particular kind of work.

(20) General industry or business in which work is done.

(21) Number of children of this mother (a) born alive and now living; (b) born alive but now dead; (c) stillborn.

(22) Mailing address of mother.

(23) The certification of attending physician or midwife as to attendance at birth, including statement of hour of birth. This certification shall be signed by the attending physician or midwife, with address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of the public or private institution where the birth occurred, or other competent person whose duty it is to notify the local registrar of the birth

(24) Exact date of filing in office of local registrar; registered number.

(25) Signature of registrar.

(26) Was a prophylactic or ophthalmia neonatorum used.

(27) Prenatal examination for syphilis, including period of gestation in months or weeks at which examination was made, and if examination was not made, including reason for not making such examination; provided, however, that the

result of said examination be not included on said certificate nor made public in any manner.

(28) Crippling congenital deformities."

Amendment No. 2

On page 2, line 43, of the printed bill, after "10375 ", insert

"The certificate of death shall contain the following items, and such other items as the department may designate.

1. Full name of decedent. If an unnamed child the surname preceded by "Unnamed."

(2a) Place of death, including State, county, and township, village or city. If in a city, the street and house number; if in a hospital or other institution, its name shall be given instead of the street and house number; if in an industrial camp, the name of the camp shall be given.

(2b) Length of residence; (a) in place of death; (b) in California; (c) in the United States if of foreign birth.

(3) Usual residence of deceased, including State, county, and township, village or city, and if a city, the street and house number.

(4) Sex.

(5) Color or race.

(6a) Conjugal condition—as single, married, widowed or divorced.

(6b) Name of husband or wife.

(7) Date of birth, including the year, month, and day.

(8) Age, in years, months and days. If less than one day, the hours and minutes.

(9) Birthplace; at least State or foreign country, if known.

(10) The occupation of any person, male or female, who had any remunerative employment shall be reported, with the statement of trade, profession or particular kind of work.

(11) General industry or business in which work was done.

(12) Full name of father.

(13) Birthplace of father; at least State or foreign country, if known

(14) Maiden name of mother.

(15) Birthplace of mother; at least State or foreign country, if known

(16) Name and address of informant

(17) Whether burial in ground, entombment, cremation or removal; and date of such interment

(18) Signature and license number of embalmer; signature and address of funeral director, or person acting as such.

(19) Official signature of registrar, with date when certificate was filed; registered number.

(20) Date of death; year, month and day

(21) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause of complication, if any, and date of onset or duration of each.

(22) Certification as to action of the coroner when compelled to act by law, stating kind of action taken, whether inquest, autopsy or inquiry, and the fact and cause of death.

(23a) If death is due to accidental or violent means, it shall be stated as to whether accident, suicide or homicide; date of injury; place of injury, whether in home, industry or public place; manner and nature of injury.

(23b) Whether or not disease or injury is related to occupation

(24) Signature and address of attending physician, or the signature of the coroner, with the statement of the county of which he is an officer."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 930—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations.

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert ", declaring the urgency hereof, to take effect immediately "

Amendment No. 2

On page 1, line 8, of the printed bill, after "corporation", insert ", except only that no property within such annexed territory shall ever be taxed to pay any portion of any indebtedness or liability of such municipal corporation contracted prior to or existing at the time of such annexation, provided, however, that such annexed territory may be so taxed in the event the owner or owners thereof shall consent in writing thereto.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

An emergency exists in the United States and the State of California in providing adequate armies and facilities of defense. To meet this demand, factories are increasing their forces of employees. This is resulting in a large shift of population into new areas The new employees are in drastic need of adequate housing facilities, and cities are being compelled to expand their boundaries and construct the necessary improvements. To enable the cities to meet this demand it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1469—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Statutes 1939, Chapter 952", and insert ", as revised by Chapters 952 and 1044 of the Statutes of 1939".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 20 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939,".

Amendment No. 3

On page 2 of the printed bill, after line 32, insert

"SEC 2 Section 20 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, is hereby amended to read as follows:

Sec. 20 Prohibition No person, except as authorized by this act, shall directly or indirectly charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of three hundred dollars ($300) or less

The foregoing prohibition shall apply to any person, who by any device, subterfuge, or pretense whatsoever shall charge, contract for, or receive greater interest, consideration, or charges than is authorized by this act for any such loan, use, or forbearance of money, goods, or things in action or for any such loan, use, or sale of credit.

No loan of the amount or value of three hundred dollars ($300) or less for which a greater rate of interest, consideration, or charges than is permitted by this act has been charged, contracted for, or received, wherever made, shall be enforced in this State and every person in anywise participating therein in this State shall be subject to the provisions of this act; provided, that the foregoing shall not apply to loans legally made in any State which then has in effect a regulatory small loan law similar in principal to this act.

No licensee or any other person in connection with or incidental to the making of any loan, may require the borrower to contract for, purchase, or agree to purchase any other thing in connection with the loan, and no licensee or any other person in connection with or incidental to the making of such loan shall require the borrower to enter into any collateral sales agreement or contract, other than the contract of pledge, assignment or mortgage of personal property by the borrower to the lender as security

for the repayment of the loan and charges thereon. The licensee shall deliver to the borrower at the time of making the loan an amount to be retained by the borrower equal to the face value of the loan and note evidencing same

Any profit or advantage of any kind whatsoever that any personal property broker or broker may contract for, collect, receive or in anywise obtain by a collateral sale, purchase, or agreement, in connection with the negotiating, arranging, making or otherwise in connection with any loan of three hundred dollars ($300) or less, except commissions received as a licensed insurance agent or broker on insurance written as hereinafter permitted, shall be deemed to be charges for the purposes of regulation under this act Such transactions shall be governed by and subject to the provisions of this act. However, security consisting of tangible personal property offered as security may be reasonably insured against loss for a reasonable term, considering the circumstances of the loan, and such insurance shall not be deemed such collateral sale, purchase, or agreement when the policy is payable to the borrower or any member of his family, even though the customary mortgagee clause is attached or the licensee is a coassured; provided, that such insurance is sold at standard rates through duly licensed insurance agents.

No licensee shall enter into any contract for a loan for a period of longer than 24 months after making the loan"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1470—An act to amend Section 19 of the "California Small Loan Act," Statutes 1939, Chapter 1045, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Statutes 1939, Chapter 1045", and insert ", as set forth in Chapters 953 and 1045 of the Statutes of 1939,".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 19 of the California Small Loan Act, as set forth in Chapter 953 of the Statutes of 1939,".

Amendment No. 3

On page 2 of the printed bill, after line 21, insert

"SEC. 2. Section 19 of the California Small Loan Act, as set forth in Chapter 1045 of the Statutes of 1939, is hereby amended to read as follows:

Sec. 19 Prohibition. No person by any device, subterfuge, or pretense whatsoever shall charge, contract for, or receive greater interest, consideration, or charges than is authorized by this act for any such loan, use, or forbearance of money, goods, or things in action or for any such loan, use, or sale of credit.

No loan of the amount or value of three hundred dollars ($300) or less for which a greater rate of interest, consideration, or charges than is permitted by this act has been charged, contracted for, or received, wherever made, shall be enforced in this State and every person in anywise participating therein in this State shall be subject to the provisions of this act; provided, that the foregoing shall not apply to loans legally made in any State which then has in effect a regulatory small loan law similar in principle to this act.

No licensee or any other person in connection with or incidental to the making of any loan shall require the borrower to contract for, purchase, or agree to purchase, any other thing in connection with the loan, nor to enter into any collateral sales agreements or contracts.

At the time of the making of the loan, the licensee shall deliver to the borrower, to be retained by the borrower, an amount equal to the face value of the loan and note evidencing the same.

Any profit or advantage of any kind whatsoever that any lender or broker may contract for, collect, receive or in anywise obtain by a collateral sale, purchase, or agreement, in connection with the negotiating, arranging, making or otherwise in connection with any loan of three hundred dollars ($300) or less, except commissions received as a licensed insurance agent or broker on insurance written as hereinafter permitted, shall be deemed to be charges for the purposes of regulation under this act. Such transactions shall be governed by and subject to the provisions of this act. However, security consisting of tangible personal property offered as

security may be reasonably insured against loss for a reasonable term, considering the circumstances of the loan, and such insurance shall not be deemed such collateral sale, purchase, or agreement when the policy is payable to the borrower or any member of his family, even though the customary mortgagee clause is attached or the licensee is a coassured; provided, that such insurance is sold at standard rates through duly licensed insurance agents.

No licensee shall enter into a contract for a loan for a longer period than 24 months after the making of the loan"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1846—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 3 of the title of the printed bill, after "junk", insert ", as herein defined, and making an appropriation".

Amendment No. 2

On page 1, line 9, of the printed bill, after "machinery", insert "and scrap iron"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1795—An act to add Section 28.5 to the California Irrigation District Act, relating to the manner of selecting directors of certain irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Irrigation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 28.5", and insert "Sections 28.25 and 28.35".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "28.5", and insert "28.25".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "28.5", and insert "28.25".

Amendment No. 4

On page 1 of the printed bill, following line 27, insert

"SEC. 2. Section 28.35 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 28.35 In any irrigation district having no divisions, at least 60 days before any general election required to be held in irrigation districts, a majority of the electors in the district may file in the office of the district a petition signed by them requesting the board of directors to establish divisions. The petition shall contain a showing that it is expedient to divide the district into three divisions as nearly equal in area and population as may be practicable and to elect the directors of the district therefrom. The board of directors may independently investigate whether or not the facts are consistent with the showing made in the petition and shall hear any evidence produced to sustain or disprove the showing. Within 30 days after the filing of the petition, the board shall find whether or not it is expedient to divide the district into three divisions as nearly equal in area and population as may be practicable and elect the directors of the district therefrom. If the board finds in the affirmative, it shall forthwith order the establishment of divisions in the district and divide the district into three divisions as nearly equal in area and population as may be practicable At the general election next follow-

ing the making of the order directors shall be elected at large in the district, one director to represent each division. The directors so elected shall at their first meeting classify themselves into two groups in the same manner and with the same effect as provided as to directors elected at an election for the organization of a district, except that the classification shall not affect the term of any offices other than those held by the directors."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 151—An act to add Sections 556.1, 556.2 and 556.3 to the Military and Veterans Code, all relating to the organization of the State Guard, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In the title of the printed bill, strike out line 3, and insert "State Guard, making an appropriation therefor, declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 and 4, and insert

"556.1. The Governor is directed to organize and maintain a State Guard with a minimum numerical strength of 10,000 men."

Amendment No. 3

On page 1 of the printed bill, strike out lines 24, 25 and 26, and insert "wise appropriated to be expended during the Ninety-second, Ninety-third and Ninety-fourth Fiscal Years by The Adjutant General in the carrying out of the provisions of this act.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting the necessity:

An emergency exists in the United States and the State of California in providing adequate armies and facilities for defense. A large rearmament program is also under way, in which the manufacturing, airplane, shipbuilding and other plants of this State are taking their part. The National Guard, which has heretofore been available to this State as an organization for the defense and for the guarding of such plants and other places of strategic and military value is being called into the service of the United States and many units thereof have already left the State in such service. It is therefore necessary that steps be taken to provide troops to take their place and to make the unorganized Militia more readily available for defense in this emergency and for the guarding of such plants and places of military and strategic value. It is therefore necessary that this act take effect immediately.

SEC. 6. If any part or provision of this act should, by reason of the provisions of Section 1 of Article IV of the Constitution, be delayed from taking immediate effect, the remainder of the act shall go into immediate effect notwithstanding the fact that some provisions may not become effective until 90 days following final adjournment of this Fifty-fourth Session of the Legislature enacting this law."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1016—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property.

Bill read second time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "deed of trust,".

Amendment No. 2

On page 1, line 6, of the printed bill, following "a", insert "deed of trust,".

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 353—An act to add Division 6, comprising Sections 14000 to 14004, inclusive, to the Business and Professions Code, thereby consolidating and revising the law relating to general provisions concerning business rights, defining the terms used in connection therewith, describing the effect of the provisions on business rights and providing the manner in which said rights may be asserted.

Bill read second time, and ordered to third reading.

Senate Bill No. 354—An act to add Chapter 1, comprising Sections 14100 to 14103, inclusive, to Division 6, and to add Section 30023 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the definition and transfer of good will, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 355—An act to add Chapter 2, comprising Sections 14200 to 14325, inclusive, to Division 6, and to add Section 30024 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to trade-marks, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 356—An act to add Chapter 3, comprising Sections 14400 to 14491, inclusive, to Division 6, and to add Section 30040 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to trade names and designations, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 357—An act to add Chapter 4, comprising Sections 14700 to 14740, inclusive, to Division 6 and to add Section 30025 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to protection of the rights of authorship and repealing acts and parts of act specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 358—An act to add Division 7, comprising Part 1, Chapters 1 to 3, inclusive, Sections 16000 to 16240, inclusive, and to add Section 30026 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to licensing by the State, counties and cities, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 359—An act to add Chapter 4, comprising Sections 16300 to 16451, inclusive, to Part 1 of Division 7 and to add Section 30027 to Division 30 of the Business and Professions Code, thereby

consolidating and revising the law regulating itinerant merchants and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 361—An act to add Part 3, comprising Chapter 1, Sections 17500 to 17535, to Division 7, and to add Section 30041 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to false advertising, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 362—An act to add Chapter 2, comprising Sections 17700 to 17702, inclusive, to Part 3 of Division 7, and to add Section 30029 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to redeemable coupons, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Clarke, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 905—An act to amend Section 118 of the Agricultural Code, relating to the admissibility of the hosts of fruit flies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1090—An act to add a new section to the Agricultural Code, to be numbered 120.5, relating to plant registrations and certifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON INTRODUCTION OF BILLS

At 11.32 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2569: By Mr. O'Day—An act to provide for the establishment and government of Youth Corrections Camps.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6 LAPSED

Notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No 6 was passed lapsed.

Assembly Constitutional Amendment No. 6 ordered transmitted to the Senate.

Hon. Michael J. Burns Presiding

At 11.40 a m, Hon Michael J. Burns, member of the Assembly from the First District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 100—An act to amend Sections 5 and 6 of, and to add two new sections to "An act authorizing municipalities to declare noxious or dangerous weeds growing upon streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same" (Stats. 1915, p. 841, as amended), relating to the abatement of nuisances.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 176—An act to amend Section 15 of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal bankruptcy courts therein," approved June 5, 1933, as amended, relating to credits in making the reassessment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 112—An act to amend Section 4 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations," approved June 10, 1933, relating to duplicate bonds, warrants and other evidences of indebtedness, including the filing thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 177—An act to amend Section 17 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for

proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding," approved July 20, 1935, as amended, relating to credits in making the assessment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 198—An act to add Part 3, consisting of Chapters 1 and 2, consisting of Sections 8300 to 8308 and 8320 to 8324, to Division 9 of the Streets and Highways Code, relating to the vacation of city streets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.57 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1022—An act to amend Section 853 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to bonds of city clerks and city treasurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1023—An act to amend Section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the compensation of city clerks and city treasurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1614—An act to add Section 38.5 to the Alcoholic Beverage Control Act, relating to certificates of compliance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1136—An act to amend Sections 6.195, 6.198 and 6.199 of the School Code, relating to payment by governing boards of commissions for the sale or lease of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Leave of Absence

Mr Poole was granted leave of absence for the balance of this legislative day, on motion of Mr. Middough.

Leave of Absence

Mr Gunlock was granted leave of absence for the balance of this legislative day, on motion of Mr. Cain.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 795—An act to add Section 22140 to the Streets and Highways Code, relating to assessments levied to defray the cost of the planting, maintenance and removal of trees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1967—An act to add Section 4.368-1 to the School Code, relating to school district funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 843—An act to amend Section 1.70 of the School Code, relating to transportation of pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 376—An act to amend Section 212 of the Agricultural Code, relating to bringing goats into this State.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—59

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2000—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits to State officers and employees during the Ninety-first and Ninety-second Fiscal Years, and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2000:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 4, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO 2000

"An act making an appropriation to meet a deficiency in the appropriation for compensation benefits to State officers and employees during the Ninety-first and Ninety-second Fiscal Years, and providing that this act shall take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I therefore recommend consideration of Assembly Bill No 2000 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 33—Relative to the extension of flood control works in the Los Angeles River and the construction of such works in the San Fernando Valley.

Resolution read.

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

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—53.
NOES—None

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2006

Mr Desmond moved that Assembly Bill No. 2006 be withdrawn from the Committee on Municipal Corporations, and re-referred to the Committee on Mines and Mining.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, Wollenberg, and Mr. Speaker—55.
NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2569

Mr. O'Day moved that Assembly Bill No. 2569 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Prisons and Reformatories

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

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—54.
NOES—Field and Mr. Speaker—2.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress to take the steps necessary to permit meat and meat products prepared under California State inspection to be sold on the same basis as meat and meat products under Federal inspection

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch Wollenberg, and Mr. Speaker—58.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mr. Pelletier requested permission to use the Assembly Chamber Monday evening, March 17th, at 7:30 p.m., for a public meeting before the Committee on Labor and Capital

Request granted.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name.

The Christian Science Monitor—Rodney L. Brink.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 141	Assembly Bill No. 1084
Assembly Bill No. 184	Assembly Bill No. 1113
Assembly Bill No. 253	Assembly Bill No. 1122
Assembly Bill No. 569	Assembly Bill No. 1764
Assembly Bill No. 673	Assembly Bill No. 1855
Assembly Bill No. 892	Assembly Bill No. 2049
Assembly Bill No. 1083	Assembly Bill No. 2168

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1764—An act to add a new section to the Agricultural Code, to be numbered 553.5, relating to sterilized milk and cream.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

Strike out all of lines 10 and 11 of the printed bill, and insert "except for export to a foreign country."

Amendment read and adopted.

Bill ordered printed, and re-engrossed

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2168 re-referred to Committee on Roads and Highways

Assembly Bill No. 892 re-referred to Committee on Agriculture.

Assembly Bill No. 673 re-referred to Committee on Agriculture.

Assembly Bill No. 1113 re-referred to Committee on Agriculture.

Assembly Bill No 2049 re-referred to Committee on Public Morals.
Assembly Bill No 141 re-referred to Committee on Public Health and Quarantine.
Assembly Bill No. 184 re-referred to Committee on Public Health and Quarantine.
Assembly Bill No. 1122 re-referred to Committee on Public Health and Quarantine.

REQUEST FOR LEAVE FOR LEGISLATIVE DAY

Mrs. Daley requested that Assemblymen Watson and Cooke be excused for the legislative day of Monday, March 17, 1941, to attend a hearing in Ventura.

Request granted.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred

Assembly Bill No. 271

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Vice Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 70	Assembly Bill No. 665
Assembly Bill No. 427	Assembly Bill No. 1775
Assembly Bill No 619	Assembly Bill No. 2105

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Joint Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

FIELD, Chairman

Above reported resolution ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No 243	Assembly Bill No. 192
Assembly Bill No. 383	Assembly Bill No. 73

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Aviation and Aircraft

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:

Assembly Bill No. 2085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

GREEN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1078

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1476
Assembly Bill No. 1821
Assembly Bill No. 824
Assembly Bill No. 54
Assembly Bill No. 1767

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1562
Assembly Bill No. 577

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Woollemes of Delano, Kern County.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Lavin of Bakersfield.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Noon of Taft.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lester A. Price, Supervisor of Ventura County.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carroll Parish, Jr., Youth Commission of Los Angeles County.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Doris Talkington of Turlock.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs.Anna L. Saylor of Berkeley, former Assemblywoman 1919, 1921, 1923 and 1925.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Jack Blizard and family, Helen and Robert; also Johnnie Riggs, brother of Bobbie Riggs.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Steele Hartman, Executive Secretary Inglewood Chamber of Commerce.

On request of Mr. Russell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Will Fowler of Redlands.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Cyril Housner and R. R. Gust, members of the Board of Supervisors, El Dorado County.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nathan O. Freedman, attorney of Hollywood.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John P. Faddis, Supervisor of Orange County, and Dave Bird and Dean Howell.

ADJOURNMENT

At 12.55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 17, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY
SEVENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 17, 1941

The Assembly met at 11 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—75

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Salsman.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Watson, on motion of Mr. Waters.
Mr Evans, on motion of Mr. Massion.
Mr. King, on motion of Mr. Bennett.
Mr. Andreas, on motion of Miss Miller.
Mr. John B. Knight, on motion of Mr. Hastain.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Messrs. Burns, Hugh M., Sawallisch, Clarke, and Burns, Michael J., as members of the Joint Fact-Finding Committee in accordance with Assembly Concurrent Resolution No. 23.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, March 10, 1941; Tuesday, March 11, 1941; Wednesday, March 12, 1941; Thursday, March 13, 1941; and Friday, March 14, 1941, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 64
Assembly Bill No. 279
Assembly Bill No. 315
Assembly Bill No. 345
Assembly Bill No. 387
Assembly Bill No 388
Assembly Bill No. 455
Assembly Bill No. 510
Assembly Bill No. 543
Assembly Bill No. 847
Assembly Bill No. 890
Assembly Bill No. 1109
Assembly Joint Resolution No 34
Assembly Bill No. 1160
Assembly Bill No 1199
Assembly Bill No. 1345
Assembly Bill No. 1443
Assembly Bill No. 1618
Assembly Bill No 1629
Assembly Bill No. 1648
Assembly Bill No. 1805
Assembly Bill No 1971
Assembly Bill No 1992
Assembly Bill No 2005
Assembly Bill No. 2201
Assembly Bill No 2567

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.20 a.m., on motion of Mr Maloney, the Assembly recessed until 2 p.m., for the customary St. Patrick's Day celebration.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Call of the Assembly

Mr Call moved a call of the Assembly.

Motion carried Time, 2.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 35: By Mr. Dills—Relative to memorializing the President and Congress to enact legislation proposed by United States Senate Bill 710, providing a basis of recovery for claims of California Indians based on early treaty arrangement

Referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 383—An act to add Section 5 to, and repeal Section 844 of, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 192—An act to amend Section 790 of the Fish and Game Code, relating to crab meat.

Bill read second time, and ordered engrossed.

Assembly Bill No. 73—An act to repeal Sections 190 and 191 of the Fish and Game Code and to add Section 170.1 to the Fish and Game Code, relating to the San Francisco Game Refuge.

Bill read second time, and ordered engrossed.

Assembly Bill No. 271—An act providing for the registration of certain oath-bound societies and secret organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1476—An act adding Section 14593 to the Health and Safety Code, relating to dissolution of fire protection districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1821—An act to add Section 424.5 to the Penal Code, relating to the use of State motor vehicles for private purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 824—An act to amend Section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 54—An act to amend Sections 79 and 83a of the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1767—An act to add Section 22.1 to "An act to provide for the planting, protection, maintenance and removal of trees, shrubs, and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof and providing for the establishment of a city forester and describing his duties and fixing his compensation," approved June 19, 1931, pro-

viding an alternative method for collecting assessments to cover the cost of the improvements therein provided for.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2085—An act authorizing any county in the State of California, to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purposes of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Aviation and Aircraft:

Amendment No. 1

In line 7 of the title of the printed bill, after "same", insert ", to take effect immediately".

Amendment No. 2

On page 1, line 9, of the printed bill, after "airports", insert "owned and operated by cities, including cities operating under freeholders charters".

Amendment No. 3

On page 2 of the printed bill, strike out lines 10 and 11; and in line 12, strike out "(d)", and insert "(b)".

Amendment No. 4

On page 2 of the printed bill, after line 15, insert

"SEC 6 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

Under the National Defense Program a principal endeavor is the rapid expansion of the air forces of this Nation. Every effort is being made to increase production of aircraft and to train pilots. This is succeeding to a noticeable degree However, ground facilities to take care of the increased activity in the air are vitally necessary to the functioning of the latter and must keep pace with it Otherwise the development of a vital part of the defense program will be seriously hampered with resultant detriment to the public peace, health and safety of this State.

Therefore this act, which encourages the building of airports and ground facilities, should go into immediate effect."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 577—An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601, 5602 and 5603, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after "5514", strike out the balance of lines 9 to 16, inclusive, and insert "The membership of the State board shall be composed of two persons selected from the membership of the Northern California Chapter or chapters of the American Institute of Architects or other similar

association of architects, and two persons selected from the membership of the Southern California Chapter or chapters of the American Institute of Architects or other similar association of architects, and one person to be selected from any California Chapter of the American Institute of Architects or other similar association of architects."

Amendment No. 2

On page 2, line 5, of the printed bill, strike out "two", and insert "four".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "and three members", and insert "one member".

Amendment No. 4

On page 2, line 10, of the printed bill, strike out "one", and insert "two".

Amendment No. 5

On page 2, line 12, of the printed bill, strike out "two", and insert "one".

Amendment No. 6

On page 3, line 23, of the printed bill, strike out "The headquarters of the board shall be the State Capitol".

Amendments read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 70—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, after the period, insert "It is unlawful for the holder of a sporting fishing license to sell any fish, mollusk, or crustaceans taken by him under such license."

Amendment read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 1078—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out the words in line 3, and insert "----------"

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 427—An act to add Section 39 to the Fish and Game Code, relating to bounties on predatory animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out ", lynx, and bob cats".

Amendment No. 2

On page 1, lines 8 and 9, of the printed bill, strike out "six thousand dollars ($6,000).", and insert "fifteen thousand dollars ($15,000)."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, insert "Meal manufactured from abalone trimmings by a reduction process may be transported out of the State."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1775—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive; and in line 9, strike out "ceeding calendar year", and insert "between October 1 and March 31, inclusive".

Amendment No. 2

On page 1, line 10, of the printed bill, after "between", strike out "the date of the", and strike out lines 11 and 12, and insert "August 1 and February 15.".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2105—An act to add Sections 39, 39.1, 39.2, 39.3 and 39.4 to the Fish and Game Code, relating to the powers of the commission to determine and fix the sizes, seasons and bag limits for the taking of game fish, animals, birds, mollusks and crustaceans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, after "on", insert "written".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "or creel".

Amendment No. 3

On page 1, line 14, of the printed bill, after "change", insert "or determination".

Amendment No. 4

On page 1 of the printed bill, strike out line 17, and insert "in the area to be affected by the change or determination or as near thereto as is practical,".

Amendment No. 5

On page 1, line 19, of the printed bill, strike out "any county affected"; and strike out line 20, and insert "the county in which the area affected by the order is situated, or if such area is in more than one county in any of such counties. The notice shall state in general terms the purpose of the hearing. The dates of".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "The", and insert "Copies of the".

Amendment No. 7

On page 1, line 23, of the printed bill, strike out "published", and insert "posted".

Amendment No. 8

On page 2, line 4, of the printed bill, strike out "changes", and insert "change or determination".

Amendment No. 9

On page 2, line 5, of the printed bill, strike out "evidence", and insert "such testimony, information, or data as it deems relevant which is adduced in support of or against such change or determination, including data, statistics, and information, from its own files or otherwise,".

Amendment No. 10

On page 2, line 6, of the printed bill, strike out "changes", and insert "change or determination".

Amendment No. 11

On page 2, line 7, of the printed bill, strike out "shall determine and find", and insert "finds".

Amendment No. 12

On page 2, line 8, of the printed bill, after "change", insert "or determination"

Amendment No. 13

On page 2 of the printed bill, strike out lines 10 and 11, and insert "may by order make such change, limitation, reduction, increase, or determination of the size limit, season, or bag limit as it".

Amendment No. 14

On page 2, line 12, of the printed bill, strike out "changed or altered".

Amendment No. 15

On page 2, line 13, of the printed bill, strike out "or creel".

Amendment No. 16

On page 2, line 15, of the printed bill, strike out "or creel".

Amendment No. 17

On page 2, line 17, of the printed bill, after the period, insert "Any such order may be reviewed by any court of competent jurisdiction under any procedure now or hereafter permitted under or provided by law."

Amendment No. 18

On page 2, line 20, of the printed bill, strike out "changing any such", and insert "affecting any".

Amendment No. 19

On page 2, line 22, of the printed bill, after "office", insert "of the Secretary of State and in the office".

Amendment No. 20

On page 2 of the printed bill, strike out lines 26 to 28, inclusive, and insert "emergency, the commission, on the recommendation of the Director of Natural Resources, may".

Amendment No. 21

On page 2, line 33, of the printed bill, strike out "of the".

Amendment No. 22

On page 2, line 36, of the printed bill, after "now", insert "or may hereafter be"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1684—An act to establish a Permanent Reemployment Program under the supervision and direction of the Relief Administrator and the Relief Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "permanent reemployment", and insert "work relief".

Amendment No. 2

On page 2 of the printed bill, after line 14, insert

"SEC. 5. The Relief Administrator and Relief Commission may certify any person, who is receiving assistance for the relief of hardship and destitution due to and caused by unemployment, to, and may accept sponsorship contributions from, any agency or department of the Federal, State, county, city and other local subdivisions of government for projects of the following nature: (i) fire hazard reduction, (ii) reforestation and (iii) weed eradication on public properties necessary to prevent infestation of adjacent private land and overgrowth on public roads

SEC. 6. Not more than 15 per cent of the money available for expenditure under the provisions of this act shall be used for the purposes of administration.

SEC. 7. Revenue received by the Relief Administrator and the Relief Commission through work relief projects established under the provisions of this act is hereby continuously reappropriated for the purposes of this act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1562—An act to amend Section 5440 of the Public Resources Code and to add Sections 5455 to 5459, both inclusive, thereto, relating to county recreation districts, authorizing the borrowing of money for improvements and equipment and providing for the annexation of territory thereto, and, in addition, to validate the organization, boundaries, trustees, acts, proceedings and bonds of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "5459", and insert "5458".

Amendment No. 2

On page 1, line 15, of the printed bill, after "trustees", insert "shall apply to the county board of supervisors, furnishing a map with the names of property owners in the territory proposed to be annexed, and the board of supervisors".

Amendment No. 3

On page 2, line 4, of the printed bill, strike out "County", and insert "Public".

Amendment No. 4

On page 2, line 7, of the printed bill, strike out "trustees", and insert "supervisors".

Amendment No. 5

On page 2, line 14, of the printed bill, strike out "trustees", and insert "supervisors".

Amendment No. 6

On page 2, line 16, of the printed bill, strike out "trustees", and insert "supervisors".

Amendment No. 7

On page 2 of the printed bill, strike out all of lines 21 to 34, inclusive, and insert "5458 Money may be borrowed by the trustees of a district for the purpose of erecting a structure or the carrying on of any work or project authorized by this article or for the making of improvements or the purchase of equipment, or for the maintenance thereof. The amount of money to be borrowed shall not exceed an amount equal to 25 per cent of the total amount of taxes paid to a district for the preceding year"

Amendment No. 8

On page 3 of the printed bill, strike out lines 12 to 18, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 619—An act to amend Section 650.6 of the Fish and Game Code, relating to salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 650 6", and insert "Sections 650 5, 650 6, 657, 658.5, 659 and to add Sections 657.5 and 658.3".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out the period, and insert a comma and "or the taking of salmon by trolling in the ocean districts open to commercial fishing.

SEC. 2. Section 650 5 of said code is hereby amended to read as follows.

650.5. The provisions of this article relating to the times during which salmon may be taken with hook and line are subject to the provisions of Article 1, Chapter 2, Part 2, Division 4, and whenever an open season for trout is specified for any district or area, except Districts 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, salmon may be taken with hook and line in such district or area during the period of time so specified.

SEC 3. Section 657 of said code is hereby amended to read as follows

657. In Districts 6, 7, 8, 9, salmon may be taken with hook and line, between April 1 and September 15. There is no bag limit. The size limit is as provided in Section 661 of this code.

SEC. 4. Section 658.5 of said code is hereby amended to read as follows:

658 5. In District 12, salmon may be taken with hook and line, at any time. The bag limit is two per day.

SEC 5. Section 659 of said code is hereby amended to read as follows:

659. In Districts 12B, 12C, 13, salmon may be taken with hook and line, at any time The bag limit is two per day.

SEC 6. Section 657.5 is hereby added to said code, to read as follows:

657 5. In Districts 6, 7, 8 and 9, salmon may be taken with hook and line between September 16 and October 31. The bag limit is two per day. Not more than one daily bag limit may be possessed by any person during any one day. No such salmon may be sold.

SEC. 7 Section 658 3 is hereby added to said code to read as follows:

658 3. In Districts 10 and 11, salmon may be taken with hook and line between August 16 and October 31 The bag limit is two per day. Not more than one daily bag limit may be possessed by any person during any one day. No such salmon may be sold."

Amendments read and adopted.

Bill ordered printed and engrossed.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SACRAMENTO CHAMBER OF COMMERCE
SACRAMENTO, CALIFORNIA, March 14, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly of California
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Your letter of the twelfth announcing the action of the Assembly, relative to the Sacramento Chamber of Commerce dinner last Monday evening, is sincerely appreciated.

Again I want you to know that it is our desire to have Legislators and State officials know that Sacramento businessmen are happy to cooperate with them and it is our desire to see that they enjoy their stay in Sacramento.

I will value any suggestions that you might make from time to time which will enable us to continue to do those things which will accomplish this purpose.

With best regards,
Sincerely,

A. S. DUDLEY
Secretary-Manager

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 2.25 p.m., on motion of Mr. Sheridan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 212—An act to amend Sections 6621, 6622 and 6623 of the Streets and Highways Code, relating to the foreclosure and cancellation of street improvement bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Dickey, Dills, Doyle, Field, Gaffney, Green, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Cassidy—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 721—An act to add Section 104.8 to the Streets and Highways Code, relating to the custody of evidences of title to property acquired for State highway purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard,

Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr Speaker—59.
NOES—Cassidy—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 569—An act to add Section 828.9 to the Agricultural Code, and to repeal Section 795.6 of said code, relating to standards for field picking boxes for citrus fruits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N. Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weybret, Wollenberg, and Mr Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 894

Mr. Thorp moved that Assembly Bill No. 894 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 253—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read third time.

Motion to Amend

Mrs. Daley moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended, strike out ", to take effect as therein", and strike out line 10, and insert "."

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 34 to 37, inclusive.

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

MOTION TO PRINT SPEECH IN JOURNAL

On motion of Mr Lyon, the following speech by Mr. Eneas Kane of San Francisco was ordered printed in the Journal:

Speech by Eneas Kane

Today, everywhere beneath the sun, under the crimson vault of heaven, as the exile plods his weary way homeward to a humble and contented roof—on the high

seas, in the marts of industry and of trade, around the campfire and in the castellated banqueting halls where his more fortunate brothers are foregathered—wherever Irish blood pulses in the veins of the generous Celt, he is translated to a far-off yesterday.

The idol in his heart, the image in his mind, the name spontaneous on his lips—with her struggles and her vicissitudes, her joys and her sorrows, her tears and her laughter—is Ireland.

It is the day of Irishmen all over the world. Its inspiration covers the rise of a nation in the mist of history's morning.

It carries us through the dark night of Ireland's travail to the bright dawn of her hopes of today.

Custom has added to its purpose, so that, today, we not only pay homage to the patron saint of Ireland, but we impress upon Irish sons and grandsons and the world at large, the greatness of the Irish people, and we endeavor to perpetuate Irish ideals in the heart of this generation and of generations yet to come.

Today, then, we picture Saint Patrick on the Hill of Tara, surrounded by chieftain and bard and people listening quietly to his story of the Christian faith.

We celebrate the victory of Irish culture and Christianity over the Pagan Irish world.

Today, then, we remember the bitter fight of a thousand years for Irish liberty; we recall the valor of the Irish Brigade and the world-wide achievements of the Sons of Erin.

Today, we drop a tear upon the graves of Sarsfield, O'Connell and Emmett and acclaim the debt which civilization owes to the Irish race.

Today, therefore, as we gather to pay tribute to one who stands upon one of the highest pinnacles of the temple of Christianity, it seems to me that it would be well to examine the story of Patrick and of Ireland in so far as any correlated singularity is concerned.

Ireland's history and the story of Patrick are so closely interwoven as to bespeak singularity.

The conversion of Ireland by Saint Patrick is one of the strangest facts of history.

We know that every nation has given some sort of opposition to the Gospel, resulting in the very arduous labors of the missionary life

To this truth, however, Ireland alone stands as the notable exception.

Here Patrick's apostolate resembled more the majestic progress of a triumphant king, rather than the difficult, toilsome labor of the life of a missioner.

Where in history can you point to a nation receiving a new philosophy, a new religion, aye, a new theory of existence in the wholehearted receptive manner in which his was accepted by the people of Ireland?

He flung Christianity into the very face of Druidism and there was peaceful conquest. More than that, in the annals of Christian history, Patrick is the lone example of the prophet who was not stoned by objectors to his doctrine.

Ireland refused martyrdom—the apostle's lot—to Patrick

And to a willing nation Patrick was given, just that, martyrdom

For to whatever lands the "Cross of the Ancient Church" has been carried, we have found in the very front ranks, young Irishmen and Irishwomen, many of whom have spilled their very life's blood upon the sacrificial altar of the recognition of a Supreme and All-Powerful Ruler of the universe.

Truly, therefore, Ireland and Patrick are singular in so far as the fact of its conversion is concerned.

In the third century, Patrick gave to Ireland that Christian civilization which has distinguished that little isle among the nations of the world.

Nowhere upon the scroll of history do we find a more striking and glorious sight than Ireland for 300 years after Patrick's conquest

She was an island covered with seats of learning—hundreds upon hundreds of schools and monasteries.

Even though a small nation, she was then the refuge of learning and the instructress of the world.

The world, admiring the luster of her learning and the glory of Ireland's sanctity, united in conferring upon her one of the proudest titles ever conferred upon a land or people, "The Island of Saints and Scholars."

That Ireland ruled the destinies of European education for nine centuries. It saved western civilization.

It is the parent of modern civilization.

All of this was the direct result of the efforts of the man whom we honor today.

As an American, I like to believe, and I do believe, that one of the greatest contributions that has been made to American nationality has been made by Patrick's Ireland.

In tracing back, as does a lawyer in search of a title, the origin of things, we find that when Patrick visited Pagan Ireland and gave Christianity to the people, when he introduced Latin culture and civilization, he accomplished something which, when

weighed by consequences, is of utmost importance in determining the reason and the cause of our own American position in the world today

Lest you think I am speaking in generalities, let us investigate.

A very great German philologist, many years ago in critical study, after deep research, said it was the Irish, instructed by St Patrick and his successors, who actually saved from utter destruction and the loss of learning the philosophy and the morals of continental Europe.

This because missionaries went out from the Emerald Isle to the continent and there kept alive the smoldering embers of that culture which was once the boast of Rome It is recorded history that these men, endowed with knowledge, possessing it in its fulness, went out and gave it with Irish generosity to the waiting peoples on the other side after the incursions of the Huns and Teuton hordes had made of Europe a barren place

I say that I believe all this, because we can see, even today, in continental Europe, which but yesterday was the seat of civilization, the possibility of everything being extinguished in the blight of war and devastation—unless there is some place sacred for the preservation of the ideals of government, such, for instance, as our own glorious United States.

The danger of this country being involved in war concerns not so much the comfort and preservation of this generation of men

It concerns the preservation of democratic ideals.

It concerns the preservation of the rights of men.

It concerns the preservation of all those things for which patriots have bled and died the world over.

As Ireland served the earlier centuries in that respect, so America must, if we regard our mission a holy one, preserve those things today

We must not become engulfed in maelstrom of war, destructive not only of life and property, but more important, destructive of ideals and hopes and human rights

Ireland served the earlier centuries in the retention of its culture and its knowledge.

It serves those nations of the world today who love liberty and the untrammeled rights of the individual

The historical chroniclers of the ages can not point to a greater example of a struggle for the rights of men than Ireland presents.

It has been said that when the hydra-headed monster of the persecution of the Irish race rears its ugly head, the story is so sad that the thoughts of men can not be placed in writing, for the tears of the chronicler needs must efface them

However, Ireland has preserved her nationality despite every effort that has been made to obliterate it.

Her schools were abolished and it was impossible for her children to procure an education and then it was said that the Irish were ignorant.

Her lands were stolen, her means of livelihood removed and then she was laughed at because she was poor.

But Ireland fought and fought, not for a day, not for a year, not for a decade—she fought for centuries; for hundreds of years, to preserve her individualism and her principles of existence and never once did she admit the anguish of an evening of defeat

For hundreds of years the Irish people had no rights; Ireland was a nation trampled into the blood-stained earth by wave after wave of ruthless persecution

Yet that nation never lost the principle of its national existence, never consented to merge its name, its democratic ideas, its history or its national individuality with that of its oppressor

This indomitable persistency, the faculty of preserving through centuries of misery, the remembrance of lost liberty and of never despairing of a cause always defeated, always fatal to those who dared defend it, is perhaps the strangest and noblest example for us to reflect on in this chaotic world of today

There is no excuse for violence where there is a constitutional government under which the people have the right and privilege of determining the character of their government

That is a fundamental human right, and such is the government which we enjoy.

But in Ireland there was no means within the constitution of either side of stating their case or pursuing a policy which would lead, under free elections, free discussions and free assembly, to a solution of those momentous problems

Yet the Irish who later helped, guided by the fundamentals taught by St Patrick, to build this great nation, never faltered. These ideas and ideals for which they had fought permeated the very beings of all those whose forbears emanated from that little gem in the sea.

Liberty is impossible without order, we are told

Order is impossible without government, but government, in any worthy sense of the term, is impossible without a settled conviction on the part of the people of its legitimacy and their obligations in conscience to obey it

That early training of the Irish where all their accomplishments were destroyed by ruthless soldiery, that experience of the Irish in resisting by rebellion unauthorized acts of royalty, brought to the creation of America a support and an intimate

knowledge which justified that support, which in no small degree represents the fundamentals of the free government under which we are privileged to live

And now, my friends, as our story hastens to a close, as we who have tried to understand an Irish-American's feelings on this day; as we who have examined the singularity of Ireland's conversion, as we who have reviewed the story of Ireland's glories and her trials, as we who have considered the effect of her struggle for liberty on this great country of ours, as we prepare to leave these chambers, may I, in the light of what has been said, may I, in your name, salute the memory of St. Patrick, and the efforts of his people to keep the flame of culture and of liberty ever ablaze?

May I, in your name and in my own, express the hope that we, too, Americans all, will, if needs be, suffer the same tortures as they did of old, to preserve forever the principles of this Nation, the greatest on the face of the earth.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1618—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1805—An act relating to the relief of debtors and guarantors; permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods of redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Call, Carlson, Johnson, and Millington—4.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan,

Middough, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—Call, Carlson, Johnson, and Millington—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1345—An act to amend Section 15 of the "Reclamation Board Act," approved December 24, 1911, as amended, relating to assessments and to amend Section 5765 of the Water Code, relating to assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1629—An act to provide for the sale and conveyance of certain lands lying within the abandoned river channel of the American River lying in the County of Sacramento, State of California.

Bill read third time.

Motion to Amend

Mr Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10, 11 and 12, and insert "waters of said river, which lies south of the present channel of said river and between the northerly extension of the center lines of Seventeenth Street and Thirty-first Street of the City of Sacramento."

Amendment read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr Waters moved that Assembly Bill No. 803 be withdrawn from the Committee on Corporations, and re-referred to the Committee on Banking.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Dills—1.

Mr. Waters moved that Assembly Bill No. 804 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Banking.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Dills—1.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2005—An act to amend School Code Section 3.93, relating to the maintenance of public school classes on Saturday and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 543—An act to add Sections 3.123, 3.174, 3.302 and 3.372 to the School Code, all relating to the admission of persons to the public schools of this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144—An act to add Section 4.352 to the School Code, relating to the payment of wages of uncertificated employees.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "uncertificated".

Amendment No. 2

In line 2 of the title of the printed bill, after "employees", insert "of school districts employed in positions not requiring certification qualifications".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "uncertificated".

Amendment No. 4

On page 1, line 4, of the printed bill, after "employees", insert "employed full time in positions not requiring certification qualifications".

Amendment No. 5

On page 1, line 5, of the printed bill, strike out "by the governing bodies of all school districts".

Amendment No. 6

On page 1, line 7, of the printed bill, strike out "bodies", and insert "board of each school district to which the provisions of this section are made applicable"

Amendment No. 7

On page 1 of the printed bill, following line 13, insert

"The governing board of every school district which has an average daily attendance of 5,000, or more, shall make the provisions of this section applicable thereto, whenever a majority of the employees of the district employed full-time in positions not requiring certification qualifications, petition the board, in writing, to do so.

The governing board of a district which has an average daily attendance of less than 5,000 may, on the petition, in writing, of a majority of the employees of the district, employed full-time in positions not requiring certification qualifications, make the provisions of this section applicable to said board."

Amendments read.

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

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Allen and Dills—2.

Bill ordered reprinted, and re-engrossed, and to third reading.

Assembly Bill No. 315—An act to amend School Code Section 3.180 and to add Section 3.223 to the School Code, relating to schools and classes of school districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2201—An act to amend School Code Sections 5.1103 and 5.1123, relating to district retirement systems.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1160—An act to amend School Code Section 5.460, relating to librarians in elementary and secondary schools.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Mr. Speaker—57.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

Hon. Harrison W. Call Presiding

At 4.15 p.m., Hon. Harrison W. Call, member of the Assembly from the Twenty-ninth District, presiding.

Assembly Bill No. 510—An act to amend Section 1082 of the Military and Veterans Code, relating to the Woman's Relief Corps Home of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, and Wollenberg—58.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 510

Mr. Del Mutolo gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 510 was this day passed.

Assembly Bill No. 1971—An act accepting a retrocession of jurisdiction from the United States of America over certain right of ways

granted to the State of California over a certain road in the Presidio of San Francisco Military Reservation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 345—An act to amend Section 14a of the California Irrigation District Act, relating to annual statements by the board of directors.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Porter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1648—An act to repeal Section 48.2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 455—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie,

Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.
NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1109—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, as amended, by adding a new section thereto, to be numbered Section 5, relating to the reconversion of registered bonds into coupon bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1199—An act to amend Sections 7921 and 7961 of the Elections Code, relating to the canvass of returns by the registrar of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1108—An act relating to poor litigants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 34—An act to add Section 12700.5 to the Business and Professions Code, relating to public weighmasters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 36: By Messrs. Del Mutolo and Salsman—Relative to memorializing Congress to allocate funds in surplus marketing budget for 1942 to California fruit growers because of loss of normal export markets due to the war.

Request for Unanimous Consent

Mr Del Mutolo asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 36 placed on file, at this time, without reference to committee, and that the same be considered engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2 and 9, to repeal Section 2 5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2 5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately

Respectfully submitted.

C W LYON

Request referred to Committee on Introduction of Bills.

RESOLUTIONS

The following resolutions were offered:

By Mr. Poulson:

House Resolution No. 109

Relative to an opinion of the Attorney General upon income tax deductions of members of the Legislature

WHEREAS, The Attorney General of this State has recently reaffirmed a previous opinion in which he declared that the salaries of members of this Legislature are income upon which State income taxes must be paid but that necessary expenses incurred by members in attending legislative sessions are not deductible from such income as business expenses; and

WHEREAS, The opinion of the Attorney General is based upon the grounds that being a Legislator in this State is not a "business" because Legislators receive such small compensation that they can not be said to be moved by motives of personal gain or profit in becoming legislators; and

WHEREAS, It appears to the members of this Legislature that participating in the conduct of the business of the State is certainly engaging in a business in every reasonable sense of the word and that the expenses necessitated in performing this work are necessary business expenses; and

WHEREAS, The technical construction of the Personal Income Tax Act adopted by the Attorney General works appreciable hardship upon the members of this Legislature in that although the compensation received by them is scarcely sufficient to meet the expenses contingent upon attending legislative sessions, the opinion would go still further and require them to pay a tax upon this compensation; and

WHEREAS, It is the belief of the members of the Legislature that a deduction for legislative expenses is permitted in other States as business expenses; now, therefore, be it

Resolved by the Assembly of the State of California, That the Attorney General of this State be urged and requested to reconsider his opinion; and, be it further

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of this Assembly to the Attorney General.

Request for Unanimous Consent

Mr. Poulson asked for, and was granted, unanimous consent to take up House Resolution No. 109, at this time, without reference to committee.

Resolution read and adopted

By Mr. Millington:

House Resolution No. 110

Expressing sympathy on death of former Assemblyman Elizabeth Hughes.

WHEREAS, Elizabeth Hughes, who served the State of California as an Assemblyman from Butte County for two terms, 1919 and 1929, recently has been called on to her reward, at the age of 63 years; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its deep and sincere sympathy upon the death of former Colleague Elizabeth Hughes; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to James Shepard Hughes, *member of the faculty* of San Francisco Junior College, San Francisco, the son of Elizabeth Hughes; and be it further

Resolved, That when the Assembly adjourns this day, it do so out of respect to the memory of the late Elizabeth Hughes, former Member of the California Legislature.

Request for Unanimous Consent

Mr. Millington asked for, and was granted, unanimous consent to take up House Resolution No. 110, at this time, without reference to committee.

Resolution read and adopted unanimously

By Mr. Desmond:

House Resolution No. 111

WHEREAS, For some five years past, Highway Patrolmen J. A. Thielen and Harry Starr of Sacramento County Unit of the California Highway Patrol have been rendering outstanding service in the recovery of stolen automobiles and in apprehending persons upon the highways wanted for violations of law; and

WHEREAS, They have perfected a system for memorizing the numbers and descriptions of vehicles desired; and

WHEREAS, Patrolman J. A. Thielen only recently apprehended the driver of a stolen car, wanted on numerous charges and under sentences totaling 104 years, while said driver was armed with a gun; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to Highway Patrolmen J. A. Thielen and Harry Starr its deep appreciation of their outstanding and faithful performance of their duties and its heartiest and most sincere wishes for the continuance of their excellent services, and be it further

Resolved, That copies of this resolution be suitably prepared and one presented to Highway Patrolman J. A. Thielen and one to Highway Patrolman Harry Starr.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 111, at this time, without reference to committee.

Resolution read and adopted unanimously

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2206

Mr. Potter moved that Assembly Bill No. 2206 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Municipal Corporations

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

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—60

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 1046

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred Assembly Bill No. 1485

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 1396
Assembly Bill No. 1459

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 901
Assembly Bill No. 1545
Assembly Bill No 2382

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER: Your Committee on Public Charities and Corrections, to which was referred

Assembly Bill No. 777

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

T. FENTON KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No 1653

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

T FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No 1451

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CRONIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which were referred.

Assembly Bill No. 413
Assembly Bill No. 502
Assembly Bill No. 504
Assembly Bill No 505
Assembly Bill No. 1450

Has had the same under consideration, and reports the same back with the recommendation Do pass

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1403
Assembly Bill No. 1404
Assembly Bill No. 2298

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 657

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1764

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 34
Assembly Bill No. 151
Assembly Bill No 192
Assembly Bill No. 383
Assembly Bill No. 499
Assembly Bill No 587
Assembly Bill No 776
Assembly Bill No 824
Assembly Bill No. 844
Assembly Bill No. 866
Assembly Bill No. 930
Assembly Bill No. 1016
Assembly Bill No. 1031
Assembly Bill No. 1108
Assembly Bill No 1263
Assembly Bill No 1469
Assembly Bill No. 1470
Assembly Bill No. 1476
Assembly Bill No. 1795
Assembly Bill No. 1798
Assembly Bill No 1846

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 54
Assembly Bill No. 73
Assembly Bill No. 243
Assembly Bill No 271
Assembly Bill No. 1767
Assembly Bill No 1821

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Senate Bill No. 1262

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1941

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

Senate Bill No 188
Senate Bill No. 351
Senate Bill No. 421
Senate Bill No. 506
Senate Bill No 589
Senate Bill No. 662
Senate Bill No. 1250

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 188—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Referred to Committee on Judiciary Codes.

Senate Bill No. 351—An act to repeal Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation proceedings.

Referred to Committee on Judiciary Codes.

Senate Bill No. 421—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 506—An act to amend Sections 8931, 8938, 8939, 8963 and 9000 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 589—An act to amend Sections 345, 466 and 612 of the Streets and Highways Code, relating to descriptions of certain State highways.

Referred to Committee on Roads and Highways

Senate Bill No. 662—An act to amend Section 8560 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 1250—An act to repeal Part 3, except Section 1595, to repeal certain other sections of the Penal Code, to amend Sections 107, 109, 110, 171, 171a, 171b, 273b, 606, 644, 667, 681, 1168, 1202a, to repeal other acts and parts of acts specified herein, and to add Part 3 to the Penal Code, relating to prisons, jails, prisoners, terms and conditions of imprisonment, the death penalty, parole, reprieves, commutations, pardons, and convict-made goods.

Referred to Committee on Judiciary Codes

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1263 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 930 re-referred to Committee on Municipal Corporations.

Assembly Bill No 1469 re-referred to Committee on Financial Institutions.

Assembly Bill No. 1470 re-referred to Committee on Financial Institutions.

Assembly Bill No. 1846 re-referred to Committee on Judiciary General.

Assembly Bill No. 1795 re-referred to Committee on Irrigation.

Assembly Bill No. 151 re-referred to Committee on Military Affairs.

MOTION TO EXTEND VOTE OF THANKS

On motion of Mr. Lyon, Assemblyman Maloney and the Committee in Charge of the St. Patrick's Day Celebration were given a vote of thanks by the Assembly

REQUEST TO PRINT SPEECH IN JOURNAL

Mr. Lyon requested that the remarks of the Speaker, delivered to the Saint Patrick's Convention, be printed in the Journal.

Request granted.

Speech by Hon. Gordon H. Garland

Senator Maloney, Lieutenant Governor Patterson, members of the Senate, members of the Assembly, ladies and gentlemen here assembled:

During the week-end, I had the pleasure of attending the St. Patrick's Day ceremonies held by the Associated Irish Societies of San Francisco beginning with a banquet in the Municipal Auditorium which was provided by the members of the Islam Temple of the Shrine and also the ball Saturday evening in the same place which was attended by over 10,000 people—not alone people of the Irish race, but people of every race, creed, and religious faith; on Sunday a parade consisting of over 100 units which took about two hours to view in passing.

With all of these activities, I was very deeply and favorably impressed for I have never before seen such splendid cooperation in connection with any cause or objective. I am persuaded that if the members of the Legislature will cooperate to a similar degree in the consideration of matters pending before us, that a greater and better job will be done for the State of California.

On Sunday afternoon, a luncheon was furnished by the members of the South of Market Boys Organization at which time Supervisor McGowan of San Francisco delivered an oration in which the story of the life of Saint Patrick was beautifully told. All of these ceremonies reminded one of the important part that the Irish people have played in bringing Christianity to the people of the world and the abolition of Paganism.

In this day and year when the world is so troubled because of the greed and avarice of dictators and when the light of Christianity is flickering in many of the countries abroad, we are further reminded that we should do all within our power to protect our country against the inroads of these dictators in order to maintain at least one country where Christianity can be held sacred and perpetuated.

In this stupendous task which is before us, I am sure that the Irish people will play again the important part they have played in the past in maintaining for the present and extending to future generations the advantages of Christianity.

As we approach our legislative duties, let us bear in mind that now as never before should the spirit of tolerance be nurtured and disseminated, ever remembering that our government was established to protect all people and not to favor one class over another.

Thank you, Mr. Maloney.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Woollomes of Delano, Kern County.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Lavin of Bakersfield, Kern County.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Noon of Taft, Kern County.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisors John P. Faddis, Dave Bird and Dean Howell, all of San Diego County.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Betty Putnam of Hollywood, and Mr. Isaac Shakarian of Downey.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hugh Osborne and Isaac Schlatter, Supervisors of Imperial County.

On request of Mr. Michael J. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jimmy Boyias and Mrs. William De Loas Love of Berkeley.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Johnny Walker and Robert Harbach of Porterville.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. William Welch, and Mr and Mrs. Hal Reynolds, Chamber of Commerce, Pasadena

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Lou Bittner of Oakland, and son Butch.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Eddie Healy, Assistant District Attorney of San Francisco.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Lawrence McNear of San Rafael, Mrs. C. D. Owens of Sausalito, Mrs. Jean Yownce of Mill Valley, and Mrs. Paul Ludolph of Sausalito.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of Rumsey Elementary School, Yolo County: Evelyn Kipp, Thelma Kipp, Rose Kipp, Helen McCants, Annabel Tsuzimoto, Sammie Tsuzimoto and Stanley Gladney.

On request of Mr. Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mark Hauthouse, Antone Amaral, Vera Amaral, Joe Silva, and Joe Frank of Los Altos.

ADJOURNMENT

At 5.20 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Tuesday, March 18, 1941, out of respect to the memory of former Assemblyman Elizabeth Hughes from Butte County.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY
SEVENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 18, 1941

The Assembly met at 2 p m

Hon. Earl D Desmond, Speaker pro tempore of the Assembly presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns Hugh M, Burns, Michael J Carr Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke Cronin Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth Donnelly, Doyl Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger House Frederick F, Howser, F N Johnson, Kellems, Kilpatrick, Knight, John B Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Mc han, Maddough, Miller, Millington O'Day, Pelletier, Pfaff, Phillips, Poole, Potte Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenne, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch Weybre Wollenberg, and Mr. Speaker—76

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day further reading was dispensed with, on motion of Mr Michael J Burns

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day

Mr. Evans, on motion of Mr Massion
Mr. King, on motion of Mr Bennett
Mr. Andreas, on motion of Miss Miller.
Mr Kepple, on motion of Mr Pfaff.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1396—An act to add Section 555 to the Labor Code, relating to days of rest of employees.

Bill read second time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

In lines 5 and 6 of the printed bill after "of", strike out "Title 45, Chapter 8, United States Code", and insert "the Act of Congress known as the Railway Labor Act".

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1459—An act to add Section 2924d to the Civil Code, relating to the reinstatement of a deed of trust, mortgage, chattel mortgage or contract of purchase upon which the payments have been extended, the sale postponed, the right of redemption extended or a forfeiture or termination postponed under moratorium acts; providing that this act shall take effect immediately and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 413—An act to amend Section 2112 of the Business and Professions Code, relating to the directory under the chapter on medicine thereof

Bill read second time, and ordered engrossed.

Assembly Bill No. 502—An act to amend Section 2458 of, and to add Section 2455.3 and 2455.6 to, the Business and Professions Code, relating to fees and certificates under the chapter on medicine thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 504—An act to add Section 2454.5 to the Business and Professions Code, relating to the use of the addressing facilities of the administrative board under the chapter on medicine thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 505—An act to amend Section 2120 of the Business and Professions Code, relating to reports under the chapter on medicine thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1450—An act to amend Section 1628 of, and to add Section 1628a to, the Business and Professions Code, relating to examinations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2298—An act to amend Section 10270 of the Insurance Code, relating to insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1653—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "duties," strike out "and".

Amendment No. 2

On page 5, line 42, of the printed bill, as amended, after "to be", insert "less than".

Amendment No. 3

On page 7, line 49, of the printed bill, as amended, after "of", strike out the comma.

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code, with reference to satisfaction of judgments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 15, of the printed bill, strike out "five", and insert "ten".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1451—An act to amend Section 1672 of the Business and Professions Code, relating to dentistry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "should", and insert "shall".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 901—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, and insert

"681.5. (a) The party in whose favor a judgment for support of a minor child is given may, at any time up to, or within one year after, the time the minor attains majority, have a writ of execution issued for its enforcement. If, after the entry of the judgment, the issuing of execution thereon is stayed or enjoined by any judgment or order of court, or by operation of law, the time during which it is so stayed or enjoined must be excluded from the computation of the period hereinabove in this subdivision (a) limited within which execution may issue.

(b) The party in whose favor a judgment for alimony or support and maintenance of such party is given may, at any time within five years after the entry thereof, in the event no payment or payments have been made under the judgment, or, if one or more payments have been made thereunder, within five years after the date of the last payment, have a writ of execution issued for its enforcement. If, after the entry of the judgment, the issuing of execution thereon is stayed or enjoined by any judgment or order of court, or by operation of law, the time during which it is so stayed or enjoined must be excluded from the computation of the period hereinabove in this subdivision (b) limited within which execution may issue."

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1545—An act to add Division 2a, comprising Sections 3100 to 3123, to the Labor Code, relating to labor organizations and the procedure to be followed in fining, suspending, and expelling members thereof

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3123", and insert "3124".

Amendment No. 2

On page 1, line 11, of the printed bill, after "with the", insert "secretary or".

Amendment No. 3

On page 1, line 23, of the printed bill, after "with the", insert "secretary or".

Amendment No. 4

On page 2, line 7, of the printed bill, after "hearing", insert "in the county in which the member accused resides or in which he works".

Amendment No. 5

On page 2, line 17, of the printed bill, strike out ", or so much thereof as the member directs".

Amendment No. 6

On page 3 of the printed bill, strike out lines 24 and 25, and insert "superior court of the county in which the original hearing was held or other superior court having jurisdiction.

No such petition shall be filed until the final determination of any appeal or appeals or other remedy provided for by the constitution, by-laws, rules or regulations of the local union, its international or other parent body, if the execution of any penalty imposed is stayed and all membership rights and privileges are retained unimpaired until such final determination is made."

Amendment No. 7

On page 3, line 36, of the printed bill, strike out "final".

Amendment No. 8

On page 3 of the printed bill, strike out lines 38 to 40, inclusive, and insert "accused by the superior court of the county in which the original hearing was held or other superior court having jurisdiction.

No such application shall be made until the final determination of any appeal or appeals or other remedy provided for by the constitution, by-laws, rules or regulations of the local union, its international or other parent body, if the execution of any penalty imposed is stayed and all membership rights and privileges are retained unimpaired until such final determination is made."

Amendment No. 9

On page 3 of the printed bill, after line 40, insert

"3124. The only purpose of this division is to regulate the procedure to be followed by trades unions or labor organizations in fining, suspending or expelling its own members and it shall not affect or limit in any manner whatsoever the right of a trades union or labor organization to determine the form of its organization or to specify the causes which shall justify the fining, suspension or expulsion of its own members, nor shall it limit in any respect whatsoever any other rights or powers now or hereafter conferred upon such trades unions or labor organizations."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2382—An act to amend Section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "minor, and may modify or vacate any order of appointment of a guardian, heretofore or hereafter made, in such manner as shall appear to the court to be for the best interest of the minor or his estate."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 657—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 10202 of the Insurance Code, relating to group life", and insert "Sections 10202 and 10270.5 of the Insurance Code, and to add Section 10202.5 thereto, relating to group".

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "any policy issued pursuant hereto", and insert "Such insurance may be issued either with or without medical examination

SEC. 2. Section 10202.5 is hereby added to the Insurance Code, to read as follows:

10202.5. (a) Any policy issued pursuant to Section 10202"

Amendment No. 3

On page 2, line 1, of the printed bill, before "Nothing", insert "(b)".

Amendment No. 4

On page 2, line 2, of the printed bill, strike out "who is not an officer or employee,"; and strike out lines 3 to 6, inclusive, and insert "other than the following:

(1) An officer, manager, or employee, for compensation, of the policyholder or of one or more of the individuals, firms, or corporations, specified in subdivision (a).

(2) Retired officers, managers, and employees of such policyholder, individuals, firms, or corporations.

(3) Officers, managers, and employees of such policyholder, individuals, firms, and corporations, theretofore employed as described in paragraph (1), while on leave of absence from such policyholder, individual, firm or corporation.

SEC. 3. Section 10270.5 of the Insurance Code is hereby amended to read as follows:

10270.5. Group disability insurance is that form of disability insurance conforming to all of the following conditions:

(a) Covering not less than 10 persons, all of whom are:

(1) Employees of one employer

(2) Officers, managers, and employees of a subsidiary or affiliated corporation, or individuals, proprietors, partners and employees of affiliated individuals and firms, when the business of such subsidiary or affiliated corporation, or affiliated individuals, firms, and corporations is controlled by the policyholder through stock ownership, contract, or otherwise, or when the policyholder is controlled by the affiliated corporations, firms or individuals through stock ownership, or otherwise.

(3) The persons specified in paragraphs (1) and (2), together with their dependents

(4) Members of an association as prescribed in paragraph (b), or such members together with their dependents;

(b) Written under a master policy issued to any of the following:

(1) To the Federal or State Government, or any Federal or State agency, political subdivision, district, or public, governmental, or municipal corporation, or to any unit, agency or department thereof;

(2) To any corporation, copartnership, or individual employer;

(3) To any association upon application of an executive officer or trustee of such association having a constitution or by-laws and formed in good faith for purposes other than that of obtaining insurance, whereby officers, members, employees or classes or departments thereof, may be insured for their individual benefit

(c) To each person insured thereunder, other than dependents of an insured employee or person, there is issued by the insurer an individual certificate setting forth the benefits and the exceptions under, and referring to, the master policy under which the certificate is issued.

Such certificates are not subject to the provisions of this chapter relating to the master policy, but the forms thereof shall be submitted to the commissioner for his approval and shall not be issued without such approval of such forms in the manner provided in the case of the master policy."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1046—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, possession of pledges and termination of pledgor's interest therein

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2 and 3", and insert "Section 3".

Amendment No. 2

In line 8 of the title of the printed bill, strike out ", possession of pledges and termination of"; and strike out line 9 of the title, and insert "to be charged by pawnbrokers."

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "1½", and insert "1".

Amendment No. 4

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "cent per month on any loan, except that a minimum charge of fifty".

Amendment No. 6

On page 1 of the printed bill, strike out lines 12 to 20, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1262—An act to amend Section 110 of the Penal Code, relating to prisons and prisoners.

Bill read second time, and ordered to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 510

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1083—An act to add Section 542.1 to the Code of Civil Procedure, relating to attachments of licenses issued under the Alcoholic Beverage Control Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—46.

NOES—Bennett, Cain, Carlson, Desmond, Dilworth, Gunlock, Heisinger, Johnson, Knight, T. Fenton; Miller, Pelletier, Pfaff, and Robertson—13.

Bill ordered transmitted to the Senate

Assembly Bill No. 1084—An act to add a new section to the Alcoholic Beverage Control Act, to be numbered 7.1, relating to transfer of license by operation of law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Doyle, Field, Gaffney, Gallagher, Hastain, Howser, F. N., Kilpatrick, Leonard, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Welch, Weybret, and Wollenberg—45.

NOES—Bennett, Cain, Carlson, Desmond, Dilworth, Donnelly, Gunlock, Heisinger, Houser, Frederick F., Johnson, Knight, T. Fenton; Lyon, Miller, Pelletier, Pfaff, Robertson, and Waters—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 387—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates.

Bill read third time.

Motion to Amend

Mr. Pfaff moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert

"590. An executor or administrator is entitled to employ an attorney or attorneys for the probate of an estate. When such attorney or attorneys have been employed in writing, which said writing has been filed with the court, or have appeared, the executor or administrator may not employ other or additional attorney or attorneys without authorization of the court first had and obtained.

An attorney employed by an executor or administrator for the probate of an estate may not represent such executor or administrator or any other person or persons in any controversy upon a matter concerning such estate if the executor or administrator or other person or persons have any interest in the controversy adverse to the estate."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Melvyn I. Cronin Presiding

At 2.45 p.m., Hon. Melvyn I. Cronin, member of the Assembly from the Twenty-fifth District, presiding.

Assembly Bill No. 388—An act to amend the Probate Code, by adding Section 684 thereto, relating to the stay of payment of family allowances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Field, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—46.

NOES—Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Crowley, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Lowrey, McCollister, Millington, O'Day, Richie, Salsman, and Welch—20.

Notice of Motion to Reconsider Assembly Bill No. 388

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 388 was this day passed.

Assembly Bill No. 271—An act providing for the registration of certain oath-bound societies and secret organizations.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out ", discrimination or superiority".

Amendment No. 2

On page 1, line 27, of the printed bill, after "thereof", insert "by force or violence".

Amendment No. 3

On page 1 of the printed bill, strike out lines 28 and 29; and on page 2, strike out lines 1 to 4, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1016—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1443—An act to amend Sections 3669c and 3669cc of the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1629—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None

Bill ordered transmitted to the Senate.

RECESS

At 3 10 p m, on motion of Mr. Field, the Assembly recessed until 3 20 p m, to hear from Miss Billie Burke and honored guests.

REASSEMBLED

At 3.20 p.m., the Assembly reconvened.
Hon. Melvyn I. Cronin, presiding.

Speaker Pro Tempore Presiding

At 3.22 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 587—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, designated Section 16½, relating to the power of the Los Angeles County Flood Control District to condemn or acquire property and to use or exchange same for other property required by the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1031—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—60.
NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 449—An act to amend Section 21 of the California Irrigation District Act, relating to irrigation district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1798—An act to add Section 52.5 to the California Irrigation District Act, relating to the surrender of obligations to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 768

Mr. Potter moved that Assembly Bill No. 768 be withdrawn from the Committee on Governmental Revenues and Expenditures, and re-referred to the Committee on Governmental Efficiency and Economy.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—68.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. Del Mutolo moved that Assembly Bills Nos. 1954 and 1955 be withdrawn from the Committee on Prisons and Reformatories, and re-referred to the Committee on Soldiers and Sailors Affairs.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Statement of Assemblyman Thomas A. Maloney

His Excellency, Governor Culbert L. Olson, was unable to attend the St. Patrick's Day Celebration held in the Assembly Chamber March 17, 1941, due to attending conferences in San Francisco on official business of the State of California. This information conveyed to me by David Foutz on Monday, March 17, 1941

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 844—An act to amend Section 6.210 of the School Code, relating to the sale of personal property belonging to one school district to another.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 34—Relative to memorializing the President and the Congress in connection with legislation to provide marine hospitalization for fishermen

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65
NOES—None

Resolution ordered transmitted to the Senate

Assembly Bill No. 192—An act to amend Section 790 of the Fish and Game Code, relating to crab meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 54—An act to amend Sections 79 and 83a of the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp,

Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—73

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 4 05 p m., Hon Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 824—An act to amend Section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kellems, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, O'Day, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Bashore, Burkhalter, Cain, Dilworth, Donnelly, Gunlock, Houser, Frederick F, Kilpatrick, Knight, John B, Knight, T Fenton; Lowrey, Pfaff, Potter, and Richie—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1562—An act to amend Section 5440 of the Public Resources Code and to add Sections 5455 to 5459, both inclusive, thereto, relating to county recreation districts, authorizing the borrowing of money for improvements and equipment and providing for the annexation of territory thereto, and, in addition, to validate the organization, boundaries, trustees, acts, proceedings and bonds of such districts

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, after line 24, insert

"(F) Nothing contained in this act shall be construed to render the creation of any county recreation district, or any change in the boundaries of any county recreation district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Section 3720 of the Political Code, is filed in the manner and within the time required by that section"

Amendment adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1767—An act to add Section 22.1 to "An act to provide for the planting, protection, maintenance and removal of trees, shrubs, and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof and providing for the establishment of a city forester and describing his duties and fixing his compensation," approved June 19, 1931, providing an

alternative method for collecting assessments to cover the cost of the improvements therein provided for.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, O'Day, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mrs. Daley moved that Assembly Bill No. 253 be made a special order of business for Wednesday, immediately following the finish of the special order now set.

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

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

MOTION TO SET SPECIAL ORDER

Mr. Tenney moved that Assembly Bill No. 271 be made a special order of business for Thursday, March 20, 1941, at 2 30 p.m.

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

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF NEVADA, DEPARTMENT OF STATE
CARSON CITY, NEVADA, March 17, 1941

Mr. Gordon H. Garland
Speaker of the Assembly
Sacramento, California

DEAR MR. GARLAND: Inclosed herewith please find certified copy of Senate Joint Resolution No 5, approved by the Governor on March 15, 1941

Very truly yours,

MALCOLM McEACHIN, Secretary of State

STATE OF NEVADA, } ss.
DEPARTMENT OF STATE }

I, MALCOLM McEACHIN, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the annexed is a true, full and correct

copy of the original Senate Joint Resolution No. 5 approved by the Governor March 15, 1941, now on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office, in Carson City, Nevada, this seventeenth day of March, A. D. 1941.

MALCOLM McEACHIN, Secretary of State

[SEAL]

Senate Joint Resolution **No. 5**

INTRODUCED BY SENATOR HEIDTMAN

FEBRUARY 17, 1941

Rules suspended, reading so far had considered first reading, rules further suspended, read second time by title, and referred to the Committee on Public Highways.

SENATE JOINT RESOLUTION

Memorializing the legislature of the State of California to include portion of state route 24 in California state highway program for completion at an early date.

WHEREAS, Two decades ago, when a coordinated effort to establish a transcontinental route for highway travel was being formulated throughout the Nation, the residents of Nevada and California began to assume an active interest in the movement, and as a result of much correspondence between the officials of both states regarding the allocation of both primary and secondary routes connecting the states, a meeting was arranged between California officials headed by the then governor of that state, the Hon. William D. Stephens, and a group of officials representing the interests of Nevada; and

WHEREAS, After surveying the possibilities of various suggested routes, Governor Stephens gave his approval to a route designed to connect the primary transcontinental route passing through the city of Reno, in Nevada, with a secondary highway from that point to a connection with the Sacramento valley and coastal points, and declared that if and when the State of Nevada had completed the Nevada unit to the state line it would be met with an adequate connection in California; and

WHEREAS, Since the date of that original agreement and declaration, Nevada has found it necessary to complete such a route, and later to reconstruct it to a higher standard, while the State of California has refrained thus far from constructing such a connection in its entirety across the lowest elevation of the Sierra range, and the section between Hallelujah station, on U. S. route 395, and Beckwourth Pass, on state route 24, continues to remain on the old alignment built as a wagon road in pioneer days by Lassen County, in that state, and which is regarded as both dangerous and unsatisfactory in the light of present-day standards; therefore be it

Resolved by the Senate and Assembly of the State of Nevada, That the legislature of the State of California be memorialized to include the neglected portion of the state route 24, heretofore complained of as being dangerous and inadequate, in the California state highway program for completion at an early date, to the end that the agreement entered into so many years ago may be carried out and for the best interests of the residents of both states; and be it further

Resolved, That duly certified copies of this resolution be promptly forwarded by the secretary of state to the governor of the State of California, to the president of the California senate, to the speaker of the assembly, and to the board of supervisors of Plumas County, California.

MAURICE J. SULLIVAN
President of the Senate
WAITE BRUCE
Secretary of the Senate
WILLIAM J. CASHILL
Speaker of the Assembly
E. C. MULCAHY
Chief Clerk of the Assembly

State of Nevada Executive Department—Approved March 15, 1941, 10:35 a.m.
E. P. CARVILLE, Governor

Resolution

WHEREAS, It appears from the provisions of proposed changes in Assembly Bills Nos. 560 and 1458 now pending before the Legislature of the State of California, that said proposed changes would, if enacted, work a hardship on, and be inimical to the best interests of many seasonal cannery workers in this community; and,

WHEREAS, The law providing for the payment of unemployment insurance, is best suited, as it now stands, to meet the needs of said seasonal workers in this community; be it therefore

Resolved, That we, the Executive Committee of the Armona Chamber of Commerce, do respectfully petition the Legislature of the State of California not to interfere with the operation of the Unemployment Insurance Law, by the passage, or adoption of any amendment thereto, but that the Legislature leave said Unemployment Insurance Law on the statute books of the State, with all of its present provisions unimpaired; be it further

Resolved, That copies of this resolution be forwarded to the Honorable Gordon H. Garland, Assemblyman, representing the Thirty-eighth Assembly District, and to the Honorable R R Cunningham, Senator, representing the Twenty-seventh Senatorial District, in the California State Legislature, at Sacramento, California

Passed and adopted this sixth day of March, 1941

ARMONA CHAMBER OF COMMERCE
By its executive committee
A PETERSON, President
J. E NORTHAMER, Secretary

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mr. Desmond asked for, and was granted, the use of the Assembly Chamber for the meeting of the Committee on Unemployment, March 18th at 8 p m.

Request granted.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Lyon:

An act to amend Sections 2 and 9, to repeal Section 2.5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2.5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately.

(Signed out)

MIDDOUGH, Chairman
PFAFF
F N. HOWSER

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried Time, 4.40 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Gallagher:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women

Respectfully submitted.

DAN GALLAGHER

Request referred to Committee on Introduction of Bills.

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 4 comprising Sections 570 to 579, inclusive, to Part 2, Division 2 of the Military and Veterans Code, relating to a volunteer force of aircraft pilots and making an appropriation therefor

Respectfully submitted.

ROBERT MILLER GREEN

Request referred to Committee on Introduction of Bills.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 4.42 p m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—61

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time.

Assembly Bill No. 2570: By Mr. Lyon—An act to amend Sections 2 and 9, to repeal Section 2.5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2.5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Joint Resolution No. 37: By Messrs. Dilworth and Wollenberg—Relative to memorializing Congress to designate December 15, 1941, as Bill of Rights Day.

Referred to Committee on Federal Relations.

Assembly Joint Resolution No. 38: By Mr. Thomas—Relative to memorializing Congress with respect to old age pensions.

Referred to Committee on Social Service and Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1941

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

Senate Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 18, 1941

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

Senate Bill No. 60
Senate Bill No. 78
Senate Bill No. 90
Senate Bill No. 169
Senate Bill No. 319
Senate Bill No. 373
Senate Bill No. 530
Senate Bill No. 532
Senate Bill No. 657
Senate Bill No. 742
Senate Bill No. 1188
Senate Bill No. 1189
Senate Bill No. 1190
Senate Bill No. 1191
Senate Bill No. 1192
Senate Bill No. 1194
Senate Bill No. 1195
Senate Bill No. 1196
Senate Bill No. 1197

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Concurrent Resolution No. 13—Relative to the addition of Rule 5.5 to the Joint Rules of the Senate and the Assembly, to provide for the form and introduction of joint resolutions.

Referred to Committee on Rules.

Senate Bill No. 60—An act to amend Sections 660 and 660.5 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 78—An act to add Section 651.7 to the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 90—An act to add Sections 775 and 776 to the Agricultural Code, relating to grapes for by-products purposes.

Referred to Committee on Agriculture.

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 319—An act to amend Section 651 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 373—An act to amend Section 651.6 of the Fish and Game Code, relating to fish, including salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 530—An act to add Section 28.7 to Article 1 of Chapter 1 of Division 1 of the Agricultural Code, relating to bonds and licenses.

Referred to Committee on Agriculture.

Senate Bill No. 532—An act to repeal Chapter 7 of Division 6 of the Agricultural Code, relating to deciduous fruit dealers.

Referred to Committee on Agriculture.

Senate Bill No. 657—An act to amend Sections 1268, 1268.1, 1268.5 and 1269 of the Agricultural Code, relating to produce dealers.

Referred to Committee on Agriculture.

Senate Bill No. 742—An act to add Article 21 to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the filing, codification, and publication of the rules and regulations of officers, boards, authorities, and commissions, and creating a Codification Board.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1188—An act to add Section 2722 to the Penal Code and to repeal Section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1190—An act to add Section 2056 to the Penal Code and to repeal Section 1595 of the Penal Code as added in 1907, relating to the rebuilding of buildings destroyed by fire.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1191—An act to add Section 2765 to the Penal Code and to repeal Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved

June 9, 1923, relating to forfeiture by prisoners of moneys earned by them

Referred to Committee on Judiciary Codes

Senate Bill No. 1192—An act to add Sections 2004 and 2006 to the Penal Code and to repeal an act entitled "An act relating to the first unit of the Southern California Prison and making an appropriation therefor," approved May 28, 1937, relating to an appropriation for the Southern California Prison.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1194—An act to amend Section 1 of an act entitled "An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use," approved July 1, 1937, relating to the purchase of meat from the Napa State Farm.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1195—An act to add Section 2710 to the Penal Code and to repeal an act entitled "An act to create a revolving fund for the manufacturing departments at the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, appropriating a revolving fund for the maintenance of the manufacturing departments of the State Prison at San Quentin.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1196—An act to add Section 2720 to the Penal Code and to repeal an act entitled "An act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to a revolving fund for the purchase of jute.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1197—An act to amend Section 4174a of the Political Code, relating to the duties of sheriff.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1189—An act to add Sections 2745 and 2746 to the Penal Code and to repeal Sections 6 and 7 of an act entitled "An act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work," approved March 28, 1895, making an appropriation for the operation by prison labor of rock-crushing plants.

Referred to Committee on Judiciary Codes.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 144
Assembly Bill No. 253
Assembly Bill No. 619
Assembly Bill No. 1078
Assembly Bill No 1629

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 70
Assembly Bill No. 427
Assembly Bill No. 577
Assembly Bill No. 664
Assembly Bill No. 665
Assembly Bill No. 1562
Assembly Bill No. 1684
Assembly Bill No. 1775
Assembly Bill No. 2085
Assembly Bill No. 2105

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on State Colleges, to which was referred:

Assembly Bill No. 1322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DEL MUTOLO, Chairman

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 1537

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Elections, to which were referred:

Assembly Bill No. 142
Assembly Bill No. 725
Assembly Bill No. 1200
Assembly Bill No. 1201
Assembly Bill No. 1202

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1087
Assembly Bill No. 790

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 673

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1468
Assembly Bill No. 1466
Assembly Bill No. 1542
Assembly Bill No. 1323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 1693

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LEONARD, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 375

Has had the same under consideration, and reports the same back without recommendation.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred.

Assembly Bill No. 259
Assembly Bill No. 260
Assembly Bill No. 1348

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 416
Assembly Bill No 417

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1482
Assembly Bill No. 1483
Assembly Bill No. 2064

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1072
Assembly Bill No. 1057
Assembly Bill No. 2315

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 413
Assembly Bill No. 502
Assembly Bill No. 504
Assembly Bill No. 505
Assembly Bill No. 1450
Assembly Bill No. 1459
Assembly Bill No 2298

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 822
Assembly Bill No. 2073
Assembly Bill No. 2074
Assembly Bill No 2081

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 141

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 969
Assembly Bill No. 1263

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred

Assembly Bill No. 1753
Assembly Bill No. 1155
Assembly Bill No. 1489
Assembly Bill No. 1262
Assembly Bill No. 968
Assembly Bill No. 1927

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 70 re-referred to Committee on Fish and Game
Assembly Bill No. 427 re-referred to Committee on Fish and Game.
Assembly Bill No. 619 re-referred to Committee on Fish and Game.
Assembly Bill No. 665 re-referred to Committee on Fish and Game.
Assembly Bill No. 1775 re-referred to Committee on Fish and Game.
Assembly Bill No. 2105 re-referred to Committee on Fish and Game.
Assembly Bill No. 1078 re-referred to Committee on Ways and Means.
Assembly Bill No. 1684 re-referred to Committee on Governmental Efficiency and Economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Anne Margrave, County Librarian of Inyo County, Independence.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elizabeth Topping, County Librarian, Ventura County.

On request of Mrs Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Assemblyman and Senator William E Harper of San Diego.

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

On request of Mr Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Violet Fowler of San Francisco.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Councilman Ray Hampton of the Thirteenth District, Los Angeles.

On request of Mr Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J H. Alchorn of Merced.

On request of Messrs Leonard and Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence Townsend, County Librarian, San Benito County; Miss Joy B Jackson, County Librarian, and Miss Dorothy Russell, Assistant Librarian of Plumas County.

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. E. Reed, Principal, L M Drury, Vice Principal; and to the following students of Linden Union High School Josephine Podesto, Norma Tillery, Irma Atkins, Lola White, Olga Pooletto, Fred Kantz, Florence Kaplan, Bell Stanley, Ruby Haines, Hazel Kaplan, Catherine Smith, Gloria Ratto, Irene Bradley, Yolanda Solari, Florence Celle, Vivian Cady, Frances Kennon, Muriel Barnett, Thelma Jamieson, Vibert Purviance, Hal Kegans, Bill Messick, Jim Messick, Angelo Burlando, Shoji Shimobayaski, Jack Carter, Rich Nicholson, Barbara Branchini, Satsuka Motoike, Chiyuko Kaneisha, Kadeka Akida, June Thomas, Mary Shimobayaski, Olive McFate, Gene Walsh, Earl Peterson, Esther Kautz, Delsie Luchetto, Ray Luchetto, Florence Burlando, Elvin Martin, Alvin Martin, John Hanna Frances Ikida, Pete Henderson, Betty Whyte, Alma Hunt, Winnifred Woodbury, Frances Ikida, Zelda Eckstrom, Frances Meucci, Alma Garwano, Billie Thompson, Ellen Yocum, and Catherine Ferrara.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Hugh Griswold of Merced

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George C Boyer, President of Humane League, and Mrs Martha E. Gilliam, President of Hollywood Flower Show.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs John Oliver and Mrs. Frank Gordon

On request of Messrs. Dickey and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. Croter, Claire Adams, Mave Griffin, and Gladys Jury.

On request of Mr Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Anthony Mattos, President, Cooperative Dairymen's Union.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Faye Russell, County Librarian, Placer County, and Mrs. Henriette Endey, County Librarian, Amador County.

ADJOURNMENT

At 4.45 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p m., Wednesday, March 19, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY
SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 19, 1941

The Assembly met at 2 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Del Mutolo.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. King, on motion of Mr. Burkhalter.
Mr. Andreas, on motion of Mr. Dilworth.
Mr. Sheridan, on motion of Mr. Carlson.
Mr. Weber, on motion of Mr. Green.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 901
Assembly Bill No. 1046
Assembly Bill No. 1396
Assembly Bill No. 1451
Assembly Bill No. 1485
Assembly Bill No. 2382
Assembly Joint Resolution No. 36

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 271
Assembly Bill No. 387

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 777
Assembly Bill No. 1562

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 657
Assembly Bill No. 1545

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Universities

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1941

MR. SPEAKER: Your Committee on Universities, to which was referred:

Assembly Bill No. 1931

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KELLEMS, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 711
Assembly Bill No. 2049

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 701

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1469
Assembly Bill No. 1470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SALSMAN, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

KEPPLE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 121
Assembly Bill No. 930
Assembly Bill No. 1224
Assembly Bill No 1225
Assembly Bill No. 1226
Assembly Bill No 1227

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 401
Assembly Bill No. 882

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Gallagher:

An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women.

By Mr. Green:

An act to add Chapter 4 comprising Sections 570 to 579, inclusive, to Part 2, Division 2 of the Military and Veterans Code, relating to a volunteer force of aircraft pilots and making an appropriation therefor.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister

Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2571: By Mr. Gallagher—An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women.

Referred to Committee on Judiciary Codes.

Assembly Bill No. 2572: By Mr. Green—An act to add Chapter 4, comprising Sections 570 to 579, inclusive, to Part 2, Division 2 of the Military and Veterans Code, relating to a volunteer force of aircraft pilots and making an appropriation therefor.

Referred to Committee on Aviation and Aircraft.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1941

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

Senate Bill No. 180

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 180—An act to protect the property by making criminal certain unlawful entries on, injuries to and interferences with property, authorizing the closing of streets, and to provide penalties for the violation thereof, to take effect immediately.

Referred to Committee on Judiciary Codes.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 142—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in primary elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 725—An act to amend Section 2672 of the Elections Code, relating to a filing fee for a declaration of candidacy for an office to be voted for wholly within one county with certain exceptions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1200—An act to add a new section to the Elections Code, to be numbered 7803.1, relating to the canvass of absent voter ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1201—An act to amend Section 7805 of the Elections Code, relating to challenges of absent voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1202—An act to add Section 7799 to Article 1 of Chapter 6 of Division 9 of the Elections Code, relating to the counting and canvassing of absent voter ballots by the registrar of voters.

Bill read second time, and ordered engrossed

Assembly Bill No. 673—An act to add Sections 802.6 and 828.53 to, and to amend Sections 828.1, 828.45 and 829.15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1468—An act to amend Section 822 of the Agricultural Code, relating to apples.

Bill read second time, and ordered engrossed

Assembly Bill No. 1466—An act to amend Sections 814 and 829.4 of the Agricultural Code, relating to lettuce.

Bill read second time, and ordered engrossed

Assembly Bill No. 1542—An act to amend Section 803 of the Agricultural Code, relating to peaches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1323—An act to add Sections 802.3 and 802.4 to the Agricultural Code, relating to grapes, declaring the urgency thereof, and that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1753—An act to add Section 10253.5 to the Health and Safety Code, relating to birth certificates of adopted children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1155—An act to add Section 10253.7 to the Health and Safety Code, relating to birth certificates of children born in California and adopted elsewhere.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1489—An act to amend Section 201 and to add Section 211 to the Health and Safety Code, relating to special investigations by, and the reporting of cases of epilepsy to, the State Department of Public Health, and the State Department of Motor Vehicles, as a means of reducing motor vehicle traffic hazards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 968—An act to amend Section 7694 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1927—An act to amend Section 6830 of the Health and Safety Code, relating to the annexation of territory to a sanitary district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1482—An act to amend Sections 269, 304, 506 and 736 of the Vehicle Code, relating to drivers of motor vehicles

Bill read second time, and ordered engrossed

Assembly Bill No. 1483—An act to add Section 269.1 to and to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2064—An act to add a new section to the Vehicle Code, to be numbered 410.3, relating to the financial responsibility of an employee.

Bill read second time, and ordered engrossed

Assembly Bill No. 1262—An act to amend Sections 7055, 7350, 7355, 7402, 7406, 7407, 7501 and repeal Sections 7408, 7409, 7550, 7551, 7552, 7553, 7554, 7555, 7556, 7557, 7558 and 7559 of the Health and Safety Code, relating to dead human remains and permits concerning them.

Bill read second time, and ordered engrossed.

Assembly Bill No. 375—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors

Bill read second time, and ordered engrossed.

Assembly Bill No. 141—An act to amend Sections 6526, 6585, 6586, 6604, 6618 and 6627 of the Business and Professions Code, relating to the practice of barbering

Bill read second time, and ordered to third reading.

Assembly Bill No. 260—An act to add a new section to the Agricultural Code, to be numbered Section 693.1, relating to milk products plants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "693.1", and insert "644.5."

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "693.1", and insert "644.5."

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "693.1", and insert "644.5."

Amendment No. 4

On page 1, line 6, of the printed bill, after the period, insert "None of the provisions for scoring as set forth herein shall be applied to a dairy farm."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 969—An act to amend Sections 7686.5, 7695, 7697, 7716 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 20, of the printed bill, after "purpose", insert "of".

Amendment No. 2

In the title of the printed bill, after "7716", insert "7718".

Amendment No. 3

To the printed bill add the following:

"*SEC. 5. Section 7718 of the Business and Professions Code is hereby amended to read as follows:*

7718. Every person, who, *after death or while death is impending*, solicits or accepts any sum of money or other valuable consideration, directly or indirectly, from a funeral director or embalmer, his agent or representative, in order that the funeral director or embalmer might obtain business, is guilty of a misdemeanor."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1348—An act to amend Section 559 of the Agricultural Code, relating to acidophilus milk.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Liv Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, immediately following line 6, insert

"The manufacture, labeling and sale of acidophilus milk shall be in accordance with regulations promulgated by the director after hearing duly called and interested parties notified thereof."

Amendment read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1263—An act to amend Sections 10008, 10110, 10118, 10200, 10325, 10326, 10327, 10328, 10330, 10375, 10427, 1045 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10626 of the Health and Safety Code, relating to vital statistics

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Publi Health and Quarantine:

Amendment No. 1

On page 5 of the printed bill, strike out lines 31 and 32, inclusive.

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1537—An act authorizing the board of supervisors to appoint a county counsel in counties having a population o over 100,000.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "adding Section 4041.12a to the Political Code,".

Amendment No. 2

On page 1 of the printed bill, after the enacting clause, insert "SECTION 1. Section 4041.12a is hereby added to the Political Code, to read as follows:".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Section 1", and insert "4041.12a".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "Sec. 2."

Amendment No. 5

On page 1, line 18, of the printed bill, strike out "Sec. 3."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 790—An act to repeal Sections 12409, 12410 and 12411 of the Business and Professions Code, relating to bushel weights and heap measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Sections 12409, 12410 and 12411", and insert "amend Section 12409".

Amendment No. 2

At the end of line 2 of the title of the printed bill, strike out "and", and insert a period.

Amendment No. 3

Strike out all of line 3 of the title of the printed bill.

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within heavy brackets.

Amendment No. 4

On page 1 of the printed bill, strike out all of line 1 following the period, and all of line 2, and insert "*Section 12409 of the Business and Professions Code is hereby amended to read as follows:*

12409. Whenever wheat, rye, Indian corn, barley, buckwheat, or oats, are sold by the bushel, and no special agreement as to the weight or measurement is made by the parties, the bushel consists of 60 pounds of wheat, of fifty-[four] *six* pounds of rye, of fifty-[two] *six* pounds of *shelled* Indian corn, of [fifty] *48* pounds of barley, of forty-*eight* pounds of buckwheat, *of 56 pounds of flaxseed*, and of 32 pounds of oats."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1087—An act to amend Section 120 of the Agricultural Code, relating to nursery licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "The annual license fees", and insert "Fees for the renewal of the annual license".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 16 following the period, and all of lines 17 and 18.

Amendment No. 3

On page 1 of the printed bill, strike out all of line 19, and insert "Failure to pay the renewal license fee prior".

Amendment No. 4

On page 1, line 24, of the printed bill, immediately preceding "license", insert "renewal".

Amendment No. 5

On page 1 of the printed bill, immediately following line 27, strike out the period, and insert "; but no such restoration fee shall be required of any person whose application for renewal of license is accompanied by his affidavit that prior to the date of his application he has neither sold nor shipped any nursery stock during any part of the fiscal year for which he applies for renewal of license."

Amendment No. 6

On page 2 of the printed bill, immediately following line 15, insert "Persons who sell or ship seeds and who do not sell or ship any other kinds of nursery stock are exempt from the provisions of this section."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Exhibitions and Fairs:

Amendment No. 1

In lines 14 and 15 of the printed bill, strike out "thirty thousand dollars ($30,000)", and insert "twenty-five thousand dollars ($25,000)"

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 259—An act to amend Section 565 of the Agricultural Code, relating to equipment used in the pasteurization of milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "565", and insert "635".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "565", and insert "635".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "565", and insert "635".

Amendment No. 4

On page 1, line 3, of the printed bill, strike out "in", and insert "for"

Amendment No. 5

On page 1, line 3, of the printed bill, strike out "skim"; and in line 4, strike out "milk or cream", and insert "or products thereof".

Amendment No. 6

On page 1, line 24, of the printed bill, after "county", insert a comma

Amendment No. 7

On page 1, line 26, of the printed bill, strike out "dairy", and insert "milk".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 416—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 3, of the printed bill, after "739.", insert "When Person Arrested to Be Given Notice to Appear in Court"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 417—An act to add Section 739.1 to the Vehicle Code, relating to notices to appear in court and to the filing of complaints and amended complaints charging offenses under said code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 3, of the printed bill, after "739.1", insert "Waiver of Filing of Written Complaint"

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "the duplicate thereof", and insert "or whenever notice of illegal parking has been given pursuant to the provisions of Section 591 hereof, an exact and legible duplicate copy of said notice".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1322—An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on State Colleges:

Amendment No. 1

In line 3 of the title of the printed bill, after "College", insert ", to take effect immediately".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "_____", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "land", and insert "79 79 acres of land as described in Record of Surveys Map No. 872 as recorded in the office of the County Recorder of the County of San Diego,".

Amendment No. 4

On page 1, of the printed bill, after line 4, add

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. The facts constituting such necessity are as follows:

The rapid growth of population in San Diego and its vicinity in the past few years, now greatly augmented by defense preparations, has been reflected in the increased enrollment at San Diego State College. This growth has taxed the facilities of the college and will greatly strain its capacity this coming fall semester unless additional funds are made immediately available to care for this expansion. Insufficient educational facilities result in the inadequate training of students or the turning away of students, both of which adversely affect the welfare of the State.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1072—An act to provide for the regulation and licensing of refrigerated locker plants by the State Department of Public Health and to establish standards of sanitation to be observed in the operation thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 27, of the printed bill, following "plants", insert

"SEC. 10. Any person, firm, partnership, or corporation using the facilities of a food storage plant for the storage of meats shall at the time of making each deposit or withdrawal of such meats fill out and file in the office of the food storage plant where same is deposited, on forms furnished by the State Department of Health, an accurate record thereof containing a description of each article with the date of such deposit or withdrawal.

SEC. 11. The State Department of Health is hereby given the authority to inspect such records at any time, and shall have access to private lockers, to inspect their contents, at any time, and to condemn and destroy any contents not bearing the meat inspection stamp of the United States Department of Agriculture, or of the California State Department of Agriculture, or a municipal State-approved department; or any foods or flesh of animals unfit for human consumption."

Amendment No. 2

On page 2, line 28, of the printed bill, strike out "10", and insert "12".

Amendment No. 3

On page 2, line 32, of the printed bill, strike out "11", and insert "13".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine.

Amendment No. 1

On page 1 of the printed bill, strike out lines 27 and 28; strike out all of page 2; and on page 3, strike out lines 1 to 8, and insert

"8505. (a) "Structural and household pest control" and "pest control" include the use of insecticides, fumigants or allied chemicals for the purpose of eliminating, exterminating or preventing infestation of ants, bedbugs, carpet beetles, wood-boring insects, cockroaches, fleas, moths, mice, rats, silverfish, spiders, termites, infestation of fungi, and other such pests which may invade household and other structures.

(b) As used in this chapter, "pest control" refers to both structural pest control and household pest control.

8506. (a) "Structural and household pest control operator" includes any individual who is licensed by the board to practice structural and household pest control.

(b) As used in this chapter, "operator" refers to a structural and household pest control operator.

8507. (a) "Structural and household pest control field representative" means an individual who is employed by a structural and household pest control operator and licensed by the board to solicit or secure structural and household pest control work, identify infestations or infections, make inspections, or submit bids or otherwise contract, in behalf of such operator.

(b) As used in this chapter, "field representative" refers to a structural and household pest control field representative.

8508. (a) "Structural and household pest control temporary field representative" means an individual licensed by the board who is employed by a structural and household pest control operator in the capacity of a field representative for a period not to exceed 120 days.

(b) As used in this chapter, "temporary field representative" refers to a structural and household pest control temporary field representative.

8509. (a) "Structural and household pest control solicitor" means an individual licensed by the board who is employed by a structural and household pest control operator to solicit or secure structural and household pest control work.

(b) As used in this chapter, "solicitor" refers to a structural and household pest control solicitor."

Amendment No. 2

On page 3 of the printed bill, between lines 23 and 24, insert

"8513. "Employer" refers to an operator who hires field representatives, temporary field representatives and solicitors, or any of them.

8514 "Dangerous or lethal" refers to any form or combination of the following materials: Hydrocyanic acid gas, sodium cyanide, potassium cyanide, calcium cyanide, methyl bromide, carbon bisulphide, carbon monoxide, carbon tetrachloride, ethylene dichloride, sulphur dioxide, chloropicrin, formaldehyde or any other gas or substance that might cause injury or death when used in concentrates employed in fumigation."

Amendment No. 3

On page 3 of the printed bill, strike out lines 35 to 41, and insert

"8521. The board is composed of five members, three of whom shall be, and shall have been for a period of not less than five years preceding the date of their appointment, actively engaged in the business of pest control. Of the other two members, one shall be a licensed contractor and one shall be a licensed structural engineer."

Amendment No. 4

On page 5 of the printed bill, strike out lines 45 to 51; and on page 6, strike out lines 1 to 8, and insert

"8550. It is unlawful for any person to engage or offer to engage in the business of, act in the capacity of, or advertise or assume to act as a structural and household pest control operator, a structural and household pest control field representative, a structural and household pest control temporary field representative, or a structural and household pest control solicitor unless he is licensed as such under this chapter. A licensed structural and household pest control operator may, however, engage in the business and act in the capacity of a structural and household pest control field representative or a structural and household pest control solicitor."

Amendment No. 5

On page 6, line 28, of the printed bill, strike out "or", and insert "and".

Amendment No. 6

On page 6 of the printed bill, strike out lines 50, 51 and 52; and on page 7, strike out lines 1, 2 and 3, and insert

"(f) Certified architects or registered civil engineers, acting solely within their professional capacity, including the eradication or the processing against infestation of pests structurally injurious to buildings or structures.

8556 No violation of any of the provisions of this chapter on the part of any licensee thereunder shall cause the revocation or suspension of the license of the employer of said licensee unless it shall appear upon a hearing to be had in accordance with the provisions of this chapter that said employer had guilty knowledge of such violation."

Amendment No. 7

On page 8, line 22, of the printed bill, strike out "or", and insert "and"

Amendment No. 8

On page 9 of the printed bill, strike out lines 9 to 35, inclusive, and insert

"8570. The board shall issue a structural and household pest control operator's license to every individual who qualifies therefor under this chapter.

8571 The board shall issue a structural and household pest control field representative's license to every individual who qualifies therefor under this chapter.

8572. The board shall issue a structural and household pest control temporary field representative's license to every individual who qualifies therefor under this chapter.

8573. The board shall issue a structural and household pest control solicitor's license to every individual who qualifies therefor under this chapter."

Amendment No. 9

On page 10 of the printed bill, strike out lines 49, 50 and 51 and insert "maintained by him.

8583 Any person who at the time this chapter takes effect has done pest control work for a period of one year equivalent to the work of a field representative or solicitor, upon making application therefor upon such form as shall be described by said board and the payment of the license fee hereinafter provided, shall be granted a field representative or solicitor's license, as the case may be, without examination."

Amendment No. 10

On page 12 of the printed bill, strike out lines 37 and 38, and insert "trar shall automatically cancel the license heretofore issued."

Amendment No. 11

On page 13 of the printed bill, strike out lines 21 to 31, inclusive.

Amendment No. 12

On page 18, line 6, of the printed bill, strike out "or", and insert "and".

Amendment No. 13

On page 18 of the printed bill, strike out lines 40 to 52, inclusive; and on page 19, strike out lines 1 to 18, inclusive, and insert

"Original structural and household pest control operator's license	$15.00
Renewal structural and household pest control operator's license	25 00
Structural and household pest control operator's license examination	10 00
Branch office license	10.00
Original structural and household pest control field representative's license	10 00
Renewal structural and household pest control field representative's license	10.00
Structural and household pest control field representative's examination	5.00
Original structural and household pest control temporary field representative's license	5.00
Structural and household pest control temporary field representative's examination	5.00
Structural and household pest control solicitor's license	5.00
Structural and household pest control solicitor's examination	5.00".

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 2315—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals are sold.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "retail markets at which meat, poultry, fish, game birds, and game mammals are sold", and insert "markets at which fresh meat and dressed poultry are sold, in counties with a population of 27,000 or over".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert

"SECTION 1. (a) A "retail market" shall include any place, stationary or mobile, where fresh meat and dressed poultry are sold, exposed or offered for sale for human consumption.

(b) A "cold storage plant" shall include any licensed place where food for human consumption is frozen and stored

(c) "Holiday" shall mean any day designated a holiday by Federal or State law and any day proclaimed a holiday by the Governor.

SEC. 2. Every person who operates a retail market, at which fresh meat and dressed poultry are sold, shall secure a permit so to do from the State Department of Agriculture and shall pay for such permit and an inspection service, a fee in the amount designated by the Director of the Department of Agriculture or by an approved municipal enforcing agency. Such fee paid by any retail market under State inspection shall be credited to the Department of Agriculture Fund and shall be sufficient to cover the total salaries, traveling expenses and premiums on account of workmen's compensation insurance of all inspectors in such department. The Director of the Department of Agriculture shall make rules and regulations necessary for the execution of this act and may refuse or revoke a permit to operate for cause A permit to operate a retail market shall be issued to an applicant when he has agreed to comply with the provisions of this act and to maintain said market in a clean and sanitary manner.

SEC 3. All fresh meat and dressed poultry, when displayed for sale at retail, shall be kept under refrigeration.

SEC. 4 All fresh meat and dressed poultry shall bear the inspected and passed stamp or tag of Federal State or approved municipal inspection services as to soundness on date of entry by any cold storage plant

SEC. 5 All cold storage or frozen meat and poultry, when displayed for sale at retail, shall be labeled as cold storage or frozen with letters not less than one inch in height and when such cold storage or frozen meat and poultry are advertised for sale the advertisement shall state they are cold storage or frozen

SEC 6. No meat market, for the sale of fresh meat and dressed poultry at retail, shall be operated between the hours of 6 p.m. on any day and 8 a.m. on the following day, nor on any Sunday, nor on any holiday.

SEC 7 Any person operating a retail market and violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars ($500) or by imprisonment in a county jail for six (6) months or by both such fine and imprisonment"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 822—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243.5, 244, 245.5, 246, 246.5, 247 and 248) to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235.5 thereof, relating to the wrecking and dismantling of vehicles, including the business of automobile wreckers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 14, of the printed bill, after "parts", insert "This section shall not apply to the occasional and incidental dismantling or wrecking of vehicles, by dealers registered for the current year with the department whose principal business is buy-

ing and selling new and used or used vehicles, or by those owners who desire to wreck their own vehicles, or by garages or repair shops"

Amendment read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 2073—An act to amend Sections 673 and 675.5 of, and to add Section 676.1 to, the Vehicle Code, relating to equipment upon motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 4, of the printed bill, after "windshields", insert "provided, however, that tempered glass of a type approved by the department may be used in the rear windows only".

Amendment No. 2

On page 2, line 6, of the printed bill, strike out "or", and insert "and".

Amendment No. 3

On page 2, line 7, of the printed bill, strike out "or tempered".

Amendment No. 4

On page 2 of the printed bill, strike out lines 21 to 23, inclusive, and insert "the type of safety glass as approved by the department It shall be unlawful for".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2074—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles.

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 6, inclusive, and insert "department relating to the registration of vehicles and such information as is contained on an application for an operator's or chauffeur's license".

Amendment No. 2

On page 1, line 7, of the printed bill, after the period, insert "Other records of the department relating to the physical or mental condition of any person shall be confidential."

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "item", and insert "vehicle for each year".

Amendment No. 4

On page 1, line 24, of the printed bill, after "department", insert "or Federal Government".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2081—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 26 and 27; and in line 28, strike out "poration", and insert

"(f) An emergency repair vehicle of a utility or public utility, whether privately, municipally or publicly owned,".

Amendment No. 2

On page 2 of the printed bill, after line 2, insert

"(g) Any fire fighting equipment, emergency wrecking equipment or emergency repair equipment, owned and operated by a bridge and highway district for the purpose of extinguishing fires, removing wrecked motor vehicles, caring for injured persons, or repairing damaged lighting, or electrical equipment, of such bridge and highway district, when such vehicles are responding to emergency calls."

Amendments read and adopted.

Bill ordered printed, and engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 378 was taken up.

Assembly Bill No. 378—An act to repeal Section 4½ of, and to add Section 4.5 to, the California Toll Bridge Authority Act, relating to transportation facilities.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 378.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland presiding.

MOTION TO PRINT PROCEEDINGS IN THE JOURNAL

Mr. Gaffney moved that all proceedings in the Committee of the Whole be printed in the Journal.

Motion carried.

MOTIONS BY MR. JOHNSON

Mr. Johnson moved that no attempt be made to try the Railroad Commission case at this time.

Motion carried.

Mr. Johnson moved that there be no discussion as to what group of employees should operate the transportation system nor over what lines.

Motion carried.

MOTION BY MR. BASHORE

Mr. Bashore moved that in the discussion of the bill all references to the merits of the conflicting theories of public ownership as opposed to private ownership be eliminated.

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

AYES—Allen, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Collins, Sam L., Daley, Desmond, Dickey, Evans, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—39.

NOES—Bennett, Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Lowrey, Lyon, Maloney, McCollister, O'Day, Potter, Richie, Russell, Welch, and Wollenberg—29.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Cronin moved that the records be expunged, and the action rescinded whereby the three previous motions limiting debate were adopted.

Roll Call Demanded

Messrs Johnson, Waters and Potter demanded a roll call.

The roll was called, and the motion to expunge the record and rescind the action carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Potter, Russell, Sawallisch, Tenney, Thomas, Thorp, Welch, and Wollenberg—41.

NOES—Allen, Bashore, Call, Carlson, Collins, Sam L., Daley, Dickey, Evans, Hastain, Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Meehan, Middough, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Salsman, Stream, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—31.

MOTION BY MR. JOHNSON

Mr. Johnson moved that no speaker be allowed to talk on one point more than once.

Motion carried.

SPEAKERS

The following people spoke before the Committee of the Whole:

Chester C. Fisk, City Manager, City of Berkeley.

Wallace H. Miller, President of Berkeley Chamber of Commerce.

Arthur Jenkins, member of the staff, State Railroad Commission.

POINT OF ORDER

Mr Phillips rose to the following point of order: That a question put to Mr. Arthur Jenkins was not germane to the discussion.

The Speaker ruled the point of order not well taken.

MOTION BY MR. FIELD

Mr. Field moved that the Committee of the Whole follow the Standing Rules of the Assembly in so far as debate be concerned.

POINT OF ORDER

Mr O'Day rose to the following point of order: That the motion by Mr. Field was out of order because the Assembly had not suspended the Rules.

The Speaker ruled the point of order not well taken.

The question being on the motion by Mr. Field.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton: Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Crowley, and Doyle—2.

CONTINUATION OF SPEAKERS

Frank W. Clark, Director of Department of Public Works and Secretary of Toll Bridge Authority, State of California.

Ray L. Riley, member of California Railroad Commission.

POINT OF ORDER

Mr. Johnson rose to the following point of order: That Mr. Riley was a State official who at the present time had the question that Mr. Bashore asked under advisement for a decision, and should not be asked the question.

The Speaker ruled the point of order not well taken.

On motion of Mr. Johnson, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H. Garland presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Bill read third time.

REPORTS OF STANDING COMMITTEES (RESUMED)

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1944
Assembly Bill No. 907

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2318
Assembly Bill No. 1244
Assembly Bill No. 313
Assembly Bill No. 235
Assembly Bill No. 1409

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER. Your Committee on Education, to which was referred:

Assembly Bill No. 1643

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Bill No. 142
Assembly Bill No. 375
Assembly Bill No. 725
Assembly Bill No. 968
Assembly Bill No. 1155
Assembly Bill No. 1200
Assembly Bill No. 1201
Assembly Bill No. 1202
Assembly Bill No. 1262
Assembly Bill No. 1323
Assembly Bill No. 1466
Assembly Bill No. 1468
Assembly Bill No. 1482
Assembly Bill No. 1483
Assembly Bill No 1489
Assembly Bill No. 1542
Assembly Bill No 1753
Assembly Bill No. 1927
Assembly Bill No. 2064

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 257

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 163

Has had the same under consideration, and reports the same back with the recommendation. Do pass

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER Your Committee on Roads and Highways, to which was referred

Assembly Bill No 516

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER. Your Committee on Roads and Highways, to which was referred.

Assembly Bill No. 2477

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred,

Assembly Bill No 2296

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

LYON, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1941

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

Senate Bill No 1300
Senate Bill No. 276
Senate Bill No. 315
Senate Bill No. 63

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 315—An act to amend Section 942 of the Code of Civil Procedure, relating to undertakings on appeal.

Referred to Committee on Judiciary Codes.

Senate Bill No. 276—An act to amend Section 1550 of the Probate Code, relating to the inventory and appraisement of estates of wards, and the delivery of a copy thereof to the county assessor.

Referred to Committee on Judiciary Codes.

Senate Bill No. 63—An act to add Section 6141.1 to the Business and Professions Code, relating to waiver of fees of members of the State Bar of California, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1300—An act creating a public airport district designated "Monterey Peninsula Airport District"; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district.

Referred to Committee on Aviation and Aircraft.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 112

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons

or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

Hotel Senator Flower Shop (Flowers to Mrs Frank Waters)	$10 30
The Sacramento Bee (Engraving)	33 48
Department of Finance (Work and Material)	24 56
James E Townsend (Chairs)	48 67
Western Union Telegraph	8 45
Bureau of Purchases	250 74
Hotel Senator Flower Shop (St. Patrick's Day Flowers)	13 91
Pacific States Telephone & Telegraph Company (Tolls)	51 40
Monies advanced by Thomas A Maloney for St. Patrick's Day Celebration—	
Bunting	4.95
Talent	32.00

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 112, at this time, without reference to committee.

Resolution read

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Welch, Weybret, and Wollenberg—58

NOES—None

COMMUNICATIONS

The following communication was received and read:

By the Chief Clerk:

From the California State Employees Association, recommending that legislation relative to the construction of a State Building at 15th Street and Capitol Avenue to house this department and others dealing in welfare and relief, be enacted in the law.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2571

Mr. Gallagher moved that Assembly Bill No. 2571 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Labor and Capital.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2469

Mr. Kilpatrick moved that Assembly Bill No 2469 be withdrawn from the Committee on Governmental Efficiency and Economy, and stricken from the file

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger,

Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawyer, Scott, Stream, Thomas, Thorp, Thurman, Voigt, Welch, and Wollenberg—66.

NOES—None

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Respectfully submitted

R. H. McCOLLISTER

Request referred to Committee on Introduction of Bills.

REQUEST TO PRINT LETTERS IN JOURNAL

Mr. Crowley requested unanimous consent to have two letters relative to aid to the blind printed in the Journal.

Unanimous consent granted.

SOCIAL SECURITY BOARD, WASHINGTON, D. C., March 3, 1941

The Honorable Culbert L. Olson, Governor of California

DEAR GOVERNOR OLSON: This is in response to your letter of February 17th, addressed to the Administrator Federal Security Agency.

The amendment to Title I, Section 2 (a) (7), of the Social Security Act, apparently makes it impossible for the board to approve the California plan for old-age assistance after July 1, 1941, unless some change is made in the California law; but I believe that a revision of the California Old-Age Assistance Law might be framed in accordance with the requirements of the Federal statute and, at the same time, not only assure the maintenance of California's present standards of assistance to its needy aged, but also permit assistance to be given on a more liberal basis.

The amendment referred to above states that "A State plan * * * must * * * effective July 1, 1941, provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance."

In the report of the committee of the United States Senate and in the report of the committee of the House of Representatives, which considered this amendment, its purposes were explained in the following language:

> "Under this clause the State plan must provide that the State agency shall, in determining need, take into consideration any income and resources of an individual claiming old-age assistance. This will make it clear that, regardless of its nature or source, any income or resources will have to be considered, including ordinary income from business or private sources, Federal benefit insurance payments under Title II of the Social Security Act, and any other assets or means of support."

The California Old-Age Assistance Law provides: "* * * income from any of the following sources" (including income applicant's labor on service, or rent from the premises owned by applicant) "of a combined value not exceeding $15 per month shall not be considered for any purpose * * *" It also excludes from consideration as income or resources "the value of the use or occupancy of premises owned and occupied by applicants".

The Social Security Board feels that the language of the above-mentioned amendment, read in the light of the Committee Reports, makes it clear that the board can not give approval to a State plan under which the State administrative agency is prohibited from considering, for any purpose, specific income and resources of an applicant for old-age assistance. The term "other income and resources," as used in the amendment, is stated in the Committee Report to mean "any income or resource, regardless of its nature or source."

The adoption of such an interpretation as that suggested in the second paragraph of your letter, that income not in excess of $15 per month, if derived from certain sources, might be considered inconsequential, and, therefore, that consideration of

such income, in the determination of an individual's need, might be prohibited, is believed by the board to be beyond its power.

I understand that the California Old-Age Assistance Law was written in its present terms for the purpose of providing as adequately as possible, within the resources of the State, for the need of its aged citizens. I also understand that another reason for excluding from consideration income from applicant's labor or service, the value of foodstuffs raised by the applicant for his own use, the value of firewood or water produced on his premises for his own use, and the value of the use and occupancy of premises owned and occupied by the applicant, was that it was thought to be socially desirable to encourage productivity and thrift, by allowing the retention of the products of such efforts, to a limited extent, to meet more adequately the applicant's need.

I think perhaps there is a misunderstanding as to the effect of this amendment upon the California Old-Age Assistance Plan. In your letter you indicate that deduction would be required of the value of foodstuffs raised by the recipient for his own use, the value of casual gifts and money, other than those by a responsible relative and income from his labor or service. You also state, "I am advised that the Federal Social Security Board further interprets this amendment as making it necessary for aged people who own their own small homes, to have deducted from their grants the rental values of their small homes less taxes and some other items."

Your State plan fixes a minimum of $40 which may be paid to any individual even though the need of that individual exceeds such amount. The plan further provides that from the $40 maximum the individual's income (except income aggregating not more than $15 from certain sources) shall be deducted in fixing the amount of the payment. I do not understand that the $40 maximum is intended to measure the need of the individual, but rather to represent a figure which, within the funds available from State and Federal sources, can be paid.

There is nothing in the Social Security Act which would prevent approval of a plan providing for the payment of a maximum amount to an individual and, at the same time, permitting such individual to retain for his own use and benefit any income and resource which he might have, provided that the value of such income and resource when added to the amount paid under the State plan did not exceed the total actual need of such individuals, as determined by the State agency.

If an applicant's need were determined by the State agency to be $55 per month, and the applicant had an income, from any source, amounting to $15 per month, the amendment to the Social Security Act would not prevent approval of a plan which would permit that person to receive from the State $40 per month and, at the same time, retain for his own use the $15 income.

The amendment to Title I of the act, quoted above, does not require the deduction of any income or resource from a grant made by the State, but simply requires that all income and resources of an applicant for old-age assistance shall be taken into consideration by the State in fixing the amount of the grant. The difficulty in California, which seems to be more apparent than real, is of a kind which results, only in those States having plans which fix a maximum payment and require the deduction of income from other sources and prohibit consideration, or deduction, of income from other sources. This point might be clarified by one or two examples:

Under the provisions of the California plan, as it now operates an applicant for old-age assistance might own premises which are partially occupied by him and partially rented. He might receive from such rental $15 per month and have the use of the balance of the premises, the rental value of which might be $15 or $20, or more, per month, and still be entitled to receive the maximum grant of $40.

Another applicant might have a monthly income of $15 from a nonexempt source. Under the California plan, the latter applicant would receive from the State but $25 and would have to pay rent on the premises which he occupies.

The first-mentioned applicant would, therefore, have $55 and rent-free premises, while the second applicant would have but $40 out of which he would have to pay his own rent.

Such anomalies result from a fixed grant-minus income formula, and are aggravated when preferential treatment is given to income from specified sources. The Social Security Board has recommended against the adoption of a fixed grant-minus income method for determining the amount of assistance grants, feeling that, in application, it is less liberal than a system which permits the treatment of all income and resources on a like basis and which does not fix an arbitrary maximum, but allows available resources to be used to meet the widely differing needs of individuals to the extent that they can be met with available resources. An inflexible formula of this kind results in restrictions rather than liberality in many cases. For example, two applicants having like amounts of income but living, one in a rural area where rent and living expenses are low, the other in an urban area where rent and other living expenses are relatively high, would both receive the same grant. The comparative adequacy of such grants in these cases would, obviously, be quite different.

We believe, as you do, that as adequate provision as possible should be made for the needs of the aged people of your State. Our regional staff and I will be glad

to confer with you, or anyone whom you might wish to designate, and you may be sure we shall be happy to give all assistance possible.

The power of the Social Security Board is derived solely from the Social Security Act and is limited by the terms of that act. The board, by reason of the amendment, apparently does not have the power to continue approval of the present California plan after July 1, 1941. However, I believe that the California law can be brought into conformity with this condition in the Federal Act and that, at the same time, the social objectives of your present plan can be achieved and as liberal provision for the needy aged of your State as under the present plan can be made.

Sincerely,

OSCAR M. POWELL
Executive Director

WASHINGTON, D. C., March 15, 1941

Dr. Newel Perry, 6441-4 Colby Street, Oakland, California

DEAR DOCTOR After a week in Washington, I have more unsocial exchange to report than specific accomplishment The ambiguities of the Powell letter have now been completely resolved, all of them against us If there ever was any doubt about it, it is now altogether clear that the people who administer the Social Security Act have deliberately embarked upon a policy designed to destroy the flat grant and income exemption clauses of our State statutes The Washington administrators will be satisfied with nothing less than a specific allocation by the State to the social workers of the power to determine the need of each individual aid recipient and the amount of his grant This much we have known for some time. But we have now clarified the legal basis upon which the lawyers of the board rest its position According to them the amendment to 1002(a) requires a vesting of determinative power in the State agency and this together with the word "needy" requires an equitable distribution of the funds expended by the State on blind aid among the recipients of such aid. That equitable distribution can only be effected if, under the State law, urban dwellers and city dwellers do not receive the same amount (other distinctions are also taken) and the power is only properly vested in the State agency under clause (8) if the consequence of considering "other income and resources" is a discretion to make a corresponding reduction in the amount of the grant Moreover, the Washington administrators have worked out an argument against a flat grant which is calculated to have some appeal to the Congressmen They say that the flat grant prevents the State agency from giving to blind persons whose needs are greater than the amount of the grant a sufficient payment.

Since the board was worried about the injustices of statutory maxima, I suggested that we would be perfectly willing to say in the California law that every person having an income of less than $33 a month should receive not less than $50 a month. But this proposal did not seem to excite a favorable response. I next suggested that the equitable distribution argument could be met by making a flat grant in an amount which would meet the minimum needs common to all blind persons and permitting the agency discretionary power as to grants above that point; but this too fell on deaf ears Powell was worried about the statement in the California law that an income of $33 a month from certain specified sources "shall not be considered for any purpose" I thought that this objection could easily be obviated by saying in the California law that a private income up to $33 a month should be considered for the purpose of determining whether the blind person had, together with the grant, an income of $83 per month and for the purpose of reducing the grant by the amount of all income above that point But this argument too was not pleasing to the administrative mind.

Gradually working our way upwards, Burlingame and I first presented our case to Jane Hoey, Director of the Bureau of Public Assistance, and her associate, a lawyer named Casius. Next to Oscar Powell, Executive Director of the Social Security Board; and finally to Paul V. McNutt, Administrator of the Federal Security Agency Powell is a very high caliber man with a fine sense of argumentative values, a considerable store of good nature and unusual perception. He simply is not a believer in our fundamental assumptions Hoey and Powell had argued that the new ruling of the board did not necessarily result in a reduction of a recipient's grant by the amount of his earnings or other income McNutt took the position that it did and moreover, that it should. "Are you saying to us," I asked McNutt, "that blind men should have their grants reduced no matter how small their private income and no matter how great their actual need?" His answer was that he was saying precisely that I formulated the question in several other ways only to get the same reply. I can't say that I wasn't glad to get this official declaration from McNutt since it provides us with an official declaration by the highest administrator of them all that ought to be of immense propagandistic value to us. Moreover, McNutt's conduct during the conference has provided us with the most perfect example of the arbitrary and tyrannical methods of the board that we could hope to have.

In the remaining week that I shall stay in Washington we shall attempt to carry our appeal the last administrative step Senator Downey of California and Senator Hughes of Delaware are attempting to secure for us appointments with Mrs and President Roosevelt.

On the legislative side, I have had sessions with numerous Senators and Representatives. They all seem sympathetic to our rehabilitation argument. I hope to have our amendment introduced early next week Senator Downey and Congressman Voorhis have been particularly sympathetic and helpful. Downey assured me that the President is going to back a liberalizing amendment with respect to old age and that he, Downey, will do what he can to have the blind cut in on the Presidential move McNary, hitherto openly pessimistic about his bill, (incidentally, the number of the McNary bill is now S 869) now thinks that the mere rumor of the President's wishes will give his measure considerable impetus Voorhis thought well enough of my amendment to suggest that it be modified to suit the purposes of Title I Senator Harrison has given every evidence of being interested in our troubles but, unfortunately, he has now left the city for a six weeks' rest However, he had the clerk of the Senate subcommittee in charge of this matter show us every attention and requested the chairman of that subcommittee, Tom Connally of Texas, to give our proposals serious consideration All of these people agree that nothing will be done about the Social Security Act until June or July.

As things stand, the only course open to the blind of California is to urge the Legislature to retain the Blind Aid Act in its present form If we can get a favorable amendment to the Social Security Act it certainly will not be until after the California Legislature adjourns.

I'll send you another report shortly after I return to Chicago which will probably be on the 23d If anything of crucial importance develops, which I have no reason to expect, I shall get it to you by wire in time for the Sacramento Convention

Cordially yours,

CHICK

(Jacobus Ten Broek, Professor of Law, University of Chicago)

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. McCollister:

An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Housel, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Watson Welch, Weybret, and Wollenberg—63

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2573: By Mr. McCollister—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Referred to Committee on Motor Vehicles.

ASSEMBLY BILL NO. 253 CONTINUED AS A SPECIAL ORDER BY UNANIMOUS CONSENT

Mr. Lyon asked for, and was granted, unanimous consent to have Assembly Bill No. 253 continued as a special order of business until 2.15 p m., Thursday, March 20th

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 510
Assembly Bill No. 388

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bill No. 901 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 1545 re-referred to Committee on Judiciary Codes.
Assembly Bill No 2382 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 657 re-referred to Committee on Insurance.
Assembly Bill No. 1046 re-referred to Committee on Financial Institutions.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Meehan and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teachers from Technical High School of Oakland: Miss Anga M. Bjornson and Connie Coover, Jo Ann Jones, Grace Lim, Jackie Bouvier, Lorraine Boggiano, Lillian Nemenich, Martin Nichols, Richard Ingraham, Gordon Mackay, Mary Yee, Daisy Wong, Alfred Field, Goto Yoshiko, Harold Latter, Helaine Dean Springer, Laura Stewart, Shirley Maddux, Thelma Pells, Yat Young Gee, Yoke Seen Gee, Betty Jo Haynes, Winifred Tarpey, Jackie Dolan, June Kelly, Mary Higgens, Eugene Brown, Albert Lagorio, Marvin Bough, Marie Maccari, Arthur Page, Emilio Bernardi and Mark Kann; Gilbert Callies and Paul Friedrich, Frank Casal, Wilbert Chinn, Dolly Richardson, Georgia Saccos, Ruby Wong, Dolores Soanes, Arbutus Campbell, Sidney Plummer, Margaret Steedman, Mary Ellen Grimm, Edward Lloyd, Donald Starratt, Ed. Israel, Dorothy Coset, Audrienne Rost, Esther Quan, Florence Kallas, Florence Dettmer, John Paula, Norma Angeli, Virginia Skaff, Akita Keyoshi, Hiro Sato, Rulon Ogden, Jack La Forte, Earl Van Geem, Mike Ghiorso, Patricia Parris, Bud Harcourt and Paul Merrick, Ferdinand Diel and Lucille Lourence, Horace Wong, Manuel Solas, Elizabeth Chow, Jennie Leong, James Matsuno, Mark Kai, Fred Biven, Florence Wiggins, Janice Walden, Dorothy Griffin, William Chinn, Fred Griffin, Lotus Miller, George Ruxton, David Jow, Lorraine Veloso, Carol Harrison, Fred Collier, Mike Demos, Curley Guiton, Eugene Cuddyre, Jean Northon, Bob Atwood, William Bunn, Wellman Riker, Glenn Klimman, Robert Yonk, Ruby Chun, Phoebe Lee, John Syms, Ruth Jane Williamson, Inez Gugielone, Gordon Hansen, Diamond Katsiros, Wilbur Rash, Nancy Dann, Mae Alice Palmer, Patricia Morris, Laverne Hopkins, Jennie Lee, Celestine Ginter, Charlotte Molander, Elberta Preston, Warren Baker, Gwen Duckett, Marilee Collier, Bernice Deathe, Bill Furbush, Maxine Schumann, Bill Weber, Mary Beck, Betti Scott, Beth Rocke, Dorothy Pomeroy, Alice Phillips, Jean Peterson, Daniel Chan,

Graham Schwartz, Ray Damele, Jim Povelite, Betty Coyer, Norma Heino, Harry Holwick, Walter Pinska, Joseph Quirk, Vern May, John Reed and Adolph Cayabyab.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Sugioka of Hollister.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Professor Celestine J. Sullivan, Jr., Department of Philosophy, University of Oregon.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisors B. M. Graham and Les Hartnett of Imperial County.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teachers of Suisun District School: Grace Dias, Buelah Eaton, Juanita Geiger, Dorothy Goncalves, Mayme Mauldin, Chris Eng, George Eng, Max Geiger, Bill Gelbreath, Eddie Goncalves, Lloyd Grotheer, Robert Huffman, Joe Inn, William Inn, Bill Nicholson, Charles Okell and Charles Roberts; these students accompanied by: Mr L B Sarasin, Mrs L. Grotheer, Mrs. C. Roberts, and Mr. K. N. Schmidt and Mr. R A. Schmidt.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wayne L. Hawkins, Dean of Boys of Antioch High School, and the following members of the Social Problems and United States History classes: Betty Houdasheldt, Vera Buzacott, Carmel Fulton, Elinor Crawford, Kay Rose, Hazel Meister, Roberta Carton, Chris Lauritzen, Velma Watson, Fern Seuffert, Minnie Fenolio, Lloyd Ginochio, Lewis Hawkins, Dorothy Zumwalt, Jeanette Bonde, Harold Johannsen, George Michelotti, Tullio Jacuzzi, Jaconda Jacuzzi, Bob Wristen, Delphia Houk, Bernard Viera, Alvin Lord, Bill Ricks, Jack Cohen, Uril Compomizzo, Nello Baldocchi, Virginia Kramer, Betty Urie, Rosemary Rookiard, Dick Wintzer, Patricia Fain, Mary Rose Nova, Eleanor Burbank, Gus Jogopulos, Kate Ware, Jack Mullen, Marion Boden, Betty Masters, Dick Anderson and Ted Kirkpatrick

On request of Mr Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teacher from Capay School, Yolo County: Mrs Edna Zentner, teacher, and Etta Louise Richardson, Leona Hayden, Gertrude Spidell, Richard Russell, Eugene Schlotz, Elmer Duncan, Wm Yasumura, Eddie Yasumura, Jean Glavin, Mike Kutsuris, and Claude Alexander.

On request of Messrs Johnson and Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chester C Fisk, City Manager of Berkeley; Wallace H. Miller, President of Berkeley Chamber of Commerce; J. Delbert Sarber, Executive Vice President, Berkeley Chamber of Commerce, Weldon Vance, Chester Bekins, R Hickman and Marshall Rickson, Assistant City Attorney, Berkeley.

On request of Mr Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lucille Wolf of Chicago.

On request of Messrs. Tenney, Potter and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Billie Burke and Mrs. Rene Borzage, both of Hollywood.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gladys M. Hanley of San Francisco.

On request of Mr. Doyle and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles McDonald of Hollywood.

ADJOURNMENT

At 5.25 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Thursday, March 20, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 20, 1941

The Assembly met at 2 p.m
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cain.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Andreas, on motion of Mr. Kellems
Mr. Weber, on motion of Mr. Green.
Mr. Kilpatrick, on motion of Mr. Burkhalter.
Mr King, on motion of Mr. Bennett.

REPORTS OF STANDING COMMITTEES

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER Your Committee on County Government, to which were referred:

Assembly Bill No. 36
Assembly Bill No. 139
Assembly Bill No. 140
Assembly Bill No. 885
Assembly Bill No 1388
Senate Bill No 485

Has had the same under consideration, and reports the same back with the recommendation: Do pass

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee on County Government, to which was referred.

Assembly Bill No 75

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 1046

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER Your Committee on River Navigation, Reclamation and Flood Control, to which were referred.

Assembly Bill No 867
Assembly Bill No 1900
Senate Bill No 91

Has had the same under consideration, and reports the same back with the recommendation: Do pass

POTTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which were referred.

Assembly Bill No. 663
Senate Bill No. 1158

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

POTTER, Chairman

Above reported bills ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 259
Assembly Bill No 822
Assembly Bill No 1057

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1263
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1348
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee on CIVIL SERVICE, to which were referred.

Assembly Bill No 2274	Assembly Bill No 1644
Assembly Bill No 1390	Assembly Bill No 1583

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No 377	Assembly Bill No. 1362
Assembly Bill No. 933	Assembly Bill No 2050
Assembly Bill No 1114	Assembly Bill No 2487

Has had the same under consideration, and reports the same back with the recommendation Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER Your Committee on Judiciary General, to which was referred
Assembly Bill No. 1698
Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TENNEY, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 260	Assembly Bill No. 1322
Assembly Bill No. 416	Assembly Bill No. 1537
Assembly Bill No. 417	Assembly Bill No 1693
Assembly Bill No. 790	Assembly Bill No. 2073
Assembly Bill No. 969	Assembly Bill No. 2074
Assembly Bill No. 1072	Assembly Bill No 2081
Assembly Bill No. 1087	Assembly Bill No. 2315
Assembly Bill No. 1125	

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER. Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 891

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER. Your Committee on Education, to which were referred:

Assembly Bill No 340
Assembly Bill No 1508
Assembly Bill No. 1162
Assembly Bill No. 1966

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

The following communication was received, and ordered filed with the Secretary of State:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 19, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session.

DEAR MR OHNIMUS Handed you herewith for filing is the following report of the State Engineer.

A-86 Winship School District—Amendatory allotment. File No. Sut. 40-11. Repair or reconstruction of janitor's cottage.

This report is upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer.
By A. D. EDMONSTON, Deputy State Engineer

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1941

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

Senate Bill No. 69
Senate Bill No. 73
Senate Bill No 75
Senate Bill No. 86
Senate Bill No. 105
Senate Bill No. 117
Senate Bill No 215
Senate Bill No. 264
Senate Bill No 306
Senate Bill No. 338
Senate Bill No. 339
Senate Bill No. 448
Senate Bill No. 495
Senate Bill No. 496
Senate Bill No. 534
Senate Bill No. 666
Senate Bill No. 1135
Senate Bill No. 1294

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 69—An act to amend Section 611 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, to take effect immediately

Referred to Committee on Revenue and Taxation.

Senate Bill No. 73—An act to amend Sections 447 and 1060 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, including matters shown on the property statement and on supplemental statements thereto, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 75—An act to amend Section 114 of the Revenue and Taxation Code, relating to property taxation and the definition of "debts" as appertaining thereto, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 86—An act to amend Section 205 of the Revenue and Taxation Code, relating to exemption of property of veterans from taxation.

Referred to Committee on Soldiers and Sailors Affairs.

Senate Bill No. 105—An act to amend Section 737ccc of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Tuolumne

Referred to Committee on County Government.

Senate Bill No. 117—An act to repeal Sections 2.464, 2.465, 6.383 and 6.384 of, to amend Sections 2 505, 3 301 and 4 250 of, and to add Sections 3 321, 3 322, 3 323, 3 324 and 3.325 to, the School Code, all relating to the payment of the costs of providing for the education of high school pupils not residing in a high school or unified school district.

Referred to Committee on Education.

Senate Bill No. 215—An act to amend School Code Sections 2.230, 2 231, 2.232, 2.250, 2.251 and 2.252, all relating to union and joint union elementary school districts.

Referred to Committee on Education.

Senate Bill No. 264—An act to amend Sections 3101, 3105 and 3110 of the Revenue and Taxation Code, relating to property taxation and to the registration of vessels to enforce the payment of property taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 306—An act to amend Section 6756 of the Revenue and Taxation Code and to amend Section 26½ of the Retail Sales Tax Act of 1933 and Section 20.7 of the Use Tax Act of 1935, relating to priority of the sale and use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 338—An act to amend Section 4, of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 339—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax.

Referred to Committee on Revenue and Taxation

Senate Bill No. 448—An act to amend Section 737tt of the Political Code relating to the salary of the judge of the Superior Court in and for the County of Sierra.

Referred to Committee on County Government.

Senate Bill No. 495—An act to amend Sections 396 and 439 of the Code of Civil Procedure, relating to transfer of cases

Referred to Committee on Judiciary Codes.

Senate Bill No. 496—An act to amend Section 164 of the Civil Code relating to property acquired after marriage.

Referred to Committee on Judiciary Codes.

Senate Bill No. 534—An act to add Article 11 to Chapter 2 of Part 1 of Division 2 of the School Code, relating to the inclusion in school districts of lands owned by the United States of America.

Referred to Committee on Education.

Senate Bill No. 666—An act to amend Section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Referred to Committee on Judiciary General

Senate Bill No. 1135—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial

Referred to Committee on Judiciary General.

Senate Bill No. 1294—An act to amend Section 737s of the Political Code, relating to superior court judges

Referred to Committee on Judiciary General.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 121—An act to add Section 30 to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the disposition of records, maps, books and papers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1224—An act to add Section 17 to an act entitled "An act to establish courts in cities of the second class, to fix their jurisdiction, and provide for officers of said court, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to extra sessions of such police court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1225—An act to amend Section 6 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, to provide for officers of said court, to fix compensation of certain officers," approved March 23, 1901, relating to police courts in cities of the second class, the term of office of clerk, providing for assistant clerks, and relating to payment of fines, forfeitures, penalties and moneys deposited as bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1226—An act to amend Section 103k of the Code of Civil Procedure, relating to justice's clerks, assistant clerks and payment of fines, forfeitures, penalties or moneys deposited as bail in justice courts in cities of the second class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1227—An act to add Section 103m to the Code of Civil Procedure, relating to extra sessions of justice courts in cities of the second class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2477—An act to add Section 613.1 to the Streets and Highways Code, relating to State highways

Bill read second time, and ordered engrossed.

Assembly Bill No. 163—An act to amend Sections 342 and 367 of the Agricultural Code, relating to live stock marks and brands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2318—An act to add a new section to the School Code, to be numbered 5.723a, relating to sabbatical leaves.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1244—An act to add Article 2 to Chapter 2 of Part 2 of Division 3 of the School Code, relating to the supervision of instruction in elementary schools

Bill read second time, and ordered engrossed.

Assembly Bill No. 313—An act to amend School Code Section 2 21, relating to inter-district attendance of pupils of the public schools

Bill read second time, and ordered engrossed.

Assembly Bill No. 235—An act to amend Section 4.974 of the School Code, relating to school bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1409—An act to add Section 6.493 to the School Code, relating to the furnishing of supplies to pupils of the public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 701—An act to add Section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 13, of the printed bill, after "same", strike out "may", and insert "shall".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1469—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 3 and 4, and insert "legally made in any State under and in accordance with a regulatory small loan law of such State similar in principle to this act, but any provision for interest, consideration, or charges on any such loan shall be enforced in this State only to the extent of the maximum prescribed by this act"

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 11 and 12, and insert "made in any State under and in accordance with a regulatory small loan law of such State similar in principle to this act, but any provision for interest, consideration, or charges on any such loan shall be enforced in this State only to the extent of the maximum prescribed by this act"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1470—An act to amend Section 19 of the "California Small Loan Act," Statutes 1939, Chapter 1045, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 18 and 19, and insert "in any State under and in accordance with a regulatory small loan law of such State similar in principle to this act, but any provision for interest, consideration, or charges on any such loan shall be enforced in this State only to the extent of the maximum prescribed by this act"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 44 and 45, and insert "in any State under and in accordance with a regulatory small loan law of such State similar in principle to this act, but any provision for interest, consideration, or charges on any such loan shall be enforced in this State only to the extent of the maximum prescribed by this act."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 24—An act to add Section 21.5 to the Municipal Court Act of 1925, relating to departments of the municipal court in

cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and cities and counties".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "and city and county".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "or city and county".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "located at a distance of", and strike out line 8, and insert "the nearest point in the boundary of which is not less than 12 miles from the city hall of such city."

Amendment No. 5

On page 1, line 9, of the printed bill, strike out "and county".

Amendment No. 6

On page 1, line 19, of the printed bill, strike out "or city and county".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 401—An act to add Section 1263.1 to the Agricultural Code, relating to loans and advances by licensed commission merchants and dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 8, of the printed bill, before the period, insert ", but shall be subject to the provisions of the first two sentences of Section 22 of Article XX of the Constitution of this State relating to rates of interest".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 882—An act to amend Section 1083.1 of the Agricultural Code, relating to commercial feeding stuffs licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 12 to 29, inclusive, and insert "of three dollars ($3) for each plant for each fiscal year or portion thereof beginning July 1. Each license shall be renewed annually and each application for renewal shall be accompanied by a fee of three dollars ($3) for each plant operated.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and therefore shall take effect immediately. The facts constituting such necessity are as follows:

The present provisions of the section of the Agricultural Code herein amended provide for a different fee for the original license and the renewal license. In the interest of the smooth and orderly operation of the business regulated by the chapter of the Agricultural Code of which this section is a part, and for the purpose of avoiding confusion during the time of the renewal period, it is important that this act take effect immediately. If the effective date of the act should be later than July 1, 1941, considerable confusion would result by virtue of the change in license fee and would result in increased cost of administration."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1944—An act to amend Sections 3.422, 3.460, 3.480 and 3.807 of and to repeal Section 3.482 of the School Code, all relating to evening schools and special day and evening classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, following "3.460,", insert "and".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "and 3.807"

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 5 to 9, both inclusive, and insert "repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 907—An act to amend School Code Sections 5.822, 5.854, 5.872 and 5.876, and to add Section 5.872-1 to the School Code, all relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education.

Amendment No. 1

On page 1, line 25, of the printed bill, after "agency", strike out the semicolon, and insert a comma and "or from any insurance carrier or insurance carriers, of any such school district or other employing agency;"

Amendment No. 2

On page 2, line 5, of the printed bill, strike out "at the time of enlisting in said forces", and insert "within one year prior to entering such forces".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 516—An act to add Section 543 to the Streets and Highways Code, relating to State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 6, of the printed bill, following "Route", strike out "163", and insert "60".

Amendment No. 2

On page 1, line 12, of the printed bill, following "Route", strike out "163", and insert "162".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 257—An act to amend Section 494 of the Agricultural Code, relating to skim milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "494", and insert "552".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "494", and insert "552".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "494", and insert "552".

Amendment No. 4

On page 1, lines 4 and 5, of the printed bill, strike out the commas.

Amendment No. 5

On page 1, line 6, of the printed bill, following "all", insert "fluid".

Amendment No. 7

On page 1, line 6, of the printed bill, strike out "in liquid form."

Amendment No. 8

On page 1, line 8, of the printed bill, strike out "cultured skim milk", and insert "cultured buttermilk".

Amendment No. 9

On page 1, line 10, of the printed bill, strike out "liquid", and insert "fluid".

Amendment No. 10

On page 1, line 11, of the printed bill, strike out "in accordance with the labeling requirements for market", and "milk" in line 12, and insert "with the words skim milk together with the name and address of the distributor."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1931—An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to the Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems, and to repeal all acts or parts of acts in conflict with this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out the period, and insert ", for the support of the branch of the University of California at Santa Barbara."

Amendment No. 2

On page 2 of the printed bill, strike out lines 6 and 7, and insert "provide courses of university grade at least four years in length in multiple fields leading to at least a baccalaureate degree, and upon the completion of such courses shall grant appropriate degrees."

Amendment No. 3

On page 2, line 20, of the printed bill, strike out "who".

Amendment No. 4

On page 2, lines 21 and 22, of the printed bill, strike out "is a member of a State retirement or pension system and who continues", and insert "shall thereafter continue".

Amendment No. 5

On page 2, line 23, of the printed bill, strike out "may", and insert "in accordance with the terms of his contract with Santa Barbara State College heretofore entered into. If the employee is a member of a State retirement or pension system, he shall".

Amendment No. 6

On page 2 of the printed bill, strike out lines 29 to 38, inclusive, and insert "after said State college becomes a branch of the University of California. If under said option, he elects to terminate membership in the State Employees' Retirement System and to be a member of the State Teachers' Retirement System, he shall be considered, solely for the purposes of Section 75 of the State Employees' Retirement Act, as permanently separated from State service.

The normal contribution required of each person affirmatively exercising said option to terminate membership in the State Teachers' Retirement System and to be a member of the State Employees' Retirement System, shall be based on said person's nearest age at the earliest date he became eligible for membership in the said State Employees' Retirement System prior to the time said State college becomes a branch of the University of California; and within one year after the time said State college becomes a branch of the University of California, said person shall pay to the State Employees' Retirement System an amount sufficient to make the accumulated contributions credited to said person under said system equal to the amount which would have been credited had said person been a member of said system from and after the earliest date he became eligible for membership in the State Employees' Retirement System prior to the time said State college becomes a branch of the University of California. The State shall contribute to the State Employees' Retirement System on account of said person, amounts equal to contributions which would have been made had said person been a member of the State Employees' Retirement System from said first date of eligibility."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1643—An act to add Section 5 683 to the School Code, relating to the dismissal of probationary employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period, and insert a comma, and "on the recommendation of the superintendent of schools, if there be one, of the districts."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2296—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed bill, after "dictograph", insert ", recordograph or any similar device".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "; provided, that nothing herein", and insert " Any person who, without the knowledge of all parties to the conversation, uses a recordograph, telephone attachment, or any similar device to record conversations between an employee and his employer or between an employee and his employer's agent, is guilty of a misdemeanor.

Nothing in this section".

Amendment No. 3

On page 1, line 9, of the printed bill, after "dictographs", insert ", recordographs or any similar device".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1855—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, lines 12 to 13, inclusive, strike out "all such contracts for a term not to exceed three years".

Amendment No. 2

On page 1, lines 23 to 25, of the printed bill, strike out "shall not be held to apply to existing written contracts nor to include any nonprofit cooperative agricultural marketing association", and insert "does not apply to nor include:

(a) Cooperative agricultural marketing associations".

Amendment No. 3

On page 1, line 27, of the printed bill, after "Columbia", insert a comma

Amendment No. 4

On page 1, after line 31, of the printed bill, insert

"(b) Written contracts in existence prior to the effective date of this section

(c) Written contracts for a term exceeding one year where a minimum price to be paid for such fruits, vegetables and edible nuts upon delivery is stated in the contract.

(d) Written contracts, or contracts evidenced by an instrument in writing signed by the party to be charged, for the sale of fresh fruit and vegetables, where the form of such agricultural products is not changed by processing during the course of marketing."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 711—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals

Bill read second time.

Motion to Amend

Mr Call moved the adoption of the following amendments

Amendment No. 1

On page 2 of the printed bill, strike out lines 10 to 15, inclusive, and insert "be annoyed thereby, is guilty of a misdemeanor The pro-"

Amendment No. 2

On page 2 of the printed bill, strike out lines 45 to 49, inclusive, and insert "of morals generally, is guilty of a misdemeanor."

Amendment No. 3

On page 3, line 26, of the printed bill, strike out "upon examination of the accused, or, if"; and strike out lines 27 to 39, inclusive, and insert "hold the same pending the trial of the accused. If the accused be found not guilty, they shall be returned to him"

Amendment No. 4

On page 3, lines 42 and 43, of the printed bill, strike out "district attorney", and insert "magistrate".

Amendment No. 5

On page 3, line 48, of the printed bill, strike out "district attorney", and insert "magistrate".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 930—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts.

Bill read second time.

Motion to Amend

Miss Miller moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "the owner or", and insert "all of the".

Amendment No. 2

On page 1, line 14, of the printed bill, as amended, strike out the period, and insert "and said written consent shall have been filed with the clerk of the legislative body conducting the proceedings prior to the adoption of the ordinance approving such annexation."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2049—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whisky sold at retail.

Bill read second time

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, after "aged", insert "in charred oak containers".

Amendment No. 2

On page 1, line 18, of the printed bill, as amended, strike out "charred oak containers".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 1262—An act to amend Section 110 of the Penal Code, relating to prisons and prisoners.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Aviation and Aircraft

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:

Senate Bill No. 1300

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GREEN, Chairman

Above reported bill ordered to second reading.

Request for Unanimous Consent

Mr. Weybret asked for, and was granted, unanimous consent to take up Senate Bill No. 1300, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 1300

Senate Bill No. 1300—An act creating a public airport district designated "Monterey Peninsula Airport District"; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Weybret:

Resolved, That Senate Bill No. 1300 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed

with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1300

Senate Bill No. 1300—An act creating a public airport district designated "Monterey Peninsula Airport District"; defining its boundaries; providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

Senate Bill No. 1300—An act creating a public airport district designated "Monterey Peninsula Airport District"; defining its boundaries, providing for its organization, government and maintenance; prescribing its powers, duties, and liabilities; providing for the alteration of its boundaries, and the dissolution of said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.15 p.m. having arrived, Assembly Bill No. 253 was taken up.

Assembly Bill No. 253—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 253:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 18, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS

ASSEMBLY BILL NO 253

"An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 253 as an emergency measure. However, I must advise you that the appropriation of $2,042,000 proposed by this bill in its present form is insufficient to meet the emergency presented Available information as to the current case load, rate of closing cases, anticipated seasonal decrease and other pertinent factors give every indication that the appropriation now required to cover unemployment relief needs for the fourth quarter of the current fiscal year should be $4,617,000 in addition to an unexpended balance which may be carried forward under the bill into the next quarter, out of appropriations heretofore made, which is estimated at $1,100,000. In other words, the appropriation specified in this bill of only $2,042,000 is less than one-half of the additional amount required for the needs of unemployment relief during this quarterly period, according to present estimates made by the Relief Administration and the Department of Finance on a factual basis, unless indeed it should be the intent of the Legislature to reduce the relief budgets by more than one-half during that period. This I would unalterably oppose If the Legislature sees fit to appropriate only the sum of $2,042,000, I shall advise the Relief Administrator to continue relief payments without change in standards of eligibility and at present budgetary levels which will almost certainly make an additional appropriation necessary before the end of the biennium.

I recommend, however, that Section 1.5 of Assembly Bill No 253 be amended by striking out the words and figures "two million, forty-two thousand dollars ($2,042,000)" and inserting in lieu thereof "four million, six hundred seventeen thousand dollars ($4,617,000)".

Respectfully submitted

CULBERT L. OLSON, Governor of California

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments.

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "two million forty-two thousand dollars ($2,042,000)", and insert "four million six hundred seventeen thousand dollars ($4,617,000)"

Amendment No. 2

On page 2, line 12, of the printed bill, as amended, strike out "$400,000", and insert "$940,000".

Amendment No. 3

On page 2, line 13, of the printed bill, as amended, strike out "$900,000", and insert "$1,865,000".

Amendment No. 4

On page 2, line 14, of the printed bill, as amended, strike out "$700,000" and insert "$1,770,000".

Demand for Previous Question

Messrs. Turner, Desmond, Kepple, Lyon and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the amendments to Assembly Bill No. 253.

The roll was called, and the amendments to Assembly Bill No. 253 refused adoption by the following vote:

AYES—Bennett, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Massion, Meehan, O'Day, Pelletier, Richie, Russell, and Thomas—19.

NOES—Allen, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—51

Bill read third time.

Motion to Amend

Mr. Richie moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 3.5 and".

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 9 and 10, insert

"SEC. 3.5. Section 3.5 is hereby added to the California Unemployment Relief Act of 1935, to read as follows:

Sec. 3.5. Notwithstanding any other provision of this act or of any act imposing limitations upon an appropriation for the purposes of this act, any person receiving assistance under this act and employed upon a work relief project shall, to the extent of his budget, be granted relief upon the basis of wages at the prevailing wage rates."

Roll Call Demanded

Messrs. Lyon, Field, Desmond and Turner demanded a roll call.

The roll was called, and the amendments to Assembly Bill No. 253 refused adoption by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Gunlock, Hawkins, Heisinger, Lowrey, Massion, Meehan, Pelletier, Richie, Robertson, Russell, Tenney, Thomas, and Voigt—22.

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

Bill read third time.

Urgency Clause Adopted

Urgency clause read, and adopted by the following vote.

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—74.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 766

Mr Lyon moved that Senate Bill No. 766 be withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Revenue and Taxation.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 56

Mr. Tenney moved that Assembly Bill No. 56 be withdrawn from the Committee on Insurance, and re-referred to the Committee on Governmental Efficiency and Economy.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 271 was taken up.

Assembly Bill No. 271—An act providing for the registration of certain oath-bound societies and secret organizations.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

At 3.55 p.m , Mr. George D. Collins moved that the Assembly resolve itself into a Committee of the Whole until 4.25 p.m., for the purpose of considering Assembly Bill No. 271.

Mr. Richie seconded the motion.

Motion carried.

Motion to Allocate Time

Mr. Tenney moved that 10 minutes of the time be alloted to the proponents of the bill.

Motion carried.

Appointment of Clerk of Committee of the Whole

Mr. Lyon moved that the Chief Clerk be appointed as Clerk of the Committee of the Whole, to take the names and addresses of the speakers.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland presiding.

On motion of Mr. Lowrey, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H. Garland presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

At 4.28 p m., Mr. Tenney moved that the Assembly resolve itself into a Committee of the Whole until 4.38 p.m., for the purpose of further considering Assembly Bill No. 271.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Wollenberg, and Mr. Speaker—61.

NOES—Cooke, Johnson, and Weybret—3.

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland presiding.

On motion of Mr. Tenney, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H. Garland presiding.
Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF THE COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee of the Whole, to which was referred.
Assembly Bill No. 271
Has had the same under consideration, and reports the same back
The following speakers appeared before the Committee of the Whole:

Mrs. Louise Bransten, Civil Rights Council of California, Room 434, 177 Post St., San Francisco, California
Rev. Andrew Juvinall, Christian Social Action Fellowship of the California Conference of the Methodist Church, 1426 4th St, San Rafael, California.
J. Vernon Burke, Labor's Non-Partisan League, 320 Market St., San Francisco, California.
John D. Home, American Legion of California
Mr. Edward Vandeleur, Secretary, California Federation of Labor.

GARLAND, Chairman

Assembly Bill No. 271 read third time.

Demand for Previous Question

Messrs. Stream, Potter, Tenney, Field and Poulson demanded the previous question.

Demand for previous question sustained.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to have the action rescinded, and the record expunged, whereby the demand for the previous question was sustained.

Bill read third time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Joint Resolution No. 39: By Mr. Hastain—Relative to memorializing the President and the Secretary of State of the United States in regard to reciprocal border rights of American citizens and Mexican citizens.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1577
Assembly Bill No. 2338

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which were referred:

Assembly Bill No. 2253
Assembly Bill No. 130

Has has the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

McCOLLISTER, *Chairman*

Above reported bills re-referred to Committee on Ways and Means.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 121
Assembly Bill No. 163
Assembly Bill No. 235
Assembly Bill No. 313
Assembly Bill No. 1224
Assembly Bill No. 1225
Assembly Bill No. 1226
Assembly Bill No. 1227
Assembly Bill No. 1244
Assembly Bill No. 1409
Assembly Bill No. 2318
Assembly Bill No. 2477

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1316
Assembly Bill No. 1053

Has has the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 223
Assembly Bill No. 152
Assembly Bill No. 851
Assembly Bill No. 1255
Assembly Bill No. 2135
Assembly Bill No. 2136
Assembly Bill No. 1678
Assembly Bill No. 1682
Assembly Bill No. 1895

Has has the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1328

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 680
Assembly Bill No. 370
Assembly Bill No. 1066

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 832

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No 533

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred

Assembly Bill No. 1728
Assembly Bill No. 1456
Assembly Bill No. 2075
Assembly Bill No. 2078

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2069

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 1161
Senate Bill No. 97
Senate Bill No 907

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 1129
Assembly Bill No. 1898

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Ways and Means.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1461

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments.

Respectfully submitted.

T. J DOYLE

Request referred to Committee on Introduction of Bills.

MOTION TO SET SPECIAL ORDER

Mr. Tenney moved that Assembly Bill No. 271 be made a special order of business for Friday, March 21, 1941, at 11.15 a m.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 113

Relative to the death of Charles E. Mayfield

WHEREAS, The members of the Assembly have learned with sorrow of the passing of Charles E. Mayfield, Mayor of the City of Suisun; and

WHEREAS, Charles E. Mayfield was a veteran city and county official who served his city and county from 1906 until the date of his death; and

WHEREAS, The members of this body wish to pay tribute to the memory of Charles E. Mayfield, and to extend the deepest sympathy to his family; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly this day adjourns, it do so in respect to the memory of Charles E. Mayfield; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to convey to the wife of the deceased, Mrs Mary A. Mayfield, and to the children of the deceased, Mrs Charlotte Wylie, Miss Beatrice Mayfield, Stewart Mayfield and Charles Mayfield, Jr., this expression of tribute and sympathy from the Assembly of the State of California.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 113, at this time, without reference to committee.

Resolution read, and adopted unanimously.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 777

Mr. T. Fenton Knight moved that Assembly Bill No. 777 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1992

Mr. Doyle moved that Assembly Bill No. 1992 be withdrawn from the file, and re-referred to the Committee on State Grounds and Parks.

Motion carried unanimously.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1322 re-referred to Committee on State Colleges.

Assembly Bill No. 1072 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No 1057 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No 2315 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 822 re-referred to Committee on Motor Vehicles.

Assembly Bill No 2073 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2074 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2081 re-referred to Committee on Motor Vehicles.

RECONSIDERATIONS LAPSED

Notice of reconsideration on Assembly Bill No. 510 lapsed.
Bill ordered transmitted to the Senate.

Notice of reconsideration of Assembly Bill No. 388 lapsed.
Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following Americanization students of Woodrow Wilson Evening High School, San Jose: Mrs. Stragmalia, Mrs. Cavaletto, Mrs. Lucy Leone, Mrs. P. Ferraro, Mrs. Bengiveno, Mrs. Flora La Torre, Mrs. Battaglia, Mrs. Agnelli, Mrs. D'Innocenti, Mrs. Lo Franco, Mrs. Veglia, Mrs. Bournazian, Mrs. Mazzone, Mr. Paul Mazzone, Mrs. Jennie Caputo, Mrs. Roffinella, Mrs. Pulizzi, Mrs. Perry, Mrs. D. Giacoma, Mrs. A. Dinapoli, A. Dinapoli, Rocco Mazzone, Mrs A. Borelli, Mrs. Rose Caruso, Mrs. Marie Gregorio, Mrs. Ficcaroto, Mrs. A. Vatrana, Mrs. Ida Filema, Mrs. Bruno Genovesi, Mr. Bruno Genovesi, Mrs. Pullara, Mrs. Lucia

Iusi, Mrs Messina, Mrs Alice Hunnicutt, Mrs. Sanelli, Mrs Pontier, and Mrs. Minnie Darling

On request of Mr. Dickey and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to G. E. Wade, County Clerk; Eloise B. Cushing, Law Librarian; and Lydia Griffin of Alameda

On request of Mr O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. E. C. Talbot, Supervisor of Riverside County.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Orcello, Mario Cino, and Miss Mary Trapani of San Francisco.

On request of Mr. Tenney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Barney Ferguson of San Francisco.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Wimmer, Chairman, Board of Supervisors, Kern County; Oran W. Palmer, Deputy District Attorney of Kern County; and Stewart Magee of Bakersfield, President of the State Associations of Justices of Peace.

On request of Mrs. Daley and Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Daney of San Diego.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the graduating class of Sacred Heart School of Sacramento: Mary Silva, Mary Anne Lawson, Marlyn Peebles, Bob Anderson, Mary O'Brien, Claire Marie Lagomarsmo, Jimmy Dullany, Mary Socal, Kathleen Cavanaugh, Gloria Ulm, Stanley Dupzyk, Dawn Rader, Nancy Kehoe, Ramona Ramaccietti, and Robert King.

ADJOURNMENT

At 5.40 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a.m., Friday, March 21, 1941, out of respect to the memory of the late Mayor Charles E. Mayfield, of Suisun.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 21, 1941

The Assembly met at 10.30 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Poole.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Sam L. Collins, on motion of Mr. Burkhalter.
Mr. Kepple, on motion of Mr Pfaff.
Mr. Massion, on motion of Mr Bennett.
Mr. Waters, on motion of Mr. Burkhalter.
Mr. Kilpatrick, on motion of Mr. Stream.
Mr Andreas, on motion of Mr Kellems
Mr Weber, on motion of Mr. Green.

Request for Unanimous Consent

Mr. Bennett asked for unanimous consent to have Mr. King excused for the balance of the legislative day.

Mr. Cooke withheld his consent.

MOTION TO EXCUSE MR. KING

Mr. Hugh M. Burns moved to excuse Mr. King for the balance of the legislative day.

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

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—55

NOES—Bashore, Burkhalter, Cooke, and Howser, F. N.—4.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Allen moved to expunge the record, and rescind the action whereby Mr. King was excused for the legislative day.

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

AYES—Allen, Burkhalter, Cooke, Field, and Howser, F. N.—5.

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—52.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 347
Assembly Bill No. 348
Assembly Bill No. 351

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 349
Assembly Bill No. 350
Assembly Bill No. 901
Assembly Bill No. 2547
Assembly Bill No. 411
Assembly Bill No. 2548
Assembly Bill No. 2343
Assembly Bill No. 95
Senate Bill No. 302

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, LEGAL DEPARTMENT
SAN FRANCISCO, March 20, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR SIR: This will acknowledge the receipt of your letter of March 18, 1941, in which you forwarded to this office a copy of Assembly Resolution No. 109, in which the Assembly of the State of California has requested that I reconsider Opinion No. NS3212 in which the view is expressed that the expense incurred by a Legislator in attending a session of the Legislature is not a deductible item under the Personal Income Tax Act.

This matter is receiving attention and our reply will be forwarded as soon as possible.

Very truly yours,

EARL WARREN, Attorney General

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 67

Mr. Bashore moved that Assembly Bill No. 67 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Judiciary General.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Dilworth, Doyle, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Wollenberg, and Mr. Speaker—48.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1941

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

Senate Bill No. 66
Senate Bill No. 77
Senate Bill No. 167
Senate Bill No. 174
Senate Bill No. 220
Senate Bill No. 287
Senate Bill No. 288
Senate Bill No. 289
Senate Bill No. 408
Senate Bill No. 425
Senate Bill No. 447
Senate Bill No. 449
Senate Bill No. 527
Senate Bill No. 541
Senate Bill No. 549
Senate Bill No. 551
Senate Bill No. 626
Senate Bill No. 682
Senate Bill No. 529
Senate Bill No. 756
Senate Bill No. 757
Senate Bill No. 841
Senate Bill No. 932
Senate Bill No. 1266

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 20, 1941

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

Senate Joint Resolution No. 13
Senate Joint Resolution No. 14
Senate Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 66—An act to amend Section 4986 of the Revenue and Taxation Code, relating to property taxation and the cancellation of property taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 77—An act to amend Section 12416 of the Business and Professions Code, relating to measurement of logs.

Referred to Committee on Natural Resources.

Senate Bill No. 167—An act to amend Sections 5, 7 and 17 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof, and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts, including the qualifications of district directors, the qualifications of electors, the qualifications of directors when such directors are elected to represent divisions of the district, and the qualifications of electors entitled to vote for directors who are elected by divisions.

Referred to Committee on River Navigation, Reclamation, and Flood Control.

Senate Bill No. 174—An act to amend Section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Referred to Committee on County Government.

Senate Bill No. 220—An act to amend Section 737uu of the Political Code, relating to the salary of superior judges in and for the County of Siskiyou.

Referred to Committee on County Government.

Senate Bill No. 287—An act to amend Section 43 of the California Irrigation District Act, relating to irrigation district assessments.

Referred to Committee on Irrigation.

Senate Bill No. 288—An act to amend Section 39e of the California Irrigation District Act, relating to irrigation district assessments.

Referred to Committee on Irrigation.

Senate Bill No. 289—An act to amend Sections 7055, 7057 and 7058 and the article heading of Article 2, Chapter 2, Part 6 of the Water Code, and Section 4 of the Central Valley Project Act of 1933, relating to the changing of the name of Kennett Dam to Shasta Dam.

Referred to Committee on Irrigation.

Senate Bill No. 408—An act to amend Section 4276 of the Political Code, relating to salaries and fees of offices in counties of the forty-seventh class.

Referred to Committee on County Government.

Senate Bill No. 425—An act to amend Section 1623 of the Streets and Highways Code, relating to expenditures by a county out of its special road improvement fund for streets, bridges and culverts in cities within the county.

Referred to Committee on County Government.

Senate Bill No. 447—An act to amend Section 4265 of the Political Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on County Government.

Senate Bill No. 449—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's office.

Referred to Committee on Civil Service.

Senate Bill No. 527—An act to repeal certain obsolete or superseded acts, all relating to appropriations of money from the State Treasury, and matters incidental thereto.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 541—An act to add Section 1.5 to the California Irrigation District Act, relating to publication of notices pursuant to laws relating to irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 549—An act to repeal Sections 62 and 63 of the California Irrigation District Act, relating to apportionment of water by water commissioners and flow of water through irrigation district ditches in times of high water.

Referred to Committee on Irrigation.

Senate Bill No. 551—An act to repeal Section 2½ of an act entitled "An act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, relating to the dissolution of irrigation districts, having no indebtedness not barred by the statute of limitations.

Referred to Committee on Irrigation

Senate Bill No. 626—An act to amend Section 19c of the California Irrigation District Act, relating to the selection of the officers of irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 682—An act to amend Section 465.6 of the Vehicle Code, relating to signs alongside highways.

Referred to Committee on Motor Vehicles.

Senate Bill No. 529—An act to add Section 4056g to the Political Code, relating to officers, deputies, assistants and employees of the counties, and their rights and privileges in relation to their several county offices and employments during, and after termination of, their service in the armed forces or training and service in the land or Naval forces of the United States.

Referred to Committee on County Government.

Senate Bill No. 756—An act to add Section 2.1521 to the School Code, relating to educational societies.

Referred to Committee on Education.

Senate Bill No. 757—An act to add a new article to Chapter 1 of Part 2 of Division 2 of the School Code, to be known as Article 10, relating to the attendance of school members of governing boards of school districts of state-wide educational meetings. .

Referred to Committee on Education

Senate Bill No. 841—An act to add Section 4a to the act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 932—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 1266—An act to amend Section 131.5 of the Code of Civil Procedure, relating to probation, and including probation committees and probation officers and deputies.

Referred to Committee on Judiciary Codes.

Senate Joint Resolution No. 13—Memorializing the President and Congress to enact legislation proposed by U. S. Senate Bill 710, providing a basis of recovery for claims of California Indians based on early treaty arrangement.

Referred to Committee on Federal Relations.

Senate Joint Resolution No. 14—Relative to memorializing Congress to allocate funds in surplus marketing budget for 1942 to California fruit growers because of loss of normal export markets due to the war.

Referred to Committee on Federal Relations.

Senate Concurrent Resolution No. 17—Approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, relating to the granting of franchises, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the twenty-eighth day of January, 1941.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 17, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17

Senate Concurrent Resolution No. 17—Approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, relating to the granting of franchises, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the twenty-eighth day of January, 1941.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Dilworth, Doyle, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Phillips, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 377—An act to amend Sections 925 and 1008 of the Penal Code, relating to accusations against district, county, township or municipal officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 933—An act to amend Section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1114—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or right of ways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1362—An act to prevent and punish the desecration, mutilation or improper use of the Flag of the United States of America, and of this State, and of any flag, standard, color, ensign or shield authorized by law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2050—An act providing for Citizenship Day and the observance thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2487—An act to amend Section 1203.4 of the Penal Code, relating to probations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2274—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1390—An act to amend Sections 125, 152 5 and 172 of and to add Section 151.6 to the State Civil Service Act, relating to State civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1644—An act to amend Section 81 of the State Civil Service Act, relating to eligible lists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1583—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 867—An act to repeal Chapter 846, Statutes of 1927, authorizing the issuance of leases in San Diego County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1900—An act to amend Section 3 of an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, relating to the board of supervisors

Bill read second time, and ordered engrossed.

Assembly Bill No. 1046—An act to amend Sections 2 and 3 of an act entitled "An act to carry into effect the provisions of Section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to interest rates, possession of pledges and termination of pledgor's interest therein

Bill read second time, and ordered to third reading.

Assembly Bill No. 36—An act to amend Section 4238 of the Political Code, relating to county officers in counties of the ninth class.

Bill read second time, and ordered engrossed

Assembly Bill No. 139—An act to amend Section 2825 of the Streets and Highways Code, relating to special assessments and public improvements, including the preparation of reports on proposed improvements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 140—An act to amend Section 3 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to special assessments and public improvements, including the preparation of reports on proposed improvements

Bill read second time, and ordered engrossed.

Assembly Bill No. 885—An act to amend Section 4041.1 of the Political Code, relating to the powers of supervisors.

Bill read second time, and ordered engrossed

Assembly Bill No. 1388—An act providing for the creation of county treasurers' cash difference funds and average funds in the counties of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1316—An act to amend Section 669 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1053—An act to add Section 2 88 to the School Code, relating to the inclusion of territory within a school district.

Bill read second time, and ordered engrossed

Assembly Bill No. 223—An act to amend Sections 737e and 737v of the Political Code, relating to the salaries of judges of the superior court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 152—An act to amend Section 2651 of the Labor Code, relating to industrial homework and to permit the manufacture of children's wearing apparel thereby.

Bill read second time, and ordered engrossed

Assembly Bill No. 851—An act to add Section 2958a to the Civil Code, and to amend Section 2971 thereof, relating to chattel mortgages on aircraft.

Bill read second time, and ordered engrossed

Assembly Bill No. 1255—An act to amend Section 559½ of the Code of Civil Procedure, relating to alias writs of attachment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2135—An act to add Section 474a to the Political Code, relating to escheat actions brought by the Attorney General.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2136—An act to amend Section 474 of the Political Code, relating to escheated property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1678—An act to amend Section 1662 of the Probate Code, requiring the issuance of public records by the official in

charge thereof to be used in matters under the jurisdiction of the Veterans' Administration of the United States.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1682—An act to amend Section 423 of the Probate Code, relating to nomination of a person to act as administrator of a decedent's estate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1895—An act to amend Section 1274 of the Code of Civil Procedure, relating to escheated property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1161—An act to add Section 14450.5 to the Health and Safety Code, relating to county fire protection districts and civil service rates applying thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2069—An act to amend Section 661 of the Political Code, relating to deficiency appropriations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 12, of the printed bill, after "which" insert "were not and".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1698—An act to describe, define and officially adopt a system of coordinates for designating and stating positions of points on the surface of the earth within the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 26, of the printed bill, strike out "county".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "county".

Amendment No. 3

On page 2, line 42, of the printed bill, after "direction", insert "from the x and y axes, respectively".

Amendment No. 4

On page 2, line 48, of the printed bill, strike out "y axes", and insert "y axis".

Amendment No. 5

On page 3, line 10, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 6

On page 3, line 17, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 7

On page 3, line 22, of the printed bill, strike out "1863", and insert "1866".

Amendment No. 8

On page 3, line 24, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 9

On page 3, line 31, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 10

On page 3, line 38, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 11

On page 3, line 46, of the printed bill, strike out "origin", and insert "point of control".

Amendment No. 12

On page 4, line 7, of the printed bill, after "position", insert "on the ground".

Amendment No. 13

On page 4, line 8, of the printed bill, strike out "on the ground".

Amendment No. 14

On page 4, line 15, of the printed bill, strike out "administering agency", and insert "State agency authorized to administer this act".

Amendment No. 15

On page 4, line 50, of the printed bill, strike out "on", and insert "in".

Amendment No. 16

On page 5 of the printed bill, strike out lines 1 to 4, and insert

"SEC. 9. Nothing contained in this act shall be interpreted as requiring any person to rely on a description based wholly on the California Coordinate System as defined in this act, but any map, survey or other document which is offered for recording in the office of the county recorder of any county of the State of California and which includes references to the California Coordinate System shall also contain a reference to any map, survey, or other document, which latter reference must be sufficient to identify the property with reasonable certainty."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 663—An act to amend Section 3463 of the Political Code, relating to the lien of assessments for reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, between lines 20 and 21, insert

"In all cases where assessment commissioners have been appointed and an assessment been partially or fully completed but has not been approved by the supervisors and the trustees of the district find that the amount to be provided by said assessment is insufficient to pay the outstanding obligations and/or for necessary new work, the trustees may by resolution cancel all proceedings and have prepared a new report estimate and appoint the same or new commissioners to spread an assessment as provided in Section 346 of this code."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 75—An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 340—An act to amend School Code Sections 2.90 and 2.92, relating to superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "ordered", and insert "order".

Amendment No. 2

On page 1, line 15, of the printed bill, strike out "850", and insert "500".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "or".

Amendment No. 4

On page 1, line 18, of the printed bill, strike out "or".

Amendment No. 5

On page 1, line 19, of the printed bill, after the comma, insert "or any deputy or assistant district superintendent of schools,".

Amendment No. 6

On page 1, line 19, of the printed bill, strike out "850", and insert "500".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1508—An act to add Section 5.852-1 to the School Code, relating to members of the California State Teachers' Retirement System serving in the armed forces of the United States of America or of the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, after the comma, insert "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendment No. 2

On page 1, line 5, of the printed bill, after "California", insert a comma and "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school

districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert a comma and "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendment No. 2

On page 1, line 6, of the printed bill, after the comma, insert "or in the medical, nursing or ambulance service of the American Red Cross.".

Amendment No. 3

On page 1, line 20, of the printed bill, after "California", insert a comma and "or after leaving such service of the American Red Cross,".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1966—An act to add Sections 5.129 and 5.344 to the School Code, relating to the continuance of documents authorizing service in the public schools and held by persons serving in the military service of the United States or of the State of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 14 to 18, both inclusive, and insert "herein fixed, subject to the provisions of this code relating to the renewal of credentials."

Amendment No. 2

On page 2 of the printed bill, strike out all of lines 8 to 11, both inclusive, and insert "herein fixed, subject to the provisions of this code relating to the renewal of certificates."

Amendment No. 3

In line 5 of the title of the printed bill, after the comma following "California", insert "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendment No. 4

On page 1, line 5, of the printed bill, after "California", insert a comma and "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 14 to 18, both inclusive, and insert "herein fixed, subject to the provisions of this code relating to the renewal of credentials."

Amendment No. 6

On page 1, line 23, of the printed bill, after "California", insert a comma and "or in the medical, nursing or ambulance service of the American Red Cross,".

Amendment No. 7

On page 2 of the printed bill, strike out all of lines 8 to 11, both inclusive, and insert "herein fixed, subject to the provisions of this code relating to the renewal of certificates"

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1328—An act to amend Sections 2, 6, 11 and 13 of the Inheritance Tax Act of 1935, relating to inheritance taxation, including powers of appointment, increased values of transfers, deductions for funeral expenses and expenses of last illness, charitable transfers, the exemption of property acquired from another decedent, refunds, taxes on erroneous debts, lists of contents of safe deposit boxes, and appraiser's fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2, 6, 11 and 13", and insert "Section 2".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "includ-", and strike out lines 3 to 7, inclusive, of the title, and insert "to take effect immediately."

Amendment No. 3

On page 2, line 50, of the printed bill, strike out "subsection", and insert "subdivision".

Amendment No. 4

On page 3, line 1, of the printed bill, strike out "subdivision (b) of subsection (1)", and insert "subsection (b) of Subdivision (1)".

Amendment No. 5

On page 3, line 7, of the printed bill, strike out "Subsection", and insert "Subdivision".

Amendment No. 6

On page 4, line 37, of the printed bill, strike out "(8)", and insert "(9)"

Amendment No. 7

On page 4, lines 50 and 51, of the printed bill, strike out "(8) of Section 2".

Amendment No. 8

On page 5, line 6, of the printed bill, strike out "(9)", and insert "(10)".

Amendment No. 9

On page 5, line 15, of the printed bill, strike out "(10)", and insert "(11)".

Amendment No. 10

On page 5, line 22, of the printed bill, strike out "who", and insert "whether or not she".

Amendment No. 11

On page 5, line 42, of the printed bill, strike out "(10)", and insert "(11)".

Amendment No. 12

On page 5, line 46, of the printed bill, strike out "(11)", and insert "(12)".

Amendment No. 13

On page 6 of the printed bill, strike out lines 16 to 51, inclusive, and strike out all of pages 7 to 11, inclusive, and insert

"SEC. 2 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 832—An act to amend Section 3166 of the Civil Code, relating to the time of payment of negotiable instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 6, of the printed bill, following "day", insert "which is not a Saturday".

Amendment No. 2

On page 1, line 7, of the printed bill, following "Saturday", insert "or the instrument would except for the foregoing provision be payable on Saturday".

Amendment No. 3

On page 1, line 17, of the printed bill, following "day", insert "which is not a Saturday".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1461—An act to add Section 8.8 to the California Toll Bridge Authority Act, relating to the collection of tolls on toll bridges or other toll highway crossings constructed or acquired under the provisions of said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "for commercial vehicles".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 12, both inclusive, and insert "that, except in the case of municipal or other public corporations, governmental agencies, or corporations having contracts directly with the authority, a cash deposit or a corporate surety bond, in an amount equal to twice the department's estimate of the toll charges to be incurred under such permit during one month, is furnished to and maintained in force with the department. The department may".

Amendment No. 3

On page 1, line 15, of the printed bill, after "incurred", insert "and regularity of payment".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 891—An act to amend an act of the Legislature approved April 27, 1923, conveying certain lands of the State to the City of Coronado, to correctly describe the boundaries of such lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

Strike out all of the title on page 1 of the printed bill, and insert "An act to transfer to the City of Coronado, a municipal corporation, a surface easement over certain tide lands and submerged lands and to define the powers and responsibilities of the City of Coronado over such lands."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert "SECTION 1. There is hereby transferred to the City of Coronado, a municipal corporation, a surface easement over the hereinafter described tide lands and sub-

merged lands, whether filled or unfilled, for the uses and purposes and subject to the conditions, as follows:

(a) That said lands shall be used by the city only for the establishment, and improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation;

(b) That the city shall not grant, convey, give, or alien said lands or any portion thereof to any individual, firm or corporation;

(c) That the city may grant franchises over said lands for terms not in excess of 25 years for uses specified in "a" hereof;

(d) That any harbor now or hereafter constructed upon said lands shall always remain a public harbor for all purposes of commerce and navigation, and the State of California at all times, hereby reserves the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any portion thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California;

(e) That in the management, conduct or operation of the harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by the city or those holding under the city;

(f) That there is hereby reserved to the people of the State of California the absolute right to fish over said lands with the right of convenient access to said lands for such purposes;

(g) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city.

(h) That the lands hereinafter described shall at all times be available without cost to the State of California for highway purposes, except that in the event improvements have been placed upon lands or any portion thereof utilized by the State for highway purposes, compensation shall be paid for the value of the improvement or any interest therein taken.

SEC 2. The lands to which reference is hereinbefore made are described as follows:

Those certain tide and submerged lands of San Diego Bay and arms thereof, whether filled or unfilled, lying in San Diego County, State of California and more particularly described as follows:

Beginning at the intersection of the ordinary high water mark of San Diego Bay with the east city limits line of the City of Coronado, at which point is established a concrete monument marked on top "CCXII" and running along the said ordinary high water mark of San Diego Bay and the arms thereof, on bearings computed in accordance with Special Publication No. 71 of the U. S. Coast and Geodetic Survey and based on an adopted origin identical with the U. S. Coast and Geodetic Survey triangulation station "Old Town" (which basis is known locally as the U. S. Army Engineer's Coordinate System for San Diego Bay and which is the basis for all bearings in this description), the courses and distances as given in Decree of Court dated August 19, 1931, recorded in Book No. 17 at page 448 of Official Records, San Diego County, California, along the "Traverse of the Mean High Tide Line" to Station 110 of the said traverse and the west limits of the City of Coronado; thence continuing along the said ordinary high water mark S. 87° 44' 10" W., 90.81 feet; N. 45° 33' 30" W., 56.61 feet; N. 83° 06' 50" W., 154.28 feet; N. 80° 23' 50" W., 272.87 feet; N. 77° 46' 50" W., 136.71 feet, N. 79° 19' 50" W., 298.36 feet; and N. 76° 30' 50" W., 87.67 feet to the extension southerly of the combined pierhead and bulkhead line between U. S. Engineer stations 477 and 478 as shown on plat of "San Diego Bay, California, Harbor Lines," approved by the Secretary of War November 20, 1940; thence out into Spanish Bight, an arm of San Diego Bay, along the said southerly extension of the combined pierhead and bulkhead line N. 23° 09' 06" E., 4998.06 feet to U. S. Engineer Station 478; thence S. 63° 33' 10" E., 568.7 feet to U. S. Engineer Station 480, N. 85° 05' 15" E., 1278.6 feet to U. S. Engineer Station 482, N. 26° 26' 50" E., 897.3 feet to U. S. Engineer Station 484; N. 68° 08' 47" E., 1264.6 feet to U. S. Engineer Station 485; S. 58° 54' 53" E., 5340.7 feet to U. S. Engineer Station 233; S. 27° 17' 10" E., 2108.77 feet, and S. 27° 30' 30" E., 6299.25 feet to a point on the extension northeasterly of the southeasterly boundary of the City of Coronado; thence southwesterly along the extension northeasterly of the said southeasterly boundary to the point of beginning.

SEC. 3. The transfer of the herein easement shall become effective when the City of Coronado, a municipal corporation, shall have reconveyed to the State of California all of the lands described in or to which reference is made in Chapter 49,

Statutes of 1923, and certified copies of such reconveyance filed in the office of the Secretary of State of the State of California and recorded in the County of San Diego."

Amendments read and adopted
Bill ordered printed and engrossed

Assembly Bill No. 680—An act to add Section 3.103 to the School Code, relating to the observance of Bill of Rights Week in public schools.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, after "Week", insert a comma and "which week shall be fixed so as to include, or be near the fifteenth day of December, the anniversary of the adoption of the Bill of Rights".

Amendment read and adopted
Bill ordered printed and engrossed

Assembly Bill No. 370—An act to amend School Code Section 6 731, relating to cafeterias maintained by school districts

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "of equipping cafeterias includes the cost".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out the period, and insert a comma and the following:
"may be paid for either from the funds of the school district or may be paid from the funds available for the maintenance of the cafeterias."

Amendments read and adopted
Bill ordered printed and engrossed

Assembly Bill No. 1066—An act to amend School Code Sections 5 652 and 5 653, relating to permanent employees of school districts

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out line 26; and on page 2 of the printed bill, strike out line 1, and insert "tude, or with incompetency due to mental disability, the said gov-"

Amendment No. 2

On page 2, line 14, of the printed bill, after the period, insert
"No such employee may be suspended on a charge of incompetency due to mental disability until the governing board shall have appointed an independent recognized psychiatrist to examine such employee, nor unless such psychiatrist shall report in writing to said governing board that such employee is, in his opinion, suffering from mental disability of such character as to render such employee incompetent

to perform his duties. The employee against whom the charge is filed must submit to such examination, but shall be entitled to be represented thereat by a psychiatrist or physician of his own choice, and the report of such last mentioned psychiatrist or physician shall be filed with said governing board at the request of the employee. The employee shall, upon request, and before action by the board, be furnished with a complete copy of any and all reports made by the psychiatrist or psychiatrists appointed by the governing board."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 533—An act to amend Section 1007 of the Civil Code, relating to prescription; exemption

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out ", but no"; also strike out lines 7 to 26, inclusive, and insert a period.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1728—An act to add Section 5.29 to the Retail Sales Tax Act of 1933 and Section 4 18 to the Use Tax Act of 1935, relating to the exemption of property sold or used in the National Defense Program

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5.29", and insert "Sections 6366, 6367 and 6368 to the Revenue and Taxation Code, Sections 5.29, 5 31 and 5.34".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section 4 18", and insert "Sections 4 19, 4 21 and 4.23".

Amendment No. 3

In line 4 of the title of the printed bill, after "Program", insert "to take effect immediately".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "made"; strike out lines 7 to 21, inclusive; and in line 22, strike out "SEC. 3", and insert "used in the performance of cost-plus-a-fixed-fee contracts made with the United States for purposes of National defense following the Proclamation by the President of the United States of the existing National emergency

SEC. 2 Section 5 31 is hereby added to the Retail Sales Tax Act of 1933, to read as follows:

Sec. 5 31. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed, or payable under this act, the gross receipts from sales of tangible personal property used for purposes of National defense, following the Proclamation by the President of the United States of the existing National emergency, to corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States.

SEC. 3 Section 5.34 is hereby added to the Retail Sales Tax Act of 1933, to read as follows:

Sec 5 34. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed, or payable under this act, the gross receipts from sales of tangible personal property used by contractors in the performance of cost-plus-a-fixed-fee contracts made with them for purposes of National defense following the Proclamation by the President of

the United States of the existing National emergency by corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States.

SEC. 4. Section 4 19 is hereby added to the Use Tax Act of 1935, to read as follows:

Sec. 4 19. The storage, use, or other consumption in this State of tangible personal property used in the performance of cost-plus-a-fixed-fee contracts made with the United States for purposes of National defense following the Proclamation by the President of the United States of the existing National emergency is hereby exempted from the tax imposed by this act

SEC. 5. Section 4 21 is hereby added to the Use Tax Act of 1935, to read as follows:

Sec. 4 21. The storage, use or other consumption in this State of tangible personal property used for purposes of National defense, following the Proclamation by the President of the United States of the existing National emergency, by corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States, is hereby specifically exempted from the tax imposed by this act

SEC. 6. Section 4 23 is hereby added to the Use Tax Act of 1935, to read as follows:

Sec 4 23. The storage, use, or other consumption in this State of tangible personal property used by contractors in the performance of cost-plus-a-fixed-fee contracts made with them for purposes of National defense, following the Proclamation by the President of the United States of the existing National emergency, by corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States, is hereby specifically exempted from the tax imposed by this act.

SEC. 7. Section 6366 is hereby added to the Revenue and Taxation Code, to read as follows:

6366 There are exempted from the taxes imposed by this part the gross receipts from sales of and the storage, use, or other consumption in this State of tangible personal property used in the performance of cost-plus-a-fixed-fee contracts made with the United States for purposes of National defense following the Proclamation by the President of the United States of the existing National emergency.

SEC 8. Section 6367 is hereby added to said code, to read as follows:

6367. There are exempted from the taxes imposed by this part the gross receipts from sales of tangible personal property used for purposes of National defense made following the Proclamation by the President of the United States of the existing National emergency to corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States. There is also exempted from the taxes imposed by this part the storage, use, or other consumption in this State of such property by such corporations or subsidiaries following the Proclamation by the President.

SEC. 9. Section 6368 is hereby added to said code, to read as follows:

6368 There are exempted from the taxes imposed by this part the gross receipts from sales of and the storage, use, or other consumption in this State of tangible personal property used by contractors in the performance of cost-plus-a-fixed-fee contracts made with them for purposes of National defense following the Proclamation by the President of the United States of the existing National emergency by corporations, or subsidiaries of corporations, all of whose capital stock is owned by the United States

SEC 10 The Legislature hereby declares that the addition of Sections 5 29, 5 31 and 5 34 to the Retail Sales Tax Act of 1933 and of Sections 4 19, 4 21 and 4 23 to the Use Tax Act of 1935 is declaratory of the intent of the Legislature in adopting Chapters 108 and 509, Statutes of 1939, which added Sections 5.1 and 5.13 to the Retail Sales Tax Act of 1933.

SEC 11. Sections 7, 8 and 9 of this act become operative only if Part 1 of Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time as said Part 1 takes effect; at which time the provisions of the Retail Sales Tax Act of 1933 and of the Use Tax Act of 1935 added by this act are hereby repealed

SEC 12".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1456—An act to amend Section 2605 of the Revenue and Taxation Code, relating to property taxation, including assessments, equalization of taxes, the levy of taxes, the collection of taxes, tax sales, the redemption of delinquent property, distribution of taxes, corrections, cancellations and refunds, and suits for taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2605 of", and insert "Sections 323, 405, 459, 2510, 2605, 2607, 2621, 2626, 2803, 2805, 2808, 3354, 3355, 3656, 3695, 3696, 3701, 3720, 3721, 3724, 4109, 4151, 4154, 4155, and 4217 of, and to add Sections 3510, 3700.5, and 3701.5 to"

Amendment No. 2

In line 3 of the title of the printed bill, strike out "equalization of taxes."

Amendment No. 3

In line 4 of the title of the printed bill, after "sales," insert "tax-deeded property, and"

Amendment No. 4

In line 4 of the title of the printed bill, strike out the comma after "delinquent property", and strike out all of lines 5 and 6 in the title, and insert a period.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within heavy brackets.

Amendment No. 5

On page 1, line 1, of the printed bill, strike out "Section 2605 of the Revenue and Taxation", and insert "Section 323 of the Revenue and Taxation Code is hereby amended to read as follows:

323. If held under Spanish grant, land may be described by the exterior boundaries of the grants, *or by the name of the grants,* and the divisions, subdivisions, and acreage claimed

SEC. 2. Section 405 of the Revenue and Taxation Code is hereby amended to read as follows:

405. [Annually, between the first Mondays in March and July, the assessor shall ascertain all the taxable property in his county, except State assessed property, and shall assess it to the persons owning, claiming, possessing, or controlling it at twelve o'clock meridian of the first Monday in March next preceding.] *Annually, the assessor shall assess all the taxable property in his county, except State assessed property, to the persons owning, claiming, possessing, or controlling it at 12 o'clock meridian of the first Monday in March. The assessor shall ascertain such property between the first Mondays in March and July.*

SEC. 3. Section 459 of the Revenue and Taxation Code is hereby amended to read as follows:

459. The expense of making the survey and description by the county surveyor is a lien on the land, and, when approved by the superior court, shall be certified by it to the [tax collector] *board of supervisors who shall, by resolution, direct the auditor to add the expense* [and be added] to the taxes on the land, to be collected like other taxes.

SEC. 4. Section 2510 of the Revenue and Taxation Code is hereby amended to read as follows:

2510. When a cancellation is made, the officer making it shall record it [in a book kept by him for that purpose] *on the roll.* He shall immediately send a notice to the person who attempted payment by the negotiable paper of the cancellation of the payment.

The validity of any tax, assessment, license, or penalties is not affected by failure or irregularity in giving the notice.

SEC. 5. Section 2605 of the Revenue and Taxation Code is hereby amended to read as follows:

2605. The following taxes are due November 1:

(a) All taxes on the secured roll, except taxes on real property other than possessory interests.

(b) Half the taxes on real property other than possessory interests, *and if the amount is not evenly divisible by two, the odd cent is also due.*

SEC. 6. Section 2607 of the Revenue and Taxation Code is hereby amended to read as follows:

2607. The entire tax on real property may be paid when the first installment is due. *The second installment may be paid separately only if the first installment has been paid.*

SEC. 7. Section 2621 of the Revenue and Taxation Code is hereby amended to read as follows:

2621. After the second half of taxes on real property is delinquent, the tax collector shall collect a cost of fifty cents ($0.50) for preparing the delinquent list on each assessment on the secured roll of

(a) Real property, except possessory interests

(b) Possessory interests.

(c) Personal property.

The cost shall be collected even though the property appears on the roll due to a special assessment and no valuation of the property is given.

SEC. 8. Section 2626 of the Revenue and Taxation Code is hereby amended to read as follows.

2626 The auditor shall compare the delinquent list with the secured roll If satisfied the list is correct, he shall.

(a) Foot the unpaid taxes.

(b) Credit the tax collector with the unpaid taxes on the secured roll

(c) Make a final settlement with him of all taxes *and penalties* charged against him on the secured roll.

The tax collector shall deliver the treasurer's receipt to the auditor, unless the treasurer is the collector, and shall immediately account for any deficiency.

SEC 9. Section 2803 of the Revenue and Taxation Code is hereby amended to read as follows

2803 Any person, *other than the assessee*, showing evidence by presentation of a duly executed and recorded deed, *purchase contract*, deed of trust, mortgage, or final decree of court of an interest in any parcel of real property, except possessory interests, which does not have a separate valuation on the roll, and who is not the owner or contract purchaser of the entire piece separately assessed, may apply to the officer having custody of the roll to have the parcel separately valued on the roll for the purpose of paying current taxes

SEC 10 Section 2805 of the Revenue and Taxation Code is hereby amended to read as follows:

2805. The application shall be accompanied by:

(a) The full amount of taxes and delinquent penalties on personal property and possessory interests which are a lien on the real property in the original assessment,

(b) An affidavit of interest,

(c) A fee of one dollar ($1) for each parcel to be separately valued *except the parcel remaining.*

SEC. 11. Section 2808 of the Revenue and Taxation Code is hereby amended to read as follows:

2808. The assessor shall transmit the valuations to the [officer having custody of the roll,] *auditor*, who shall enter the descriptions and the separate valuations on the roll as part of the original assessment, *and shall compute the taxes and penalties due thereon.*

SEC 12 Section 3354 of the Revenue and Taxation Code is hereby amended to read as follows:

3354 The tax collector shall publish with the published delinquent list a notice of sale *at public auction* of all tax-sold property which was sold to the State in the fifth preceding calendar year or any year before that.

SEC 13 Section 3355 of the Revenue and Taxation Code is hereby amended to read as follows:

3355. The published notice of sale of tax-sold property shall show

(a) A list of descriptions of the property. The assessments contained in this notice of sale shall be numbered in [regular sequence] *ascending numerical order*

(b) That five years will have elapsed on the date of sale at public auction since the property was sold to the State

(c) The year of sale to the State and the fiscal year for which the taxes were levied

(d) That the property will be sold at public auction to the highest bidder for cash, in lawful money of the United States, unless sooner redeemed

(e) The time and place at which the property will be sold.

(f) That the minimum acceptable bid will be the amount of taxes, delinquent penalties, and costs for which it was sold to the State.

(g) The amount of the minimum bid, opposite the description of the property

(h) The time within which the successful bidder must redeem the property

(i) That, after a bid is made and accepted at the sale, the right of redemption, except by the purchaser, ceases.

(j) The date of the notice.

SEC 14. Section 3510 is hereby added to Chapter 4 of Part 6, DIVISION 1, of the Revenue and Taxation Code, to read as follows:

3510 As used in this chapter "taxes" includes all taxes and assessments and annual installments of assessments charged on the roll.

SEC. 15 Section 3656 of the Revenue and Taxation Code is hereby amended to read as follows:

3656 Every lease made under this chapter shall provide that the Controller may cancel the lease as of the date of redemption from tax sale, *as of the date of the first payment under a plan for the payment of delinquent taxes in installments,*

or as of the date of a sale terminating the right of redemption, and that the lessee is not thereupon entitled to any damages or reimbursement except as provided in this section. On redemption, *first installment payment*, or sale of the property, the Controller may refund from the Tax-deeded Land Rental Fund to the lessee the unearned portion of any rental paid in advance.

SEC. 16. Section 3695 of the Revenue and Taxation Code is hereby amended to read as follows:

3695. If the governing body of any taxing agency does not, before the [time of sale] *commencement of publication of the notice of intended sale*, file with the tax collector and the board of supervisors certified copies of a resolution adopted by the governing body objecting to the sale, the taxing agency has consented to the sale. If the taxing agency consents to the sale the lien of its taxes or assessments and any rights which it may have to the property are canceled by a sale under this chapter *and it is entitled to its proper share of the proceeds deposited in the Delinquent Tax Sale Trust Fund.* If the taxing agency does object to the sale, the lien of its taxes or assessments or any rights which the taxing agency may have to the property are not affected by a sale under this chapter.

SEC. 17. Section 3696 of the Revenue and Taxation Code is hereby amended to read as follows:

3696. Before a sale of tax-deeded property at public auction on application of a prospective purchaser is made, a prospective purchaser shall make a written application to the tax collector asking that the property described in the application be offered for sale. The tax collector shall demand in advance a deposit from the applicant of a sum sufficient to defray the cost of advertising. If the applicant fails to secure the property [on his bid], the entire amount shall be returned, and the advertising costs shall be collected from the successful purchaser. *If a taxing agency objects to the sale, the tax collector shall so notify the prospective purchaser and he may withdraw his application before the commencement of publication of the notice of intended sale. In such event, the entire deposit shall be returned to him.*

SEC. 18. Section 3700.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3700.5. After receiving the written authorization of the Controller and at least 21, but not more than 28 days before the commencement of publication of the notice of intended sale, the tax collector shall send a notice of the intended sale to the clerk or secretary of the governing board of each taxing agency, other than the county, having the right to levy taxes or assessments on the property involved.

SEC. 19. Section 3701 of the Revenue and Taxation Code is hereby amended to read as follows:

3701. After receiving the written authorization of the Controller and at least 21 days, but not more than 28 days before the proposed sale, the tax collector shall send a notice of the intended sale to [:]

[(a) The] *the* last assessee of the property at his last known address or, if no address is known for him, the tax collector shall make an affidavit of this fact and file it with the Controller's authorization of the sale [:]

[(b) The clerk or secretary of the governing board of each taxing agency, other than the county, having the right to levy taxes or assessments on the property involved.]

SEC. 20. Section 3701.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3701.5. If a prospective purchaser withdraws his application due to a taxing agency objecting to the sale, the tax collector shall not publish the notice of intended sale, and the entire proceeding is canceled. After the withdrawal and cancellation, it shall be the same as if no application had been made.

Within five days after the withdrawal and cancellation, the tax collector shall give notice of the withdrawal and cancellation to:

(a) The board of supervisors.

(b) The Controller.

(c) The last assessee of the property at his last known address, unless no notice of intended sale has been sent to the last assessee.

(d) The clerk or secretary of the governing board of each taxing agency, other than the county, having the right to levy taxes or assessments on the property.

SEC. 21. Section 3720 of the Revenue and Taxation Code is hereby amended to read as follows:

3720. On receipt of the duplicate report of sale, the auditor shall mail a copy of it to the [Controller and to the] secretary or clerk of the governing board of each taxing agency, other than the *State and the* county, entitled to levy taxes or assessments on the property sold. He shall also inclose a notice for claims, specifying:

(a) A description of the property;

(b) That claims on the amount received from the sale shall be made within 60 days after the mailing of the notice for claims.

SEC. 22. Section 3721 of the Revenue and Taxation Code is hereby amended to read as follows:

3721. On receipt of the notice for claims, the [Controller and the] governing board of each taxing agency having taxes or assessments levied on the property shall forward a share claim to the county auditor, stating, in detail, the amounts due on the property still unpaid to the taxing agency.

SEC 23. Section 3724 of the Revenue and Taxation Code is hereby amended to read as follows

3724. If the share claims are correct, or if settlement is made of all disputed claims relating to any parcel, the board of supervisors shall order the money in the delinquent tax sale trust fund received from the sale of the parcel to be distributed under this division among the taxing agencies having filed share claims *There shall also be distributed to the State of California its share of the money received from the sale of the parcel* The auditor shall draw and mail warrants on the delinquent tax sale trust fund in accordance with the order [ ], *and the State's share shall be included in the next semiannual settlement between the county and the State.*

SEC 24 Section 4109 of the Revenue and Taxation Code is hereby amended to read as follows.

4109 The redemption officer shall note the fact and date of redemption on the margin of each delinquent list opposite the description of the property sold

In the event that part of the property is redeemed, the redemption officer shall also note.

(a) A description of the parcel redeemed

(b) The value of the parcel redeemed

(c) The value of the remainder of the property

SEC. 25 Section 4151 of the Revenue and Taxation Code is hereby amended to read as follows:

4151. Any person, *other than a person whose name appears as assessee for any year for which the property is delinquent* claiming an interest, evidenced by presentation of a duly executed and recorded deed, *purchase contract*, deed of trust, mortgage, or final decree of court, in any parcel of tax-sold or tax-deeded property which does not have a separate valuation on the roll for the year of sale to the State or any subsequent roll may apply to the redemption officer to have the parcel separately valued in order that it may be redeemed under this chapter.

SEC 26 Section 4154 of the Revenue and Taxation Code is hereby amended to read as follows

4154. The assessor shall immediately place a separate valuation on the parcel for each year for which it was delinquent and not separately valued and transmit it to the redemption officer *The sum of the valuations of the parcels for each year shall equal their total valuation before separation for that year.*

SEC. 27. Section 4155 of the Revenue and Taxation Code is hereby amended to read as follows.

4155. Except between the time when the second installment becomes delinquent and the time when property is sold to the State, if the parcel is not separately valued on the current roll, the assessor shall also transmit a separate valuation of the parcel to the officer having custody of the current roll, *and the auditor* [who] shall place the valuation on the current roll [ ] *and compute the taxes, penalties and costs thereon*

SEC 28 Section 4217 of the Revenue and Taxation Code is hereby amended to read as follows

4217 Any person entitled to redeem real estate from tax sale may elect to pay delinquent taxes in installments under this article at any time before the right of redemption is terminated, except that if payment of delinquent taxes in installments is started under this article and the amount required to be paid in any fiscal year is not paid as required by this article, payments may not again be started under this article during the *fiscal* year in which such default occurs."

Amendment No. 6

On page 1 of the printed bill, strike out lines 2 to 7, inclusive.

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 2075—An act to add Section 3666d to the Political Code, relating to the taxation of insurance companies and the collection of tax from such companies, and to provide for the administration of such taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 4, of the printed bill, after "declared", insert "and credited or paid"; and strike out the comma in said line, and insert a period.

Amendment No. 2

On page 2 of the printed bill, strike out all of lines 5 and 6, and insert "Dividends which are used in".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2078—An act to repeal Section 4 of Chapter 788 of the General Laws of the State of California, approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "of Chapter 788 of the General Laws of the State of California", and insert "and to amend Section 8 of an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled 'An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof,' approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately." "

Amendment No. 2

On page 1 of the printed bill, after line 2, insert:

"SEC. 2. Section 8 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 8. The provisions of this act shall not apply to the transportation of motor vehicles between points within Zone 1 or between points within Zone 2, which zones are hereby defined as follows

Zone 1—That part of the State of California lying within the counties of San Diego, Imperial, Orange, Riverside, San Bernardino, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern [and] Inyo *and Mono*.

Zone 2—That part of the State of California not included within Zone 1 as herein defined."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1577—An act to amend Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation, providing for creation of Prisoners Recreation and Educational Fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits

for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 47, of the printed bill, after the period, insert "In no event, however, shall payments be made to dependents until there is a net credit to the convict's account of at least twenty-five dollars ($25), and no payment shall be made to dependents which will reduce said net credit below the sum of twenty-five dollars ($25)."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2338—An act to amend Section 374b of the Penal Code, relating to the disposal of garbage and refuse upon public and private highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert "374b. It shall be unlawful to place, deposit or dump, or cause to be placed, deposited or dumped, any garbage, swill, cans, bottles, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish or any noisome, nauseous or offensive matter in or upon any public *or private* highway *or road*, including any portion of the right of way thereof, or in or upon any private property into or upon which the public is admitted by easement or license, or on any private property without the consent of the owner, or in or upon any public park or other public property other than property designated or set aside for such purpose by the governing board or body having charge thereof. Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, to repeal Sections 658 and 679 of the Political Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert "SECTION 1. For the purposes of enabling the Legislature to perform its legislative function of making appropriations for the support of the State and its activities, it is hereby declared to be the intention and policy of the"

Amendment No. 2

On page 1 of the printed bill, between lines 6 and 7, insert "provide the Legislature with information with relation to:

(a) The need for additional appropriations or for reducing the appropriations already made, and

(b) The amount of appropriations required for the next biennium.
To that end, one of the objects of such post auditing shall be to".

Amendment No. 3

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert "with the appropriations made by the Legislature."

Amendment No. 3.1

On page 1, line 20, of the printed bill, strike out "hold office for a term of four years and".

Amendment No. 3.2

On page 1 of the printed bill, strike out lines 24 to 26, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert "of;
(1) Two members of the Senate, of whom one shall be and the other shall not be a holdover Senator. Both such members shall be selected by the Standing Committee on Rules of the Senate.
(2) Three members of the Assembly selected by the Speaker of the Assembly.
(3) The President pro tempore of the Senate.
(4) The Speaker of the Assembly.
The first members of the Audit Committee shall be selected prior to the adjournment of the regular session of the Fifty-fourth Legislature of this State and their terms of office shall commence upon the taking effect of this act."

Amendment No. 4

On page 2 of the printed bill, strike out lines 32 to 35, inclusive, and insert "such deputies and assistants as he deems necessary."

Amendment No. 5

On page 3 of the printed bill, strike out lines 2 and 3, and insert "report that fact to the Audit Committee. In connection with such audits it shall be".

Amendment No. 6

On page 3 of the printed bill, strike out lines 27 to 37, inclusive, and insert "any expenditure so in excess he shall give notice to the Audit Committee".

Amendment No. 7

On page 3 of the printed bill, strike out lines 46 to 48, inclusive, and insert "forthwith, before the Audit Committee of the Legislature."

Amendment No. 8

On page 4 of the printed bill, strike out lines 1 and 2, and insert "recommendations and furnish one".

Amendment No. 9

On page 4 of the printed bill, after line 5, insert "as".

Amendment No. 10

On page 4, line 8, of the printed bill, strike out "report on", and insert "reports of".

Amendment No. 11

On page 4, line 9, of the printed bill, strike out "made".

Amendment No. 12

On page 4, line 11, of the printed bill, strike out "to make".

Amendment No. 13

On page 4, line 29, of the printed bill, after "auditor", insert "may hold hearings in the performance of the functions imposed upon him and".

Amendment No. 14

On page 4 of the printed bill, strike out line 43, and insert "who were engaged in performing post auditing functions on March 1, 1941, are hereby".

Amendment No. 15

On page 5 of the printed bill, strike out lines 7 to 9, inclusive, and insert
"SEC. 21. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby."

Amendments read and adopted
Bill ordered printed and engrossed

Assembly Bill No. 1898—An act appropriating money for the acquisition of Hinckley Basin by the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert "SECTION 1. The sum of forty-eight thousand five hundred dollars ($48,500) is hereby appropriated out of the Fish and Game Preservation Fund to be expended by the Divi-".

Amendment read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 91—An act to amend Section 1530 of the Water Code or Section 23b of the Water Commission Act, relating to fees for applications or permits to appropriate water.

Bill read second time, and ordered to third reading.

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3, to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service.

Bill read second time, and ordered to third reading.

Senate Bill No. 97—An act to amend an act entitled "An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner," approved July 1, 1937, as amended, by repealing Section 8, relating to refund of contributions, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 907—An act relating to the payment of interest on and principal of bonds, and the holding of funds for such payment.

Bill read second time, and ordered to third reading

Senate Bill No. 1158—An act to add Sections 3480g and 3480h to the Political Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

On page 1 of the printed bill, as amended, between lines 10 and 11, insert "SEC. 2. Section 3480h is hereby added to the Political Code, to read as follows:".

Amendment read and adopted.

Bill ordered reprinted, and to third reading

CONSIDERATION OF SPECIAL ORDER

The hour of 11.15 a.m. having arrived, Assembly Bill No. 271 was taken up.

Assembly Bill No. 271—An act providing for the registration of certain oath-bound societies and secret organizations.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "oath-bound".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "and secret", and insert ", corporations, associations, camps, groups, bunds, political parties, assemblies and other bodies and".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. This act shall apply to all corporations and associations, and to all".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 22 and 23, and insert "advocate, advise, teach, or practice, as the case may be:".

Amendment No. 5

On page 1, line 24, of the printed bill, as amended, strike out the period, and insert "; but the limitation of membership therein to a particular race or particular races shall not constitute the advocating, advising, teaching or practicing of racial prejudice within the meaning of this section."

Amendment No. 6

On page 2, line 5, of the printed bill, as amended, strike out "SEC 3", and insert "SEC 2"

Amendment No. 7

On page 2, line 14, of the printed bill, as amended, after "names", insert ", nationalities".

Amendment No. 8

On page 2, line 15, of the printed bill, as amended, after "members," insert "and the qualifications required for membership in it,".

Amendment No. 9

On page 2, line 18, of the printed bill, as amended, strike out "or to be acquired"

Amendment No. 10

On page 2, line 22, of the printed bill, as amended, strike out "or will contribute".

Amendment No. 11

On page 2 of the printed bill, as amended, between lines 37 and 38, insert

"(c) A description of the uniforms, badges, insignia, or other means of identification prescribed by it, and worn or carried by its officers or members, or any of such officers or members.

(d) In case it is subject to foreign control, the manner in which it is so subject. An organization shall be deemed "subject to foreign control" if (1) it solicits or accepts financial contributions, loans or support of any kind, directly or indirectly from, or is affiliated directly or indirectly with, a foreign government or a political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or political subdivision thereof, or a political party in a foreign country, or an international political organization, or (2) its policies, or any of them, are determined by or at the suggestion of, or in collaboration with, a foreign government or political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or a political subdivision thereof, or a political party in a foreign country, or an international political organization."

Amendment No. 12

On page 3, lines 23 and 24, of the printed bill, as amended, strike out "for, or likely".

Amendment No. 13

On page 3 of the printed bill, as amended, strike out lines 29 to 34, inclusive, and insert

"SEC. 9. All statements or documents filed with the Secretary of State under this act shall be public records and open to public examination and inspection at all reasonable hours"

Amendment No. 14

On page 4 of the printed bill, as amended, strike out lines 16 to 26, inclusive.

Amendment No. 15

On page 4, line 49, of the printed bill, as amended, strike out "Uniform Secret", and insert "Subversive".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

MOTION TO SET SPECIAL ORDER

Mr. Tenney moved that Assembly Bill No. 271 be made a special order of business for Monday, March 24, 1941, at 2.30 p.m.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lyon, Maloney, McCollister, Meehan, Middough, Millet, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 144—An act to add Section 4.352 to the School Code, relating to the payment of wages of uncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Wollenberg, and Mr. Speaker—53

NOES—Lowrey, and Richie—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1764—An act to add a new section to the Agricultural Code, to be numbered 553.5, relating to sterilized milk and cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 387—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—Bashore, Carlson, Collins, George D., O'Day, and Sheridan—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 890—An act to amend Section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11 54 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding

Assembly Bill No. 664—An act to add Article 4 to Chapter 6 of Part 2 of Division 6 of the School Code, relating to the providing of educational facilities for pupils in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Watson, Welch, Weybret, and Wollenberg—56.
NOES—Knight, T. Fenton, and Miller—2

Bill ordered transmitted to the Senate

Assembly Bill No. 847—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty and payment of their salaries

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 27, of the printed bill, after "for", insert "not to exceed 30 days for".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 725—An act to amend Section 2672 of the Elections Code, relating to a filing fee for a declaration of candidacy for an office to be voted for wholly within one county with certain exceptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Welch, Weybret, and Wollenberg—49

NOES—Allen, Bashore, Donnelly, Heisinger, Houser, Frederick F., Knight, T. Fenton; Lowrey, Poole, Richie, and Watson—10

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 803, 806 AND 809

Mr. Poulson moved that Assembly Bills Nos. 806 and 809 be withdrawn from the Committee on Corporations, and re-referred to the Committee on Revenue and Taxation.

The roll was called, and the motion carried by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Welch, Weybret, and Wollenberg—56.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 802, 804, 805 AND 808

Mr. Poulson moved that Assembly Bills Nos. 802, 804, 805 and 808 be withdrawn from the Committee on Banking, and re-referred to the Committee on Revenue and Taxation.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—60.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1125—An act to add Division 4, comprising Sections 2800 to 3012, Division 5, comprising Sections 3200 to 3554, Division 6, comprising Sections 4000 to 4677, Division 7, comprising Sections 5000 to 6794, Division 8, comprising Sections 7000 to 7476, Division 9, comprising Sections 8000 to 8062, Division 10, comprising Sections 8500 to 8851, Division 14, comprising Sections 18000 to 19291, Division 15, comprising Sections 22000 to 22202, and Division 50, comprising Section 50000, to repeal the division heading of Division

20, and to amend by renumbering Sections 10000, 10001, 10002 and 10003 to be Sections 50001, 50002, 50003 and 50004, respectively, of the Streets and Highways Code, thereby consolidating and revising the law relating to public ways, works and improvements, and including but not limited to procedures for making, maintaining and financing the same and to repeal certain acts or parts of acts specified herein.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—63

NOES—None.

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 897

Mr Thorp moved that Assembly Bill No. 897 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "Article II", and insert "Article IV".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1476—An act adding Section 14593 to the Health and Safety Code, relating to dissolution of fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12:40 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 2085—An act authorizing any county in the State of California, to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purposes of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 353—An act to add Division 6, comprising Sections 14000 to 14004, inclusive, to the Business and Professions Code, thereby consolidating and revising the law relating to general provisions concerning business rights, defining the terms used in connection therewith, describing the effect of the provisions on business rights and providing the manner in which said rights may be asserted.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 354—An act to add Chapter 1, comprising Sections 14100 to 14103, inclusive, to Division 6, and to add Section 30023 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the definition and transfer of good will, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 355—An act to add Chapter 2, comprising Sections 14200 to 14325, inclusive, to Division 6, and to add Section 30024 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to trade-marks, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 356—An act to add Chapter 3, comprising Sections 14400 to 14491, inclusive, to Division 6, and to add Section 30040 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to trade names and designations, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 357—An act to add Chapter 4, comprising Sections 14700 to 14740, inclusive, to Division 6 and to add Section 30025 to

Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to protection of the rights of authorship and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 358—An act to add Division 7, comprising Part 1, Chapters 1 to 3, inclusive, Sections 16000 to 16240, inclusive, and to add Section 30026 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to licensing by the State, counties and cities, and repealing acts and parts of acts specified herein.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 359—An act to add Chapter 4, comprising Sections 16300 to 16451, inclusive, to Part 1 of Division 7 and to add Section 30027 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law regulating itinerant merchants and repealing acts and parts of acts specified herein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 359:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 23, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO 359

"An act to add Chapter 4, comprising Sections 16300 to 16451, inclusive, to Part 1 of Division 7 and to add Section 30027 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law regulating itinerant merchants and repealing acts and parts of acts specified herein",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 359 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 361—An act to add Part 3, comprising Chapter 1, Sections 17500 to 17535, to Division 7, and to add Section 30041 to Division 30 of the Business and Professions Code, thereby revising and consolidating the law relating to false advertising, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 362—An act to add Chapter 2, comprising Sections 17700 to 17702, inclusive, to Part 3 of Division 7, and to add Section 30029 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to redeemable coupons, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser,

F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 9—Relative to memorializing Congress to enact legislation to establish an Army school comparable to West Point Military Academy and a Naval school comparable to Annapolis Naval Academy, in California, one thereof to be located in Northern California and one thereof to be located in Southern California.

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Watson, Welch, Wollenberg, and Mr. Speaker—55.

NOES—Cooke—1.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1562—An act to amend Section 5440 of the Public Resources Code and to add Sections 5455 to 5459, both inclusive, thereto, relating to county recreation districts, authorizing the borrowing of money for improvements and equipment and providing for the annexation of territory thereto, and, in addition, to validate the organization, boundaries, trustees, acts, proceedings and bonds of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1403—An act to add Section 383.5 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie,

Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Welch, Weybret, and Mr. Speaker—61.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2010—An act to add Section 731.5 to the Streets and Highways Code, to prohibit the use of State highway right of way for the purpose of delivering motor vehicle fuel to vehicles thereon.

Bill read third time.

Motion to Amend

Mr. Green moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "It", and insert "When any space is available on private property adjacent to such pump from which vehicles may be served, and when there is less than 20 feet between the highway right of way line and the improved shoulder of the highway, it"

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 and 9, and insert "tion that a vehicle can not be parked for service on private property between the fuel pump and the right of way line of any State highway, no pump in any event to be hereafter placed less than 10 feet from the right of way line of the State highway"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr Doyle.

An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Weybret, Wollenberg, and Mr Speaker—60.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2574: By Mr. Doyle—An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments.

Referred to Committee on Public Health and Quarantine.

COMMUNICATIONS

The following communications were received and read:

From Thos. L. Pitts, secretary, Wholesale Grocery Drivers and Helpers Union, Local No. 848, Los Angeles—Relative to Senate Bill No. 180.

By Mr. Speaker:

From Assemblyman S L. Heisinger—Relative to road taxes

Communications referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 766

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 88

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

ALLEN, Chairman

Above reported bill ordered to second reading

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 1475
Assembly Bill No 503

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 156	Assembly Bill No. 471
Assembly Bill No. 199	Assembly Bill No 1632
Assembly Bill No. 356	Assembly Bill No 1781

Has had the same under consideration, and reports the same back with the recommendation: Do pass

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 339
Assembly Bill No. 625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2021
Assembly Bill No. 2099

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

FIELD, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 155
Assembly Bill No. 783
Assembly Bill No. 1510
Assembly Bill No. 1820
Assembly Bill No. 2097
Assembly Bill No. 2098

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Senate Bill No. 207

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 353
Assembly Bill No. 384
Assembly Bill No. 665
Assembly Bill No. 1229

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Bill No. 907
Assembly Bill No. 1931
Assembly Bill No. 1944
Assembly Bill No. 2296

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Bill No. 24
Assembly Bill No. 257
Assembly Bill No. 401
Assembly Bill No. 516
Assembly Bill No. 701
Assembly Bill No. 711
Assembly Bill No. 882
Assembly Bill No. 1643

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 930
Assembly Bill No 1855
Assembly Bill No 2049
And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR SPEAKER Your Committee on Medical and Dental Laws, to which were referred:
Assembly Bill No. 1349
Assembly Bill No. 1915
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR SPEAKER Your Committee on Public Utilities, to which were referred.
Assembly Bill No 1804
Assembly Bill No 639
Senate Bill No 310
Has had the same under consideration, and reports the same back with the recommendation Do pass

ALLEN, Chairman

Above reported bills ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1469
Assembly Bill No 1470
And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1643 re-referred to Committee on Education.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs Voigt, Burkhalter and Knight, John B., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Dona Adams, Mrs. Viola Swan and Mrs Margaret Sharp, all of Los Angeles.

On request of Mr John B Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter H Dorrance, Counsel for the Blind, and his faithful dog, "Judy."

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs.

Herbert Ford, George Franklin, Mrs. Lavelle Weeks and Bill Hart of Long Beach, Mrs. Ada Seeley of Riverside, and Mrs. Edna Brown of Compton.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Mrs. Donna Richardson and Miss Thelma Herrah of San Diego, and James McCormick and Mr. and Mrs. David Strelow of Los Angeles.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students, teachers and parents of the Farmington School, San Joaquin County: Mrs. Halzreiter, Mrs. Valk, Mrs. Harrison, Mrs. Iriene, and Miss Tillette, Principal; and Edward Williams, Joe Coney, Billie Kirchner, Lawrence San Julian, Lloyd Waterman, Paul Valk, David Mueller, Ernest Morando, Patricia Cooper, Beverly Halzreiter, Mary Jean Salladay, Patricia Iriene, Minerva Campbell, Adelaide Halzreiter, Donna Duncan, Mary Morando, Betty Ann Yater, Mary Jane Herbert and Irene Woods.

On request of Mr. Meehan and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teachers of Castlemont High School of Oakland: G. E. Mortensen, Irving Waugh, Mrs. F. V. Custer and F. V. Custer, in charge; Bob Abney, Ted Bakke, Alice Balatti, Madelyene Bentrim, Winnifred Biddleman, Thelma Bond, Elsie Bonham, Jean Campbell, Eddie Casqueiro, Patricia Chatland, Lillian Christopherson, Bonnie Coates, Joseph Collins, Charlie Combs, Ruth Custer, Clarence Ferguson, Betty Hastings, Jean Heinrich, Marilyn Heuser, Lorraine Hoffman, Lois Jacoby, June Jackson, Larry Kepke, Dorothy Kleiner, Betty Jean Kurtz, Bill Maddox, Billie McKeen, Doris Newgard, Louise Nominee, Dorothy Post, Donald Ross, Laurayne Sainsot, Donald Six, Jeanette Stenling, Walter Vargus, Vera Vucinich, Johanna Welschmeyer, Walt White, Marion Windle and Audrey Young, students.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ogden Reavis, attorney-at-law, and Clayton Hall, contractor, both of Bakersfield.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Cole, County Treasurer of Yolo County, Woodland.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jeannette Skartum of Santa Monica.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy Glass, member California Council for the Blind, Sonora.

On request of Mr Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George J. Overholt, Sheriff of Fresno County.

On request of Mr. Weybret, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. P. Meyenberg of Salinas.

ADJOURNMENT

At 1.15 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 24, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

SEVENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 24, 1941

The Assembly met at 11 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—76

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Donnelly.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leave of absence for the day:

Mr. Kellems, on motion of Mr. Johnson.

Mr. Andreas, on motion of Mr. Dilworth

Mr. Phillips, on motion of Mr. Carlson.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, March 21, 1941

The Assembly, Sacramento, California

As secretary of this local union affiliated with the A. F. of L. and representing more than 1000 people in Los Angeles County, I call upon you to vote against the passage in the Assembly of Senate Bill No. 180 in its present form. Parts of this bill are particularly vicious against labor unions. Please reply

CLARENCE E. GUSTAFSON, Secretary
Public Service Union Number 1000 180 2231

LOS ANGELES, CALIFORNIA, March 21, 1941

To All Members of California State Assembly from Los Angeles County—Attention Phone Supervisor

As secretary this local A. F. of L. union approximately 7,000 members, am authorized to urgently request your vote against passage in Assembly of Senate Bill No. 180. We also definitely oppose passage Senate Bills Nos. 974, 975, 976, and Assembly Bill No. 1545. Above bills or portions inimicable to best interests California organized labor. Kindly advise receipt

MUSICIANS MUTUAL PROTECTIVE ASSOCIATION, LOCAL 47
FRANK D. PENDLETON, Recording Secretary

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 21, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session.

DEAR MR. OHNIMUS: Handed you herewith for filing is the following report of the State Engineer.

A-105 City of Napa File No. Nap. 40-4. Restoration of the channel of Napa Creek

This report is upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 75	Assembly Bill No. 1508
Assembly Bill No. 340	Assembly Bill No. 1898
Assembly Bill No. 370	Assembly Bill No. 1966
Assembly Bill No. 533	Assembly Bill No. 2069
Assembly Bill No. 832	Assembly Bill No. 2075
Assembly Bill No. 1162	Assembly Bill No. 2078
Assembly Bill No. 1461	Assembly Bill No. 2338

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 271

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 243
Assembly Bill No. 847

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2010

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 36
Assembly Bill No. 139
Assembly Bill No. 140
Assembly Bill No. 152
Assembly Bill No 223
Assembly Bill No. 377
Assembly Bill No 663
Assembly Bill No. 680
Assembly Bill No. 851
Assembly Bill No. 867
Assembly Bill No 885
Assembly Bill No. 933
Assembly Bill No. 1053
Assembly Bill No. 1066
Assembly Bill No. 1114
Assembly Bill No. 1161
Assembly Bill No. 1255
Assembly Bill No. 1316
Assembly Bill No. 1362
Assembly Bill No. 1388
Assembly Bill No. 1390
Assembly Bill No. 1583
Assembly Bill No. 1644
Assembly Bill No. 1678
Assembly Bill No 1682
Assembly Bill No. 1895
Assembly Bill No. 1900
Assembly Bill No 2050
Assembly Bill No. 2135
Assembly Bill No 2136
Assembly Bill No 2274
Assembly Bill No. 2487

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1941

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

Assembly Bill No. 2000

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 21, 1941

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

Senate Constitutional Amendment No. 1
Senate Constitutional Amendment No. 13
Senate Concurrent Resolution No. 18
Senate Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 21, 1941

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

Senate Bill No. 176
Senate Bill No. 320
Senate Bill No. 327
Senate Bill No. 402
Senate Bill No. 436
Senate Bill No. 457
Senate Bill No. 453
Senate Bill No. 454
Senate Bill No. 459
Senate Bill No. 460
Senate Bill No. 461
Senate Bill No. 462
Senate Bill No. 674
Senate Bill No. 675
Senate Bill No. 743
Senate Bill No. 807
Senate Bill No. 810
Senate Bill No. 882
Senate Bill No. 812
Senate Bill No. 883
Senate Bill No. 980

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Concurrent Resolution No. 18—Relative to securing a survey of the potential industrial development of the West.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to have Senate Concurrent Resolution No. 18 placed on file, at this time, without reference to committee.

Senate Joint Resolution No. 1—Relative to the proposed Loma Prieta State Forest.

Referred to Committee on Natural Resources

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 25¾ of Article IV, relating to boxing, sparring and wrestling matches or exhibitions.

Referred to Committee on Constitutional Amendments.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 25¾, relating to fish and game and funds received in connection therewith.

Referred to Committee on Fish and Game.

Senate Bill No. 176—An act to amend Section 690.3 of the Code of Civil Procedure, relating to exemptions from execution and attachment.

Referred to Committee on Judiciary Codes.

Senate Bill No. 320—An act authorizing the appointment and prescribing the powers and duties of special policemen for the protection and preservation of public property, to take effect immediately

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 402—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposits of money belonging to or in the custody of the State, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Banking.

Senate Bill No. 327—An act to amend Section 1861a of the Civil Code, relating to liens.

Referred to Committee on Judiciary Codes.

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Referred to Committee on Civil Service.

Senate Bill No. 457—An act to amend Sections 771, 1531 and 1534 of the Probate Code, relating to sales of securities.

Referred to Committee on Judiciary Codes

Senate Bill No. 453—An act to add Section 1554.1 to the Probate Code, relating to waiver of notice by the Attorney General.

Referred to Committee on Judiciary Codes.

Senate Bill No. 454—An act to add Section 1406.5 to the Probate Code, relating to nomination of guardians.

Referred to Committee on Judiciary Codes

Senate Bill No. 459—An act to add Section 586.5 to the Probate Code, relating to distribution of assets held by depositaries

Referred to Committee on Judiciary Codes

Senate Bill No. 460—An act to add Section 469 to the Probate Code, relating to compensation to attorneys for extraordinary services rendered to special administrators.

Referred to Committee on Judiciary Codes

Senate Bill No. 461—An act to amend Section 442 of the Probate Code, relating to opposition to petition for letters of administration.

Referred to Committee on Judiciary Codes.

Senate Bill No. 462—An act to add Section 328.5 to the Probate Code, relating to notice of hearing on a petition for probate.

Referred to Committee on Judiciary Codes.

Senate Bill No. 674—An act to add Section 1557.1 to the Probate Code, relating to the investment of funds in guardianship matters.

Referred to Committee on Judiciary Codes

Senate Bill No. 675—An act to add Section 1483.2 to the Probate Code, relating to guardian's petition for substitution and discharge of surety.

Referred to Committee on Judiciary Codes.

Senate Bill No. 743—An act to add Section 1483.1 to the Probate Code, relating to reduction of bond of guardian.

Referred to Committee on Judiciary Codes.

Senate Bill No. 807—An act to amend Section 36 of the Civil Code, relating to contracts of minors.

Referred to Committee on Judiciary Codes.

Senate Bill No. 810—An act to amend Sections 2, 3, 4, 7, 10 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under Section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases where an admission fee is charged spectators to witness such amateur boxing contests," approved by electors on November 4, 1924, relating to boxing and wrestling.

Referred to Committee on Public Morals

Senate Bill No. 882—An act to amend Section 974 of the Political Code, relating to discharge of sureties.

Referred to Committee on Judiciary Codes.

Senate Bill No. 883—An act to add Section 1483 3 to the Probate Code, relating to order of court substituting sureties.

Referred to Committee on Judiciary Codes.

Senate Bill No. 980—An act to amend Section 1871 of the Code of Civil Procedure, relating to appointment of experts by court.

Referred to Committee on Judiciary Codes.

Senate Bill No. 812—An act to amend Sections 18636, 18673, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of the Business and Professions Code, relating to the regulation of boxing and wrestling.

Referred to Committee on Public Morals.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 349—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 350—An act to amend Section 1871 of the Code of Civil Procedure, relating to expert witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 901—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 411—An act to add Sections 11b and 11c to the Municipal Courts Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2343—An act to amend Section 422 of the Probate Code, relating to persons entitled to letters of administration of the estate of a person dying intestate and order of their priority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 95—An act to amend Section 737hh of the Political Code, relating to compensation of the judges of the Superior Court in and for the County of Sacramento.

Bill read second time, and ordered engrossed.

Assembly Bill No. 353—An act to amend Section 651.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Assembly Bill No. 384—An act to amend Section 697.5 of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered engrossed.

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1229—An act to add Section 845.5 to, and to repeal Sections 860, 861, 865, 880 and 881 of, the Fish and Game Code, relating to the use of nets.

Bill read second time, and ordered engrossed

Assembly Bill No. 1804—An act to add Sections 6953, 6954, 6955 and 6956 to the Labor Code, relating to the use of safety glass on electric cars and electric locomotives.

Bill read second time, and ordered engrossed.

Assembly Bill No. 639—An act to amend Section 7101 of the Labor Code, relating to safety in employment

Bill read second time, and ordered engrossed.

Assembly Bill No. 156—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or inclosure.

Bill read second time, and ordered engrossed.

Assembly Bill No. 199—An act to add Section 4041.13b to the Political Code, relating to the powers and duties of purchasing agents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 356—An act to amend Section 1032a of the Code of Civil Procedure, relating to the cost of depositions as costs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 471—An act to amend Section 89 of the Code of Civil Procedure, relating to original jurisdiction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1632—An act to amend Section 4095 of the Political Code, relating to the issuance and cancellation of county warrants

Bill read second time, and ordered engrossed.

Assembly Bill No. 1781—An act to add Section 4154a to the Political Code, relating to the defense of county officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 503—An act to amend Section 2286 of the Business and Professions Code, relating to medical examinations.

Bill read second time, and ordered engrossed

Assembly Bill No. 155—An act to add Article 3, comprising Section 1980, to Chapter 2 of Part 7 of Division 2 of the Labor Code, relating to the employment of persons who are members of the Communist Party or of any organization or group which advocates the overthrow of the Government by force and violence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 783—An act to add to the Political Code Section 433.1, relating to a report of travel expenses by the Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1510—An act to provide for the taking of an oath by State employees not in the State civil service.

Bill read second time, and ordered engrossed

Assembly Bill No. 1820—An act to add Section 661.6 to the Political Code, relating to withdrawal of money from the Emergency Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2097—An act to add a new section to the Health and Safety Code, to be numbered 115, relating to the creation of the Department of Public Health Fund, and providing for the expenditure of moneys from said fund

Bill read second time, and ordered engrossed.

Assembly Bill No. 2098—An act to repeal an act entitled "An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River," approved May 28, 1929, and to abolish the Pajaro River Flood Control Fund which is created thereby.

Bill read second time, and ordered engrossed.

Assembly Bill No. 347—An act to amend Section 726 of the Welfare and Institutions Code, relating to serving of notice of hearing by mail

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "in a sealed envelope, with postage paid", and insert "registered mail, with return receipt requested".

Amendment No. 2

On page 2, line 17, of the printed bill, before "The", insert "If the return receipt is not returned,".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 348—An act to amend Sections 633 and 641 of the Welfare and Institutions Code, relating to term of office, compensation, powers and duties of probation officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, after line 27, insert

"The probation officer shall have the powers of a school attendance officer in those portions of the county not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 351—An act to amend Section 631 of the Welfare and Institutions Code, relating to probation officers, assistant probation officers and deputy probation officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "without a charter".

Amendment No. 2

On page 1, line 12, of the printed bill, after the comma, insert "who may or may not be a legal resident and elector of such county,"

Amendment No. 3

On page 1 of the printed bill, strike out line 14; and in line 15, strike out "legal resident and an elector of such county".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 88—An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "must", and insert "may".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 339—An act to add a new section to the Penal Code of the State of California to be known as Section 1309, relating to the escheat of certain money deposited as bail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 12, of the printed bill, after "money", insert a comma and "if deposited in a justice's or superior court shall".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out the period, and insert a comma and "and if deposited in a city court shall be deposited in the general fund of the city."

Amendment No. 3

On page 1, line 4, of the printed bill, following "Justice's", strike out the comma and "municipal".

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 625—An act to amend Section 1946 of the Civil Code, relating to hiring of real property.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "unless one of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 6, 7, 8, 9, 10, 11, 12 and 13, to and including the word "term"

Amendment No. 3

On page 1, line 5, of the printed bill, after "law", insert "provided, however, that as to tenancies for a period of a month or longer either of the parties may terminate the same by giving one month's notice thereof and then rent shall be due and payable to and including the date of termination."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2021—An act to amend Section 1 of an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 18, 1921, relating to the reversion of unexpended balances of certain appropriations.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1 of", and insert "add Section 453b to the Political Code and to repeal".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "1 of the act cited in the title hereof is"; and strike out all of line 2, and insert "453b is hereby added to the Political Code, to read as follows:".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "Section 1", and insert "453b"

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "Act", and insert "Chapter"

Amendment No. 5

On page 1, line 17, of the printed bill, strike out "Act", and insert "Chapter".

Amendment No. 6

On page 1 of the printed bill, after line 19, insert

"SEC. 2. The act cited in the title hereof is hereby repealed.

SEC. 3. The provisions of Section 453b of the Political Code, as added by this act, in so far as they are substantially the same as the provisions of Chapter 158 of the Statutes of 1921, hereby repealed, shall be construed as restatements and continuations thereof, and not as new enactments."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2099—An act to add a new section to the Health and Safety Code, to be numbered 116, relating to pro rata charges of administrative expense in the Department of Public Health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Health and Safety", and insert "Political".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "116", and insert "356b".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "expense in the Department of Public Health", and insert "expenses against State agencies which are supported otherwise than by appropriations from the General Fund, declaring the urgency thereof, and providing that this act shall take effect immediately".

Amendment No. 4

On page 1, lines 1 and 2, of the printed bill, strike out "Health and Safety Code to be numbered 116", and insert "Political Code to be numbered 356b,".

Amendment No. 5

On page 1 of the printed bill, strike out line 3; and in line 4, strike out "Department of Public Health", and insert

"356b. Any bureau, division, board, or other agency of the State".

Amendment No. 6

On page 1 of the printed bill, strike out lines 10, 11 and 12, and insert

"The State Controller, upon filing of notice by the agency concerned, approved by the Department of Finance, shall transfer on his records from the special fund appropriated for the support of the agency to the current".

Amendment No. 7

On page 1 of the printed bill, strike out lines 14 and 15, and insert "support of the department, the pro rata share of such administrative expense.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, Article IV of the Constitution of the State of California and shall therefore take effect immediately. The facts constituting the emergency are as follows:

Legal questions have been raised as to the propriety of current practices with respect to charges made against agencies of the State supported otherwise than by appropriations from the General Fund for their pro rata share of administrative expenses of the State Unless this act takes effect immediately an unwarranted burden may be placed upon the General Fund for which no adequate appropriation or preparation has been made, resulting in needless cost and confusion to the State with a consequent increase in the deficit in the General Fund to the detriment of the credit of the State."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 5—An act relating to taxation, providing for the licensing of music vending machines, providing for the enforcement of this act, and making an appropriation of the funds collected hereunder, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, after "machines", insert "and moving picture vending machines".

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, strike out "and making an appropriation of the funds collected hereunder,".

Amendment No. 3

On page 1, line 21, of the printed bill, after "music", insert "or music and a moving picture or a moving picture"

Amendment No. 4

On page 1, line 22, of the printed bill, after "music", insert "or music and a moving picture or a moving picture".

Amendment No. 5

On page 2, line 3, of the printed bill, strike out "$_____", and insert "sixty dollars ($60)".

Amendment No. 6

On page 3 of the printed bill, strike out line 43, and insert "paid into the State Treasury to the credit of the Vending Machine Fund, which fund is hereby created"

Amendment No. 7

On page 4, line 1, of the printed bill, strike out "General", and insert "Vending Machine".

Amendment No. 8

On page 4 of the printed bill, strike out lines 3 to 6, inclusive, and in line 7, strike out "Sec. 27", and insert
"Sec. 26".

Amendment No. 9

On page 4 of the printed bill, strike out lines 11 to 14, inclusive; and in line 15, strike out "Sec. 29", and insert
"Sec. 27".

Amendment No. 10

On page 4, line 23, of the printed bill, strike out "30", and insert "28".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1349—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code", and insert "add Article 5.5, comprising Sections 26310 to 26316, inclusive, to Chapter 2 of Division 21 of the Health and Safety Code".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Article 5.5, comprising Sections 26310 to 26316, inclusive, is hereby added to Chapter 2 of DIVISION 21 of the Health and Safety Code, to read as follows:

Article 6.5. Herb Practitioners

26310. It is unlawful for any person to sell, offer for sale or advertise for sale any herb, herb compound or concoction designed or intended for internal human consumption as a cure, preventative or alleviation of human ills, unless and until he shall first obtain a license permitting him so to do from the Board of Pharmacy of the State of California, hereinafter referred to as the board.

26311. No such license shall be issued except on an application in writing on a form to be furnished by the board which application shall be accompanied by satisfactory proof that such applicant is of good moral character and has not been convicted of an offense involving moral turpitude and that such applicant has a thorough knowledge of herbs, compounds and concoctions thereof and the effect thereof on the human system

26312. No such herb, herb compound or concoction therefrom shall be sold unless it is free from poison or other ingredients harmful to the human system.

26313. No such licensee shall diagnose, prescribe for or attempt to cure or alleviate any human ailment, disease or distress unless in addition to such license he is a duly licensed physician or surgeon in the State of California.

26314. No such licensee shall use or employ in connection therewith the designation doctor, specialist, expert or herbalist unless in addition to such licensee he is a duly licensed physician or surgeon in the State of California.

26315. All applications for such licenses shall be accompanied by a fee of ten dollars ($10) and each such licensee shall thereafter pay an annual fee of ten dollars ($10).

26316. Violations of this article constitute a misdemeanor and are punishable for a first offense by imprisonment in the county jail for a period of not to exceed six months or a fine of five hundred dollars ($500) or by both such fine and imprisonment and for each succeeding offense by imprisonment in the county jail for a term not to exceed two years or a fine not to exceed two thousand dollars ($2,000) or by both fine and imprisonment."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 17, inclusive.

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1915—An act to amend Chapter 10 of Division 2 of the Business and Professions Code, relating to trained attendants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Chapter 10 of", and insert "repeal Chapter 10, comprising Sections 4500 to 4551, of, and to add a new Chapter 10, comprising Sections 4500 to 4655, to,".

Amendment No. 2

In line 2 of the title of the printed bill, before the period, insert "and making an appropriation"

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Chapter 10, comprising Sections 4500 to 4551, inclusive, of Division 2 of the Business and Professions Code is hereby repealed.

SEC. 2. Chapter 10, comprising Sections 4500 to 4655, inclusive, is hereby added to Division 2 of the Business and Professions Code, to read as follows:

CHAPTER 10. TRAINED ATTENDANTS

Article 1. Administration

4500. This chapter of the Business and Professions Code constitutes the chapter on trained attendants and shall be construed as revisory and amendatory of the laws heretofore enacted. It may be cited as the Trained Attendants Act.

4501. The Board of Nurse Examiners established under the Nursing Practice Act, hereinafter referred to as the board, is vested with power to administer the provisions of this chapter and to make and enforce such rules and regulations as may be necessary to carry out its provisions.

4502. The executive secretary of the board shall perform such duties under this chapter as are prescribed by the board.

4503. In administering the provisions of this chapter, the board and its executive secretary shall have and exercise all powers granted to it under the Nursing Practice Act.

4504. The Trained Attendants Advisory Council to the Board of Nurse Examiners is hereby created, consisting of four members chosen by the board for terms of four years each from licensees under this chapter in such a way as to represent the geographical distribution of such licensees in this State fairly and equitably.

Any association of trained attendants, or any trained attendant, may suggest the names of suitable persons for appointment to the council to the board.

Members of the board shall receive no compensation, but shall receive their necessary traveling and other expenses.

It shall be the duty of the council to consult and advise with the board on all matters coming within the purview of this chapter.

4505. The board may employ inspectors, special agents, and such clerical assistance as it may deem necessary to carry the provisions of this chapter into effect. The board may fix the compensation to be paid for such services and may incur such other expenses as it deems necessary.

4506 The title, possession and control of all records, books, papers, offices, equipment and real and personal property vested in or held for the use of the State Department of Public Health with respect to the administration of this chapter are hereby transferred to and vested in the Board of Nurse Examiners

4507 The board shall annually publish a list of approved centers of training and a list of duly licensed trained attendants, commencing with the year 1943.

Article 2. Application of the Chapter

4520. The practice of nursing as a trained attendant is the performance for compensation or personal profit of any service which is required in the physical care of a patient and in carrying out medical orders of a person authorized to practice medicine in this State, requiring an understanding of nursing but not requiring the technical skill and specific knowledge based on the principles of scientific medicine which are possessed by a professional nurse under the Nursing Practice Act

Nursing as a trained attendant shall only be performed under the direction of a person authorized to practice medicine in this State, or under the supervision of a nurse licensed under the Nursing Practice Act.

4521 Except as otherwise provided in this chapter or the Nursing Practice Act, no person shall engage in the practice of nursing as a trained attendant for compensation or personal profit unless: (i) licensed under this chapter or (ii) licensed under the Nursing Practice Act

Every person violating this section is guilty of a misdemeanor.

4522 This chapter does not prohibit:

(a) Gratuitous nursing of the sick by friends or members of the family.

(b) Incidental care of the sick by domestic servants or by persons primarily employed as housekeepers as long as they do not practice nursing within the meaning of this chapter.

(c) Domestic administration of family remedies by any person.

(d) Nursing services in case of an emergency.

(e) Nursing by a person licensed so to do under the Nursing Practice Act.

(f) Nursing services rendered as a trained attendant by a student enrolled in a center of training, as defined herein, when those services are incidental to his course of study.

4523 The board may issue a temporary license to a graduate of a center of training permitting him to practice nursing as a trained attendant until the announcement of the results of the first licensing examination following his graduation. Such a license shall become void and be canceled by the board upon such announcement.

4524. If he does not represent or hold himself out as a trained attendant licensed to practice in this State and if he has an engagement, made in another State or country, requiring him to accompany and care for a patient temporarily residing in this State during the period of such engagement, a trained attendant legally qualified by another State or country may give nursing care to such patient in this State

4525. This chapter does not prohibit nursing or the care of the sick, with or without compensation or personal profit, when done by the adherents of and in connection with the practice of the religious tenets of any well recognized church or denomination, so long as they do not otherwise engage in the practice of nursing

Article 3 Issuance of Licenses

4550. An applicant for a license authorizing him to practice nursing as a trained attendant in this State under this chapter, upon the filing of his application shall pay the fee required by this chapter.

4551 The board shall hold not less than two examinations each year for applicants desirous of practicing nursing as a trained attendant in this State, at such times and places as the board may determine.

4552. Not less than two months prior to the date of each examination, the board shall cause a notice thereof to be published in two or more newspapers of general circulation, and one nursing journal, all published within the State of California and selected by the board.

4553 Examination shall be written, but in the discretion of the board may be supplemented by an oral or practical examination in such subjects as the board determines. All examinations shall be conducted by such persons and in such manner and under such rules and regulations as the board may prescribe

The board shall finally pass or reject all applicants Its actions shall be final and conclusive and not subject to review by any court or other authority

4554 Any applicant who fails to pass the examination by the board may take another examination without payment of an additional fee, if not more than 12 months have elapsed from the date he took the first examination.

4555. The board shall issue a license to practice nursing as a trained attendant to each applicant with the qualifications specified in Section 4556 who passes the examination given by the board for trained attendants

4556 An applicant for a license as a trained attendant shall:

(a) Be at least 18 years of age.

(b) Be a citizen of the United States or have declared his intention to become a citizen of the United States,

(c) Have completed the eighth grade or have an education which is the equivalent thereof, as determined by the board.

(d) (1) Have successfully completed the prescribed course of study in an approved center of training, or

(2) Have successfully completed one or more years of training in an accredited school of nursing, as defined in the Nursing Practice Act, or

(3) Have graduated from a school outside this State which, in the opinion of the board, maintains and gives a course which is equivalent to the minimum requirements of the board for the course given by an approved center of training in this State,

(e) Be of good moral character, and

(f) Possess a certificate of good health issued to him by a physician within the preceding 30 days.

4557. Prior to January 1, 1944, the board shall issue a license to any person without examination who:

(a) Is at least 21 years of age,

(b) Is a citizen of the United States or has declared his intention to become a citizen of the United States,

(c) Has completed the eighth grade or has an education which is the equivalent thereof, as determined by the board,

(d) Is of good moral character,

(e) Possesses a certificate of good health issued to him by a physician within the preceding 30 days,

(f) Has two years experience in the care of the sick within the past five years, and

(g) Files with the board the affidavits as to his competency to act as a trained attendant of three physicians actively engaged in the practice of medicine, either within or without the State, or of the directors of nursing services in accredited schools of nursing, as defined in the Nursing Practice Act

Article 4 Disciplinary Proceedings

4580 Every licensee may be disciplined as provided in this article

4581. No disciplinary action shall be taken against any licensee until the board follows the procedure provided in this article

4582 On the filing at any office of the board of a sworn complaint charging a person with having been guilty of any of the actions specified as a ground for disciplinary action, the executive secretary of the board shall forthwith issue a citation, in the name of the board.

The executive secretary of the board shall file a sworn complaint when directed by the board to do so, or of his own volition

All citations shall be made returnable at any regular or special session of the board occurring at least 30 days next after the filing of the complaint

4583. The citation shall notify the person accused of the charges made in the complaint, when and where the charges will be heard and that he shall file his verified written answer within 20 days next after the service on him of the citation or that default will be taken against him and he will be placed on probation, his license suspended or revoked, or other action taken

4584. The attendance of witnesses and the production of books, papers and documents at the hearing may be compelled by subpenas issued by the executive secretary in the name of the board The citations and subpenas shall be served in accordance with law. All the provisions of law relating to subpenas and to citations are applicable to the subpenas and citations provided for in this article

4585 If any person refuses to obey a subpena or citation, the executive secretary shall certify the fact to the superior court of the county in which the service was made The court shall thereupon proceed to hear the matter in accordance with the laws concerning contempt for disobedience of process of the court and, if the court finds that the subpena or citation has been legally served and that the party so served has wilfully disobeyed it, the court shall proceed as provided for a contempt of court.

4586 In all proceedings under this chapter, depositions of witnesses may be taken as in civil cases and all the provisions of law concerning the taking of depositions are applicable to the taking of depositions under this chapter.

4587. If the person accused fails to file his verified answer with the executive secretary within 20 days after service of the citation on him, or within such further time as the board may allow, and the charges on their face are deemed sufficient by the board, a default shall be entered against him and disciplinary action taken

4588 If the charges on their face are deemed sufficient by the board and issue is joined by the answer the board shall determine the matter and to that end shall hear such evidence as may be adduced before it

In the conduct of disciplinary hearings, the board is not bound by the common law or statutory rules of evidence or procedure but may make inquiry in a manner,

through oral and written testimony which is best calculated to ascertain the substantial rights of the person accused and the public

If it appears to the satisfaction of the board that the person accused is guilty as charged, disciplinary action shall be taken

4589. The board shall discipline the holder of any license, whose default has been entered or who has been heard by the board and found guilty, by any of the following methods:

(a) Suspending judgment

(b) Placing him upon probation.

(c) Suspending his right to practice nursing as a trained attendant for a period not exceeding one year.

(d) Revoking his license

(e) Taking such other action in relation to disciplining him as the board in its discretion may deem proper

4590. If the holder of a license is suspended, he shall not be entitled to practice nursing as a trained attendant during the term of suspension.

Upon the expiration of the term of suspension, he shall be reinstated by the board and shall be entitled to resume his practice of nursing as a trained attendant unless it is established to the satisfaction of the board that he has practiced nursing as a trained attendant in this State during the term of suspension In this event, the board shall revoke his license

4591. The board shall take disciplinary action against a licensed trained attendant or an applicant for a license for:

(a) Unprofessional conduct,

(b) Procuring his certificate by fraud, misrepresentation, or mistake;

(c) Procuring, or aiding, or abetting, or attempting, or agreeing, or offering to procure or assist at a criminal abortion;

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter;

(e) Making or giving any false statement or information in connection with the application for issuance of a license,

(f) Conviction of a felony or of any offense involving moral turpitude in which event the record of the conviction shall be conclusive evidence thereof,

(g) Insanity, in which event the record of the adjudication order or commitment of insanity shall be conclusive evidence thereof;

(h) Impersonating any applicant or acting as proxy for an applicant in any examination required under this chapter for the issuance of a license,

(i) Impersonating another licensed practitioner, or permitting or allowing another person to use his certificate for the purpose of nursing the sick or afflicted,

(j) Habitual intemperance or addiction to the excessive use of cocaine, opium, marijuana, morphine, codeine, alpha eucaine, beta eucaine, or chloral hydrates, or any of the salts, derivatives or compounds of the foregoing substances,

(k) Aiding or assisting, or agreeing to aid or assist any person or persons, whether a licensed physician or not, in the performance of or arranging for a violation of any of the provisions of Article 13, Chapter 5, Division 2, of this code

Article 5. Centers of Training

4600. The board shall prepare and maintain a list of approved centers of training in this State whose graduates, if they have the other necessary qualifications provided in this chapter, shall be eligible to apply for licenses to practice nursing as trained attendants in this State

4601. An approved center of training is one which has been approved by the board, gives the course of instruction required by the board, covering not less than 12 months, and is affiliated or conducted in connection with one or more hospitals.

4602. A center of training shall be approved by the board if the quality of training given therein is such as to afford adequate preparation for the examination given to applicants to practice nursing as trained attendants and for such practice.

4603 No center of training shall be maintained or conducted unless it is approved by the board.

4604. The course of instruction shall consist of not less than the required number of hours of instruction in such subjects as the board may from time to time determine, which shall include elementary anatomy and physiology, personal hygiene, homemaking arts and diet for the sick, together with the required number of hours in the care of medical, surgical, obstetrical patients, sick children and such other clinical experience as from time to time may be determined by the board

4605. The board shall, through its executive secretary, inspect all centers of training in this State at such times as it deems necessary. Written reports of the executive secretary's visits shall be made to the board, which shall thereupon approve such centers of training as meet the requirements of the board.

4606. Upon receiving the report of the executive secretary, if the board determines that any approved center of training is not maintaining the standard required

by the board, notice thereof in writing specifying the defect or defects shall be immediately given to the center. If the defects are not corrected within a reasonable time, the center of training may be removed from the approved list and notice thereof in writing given to it.

4607. None of the provisions of this chapter shall be applicable to any school or schools conducted by any well recognized church or denomination for the purpose of training the adherents of such church or denomination in the care of the sick in accordance with its religious tenets.

Article 6. Penalties

4620. Except as in this chapter provided, it is unlawful for any person or persons to practice or to offer to practice nursing as a trained attendant in this State, or to use any title, sign, card or device to indicate that he is qualified to or is practicing, unless such person has been duly licensed under this chapter of the Nursing Practice Act.

4621. It is unlawful for any person or persons not licensed as provided in this chapter to impersonate in any manner or pretend to be a trained attendant, or to use the title "trained attendant" or the words "practical nurse," "orderly," "aide," "attendant," "graduate nurse," or any similar designation or any initials representing the same or intended to convey a similar meaning.

4622. It is unlawful for a person to wilfully make any false representation or to impersonate any other person or permit or aid any person in any manner to impersonate him in connection with any examination or application for a license, or request to be examined or licensed

4623. It is unlawful for any one to conduct a center of training or a school for the training of persons to attend the sick, injured, infirm, aged, or other persons, unless it has been accredited or approved by the board as a school of nursing under the Nursing Practice Act, or as a center of training under the provisions of this chapter, as the case may be.

This section does not apply to schools conducted under Section 4607.

4624. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor and upon a conviction thereof shall be punished by imprisonment in the county jail for not less than 10 days nor more than one year, or by a fine of not less than ten dollars ($10) nor more than five hundred dollars ($500), or by both such fine and imprisonment.

4625 None of the sections in this article, except Sections 4621 and 4622 shall be applicable to any person or persons specifically exempted from the general provisions of this chapter by Section 4525 hereof, or to schools conducted by any well recognized church or denomination for the purpose of training the adherents of such church or denomination in the care of the sick in accordance with its religious tenets; and any adherent of any well recognized church or denomination who engages in nursing or the care of the sick in connection with the practice of the religious tenets of such well recognized church or denomination may use the word "attendant" in connection with or following his name, provided he shall not use the title "trained attendant," or any other words or initials in connection with or following his name so as to lead another or others to believe that he is a trained attendant licensed under the provisions of this chapter.

4626 Every person licensed under this chapter shall be known as a "trained attendant" and shall not use the title "practical nurse," "orderly," "nursing aide," "attendant," "undergraduate nurse" or any other words or initials in connection with or following his name indicating that he performs the services of a trained attendant

Article 7 Revenue

4650 There is established in the State Treasury a Trained Attendants' Fund of the State of California

4651. Prior to June 1 of each year, each trained attendant shall apply for a renewal of his license and shall pay the renewal fee required by this chapter, whereupon the board shall renew his license.

Every license not renewed will expire on the first day of June of each year, but may thereafter be renewed upon the payment of the renewal fee and such proof of the applicant's qualification to be licensed as may be required by the board.

4652 Within 10 days after the beginning of each month, the board shall report to the State Controller the amount and source of all collections made under the provisions of this chapter. At the same time, all such amounts shall be paid into the State Treasury where they shall be placed to the credit of the Trained Attendants' Fund of the State of California.

4653 Whenever and as often as there is in the State Treasury to the credit of the Trained Attendants' Fund funds in excess of ten thousand dollars ($10,000), the same shall be invested by the Department of Finance in the same manner that the funds of the State School Land Fund are invested and the interest upon the investment, when collected, shall be placed to the credit of the Trained Attendants' Fund of the State of California

4654 All amounts paid into this fund shall be held subject to the order of the Board of Nurse Examiners to be used only for the purpose of meeting necessary

expenses in the performance of the purposes of and the duties imposed by this chapter and the promotion of trained attendance education in this State.

Claims against the fund shall be audited by the Board of Nurse Examiners and by the Department of Finance, and shall be paid by the State Treasurer upon warrants drawn by the State Controller.

4655. The amount of fees prescribed by this chapter in connection with the issuance of licenses under its provisions is that fixed by the following schedule:

(a) The fee to be paid upon the filing of an application by any person who is a graduate of an approved center of training in the State of California, is five dollars ($5).

(b) The fee to be paid upon the filing of an application by any other person is ten dollars ($10).

(c) The annual fee to be paid upon the filing of an application for renewal is one dollar ($1).

No further fee shall be required for a license or a renewal thereof other than as prescribed by this chapter.

Article 8. Temporary Provisions

4680. Any person practicing nursing as a trained attendant prior to the effective date of this chapter may continue to so practice until June 1, 1942, at which time he shall become subject to the provisions of Sections 4620 and 4621.

SEC. 3. For expenditure by the board in carrying out the provisions of this act there is appropriated the sum of thirty thousand dollars ($30,000) out of any money in the State Treasury not otherwise appropriated. Out of any moneys deposited in the Trained Attendants' Fund the sum of thirty thousand dollars ($30,000) shall be returned to the General Fund in the State Treasury."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 28, inclusive, and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 302—An act to amend Section 29 of the Civil Code, relating to rights of unborn children, and providing for limitation of actions for prenatal injuries and injuries sustained in the course of birth.

Bill read second time, and ordered to third reading.

Senate Bill No. 766—An act to amend Section 2 of the Private Car Tax Act of 1937, relating to the meaning of words, terms and phrases and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 310—An act to add Section 369h to the Penal Code, relating to the erection and maintenance of lights and signs which interfere with the operation of railroad trains and declaring such lights and signs a public nuisance.

Bill read second time, and ordered to third reading.

Senate Bill No. 207—An act to amend Section 616 of the Fish and Game Code, relating to trout and whitefish in Tuolumne County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, strike out "County", and insert "and Mariposa Counties, declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "County", and insert "and Mariposa Counties".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "County", and insert "and Mariposa Counties".

Amendment No. 4

On page 1 of the printed bill, after line 7, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of this State and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

By advancing the date of the opening of the trout fishing season in Tuolumne and Mariposa Counties, fishermen will be encouraged to commence fishing earlier in the year, in consequence of which fewer fishermen will be engaged in that sport during the season of greatest danger from fire in those counties, with a resultant reduction of fire hazards endangering fishermen and campers. In order to permit the advantages contemplated by this act to be secured during the approaching fishing season, it is necessary that it go into effect immediately."

Amendments read and adopted.

Bill ordered printed, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 891 re-referred to Committee on River Navigation, Reclamation, and Flood Control.

Assembly Bill No. 680 re-referred to Committee on Education.

Assembly Bill No. 370 re-referred to Committee on Education.

Assembly Bill No. 1066 re-referred to Committee on Education.

Assembly Bill No. 533 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1728 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1456 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 2075 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 2078 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1577 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2338 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1129 re-referred to Committee on Ways and Means.

Assembly Bill No. 1898 re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction

of the Fish and Game Commission heretofore existing, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 36

Mr. Del Mutolo moved that Assembly Joint Resolution No. 36 be withdrawn and stricken from the file.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—62.

NOES—Carlson, Dilworth, Donnelly, and Weybret—4.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Call moved that the record be expunged, and the action rescinded, whereby Assembly Bill No. 803 was withdrawn from the Committee on Corporations, and re-referred to the Committee on Revenue and Taxation, on page 1071 of the Journal of March 21, 1941.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 803

Mr. Call moved that Assembly Bill No. 803 be withdrawn from the Committee on Banking, and re-referred to the Committee on Revenue and Taxation.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

RECESS

At 12.02 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1459—An act to add Section 2924d to the Civil Code, relating to the reinstatement of a deed of trust, mortgage, chattel mortgage or contract of purchase upon which the payments have been extended, the sale postponed, the right of redemption extended or a forfeiture or termination postponed under moratorium acts; providing that this act shall take effect immediately and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas,

Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 413—An act to amend Section 2112 of the Business and Professions Code, relating to the directory under the chapter on medicine thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 502—An act to amend Section 2458 of, and to add Section 2455.3 and 2455.6 to, the Business and Professions Code, relating to fees and certificates under the chapter on medicine thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty and payment of their salaries.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 20, and insert
"If, during the first 30 days of absence of any such officer or employee, and while he is".

Amendment No. 2

On page 1, line 24, of the printed bill, as amended, strike out "he shall receive", and insert "his compensation for such military or naval service is less than the compensation he was receiving from the State, he shall receive the difference between".

Amendment No. 3

On page 1, line 25, of the printed bill, as amended, after "employee", insert "and the compensation he receives for the performance of such military or naval duty".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 504—An act to add Section 2454.5 to the Business and Professions Code, relating to the use of the addressing facilities of the administrative board under the chapter on medicine thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 505—An act to amend Section 2120 of the Business and Professions Code, relating to reports under the chapter on medicine thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1450—An act to amend Section 1628 of, and to add Section 1628a to, the Business and Professions Code, relating to examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62.

NOES—Carlson, Dickey, Johnson, Robertson, and Weybret—5.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 271 was taken up.

Assembly Bill No. 271—An act providing for the registration of certain oath-bound societies and secret organizations.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Bashore, Middough, Howser, F. N., and Mrs. Daley demanded the previous question.

The roll was called, and the demand for previous question lost by the following vote:

AYES—Allen, Bashore, Collins, Sam L., Howser, F. N., McCollister, Middough, Poole, Potter, and Stream—9.

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pfaff, Poulson, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

Bill read third time.

Hon. Albert C. Wollenberg Presiding

At 2.37 p.m., Hon. Albert C. Wollenberg, member of the Assembly from the Twenty-seventh District, presiding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Explanations of Vote on Assembly Bill No. 271

In our present state of hysteria and in our zeal to protect Democracy, may we go so far as to actually deny civil liberty in our efforts to promote safety to our Government and its civil liberties as guaranteed by the Constitution

S. L. HEISINGER

I have refused to vote for Assembly Bill No. 271 for the reason that it is very poorly drawn and as a result does not accomplish the purposes claimed for it by its proponents.

GEORGE D. COLLINS, JR

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1148—An act to add a section, to be known as Section 1.124, to the School Code, relating to absence of pupils from school for dental services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, and Weybret—54.

NOES—Cain, Call, Carlson, Dickey, Dilworth, Field, Houser, Frederick F., Kepple, Knight, John B., Knight, T. Fenton; Lyon, Miller, Millington, Pfaff, Watson, and Mr. Speaker—16.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, March 24, 1941

MR. SPEAKER: I should like to have the Journal show that the roll calls which I have missed this afternoon occurred while Senator McCormack and I were having a conference with the officials of the City of Vallejo relative to emergency rent legislation.

E. C. CROWLEY

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2298—An act to amend Section 10270 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code, with reference to satisfaction of judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Gallagher, and Houser, Frederick F.—2

Bill ordered transmitted to the Senate

Assembly Bill No. 1653—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

MR. SPEAKER. The cause of my absence from roll calls, is the fact that I am busy preparing amendments to the important Budget Bill.

DON ALLEN

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1451—An act to amend Section 1672 of the Business and Professions Code, relating to dentistry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 142—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in primary elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser, F N, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—57.

NOES—Collins, George D., and Dills—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend Section 7805 of the Elections Code, relating to challenges of absent voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Poulson, Robertson, Russell, Salsman, Thomas, Voigt, Waters, and Welch—42.

NOES—Call, Clarke, Cronin, Daley, Dickey, Dilworth, Field, Kepple, Knight, John B., Knight, T. Fenton; McCollister, Miller, Millington, Potter, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weybret, Wollenberg, and Mr. Speaker—24

Notice of Motion to Reconsider Assembly Bill No. 1201

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1201 was this day passed.

Assembly Bill No. 1466—An act to amend Sections 814 and 829.4 of the Agricultural Code, relating to lettuce.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1542—An act to amend Section 803 of the Agricultural Code, relating to peaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1323—An act to add Sections 802 3 and 802.4 to the Agricultural Code, relating to grapes, declaring the urgency thereof, and that this act take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker —66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker —66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1753—An act to add Section 10253.5 to the Health and Safety Code, relating to birth certificates of adopted children

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—Collins, Sam L., and Crowley—2.

Notice of Motion to Reconsider Assembly Bill No. 1753

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1753 was this day passed.

Assembly Bill No. 1155—An act to add Section 10253.7 to the Health and Safety Code, relating to birth certificates of children born in California and adopted elsewhere.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61

NOES—Crowley—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1489—An act to amend Section 201 and to add Section 211 to the Health and Safety Code, relating to special investigations by, and the reporting of cases of epilepsy to, the State Department of Public Health, and the State Department of Motor Vehicles, as a means of reducing motor vehicle traffic hazards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 968—An act to amend Section 7694 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "death or while", and insert "a death or while a".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1927—An act to amend Section 6830 of the Health and Safety Code, relating to the annexation of territory to a sanitary district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2064—An act to add a new section to the Vehicle Code, to be numbered 410.3, relating to the financial responsibility of an employee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day,

Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2064

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2064 was this day passed.

Assembly Bill No. 1262—An act to amend Sections 7055, 7350, 7355, 7402, 7406, 7407, 7501 and repeal Sections 7408, 7409, 7550, 7551, 7552, 7553, 7554, 7555, 7556, 7557, 7558 and 7559 of the Health and Safety Code, relating to dead human remains and permits concerning them.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—Crowley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An act to amend Sections 10008, 10112, 10118, 10200, 10325, 10326, 10327, 10328, 10330, 10375, 10427, 10451 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10626, of the Health and Safety Code, relating to vital statistics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Crowley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 969—An act to amend Sections 7686.5, 7695, 7697, 7716 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11 of the printed bill, as amended, strike out "death or while", and insert "a death or while a"

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, strike out "death or while", and insert "a death or while a".

Amendment No. 3

On page 1, line 25, of the printed bill, as amended, strike out "death or while", and insert "a death or while a"

Amendment No. 4

On page 2, line 6, of the printed bill, as amended, strike out "death or while", and insert "a death or while a".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 260—An act to add a new section to the Agricultural Code, to be numbered Section 693.1, relating to milk products plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Basbore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Banking

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Banking, to which were referred:

Assembly Bill No. 829

Assembly Bill No. 1412

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CALL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Banking, to which was referred:

Assembly Bill No. 1473

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Banking, to which was referred:

Assembly Bill No. 1381

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 95
Assembly Bill No. 155
Assembly Bill No. 156
Assembly Bill No. 199
Assembly Bill No. 349
Assembly Bill No. 350
Assembly Bill No. 356
Assembly Bill No. 384
Assembly Bill No. 411
Assembly Bill No. 471
Assembly Bill No. 503
Assembly Bill No. 639
Assembly Bill No. 783
Assembly Bill No. 1229
Assembly Bill No. 1475
Assembly Bill No. 1510
Assembly Bill No. 1632
Assembly Bill No. 1781
Assembly Bill No. 1804
Assembly Bill No. 1820
Assembly Bill No. 2097
Assembly Bill No. 2098
Assembly Bill No. 2343
Assembly Bill No. 2547
Assembly Bill No. 2548

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 891
Assembly Bill No. 1129
Assembly Bill No. 1328
Assembly Bill No. 1456
Assembly Bill No. 1577
Assembly Bill No. 1698
Assembly Bill No. 1728

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 657
Assembly Bill No. 1402
Assembly Bill No. 1408
Assembly Bill No. 1512
Assembly Bill No. 1515
Assembly Bill No. 2332

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1920

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 238

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 238—An act to amend Section 1 of the California Maritime Academy Act, relating to the California Nautical School and the place of its maintenance; declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 238?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Maritime Academy", and insert "Nautical School".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 238 by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and MR. SPEAKER—64

NOES—None.

Assembly Bill No. 238 ordered enrolled.

WITHDRAWAL AND RE-REFERENCE OF SENATE CONCURRENT RESOLUTION NO. 18

Mrs. Daley moved that Senate Concurrent Resolution No. 18 be withdrawn from the file, and referred to the Committee on Rules.

Motion carried.

MOTION TO SEND LETTER TO ASSEMBLYMAN ANDREAS

Mr. Maloney moved that the Chief Clerk be instructed to write a letter to Mr. Andreas wishing him a speedy recovery from his illness.

Motion adopted unanimously.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 13

Mr. Middough moved that Assembly Bill No. 13 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on County Government.

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

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, March 17, 1941; Tuesday, March 18, 1941; Wednesday, March 19, 1941; Thursday, March 20, 1941; and Friday, March 21, 1941; were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1941

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following procedure on the Assembly third reading file.

Whenever a bill or resolution is passed on file twice, it shall go to the end of the third reading file, unless otherwise ordered by the Speaker.

LYON, Chairman

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

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

MOTION TO RETAIN ASSEMBLY BILL NO. 383 ON FILE

On motion of Mr. Dickey, Assembly Bill No. 383 retained its place on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 24: By Messrs. Desmond and Heisinger—Relative to the duty of the Joint Legislative Committee on State Buildings at Sacramento, created by Assembly Concurrent Resolution No. 17 of the Fifty-fourth Session of the Legislature, to study the State Building Program at other places in California.

Referred to Committee on Rules.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dean McHenry of Westwood, Professor of Political Science at University of California at Los Angeles.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to V. R. "Jack" Long, Field Secretary to Congressman H. Jerry Voorhis.

On request of Messrs. Garland and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nancy Brown and Beverlie Secor, students at Mills College.

On request of Messrs. Garland and Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Isidore Dockweiler of Los Angeles.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. P. Mattier of Compton.

On request of Messrs. Allen and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to M. A. Mathias of San Diego and Geo. A. Daley, the larger half of the Daley family.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Louis Probst of San Francisco, State Manager of Independent Order of Foresters.

On request of Messrs. Middough and Howser, F. N., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Oscar E. Houston, attorney of Long Beach.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. C. Tutt.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. R. Ward, Wm. Redman, W. B. Carter and Judge Wm. Keller, all of Lancaster.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chet Halifield of East Los Angeles.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. James Welch of Los Angeles.

ADJOURNMENT

At 5 10 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p m., Tuesday, March 25, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

SEVENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 25, 1941

The Assembly met at 2 p.m.

Hon. Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard Lowrey Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Ptaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret Wollenberg, and Mr Speaker—76.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Clarke.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day.

Mr Voigt, on motion of Mr. Lyon

Mr Andreas, on motion of Mr. Dilworth

REPORTS OF STANDING COMMITTEES

Committee on Manufactures

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER. Your Committee on Manufactures, to which was referred:

Assembly Bill No. 217

Has had the same under consideration, and reports the same back with the recommendation Do pass.

F. N. HOWSER, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred.

Senate Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

CROWLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER. Your Committee on Constitutional Amendments, to which were referred.

Assembly Constitutional Amendment No. 5
Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No 15
Assembly Constitutional Amendment No 19
Assembly Constitutional Amendment No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported bills ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER Your Committee on Labor and Capital, to which were referred.

Assembly Bill No 119
Assembly Bill No 307
Assembly Bill No 435
Assembly Bill No. 436

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PELLETIER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 968
Assembly Bill No 969

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 847

And reports the same correctly re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 5
Assembly Bill No. 88
Assembly Bill No. 339
Assembly Bill No. 347
Assembly Bill No. 348
Assembly Bill No. 351
Assembly Bill No. 625
Assembly Bill No. 1349
Assembly Bill No. 1915
Assembly Bill No. 2021
Assembly Bill No. 2099

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 3
Assembly Bill No. 1104

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PELLETIER, Chairman

Above reported bills ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1941

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

Senate Bill No. 133
Senate Bill No. 341
Senate Bill No. 888
Senate Bill No. 1287

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 133—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Service and Welfare.

Senate Bill No. 341—An act to add Section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary Codes.

Senate Bill No. 888—An act to add Article 5, comprising Sections 1953e to 1953h, inclusive, to Chapter 3, Title 2, Part 4 of the Code of Civil Procedure, relating to business records as evidence.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1287—An act to add Section 65 to the Penal Code, relating to solicitations on behalf of initiative petitions

Referred to Committee on Judiciary Codes

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1920—An act to amend Section 11860 of the Insurance Code, relating to workmen's compensation insurance and reports of the State Compensation Insurance Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1473—An act to amend Section 16d of the Bank Act, relating to orders stopping the payment of checks

Bill read second time, and ordered engrossed.

Assembly Bill No. 829—An act to amend Section 44 of the Bank Act, relating to the making of loans upon the security of the capital stock of another bank or of a corporation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Banking:

Amendment No. 1

Strike out all of lines 3 to 7, inclusive, of the printed bill, and insert

"SEC. 44. No bank shall hereafter make a loan secured by the stock of another bank, if by making such loan the total stock of such other bank held by such loaning bank as collateral will exceed in the aggregate 25 per centum of the capital stock of such other bank, without the previous written approval of the Superintendent of Banks. No".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1412—An act to amend Section 61a of the Bank Act, relating to the investigation and certification of securities by the Superintendent of Banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3, 4 and 5, and insert

"SEC. 61a. The Superintendent of Banks shall have power, when any issue of bonds or securities is presented to him for that purpose, to investigate and ascertain whether such".

Amendment No. 2

On page 2 of the printed bill, strike out all of lines 34 to 40, inclusive, and insert

"The actual expense of investigating any issue of bonds or securities so presented, other than the ordinary expenses of the State Banking Department, shall be paid by any person, district or corporation presenting the same for investigation, and the Superintendent of Banks, before making such investigation, may require a cash deposit of such amount as he may deem necessary to cover such expense. The

Superintendent of Banks shall keep an official list of all bonds and securities certified by him."

Amendment No. 3

On page 2, line 41, of the printed bill, strike out "Banking Fund"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1738—An act relating to political activities of public officers and employees and for the protection and preservation of such rights

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, after "the", strike out "employment or".

Amendment No. 2

On page 1 of the printed bill, between lines 12 and 13, insert

"Nothing herein shall be construed as permitting the use of public property or publicly paid time by any public officer or employee in pursuance of any private or political undertaking by such officer or employee or as amending any law or precluding any regulation relative to the faithful attendance of such officer or employee upon his public work or duties as a requisite to holding his office or employment."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 657—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend"; strike out lines 2 and 3 of said title, and in line 4 thereof, strike out "tion 10202.5 thereto", and insert "add Sections 10202.5 and 10270.55 to the Insurance Code".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 19, inclusive, and in line 20, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, strike out "pursuant to Section 10202"; and in line 23, strike out "may provide", and insert "to a policyholder eligible for group insurance pursuant to Section 10202, may also provide"

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 9 to 51, inclusive; and on page 3, strike out lines 1 to 16, inclusive, and insert

"(b) Nothing contained herein shall permit any person other than an officer, manager, or employee for compensation of the policyholder or of one or more of the individuals, firms, or corporations specified in subdivision (a) to become insured under a group policy.

SEC. 2. Section 10270.55 is hereby added to the Insurance Code, to read as follows:

10270.55. (a) Any policy issued to a policyholder eligible for group insurance pursuant to paragraph (2) of subdivision (b) of Section 10270.5, may also provide that the term "employees" shall include the officers, managers and employees of subsidiary or affiliated corporations, and the individual proprietors, partners and employees of affiliated individuals and firms, when the business of such subsidiary or affiliated corporations, firms or individuals is controlled by the policyholder

through stock ownership, contract or otherwise, or when the policyholder is controlled by affiliated corporations, firms or individuals through stock ownership, contract or otherwise.

(b) Nothing contained herein shall permit any person other than an officer, manager, or employee for compensation of the policyholder or of one or more of the individuals, firms, or corporations specified in subdivision (a) to become insured under a group policy."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1402—An act to amend Sections 1392 and 1401 of the Insurance Code, relating to reciprocal insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the comma, and insert "(a)".

Amendment No. 2

On page 1, line 10, of the printed bill, after "or", insert ", (b)".

Amendment No. 3

On page 1 of the printed bill, between lines 12 and 13, insert

"The period to be covered by the assessment shall be the period of one year immediately preceding (a) the date of notification by either the attorney or the commissioner of the intention to levy such assessment, or, (b) the date of entry of an order appointing a conservator or liquidator of such exchange, as the case may require."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1408—An act to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections 985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 453i and 453.14 of the Civil Code, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Sections 11343, 11344, 11345 and 11346 to, to".

Amendment No. 2

On page 2, line 11, of the printed bill, after "4." insert "Section 11343 is hereby added to the Insurance Code, to read as follows:

11343. An admitted foreign society organized under the laws of any jurisdiction other than a State of the United States shall at all times maintain with a trustee in the United States, in trust for the benefit and security of all its policyholders and creditors in the United States, assets as prescribed in Section 11344. Such assets are designated "trusteed assets."

SEC. 5. Section 11344 is hereby added to the Insurance Code, to read as follows:

11344. The trusteed assets referred to in Section 11343 shall be equal at least to the sum of

(a) All of the indebtedness of such society in the United States having a fixed maturity.

(b) That proportion of the reserve actually maintained by such society on its policies in force in the United States, which the reserve actually maintained by it on all its policies in force bears to the tabular reserve specified in Section 11247.

SEC 6. Section 11345 is hereby added to the Insurance Code, to read as follows

11345. The provisions of Sections 1596 to 1599, inclusive, shall apply to such society specified in Section 11343

SEC. 7. Section 11346 is hereby added to the Insurance Code, to read as follows:
11346. The commissioner may require any society specified in Section 11343 to file with him annually and at such other times as he may determine, and in such form as he may prescribe, a statement showing the extent to which such society's policyholders and creditors in the United States are protected by trusteed assets in the United States.
SEC. 8"

Amendment No. 3

On page 2, line 18, of the printed bill, strike out "4", and insert "9".

Amendment No. 4

On page 2, line 26, of the printed bill, strike out "6", and insert "10".

Amendment No. 5

On page 2, line 43, of the printed bill, strike out "7", and insert "11".

Amendment No. 6

On page 3, line 28, of the printed bill, strike out "SEC 8", and insert "SEC. 12".

Amendment No. 7

On page 3, line 38, of the printed bill, strike out "SEC. 9", and insert "SEC. 13".

Amendment No. 8

On page 3, line 40, of the printed bill, strike out "10", and insert "14".

Amendment No. 9

On page 3, line 42, of the printed bill, strike out "SEC. 11", and insert "SEC. 15".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1512—An act to amend Section 1020 of the Insurance Code, relating to sale or deed to the State for nonpayment of taxes of property of insolvent or delinquent insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1026.1 to,".

Amendment No. 2

In the title of the printed bill, strike out line 2 thereof, and insert "to claims against and".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Labor", and insert "Insurance".

Amendment No. 4

On page 1, line 3, of the printed bill, strike out "or after".

Amendment No. 5

On page 1, line 4, of the printed bill, after the comma, insert "or at any time thereafter,".

Amendment No. 6

On page 1 of the printed bill, strike out lines 15 and 16; and in line 17, strike out "agency", and insert
"(f) The sale or deed for nonpayment of taxes or assessments levied by any taxing agency of property:
(1) Owned by such person.
(2) Upon which such person has prior thereto commenced an action to foreclose any deed of trust or mortgage or has exercised the power of sale under any trust deed or mortgage which sale or foreclosure proceedings have not yet been completed or upon which no trustee's deed or judgment of court or sheriff's certificate of sale has been issued."

Amendment No. 7

On page 1 of the printed bill, immediately following line 23, insert
"SEC. 2. Section 1026.1 is hereby added to the Insurance Code, to read as follows:
1026.1. Where a claim arising out of a policy of insurance has been filed by a third party and approved by the liquidator and such claim has subsequently been

paid or satisfied, either wholly or in part, by the transfer of anything of value, either voluntarily or by process, from the insured of the person in liquidation to such third party, then upon the filing with the liquidator of proof of the making and value of such transfer, to the extent and in the manner required by the liquidator, the insured shall be subrogated to the rights of the third party claimant to the extent that the claim has been satisfied and discharged, but the rights of the insured shall not exceed the face value of such claim and if the insured has theretofore filed a claim covering the same subject matter, he is entitled to only one recovery."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1515—An act to amend Section 986 of the Insurance Code and to add Section 10486 9 thereto, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "or term", and insert ", term or endowment".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Sections 753 and 754", and insert "add Article 5 5, comprising Section 770, to Chapter 1, Part 2, Division 1".

Amendment No. 2

In the title of the printed bill, strike out line 2, and insert "relating to contracts of insurance against hazards incident to ownership, maintenance, operation and use of motor vehicles."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Article 5.5, comprising Section 770, is hereby added to Chapter 1, Part 2, Division 1 of the Insurance Code, to read as follows.

Article 5 5. Fictitious Fleets

770. An admitted insurer shall not fix or make any rate or schedule of rates nor charge a rate for any contract of insurance against hazards incident to ownership, maintenance, operation or use of motor vehicles in this State to any group of persons by reason of such group being engaged in any business, trade, calling, profession or occupation, or by reason of membership in any society, club or association or by reason of common employment or by reason of common occupancy of the same building or group of buildings or for any other reason which would result in a lower cost to an individual in such group than such individual would have had to pay to that insurer if he were not a member of such group. Every insurer or other person who violates this section is guilty of a misdemeanor.

The commissioner may make reasonable rules and regulations necessary for the interpretation and enforcement of this section. This section does not prohibit the granting of a special rate on collision insurance to members of motor clubs, which

clubs possess a valid unrevoked certificate of authority issued pursuant to Part 5, Division 2, of this code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1126—An act to regulate the manufacture, sale, distribution, use and possession of explosives, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title, strike out "and possession", and insert "An act to amend Section 12103 of, and to add 12110 to, the Health and Safety Code, relating to the manufacture, sale and distribution".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; and in line 27, strike out "SEC. 3", and insert

"SECTION 1. Section 12103 of the Health and Safety Code is hereby amended to read as follows:

12103. The journal or record book shall be kept by the person required to keep it in his principal office or place of business. It is at all times subject to the inspection and examination of the police authorities of the State, or of the county or city in which the principal office or place of business is situated, on proper demand. *Upon request a copy of such journal or record shall be furnished to the State Bureau of Criminal Identification and Investigation in such form as said bureau shall prescribe.*

SEC. 2. Section 12110 is hereby added to the Health and Safety Code, to read as follows:

12110 Subdivision 1."

Amendment No. 3

On page 1, line 27, of the printed bill, strike out the comma after "manufacture", and strike out "possess or deal in", and insert "or engage in the business of buying and selling".

Amendment No. 4

On page 1, line 29, of the printed bill strike out "Section 4 of this act", and insert "this section".

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "SEC. 4", and insert "Subdivision 2"

Amendment No. 6

On page 2, lines 18 and 19, of the printed bill, strike out "licensing authority in the county or municipality", and insert "chief of police of the municipality or the sheriff of the county, hereinafter referred to as the authority,".

Amendment No. 7

On page 2 of the printed bill, strike out lines 34 to 50, inclusive, and insert

"c) Within three days after the issuance of any such license the authority shall transmit to the said State bureau a copy thereof, together with such other information concerning the licensee as the Attorney General shall prescribe."

Amendment No. 8

On page 3 of the printed bill, strike out lines 1 to 20, inclusive, and insert "Subdivision 3."

Amendment No. 9

On page 3 of the printed bill, strike out lines 30 to 33, inclusive, and insert

"Manufacturer's license $5.00.

Dealer's license $2.00

Subdivision 4."

Amendment No. 10

On page 3 of the printed bill, strike out lines 38 to 42, inclusive, and in line 43, strike out "SEC. 10", and insert "Subdivision 5".

Amendment No. 11

On page 3, line 48, of the printed bill, strike out "SEC. 11", and insert "SEC. 3."

Amendment No. 12

On page 4, line 4, of the printed bill, strike out "12", and insert "4".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1381—An act to amend Sections 61 and 105 of the Bank Act, relating to the investment of trust funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

Amendment No. 1

On page 9 of the printed bill, strike out all of lines 11 to 16, inclusive, and insert "provided, however, that the foregoing restrictions shall not be applicable to the investment of trust funds unless the terms of the trust of which such funds constitute a part, contain a specific agreement or provision limiting the trustee's investments to those authorized by law for savings banks or for trust funds."

Amendment No. 2

On page 9 of the printed bill, strike out all of lines 17 to 20, inclusive, and insert

"Any trust company holding funds awaiting investment or distribution may deposit such funds with any State or National bank which has".

Amendment No. 3

On page 9, line 27, of the printed bill, following "funds", insert "so held awaiting investment".

Amendment No. 4

On page 9, line 40, of the printed bill, following "States", insert "provided the deposit of funds by a trust company in a savings account shall be deemed to be an authorized investment if such deposit is fully insured under the provisions of any law of the United States".

Amendments read and adopted.

Bill ordered printed and engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 5 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1349 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1915 re-referred to Committee on Medical and Dental Laws.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1200—An act to add a new section to the Elections Code, to be numbered 7803.1, relating to the canvass of absent voter ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Leonard, Lyon, McCollister, Meehan, Middough,

Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Watson, Weber, and Welch—50.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1202—An act to add Section 7799 to Article 1 of Chapter 6 of Division 9 of the Elections Code, relating to the counting and canvassing of absent voter ballots by the registrar of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—59.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1348—An act to amend Section 559 of the Agricultural Code, relating to acidophilus milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 141—An act to amend Sections 6526, 6585, 6586, 6604, 6618 and 6627 of the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 790—An act to repeal Sections 12409, 12410 and 12411 of the Business and Professions Code, relating to bushel weights and heap measures

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1087—An act to amend Section 120 of the Agricultural Code, relating to nursery licenses.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 259—An act to amend Section 565 of the Agricultural Code, relating to equipment used in the pasteurization of milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Bashore, and Stream—2.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Frederick F. Houser:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117 of, the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress

Respectfully submitted.

FREDERICK F. HOUSER

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2049—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whisky sold at retail.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 121—An act to add Section 30 to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to the disposition of records, maps, books and papers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1224—An act to add Section 17 to an act entitled "An act to establish courts in cities of the second class, to fix their jurisdiction, and provide for officers of said court, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to extra sessions of such police court.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—64

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Frederick F. Houser:

An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress

(Signed out)

MIDDOUGH, Chairman
PFAFF
EVANS
F. N. HOWSER
POOLE

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, and Wollenberg—66.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2575: By Mr. Frederick F. Houser—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress

Referred to Committee on Reapportionment

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 711—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 30 and 31, insert "*Nothing in this section shall be construed to apply to classical literature.*"

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 3 and 4, insert "Nothing in this section shall be construed to apply to classical literature."

Amendment No. 3

On page 2, line 30, of the printed bill, as amended, strike out "or druggists in the legitimate business".

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1225—An act to amend Section 6 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, to provide for officers of said court, to fix compensation of certain officers," approved March 23, 1901, relating to police courts in cities of the second class, the term of office of clerk, providing for assistant clerks, and relating to payment of fines, forfeitures, penalties and moneys deposited as bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1226—An act to amend Section 103k of the Code of Civil Procedure, relating to justice's clerks, assistant clerks and payment of fines, forfeitures, penalties or moneys deposited as bail in justice courts in cities of the second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1227—An act to add Section 103m to the Code of Civil Procedure, relating to extra sessions of justice courts in cities of the second class.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An act to add Section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Daley, Dills, Dilworth, Donnelly, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Russell, Sawallsch, Stream, Thomas, Waters, Watson, and Wollenberg—44.

NOES—Burkhalter, Collins, Sam L., Crowley, Dickey, Doyle, Gallagher, Lyon, Middough, Pelletier, Poole, Richie, Robertson, Sheridan, Tenney, Thorp, Turner, Weber, and Welch—18.

Notice of Motion to Reconsider Assembly Bill No. 701

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 701 was this day passed.

Hon. Arthur W. Carlson Presiding

At 3.35 p.m., Hon. Arthur W. Carlson, member of the Assembly from the Sixteenth District, presiding.

Assembly Bill No. 24—An act to add Section 21.5 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—55.

NOES—Bashore, Dilworth, Field, Houser, Frederick F., Kepple, Potter, and Sheridan—7.

Bill ordered transmitted to the Senate

RECESS

At 3.40 p.m., on motion of Mr. Tenney, the Assembly recessed for five minutes to hear from Arlene Whalen and Alex D'Arey of Hollywood, guests of Mr. Tenney.

REASSEMBLED

At 3.45 p.m., the Assembly reconvened.

Hon. Arthur W. Carlson, of the Sixteenth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 401—An act to add Section 1263.1 to the Agricultural Code, relating to loans and advances by licensed commission merchants and dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly,

Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F N, Kellems, Kepple, Leonard, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, and Welch—51

NOES—Bashore, Bennett, Collins, George D, Johnson, Kilpatrick, Lowrey, Phillips, and Wollenberg—8

Bill ordered transmitted to the Senate.

Assembly Bill No. 383—An act to add Section 5 to, and repeal Section 844 of, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

Bill read third time.

Motion to Amend

Mr Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "An act", strike out the rest of the line, and insert "to repeal Sections 484 5, 611.5, 612, 613, 615.2, 617, 618, 619, 651, 651 5, 651 6, 655, 656, 710, 791.5, 791.6, 808 5, 843, 844, 865, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484 5, 611 5, 612, 613, 615 2, 617, 618, 619, 651, 651.5, 651 6, 655, 656, 710, 791 5, 791 6, 808 5, 843, 865, 886, 957, 1208, 1213, and 1344 to the".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Section 844 of the Fish and Game Code is", and insert "Sections 484 5, 611 5, 612, 613, 615 2, 617, 618, 619, 651, 651.5, 651 6, 655, 656, 710, 791.5, 791 6, 808 5, 843, 844, 865, 886, 957, 1208, 1213 and 1344 of the Fish and Game Code are".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"SEC. 2. Section 484 5 is hereby added to said code, to read as follows:

484.5 It is unlawful to sell or purchase any fresh, canned, or cured fish taken in the Klamath River District or in the waters of the Smith River.

SEC. 3 Section 611 5 is hereby added to said code, to read as follows.

611 5 In Districts 1 and 4½, golden trout may be taken from May 1 to October 31, except that in the Cottonwood Lakes group, including the South Fork Cottonwood Lakes group and also including one-half mile of stream below the lower lake in each of said groups, golden trout may be taken from July 1 to October 31.

SEC. 4. Section 612 is hereby added to said code, to read as follows.

612 In the Russian, Napa and Navarro Rivers and in those portions of Eel River in Districts 2 and 2¼, and in tidewater in Districts 2, 3, 4 in the Santa Ynez River as far as the Buellton Bridge, and 15, steelhead trout may be taken from May 1 to February 28. The bag limit is three fish per day, irrespective of size, between November 1 and February 28.

SEC 5. Section 613 is hereby added to said code, to read as follows:

613. In Districts 1½ and 3 and in the Klamath River and Trinity River excluding their tributaries, steelhead trout may be taken from May 1 to February 28. In the tributaries of the Klamath River in District 1½, steelhead trout may be taken between May 1 and December 31. The bag limit is five per day, irrespective of size, between November 1 and February 28 Not more than one daily bag limit may be possessed by one person during one day

SEC. 6. Section 615 2 is hereby added to said code, to read as follows:

615 2 It is unlawful to use or possess within 100 yards of the San Lorenzo River or its tributaries any landing gear, gaffs, nets or spears.

SEC. 7 Section 617 is hereby added to said code, to read as follows:

617. In Lake Almanor all varieties of trout may be taken from May 1 to October 31.

SEC 8 Section 618 is hereby added to said code, to read as follows:

618 Except as otherwise provided in this section, in any stream in District 23 flowing into the State of Nevada, not including its tributaries, nor any lake from which said stream may flow, all varieties of trout and whitefish may be taken from May 15 to October 31 In the Truckee River, its tributaries, and in Lake Tahoe and in Donner Lake, trout and whitefish may be taken between May 1 and October 15

SEC 9 Section 619 is hereby added to said code, to read as follows:

619 In District 23 it is unlawful between May 30 and July 31 to take any trout or whitefish in any stream flowing into any lake within two miles of its mouth, extending toward its source.

SEC. 10. Section 651 is hereby added to said code, to read as follows:

651. In District 1, salmon may be taken with hook and line, between May 29 and October 31; except that (a) in the Feather River from its mouth to the mouth of the Yuba River, (b) in the American River from its mouth to where the Fair Oaks Bridge crosses the American River, (c) in the Russian, Napa, and Navarro Rivers, (d) in that portion of the Eel River in District 2, and (e) in tidewater in Districts 2, 3 and 15 salmon may be taken with hook and line between May 1, and the last day of February. The bag limit is two per day.

SEC 11 Section 651.5 is hereby added to said code, to read as follows.

651 5. In that portion of the Feather River, between the mouth of the Yuba River and the Feather River Thermalito Bridge at Oroville, salmon may be taken with hook and line between May 1 and December 31. The bag limit is two per day.

SEC 12. Section 651 6 is hereby added to said code, to read as follows:

651 6. In that portion of the San Joaquin River lying within the boundaries of Stanislaus County, in that portion of Tuolumne River from its mouth to the highway bridge opposite Waterford, and in that portion of the Stanislaus River from its mouth to the Santa Fe Railroad Bridge opposite Riverbank, salmon may be taken with hook and line between April 1 and December 31, and with spear between May 29 and October 31.

SEC. 13. Section 655 is hereby added to said code, to read as follows.

655. In Klamath River District, above tidewater, salmon may be taken with hook and line, between May 29 and December 31. The bag limit is two per day.

SEC. 14. Section 656 is hereby added to said code, to read as follows

656 In the Klamath River District, in tidewater, salmon may be taken with hook and line, between May 29 and December 31. The bag limit is five per day. Not more than one daily bag limit may be possessed by any person during one day.

SEC. 15. Section 710 is hereby added to said code, to read as follows:

710. In District 2, crappie may be taken at any time in any lake exceeding 75 square miles in area. The bag limit on crappie taken from such a lake is 10 per day.

SEC. 16 Section 791.5 is hereby added to said code, to read as follows:

791.5 It is unlawful to sell any crab taken in the waters of Eel River and its tributaries between the Pacific Ocean and the west line of Section 34, Township 3 North, Range 1 West, Humboldt Base and Meridian. It is unlawful to possess during any day more than 10 crabs taken in said waters. It is unlawful to take any crab from said waters between one-half hour after sunset and one-half hour before sunrise of the following day.

SEC. 17 Section 791.6 is hereby added to said code, to read as follows:

791.6. It is unlawful to sell any crab taken in Bodega Lagoon, in District 2.

SEC. 18. Section 808 5 is hereby added to said code, to read as follows

808.5. The bag limit on jackknife clams is 30 per day except in District 19 and Mission Bay where there shall be no limit. Not more than one daily bag limit of said clams may be possessed by any person during one day

SEC. 19. Section 843 is hereby added to said code, to read as follows:

843. Any net found in a boat, or within 500 feet of tidewater in the Klamath River District is prima facie evidence that the owner or person in possession of said net is or has been using the same in the district where found

SEC. 20. Section 865 is hereby added to said code, to read as follows:

865 It is unlawful to use any net except a gill net or a trammel net to take shad Such nets may be used to take shad only as follows:

(1) They may be used in District 12B, excluding all sloughs except Broad Slough, between February 15 and May 15

(2) They may be used in District 12C, excluding all sloughs, between February 15 and May 15.

(3) They may not be used between sunrise Saturday and sunset of the following Sunday.

SEC. 21. Section 886 is hereby added to said code, to read as follows:

886. In District 20 gill nets may be used subject to the following restrictions:

(a) They may be used only in State waters in District 20 between Southeast Rock (also known as Church Rock) and Twin Rocks.

(b) They may be used only to take flying fish for bait.

(c) They must not exceed 50 fathoms in length and 2 fathoms four feet in depth. The length of the meshes must be between one and seven-eighths and two and one-eight inches.

SEC. 22. Section 957 is hereby added to said code, to read as follows:

957. In District 18, trawl nets may not be used in any bay, or in State waters surrounding any island, but may be used elsewhere in the district.

SEC. 23. Section 1208 is hereby added to said code, to read as follows:

1208. It is unlawful to take ducks from a scull boat which is in open waters in District 12, or, in that portion of District 2 composed of the Napa River south

erly from the southerly end of Edgerly Island, and the Mare Island Strait from the Napa River to Carquinez Strait.

SEC. 24. Section 1213 is hereby added to said code, to read as follows:

1213. It is unlawful to take geese from a scull boat which is in open waters in District 12, or in that portion of District 2 composed of the Napa River southerly from the southerly end of Edgerly Island, and the Mare Island Strait from the Napa River to Carquinez Strait.

SEC. 25. Section 1344 is hereby added to said code, to read as follows:

1344. It is unlawful to take any seal or sea lion within one mile of the mean high tide line at Point Lobos, or within one mile of the mean high tide line extending five miles eastward and five miles westward from the City of Santa Cruz.

SEC. 26. The provisions added by this act relating to parts of districts are new enactments and are not intended to be continuations of any existing law."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 353—An act to amend Section 651.6 of the Fish and Game Code, relating to salmon.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 651.6 of" and insert "repeal Section 651.6 of, and to add Section 651.6 to".

Amendment No. 2

On page 1 of the printed bill, strike out line 2, and insert "repealed.

SEC. 2. Section 651.6 is hereby added to said code to read as follows:".

Amendment No. 3

On page 1 of the printed bill, after line 10, insert

"SEC. 3. The provisions added by this act relating to parts of districts are new enactments and are not intended to be continuations of any existing law."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1693

Mr. Turner moved that Assembly Bill No. 1693 be withdrawn from the file, and re-referred to Committee on Exhibitions and Fairs.

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

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, and Wollenberg—53.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 163—An act to amend Sections 342 and 367 of the Agricultural Code, relating to live stock marks and brands.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell,

Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Wollenberg—59.

NOES—Cain, Clarke, Dilworth, Donnelly, Lowrey, and Robertson—6

Notice of Motion to Reconsider Assembly Bill No. 163

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 163 was this day passed.

Speaker Presiding

At 4:30 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

LEAVE OF ABSENCE FOR BALANCE OF LEGISLATIVE DAY

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

Mr. Weber, on motion of Mr. Leonard.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 320

Mr. Phillips moved that Senate Bill No. 320 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary Codes

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—61

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 842

Mr. Dills moved that Assembly Bill No. 842 be withdrawn from the Committee on Elections, and re-referred to the Committee on Education.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—59

NOES—None

RECONSIDERATIONS WAIVED

Notice of motion to reconsider Assembly Bill No. 1201 waived.

Bill ordered transmitted to the Senate.

Notice of motion to reconsider Assembly Bill No. 2064 waived.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1753

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1821

Mr Allen moved that Assembly Bill No 1821 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal·

Upon convening of the Assembly this day, the undersigned were called into conference with Director of Public Works, Frank W. Clark, and representatives of the Santa Clara County Water Conservation District For that reason we were absent much of the afternoon and were not afforded an opportunity to vote on the various bills presented.

BYRL R SALSMAN
M. G. DEL MUTOLO

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1362

Mr Wollenberg moved that Assembly Bill No. 1362 be withdrawn from the file, and re-referred to the Committee on Judiciary General

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 882—An act to amend Section 1083.1 of the Agricultural Code, relating to commercial feeding stuffs licenses.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr Speaker—64.

NOES—None

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream Tenney, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1404—An act to amend Sections 5050.5, 5057, 5058, 5090, 7031, 7088 and 9031 of, and to add Section 5090 2 to, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond,

Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—61.

NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

Bill read third time.

Motion to Amend

Mr Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "70,000", and insert "60,000".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 411—An act to add Sections 11b and 11c to the Municipal Courts Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 8, of the printed bill, after "One", and before "stenographer-clerk", insert "deputy marshal who shall be a".

Amendment read and adopted

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1473

Assembly Bill No. 1920

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2000—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits to State officers and employees during the Ninety-first and Ninety-second Fiscal Years, and providing that this act shall take effect immediately

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of March, 1941, at 3 p m.

JOHN B KNIGHT, Chairman

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred,

Assembly Bill No. 1077
Assembly Bill No. 1124
Assembly Bill No 1670

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred,

Assembly Bill No. 1981
Senate Bill No. 1140

Has had the same under consideration, and reports the same back with the recommendation, Do pass.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred,

Assembly Bill No. 185

Has had the same under consideration, and reports the same back with the recommendation, Do pass, and be re-referred to Committee on Ways and Means

POULSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER: Your Committee on Elections, to which were referred,

Assembly Bill No. 310
Assembly Bill No 245
Assembly Bill No 2210
Assembly Bill No 2182
Assembly Bill No 1007

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1297

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER. Your Committee on Commerce and Navigation, to which were referred:

Assembly Bill No 83
Assembly Bill No 18

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

MALONEY, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 2081
Assembly Bill No. 1287

Has had the same under consideration, and reports the same back with the recommendation. Do pass

MICHAEL J BURNS, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER: Your Committee on Motor Vehicles, to which were referred.

Assembly Bill No 311
Assembly Bill No 1283
Assembly Bill No 1284

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 184
Assembly Bill No 1075

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1893
Assembly Bill No. 1500
Assembly Bill No. 15

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 1552

Has had the same under consideration, and reports the same back with the recommendation. Do pass

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which were referred:

Assembly Bill No. 42
Assembly Bill No 333
Assembly Bill No 330
Assembly Bill No. 1464

Has had the same under consideration, and reports the same back with the recommendation Do pass.

LEONARD, Chairman

Above reported bills ordered to second reading

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 794

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1253

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PHILLIPS, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Leonard:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1 125, 1 126 and 1 127 of the School Code, relating to dental hygienists

Respectfully submitted.

JACOB M. LEONARD

Request referred to Committee on Introduction of Bills.

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 850, 851 and 851 5 of the Labor Code, relating to hours and days of employment of persons employed to sell at retail drugs and medicines or to compound physicians' prescriptions.

Respectfully submitted.

MELVYN I. CRONIN

Request referred to Committee on Introduction of Bills.

By Mr. Russell:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 8 1, 8 2 and 8 3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts.

Respectfully submitted

FRANK C. RUSSELL

Request referred to Committee on Introduction of Bills.

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Respectfully submitted.

ALFRED W. ROBERTSON

Request referred to Committee on Introduction of Bills.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 54: By Miss Eleanor Miller—Proposed amendment to Article XX of the Constitution by repealing Section 22 of Article XX and adding Section 30 to said article, relating to the regulation of the sale of alcoholic beverages by any city, township or county.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 114

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective person for the said respective amount, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day per week basis.

Commencing March 24, 1941:	*Per day*
Noma Browning, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr Speaker—64.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER. Your Committee on Rules recommends that the amendment to Assembly Standing Rule No 49 be adopted.

Your Committee on Rules recommends that the letter written by Mr. Heisinger to the Honorable Gordon H Garland, Speaker of the Assembly, be printed in the Journal as per Assemblyman Heisinger's request

LYON, Chairman
Committee on Rules

AMENDMENT TO ASSEMBLY STANDING RULE 49

Add a new paragraph to Rule 49, to read as follows:

"Amendments to bills shall be in proper form, and three copies of each amendment shall be required to any bill."

COMMUNICATIONS

ASSEMBLY, CALIFORNIA LEGISLATURE, March 19, 1941

Honorable Gordon H. Garland, Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. GARLAND: In answer to your letter, dated February 5, 1941, which reads as follows:

> "Pursuant to our conversation of recent date, concerning the collection of data and information appertaining to road taxes of every nature, I would suggest that you submit to me, at your earliest possible convenience, a resume of information you have gathered in order that I may be enabled to study same and present it to the members of the Legislature for their consideration.
>
> Realizing that this is a rather broad subject, I, of course, appreciate that your study will not be complete in every detail. I shall nevertheless appreciate receiving whatever information you have been able to gather up to the time you write
>
> Thanking you for the interest you have shown in this matter and the effort you have put forth, etc",

after six weeks of intensive study and research, I have sufficient data, from official records for the year 1940, to give to you what I think is the most complete report ever assembled upon the taxation for highway maintenance of State, county and city roads and streets

During 1940 the registrations of all motor vehicles in California were 2,990,252 and out-of-State vehicles, entering California, were 517,427 automobiles, and 42,914 trucks The total income to the State from all these vehicles was $81,214,048.29. Of this total, there was collected from gas tax and fuel tax the sum of $51,143,811 at an expense of 36 per cent, and from this total the counties received $16,808,558.89. There was also expended $8,404,229 54 from this sum by the State and the cities upon city streets.

Included in the total collections was $2,576,903 84, taken from for-hire vehicles on a basis of 3 per cent of gross earnings at an administrative cost of $304,641.25, or 11 8 per cent. This money went directly into the State General Fund. The "in lieu" tax was $14,350,000 which, after the deduction of an administrative cost of $274,378 or 2 per cent also went into the General Fund. From this net fund State highway bonds and interest in the sum of $3,514,187 was paid, leaving a balance of approximately $10,500,000 to be divided as follows. 40 per cent to the counties 40 per cent to the cities, and 20 per cent into the General Fund. Figures quoted show that over $4,500,000 of motor vehicles money remained in the General Fund after the cost of administration and bond redemptions In addition to the sum of $16,808,458 89 which the counties received from the State, the records show that the counties collected from direct tax upon property the further sum of $4,619,757 08. In addition to the $8,404,229 54 which the cities received from the State, they spent large sums of money for street work estimated at not less than $10,000,000.

It was impossible for me to make a further survey into the payments by the taxpayers of the cities for street purposes within the short time of this survey, and without a further heavy personal expense to myself. However, I am giving you the estimates, of the Taxpayers Association, and of the State Chamber of Commerce, which approximate from $10,000,000 to $20,000,000.

Reports from C H Purcell, State Highway Engineer, show 13,865 miles in the State Highway System containing 4,225 bridges with over 1,150 bridges inadequate for present day traffic which will require $35,000,000 for replacement

In the rural State Highway System are 617 railroad grade crossings of which 269 show 92 per cent of crossing accidents within the last 13 years To eliminate these dangerous crossings, it will require $27,000,000 These weak bridges and dangerous grade crossings constitute traffic bottlenecks, which should be quickly eliminated.

Mr. Purcell reports that the county highway system embraces 58,200 miles The counties in 1940 raised by direct tax upon property nearly $5,000,000, in addition to the funds supplied by the State

In the short time of study I have not learned what additional funds the cities have paid for street purposes in 1940, but the sums are large and in addition, many of them place licenses upon the delivery of agricultural and commercial products, which licenses constitute serious trade barriers All data collected shows that millions of additional dollars are needed in the State, in the counties, and in the cities for highway purposes.

How shall the money be raised? Surely not by direct property taxes. Property is already over-taxed and should have relief.

The gas tax is recognized as the most equitable tax for highway purposes, but has California properly used it for such purposes? A comparison with other States might be enlightening and valuable

The gas taxes in the 48 States show an average of 4.4 cents per gallon. The average in the 10 western States outside of California is 4.5 cents per gallon, with no State less than 4 cents, and the average in the 9 provinces of Canada is 8.2 cents per gallon

This data taken from their laws shows that had the 560,341 motor vehicles from outside California paid us the same gas tax as charged by their home States, we would have received $1,000,000 more than we did in 1940.

Our State Highway System is financed upon the sound basis with only motor taxes for its support, which also liquidates the payment of the State highway bonds, but because of improper allocation the railroad grade separations and inadequate bridges are not properly financed while many millions of dollars go directly into the General Fund

During 1940 the farmers of California produced over $412,627,000 worth of agricultural products, half of which was livestock, and it is estimated that at least 75 per cent of this vast tonnage originated on the county roads and ended on city streets, while on the other hand, multiplied millions worth of finished products they purchased originated mostly on the city streets, and ended over the county roads.

This most forcibly illustrates that the county roads and the city streets help to make up our mighty highway system, which should be coordinated by a sound financial system and a fair allocation of motor vehicle revenues, so that finally property taxes would be reduced to the minimum for all highway purposes, which includes the payment of their highway bonds

The enactment of Assembly Bill No 1816 would supply $8,000,000 or $10,000,000 additional money to the counties, which would eliminate and take the place of property taxes for county highway purposes; would supply the cities with $4,000,000 or $5,000,000 of additional dollars to take the place of similar amounts of property taxes and would bring about the repeal of the barrier licenses against delivery of outside products

The enactment of the bill would take from the State General Fund the $2,500,000 collected from the for-hire vehicles and instead would give the inadequate bridges and the dangerous grade crossings $4,000,000 or $5,000,000 annually.

The enactment would also give to the counties and the cities gas tax money for highway bond redemptions

Sincerely,

S. L. HEISINGER, Assemblyman
Thirty-seventh District

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mr. Desmond asked for, and was granted, the use of the Assembly Chamber for March 25, 1941, at 8 p.m., for the meeting of the Committee on Unemployment.

RESOLUTIONS

The following resolution was offered:

By Messrs. Call, Doyle and Bashore:

House Resolution No. 115

Relative to securing facts concerning alleged San Francisco police brutality.

WHEREAS, There have been recurrent reports of alleged brutal treatment by certain members of the San Francisco police of persons charged with crime; and

WHEREAS, The most recent report shows that one John Liston, a member of the San Francisco police force is alleged to have struck and painfully injured a 15-year-old high school student; and

WHEREAS, It further appears that two other members of the San Francisco police force are charged with setting upon and beating two Stanford University students; and

WHEREAS, It further appears that there is a patent attempt on the part of some members of the San Francisco police force to hinder the investigation of the alleged brutal acts and to condone them; and

WHEREAS, It is the desire of the Legislature to enact proper legislation to prevent the future occurrence of such brutality and to safeguard and protect the rights and physical well-being of those accused of crime without hampering proper and efficient police administration; and

WHEREAS, It is necessary that the Legislature be supplied with all facts relating or appertaining to the above-mentioned situation in order to enact such legislation, now, therefore, be it

Resolved by the Assembly of the State of California, That the Attorney General of the State of California is hereby directed (1) to investigate, thoroughly, adequately, and in detail, the circumstances surrounding and dealing with the arrest and confinement of the high school student and the two Stanford University students by the San Francisco Police Department and the disciplining of the members of the San Francisco Police Department, and (2) to prepare a report concerning such arrests and confinement in order that the Legislature may enact reasonable laws administratively feasible in application, that will safeguard the rights of persons arrested and not hamper proper and efficient police administration; and be it further

Resolved, That in the conduct of such investigation and preparing a report of the facts ascertained through such investigation, the Attorney General and every deputy designated by him shall have and exercise, in addition to all other powers conferred upon him by law, the power to summon and subpena witnesses, require the production of books, papers, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and the procuring of testimony; and be it further

Resolved, That the Attorney General and every deputy designated by him is hereby authorized and empowered to administer oaths in the exercise of the powers hereby granted; and be it further

Resolved, That the Attorney General is hereby directed to file his report with the Chief Clerk of the Assembly on or before April 21, 1941

Resolution read, and referred to the Committee on Rules

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chas Whitmore and Jay Doyle, both of Visalia.

On request of Mr. Gaffney, the San Francisco Delegation and the Sacramento Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harold A. Berliner of San Francisco, and Mrs. Frank Elmer of Sacramento.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chas. Chiappa, Carl Brown and Frank Aricello, all of San Francisco.

On request of Mr. Michael J. Burns and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William H. Ahern, Secretary-Treasurer, Bottlers Local Union No. 293, San Francisco.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. W. E. Clifford, Mrs. Herman Griffen, and W. E. Clifford, all of Los Angeles.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. S. H. Rinear of Lancaster.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Zella Behrman, teacher, C. A. Jacobs, principal, and the following students of Dixon Grammar School: Mabel Bettencourt, Doris Cagle, Susan Carpenter, Dorothy Cleveland, Lena Greco, Margaret Harrington, Imojean Holt, Jean Joy, Joyce Nickum, June Rohwer, Patricia Shellhammer, Mary Louise Wiggins, Eleanore Zimmerman, Frank Bartok, Thomas Day, Stanley Hall, Stanley Jackson, Frank Lopez, Robert Lye, Kenneth McGrew, Jack Moore, Ernest Pascoe, Verlin Toohey, Ben Rowe, Calven Rush, Margery Andrews, Henry Avila, Raymond Benefield, Marian Cecil, Grace Day, Morris Fry, Walter Fry, Robert Joy,

Patricia Kilkenny, Robert MeMaster, Janette Lucas, Lois Peters, Donald Ricketts, Howard Rush, Marie Sequera, Warren Sievers, Vesta Schmeiser and Robert Ward.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Steele and Edward Hadlen, Deputy County Clerk of Alameda County.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to G. H. "Jack" Morris, Assistant Manager, The Harold E. Shugart Co., Los Angeles.

On request of Messrs. Tenney, Potter and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arlene Whalen and Alex D'Arcy of Hollywood.

ADJOURNMENT

At 5.10 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 2 p.m., Wednesday, March 26, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 26, 1941

The Assembly met at 2 p m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Potter.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Andreas, on motion of Miss Miller

Mr. Thurman, on motion of Mr. Leonard

REPORTS OF STANDING COMMITTEES

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER: Your Committee on Roads and Highways, to which was referred:

Senate Bill No. 589

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 383
Assembly Bill No. 411
Assembly Bill No. 657
Assembly Bill No 711

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 353
Assembly Bill No. 2547

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 829
Assembly Bill No. 1402
Assembly Bill No 1512
Assembly Bill No 1515
Assembly Bill No 1738
Assembly Bill No 2332
Assembly Constitutional Amendment No 2
Assembly Constitutional Amendment No. 5
Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No 19
Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 792
Assembly Bill No 2052

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred

Assembly Bill No. 793
Assembly Bill No 856
Assembly Bill No. 785
Assembly Bill No. 1628

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1207
Assembly Bill No. 1440
Assembly Bill No. 1442

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

KEPPLE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1794
Assembly Bill No. 1970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Russell:

An act to add Sections 8.1, 8.2 and 8.3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts.

By Mr. Cronin:

An act to amend Sections 850, 851 and 851.5 of the Labor Code, relating to hours and days of employment of persons employed to sell at retail drugs and medicines or to compound physicians' prescriptions.

By Mr. Leonard:

An act to amend Sections 1.125, 1.126 and 1.127 of the School Code, relating to dental hygienists.

By Mr. Robertson:

An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

(Signed out)

MIDDOUGH, Chairman
EVANS
PFAFF

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2576: By Mr. Leonard—An act to amend Sections 1.125, 1.126 and 1.127 of the School Code, relating to dental hygienists.

Referred to Committee on Education.

Assembly Bill No. 2577: By Mr. Cronin—An act to amend Sections 850, 851 and 851 5 of the Labor Code, relating to hours and days of employment of persons employed to sell at retail drugs and medicines or to compound physicians' prescriptions

Referred to Committee on Labor and Capital

Assembly Bill No. 2578: By Mr. Russell—An act to add Sections 8 1, 8 2 and 8.3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts.

Referred to Committee on County Government.

Assembly Bill No. 2579: By Mr. Robertson—An act to amend Sections 5.850, 5 851, 5.853, 5.860, 5 861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to, the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Referred to Committee on Education.

MOTION BY MR. JOHNSON

Mr. Johnson moved that the confliction between the Committee on Motor Vehicles and the Committee on Education be referred to the Committee on Rules.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 119—An act to add Chapter 7, comprising Sections 1125 to 1127, both inclusive, to Part 3 of Division 2 of the Labor Code, relating to discrimination by labor organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 307—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 435—An act to amend Section 1394 of the Labor Code, relating to the hours and places of work of minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 436—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Bill read second time, and ordered engrossed.

Assembly Bill No. 217—An act to add Chapter 12, consisting of Sections 22100 to 22132, inclusive, to Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of platinum and other metals in the platinum group or their alloys.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1253—An act to amend Section 537 of the Code of Civil Procedure, relating to attachment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 42—An act to add Section 73.5 to the Agricultural Code, relating to exhibits at the California State Fair.

Bill read second time, and ordered engrossed.

Assembly Bill No. 333—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 330—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 1464—An act to add Section 19622.5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions." approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1552—An act to amend the Agricultural Code by amending Section 1043; and to provide exemption from the provisions of said section to nonprofit, cooperative, agricultural marketing associations.

Bill read second time, and ordered engrossed

Assembly Bill No. 245—An act to add Sections 48, 49, 50 and 51 to, to amend Sections 2541, 2702, 2703, 2705, 2747, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3941, 3946, 7966, 8720, 8721 and 8722 of, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 310—An act to amend Section 3935 of the Elections Code, relating to the order of names of candidates on primary ballots.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1007—An act to amend Section 2837 of the Elections Code, relating to the election of county central committees.

Bill read second time, and ordered engrossed

Assembly Bill No. 2182—An act to repeal Section 3085 of the Elections Code, relating to signatures to nomination papers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2210—An act to amend Section 370 of the Elections Code, relating to indices of registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1287—An act to amend Sections 554, 616 and 675 of the Vehicle Code, relating to equipment on vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1981—An act to amend Article 6 of Chapter 3 of Part 2 of Division 12 of the Health and Safety Code of the State of California by adding a new section thereto, to be numbered 13780, and to provide for certain exemptions relating to the spotting and pressing of clothing on certain passenger trains therein defined.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2081—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles

Bill read second time, and ordered to third reading.

Assembly Bill No. 3—An act to add Section 1197.5 to, and to amend Section 1199 of, the Labor Code, relating to minimum wages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 2, line 11, of the printed bill, after the period, insert "the provisions of this chapter shall not apply to any employer or employee subject to the provisions of the Fair Labor Standards Act of Congress as it now exists or as it may hereafter be amended or supplemented."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetuation of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 4, line 40, of the printed bill, as introduced in the Assembly on January 23, 1941, strike out "attorneys,".

Amendment No. 2

On page 4, lines 49, 50 and 51, of the printed bill, as introduced in the Assembly on January 23, 1941, strike out "Attorneys appointed under this article may, at the direction of the board, appear for and represent the board in any case in court"

Amendments read and adopted.

Request for Unanimous Consent

Mr Bashore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1104, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1104, as Amended

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetuation of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 5 of the printed bill, between lines 37 and 38, insert

"10. The Attorney General shall act as attorney for the board, shall perform upon its request all legal services demanded of him, and his services shall be a charge against it.

11. During the Ninety-third and Ninety-fourth Fiscal Years, any sums made available to the board for expenditure in accordance with law in carrying out the provisions of this act shall only be expended by the board with the consent of the State Board of Control."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1297—An act to add Section 145.5 to the Agricultural Code, relating to the liability for the expenses of abatement of agricultural pests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "147.5", and insert "160.05".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "147.5", and insert "160.05".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 14, inclusive, and insert

"160.05. The owner of the land from which a nuisance has been removed or on which it has been abated under any provision of this chapter is personally liable for the cost of removal or abatement. Whenever upon the sale of the property subject to any lien provided for in this chapter, under the judgment or decree of foreclosure of such lien or liens, there is a deficiency of proceeds, judgment for the deficiency may be docketed against the party personally liable therefor, in like manner and with like effect as in actions for the foreclosure of mortgages."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 794—An act to add Chapter 7, comprising Sections 860 to 867, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed as household employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

In line 3 of the title of the printed bill, after "labor", insert "and compensation for overtime labor"

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "act.", and insert "chapter. "Household employee" does not include an employee on the farm in the service of a person engaged in agriculture."

Amendment No. 3

On page 1, lines 23 and 24, of the printed bill, strike out "nor permitted to labor more than 54", and insert "more than 54 working".

Amendment No. 4

On page 1, line 25, of the printed bill, after "employer", insert ", unless he receives compensation for his employment in excess of said 54 hours at a rate not less than one and a half times the regular rate at which he is employed. The fact that the employee lives on the premises of the employer shall not be grounds for any presumption as to the hours of employment of such employee. The number of hours of employment of an employee living on the premises of the employer shall be determined only by proof of the hours provided in an express agreement, oral or written, between the employee and employer, or his lawful representative."

Amendment No. 5

On page 2, line 4, of the printed bill, after "employer", insert ", unless he receives compensation for his employment in excess of eight hours a day, 48 hours a week or six days a week at a rate not less than one and a half times the regular rate at which he is employed".

Amendment No. 6

On page 2, line 5, of the printed bill, after "who", insert ", without paying the additional compensation provided for herein,".

Amendment No. 7

On page 2, line 7, of the printed bill, after "who", insert ", without paying the additional compensation provided for herein,"

Amendment No. 8

On page 2, line 10, of the printed bill, after the period, insert "In the enforcement of this chapter, the principle of the sanctity of the home and its protection from all unnecessary encroachments shall be respected. No labor representative and no public officer or employee shall demand entrance into any home for the purpose of conducting an investigation arising out of this chapter, unless in possession of a court order justifying such entrance."

Amendment No. 9

On page 2, line 12, of the printed bill, strike out the period, and insert "and no action at law or by the division shall be commenced hereunder after 60 days following any violation of this chapter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 311—An act to amend Section 44.1 of the Vehicle Code, relating to authorized emergency vehicles, including those operated by constables and deputy constables.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 44 and".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "44.1", and insert "44".

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"44. "Authorized Emergency Vehicle." An "authorized emergency vehicle" is a vehicle of any of the following types:

(a) A vehicle publicly owned and operated by a police or fire department, *by a sheriff, constable, deputy sheriff or deputy constable,* or by a traffic law enforcement officer in responding to emergency calls or in traffic patrol duty;

(b) A motorcycle, either publicly or privately owned, operated by a police or traffic law enforcement officer in enforcing the provisions of this code;

(c) A motor vehicle, either publicly or privately owned, operated by a State or county forest ranger, or a fire warden on salary and directly in charge of fire protection work upon behalf of the State or in any county, or the chief or assistant chief of an organized fire department, in responding to emergency fire calls;

(d) Any fire fighting equipment designed and operated exclusively as such by an oil company and used in responding to emergency fire calls and in combating fires;

(e) When used in responding to emergency calls, any privately owned ambulance authorized by permit issued by the Director of the Department of Motor Vehicles, and any publicly owned ambulance;

(f) An emergency repair vehicle of a utility or public utility, whether privately, municipally or publicly owned, used in responding to emergency calls when authorized by the Director of the Department of Motor Vehicles;

(g) Any fire fighting equipment, emergency wrecking equipment or emergency repair equipment, owned and operated by a bridge and highway district for the purpose of extinguishing fires, removing wrecked motor vehicles, caring for injured persons, or repairing damaged lighting, or electrical equipment, of such bridge and highway district, when such vehicles are responding to emergency calls.

SEC. 2. Section 44.1 of the Vehicle Code is hereby amended to read as follows:".

Amendment No. 4

On page 1, line 10, of the printed bill, before "constable", insert "sheriff,".

Amendment No. 5

On page 1, line 11, of the printed bill, after "paid", insert "deputy sheriff or".

Amendment No. 6

On page 1 of the printed bill, strike out line 26, and insert "county does not furnish to such sheriff, constable, deputy sheriff or deputy constable,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1283—An act to amend Sections 525, 543 and 553 of, to repeal Section 604 of, and to add Section 525.5 to the Vehicle Code, relating to the regulation of traffic.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 31, of the printed bill, after the word "alley", strike out the comma, and insert "not exceeding a width of 16 feet, or any".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1284—An act to amend Section 596.5 and to repeal Section 597 of the Vehicle Code, relating to the operation and loading of vehicles.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 8, of the printed bill, after "merchandise", strike out the period, and insert "or to persons riding within the interior of passenger buses."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 184—An act to amend Section 7643 of the Business and Professions Code, relating to embalmers and embalming schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "course", insert ", or the equivalent of either".

Amendment read and adopted.

Request for Unanimous Consent

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 184, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 184, as Amended

Assembly Bill No. 184—An act to amend Section 7643 of the Business and Professions Code, relating to embalmers and embalming schools.

Bill read second time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 7643 of", and insert "Section 7643 and add Sections 7651 and 7708 to,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "embalmers and embalming schools", and insert "funeral directors and embalmers".

Amendment No. 3

On page 1 of the printed bill, as amended, after line 21, insert

"SEC. 2. Section 7651 is hereby added to said code, to read as follows:

7651. A funeral director or embalmer residing in a State contiguous to the State of California, which accords by law the same privilege to funeral directors and embalmers of this State, may, without being required to maintain a funeral directing establishment within this State, be granted a special license as a funeral director or embalmer by the board if in his application therefor he agrees to observe all laws, rules and regulations governing licensees of the board within this State. The applicant shall hold and continue to hold in the State of his residence a valid license of the character for which he makes such application. A fee of twenty dollars ($20) shall accompany such application and the annual renewal fee thereof shall be five dollars ($5).

SEC. 4. Section 7708 is hereby added to said code, to read as follows:
7708. In all proceedings under this chapter, depositions of witnesses may be taken as in civil cases, and all the provisions of law concerning the taking of depositions either within or without the State are applicable to the taking of depositions under this chapter."

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2 of the printed bill, strike out all of lines 12 and 13, and insert "Cannery Inspection Board in the same manner as the costs of inspection are prorated by it."

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1893—An act to amend Sections 2, 6, 6a, 14 and 18 of the California Agricultural Products Marketing Act of 1937, relating to definitions contained in such act, terms and conditions of agreements and orders issued under such act, powers of committees appointed under such agreements and orders, and enforcement of such agreements and orders, and continuing existence of agreements and orders executed or issued prior to effective date of Chapter 910, Statutes of 1937, and declaring this act to be an urgency measure, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2, 6, 6a, 14 and 18", and insert "6 and 14".

Amendment No. 2

Strike out lines 3 to 7, inclusive, of the title of the printed bill, and insert "relating to terms and conditions of agreements and orders issued under such act, enforcement of such agreements and orders, and declaring this act to be an urgency".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 20, inclusive; and from page 2, strike out lines 1 to 51, inclusive.

Amendment No. 4

On page 3, line 1, of the printed bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 5

On page 4, line 14, of the printed bill, strike out "now".

Amendment No. 6

On page 4 of the printed bill, strike out lines 23 to 32, inclusive, and insert

"(9) Providing for a program to adjust the commercial production of any agricultural commodity by means of tree or vine removal, including methods for financing such program by the acceptance of Federal or State funds available for this purpose or by levying a uniform assessment upon all production or marketing subject to such marketing agreement or order, or by both methods, and for the disbursement of the funds so obtained to those growers who qualify for payments under such production adjustment program. Tree or vine removal under such program shall be voluntary and a grower shall be deemed qualified to receive payment who, upon application to the director and approval thereof, removes trees or vines as specified in the program and otherwise conforms with the provisions thereof. The director shall act upon such applications in the order in which they are received and shall limit his acceptances thereof to the funds available for disbursement under the program. No program of production adjustment devised hereunder shall authorize payments for the removal of such trees or vines of the species or variety specified in the program as have averaged during the three immediately preceding years an annual yield per acre in excess of the comparably computed average yield from bearing trees or vines of the same species or variety for the State as a whole, such yields and averages to be determined by the director from official Federal and State statistical data or such other sources as are deemed by him to be competent and reliable."

Amendment No. 7

On page 5 of the printed bill, strike out lines 1 to 16, inclusive.

Amendment No. 8

On page 5, line 17, of the printed bill, strike out "SEC. 4.", and insert "SEC. 2."

Amendment No. 9

On page 6 of the printed bill, strike out lines 26 to 37, inclusive.

Amendment No. 10

On page 6, line 38, of the printed bill, strike out "SEC. 6.", and insert "SEC. 3."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1500—An act to amend Sections 781, 782, 784.2, 784.3 and 787 of, and to add Sections 782.3 and 782.6 to, the Agricultural Code, relating to fruit, nut and vegetable standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 782.6", and insert ", 782.6 and 784.8".

Amendment No. 2

On page 2, line 15, of the printed bill, strike out "or".

Amendment No. 3

On page 2, line 16, of the printed bill, strike out "inedible", and insert "for human consumption".

Amendment No. 4

On page 3 of the printed bill, strike out all of lines 18 and 19, and insert "ments established in this chapter; and make such other".

Amendment No. 5

On page 4 of the printed bill, between lines 25 and 26, insert

"SEC. 7. Section 784.8 is hereby added to the Agricultural Code, to read as follows:

784.8. It is unlawful to alter in any respect any certificate of inspection, notice of violation, report, statement or other document referred to in this chapter, issued by an enforcing officer."

Amendment No. 6

On page 4 of the printed bill, strike out all of lines 26 to 41, inclusive.

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert "SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated to The Regents of the University of California the sum of one million dollars ($1,000,000) to be expended by The Regents of the University of California for the purpose of establishing, equipping and maintaining as a unit of the University of California a College of Veterinary Medicine."

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 83—An act to add Section 108 to the Harbors and Navigation Code, relating to obstructions in navigable waters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "lakes", and insert "natural lakes, that is, other than artificial or man made lakes,".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "water's edge in", and insert "meander line".

Amendment No. 3

On page 1, line 9, of the printed bill, after the period insert "'Meander line" as used in this section means the meander line of such a lake as shown by the latest official United States Survey of the township or townships in which such a lake is situated."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 18—An act to add Part 1.5 to Division 6 of the Harbors and Navigation Code, relating to a portion of the Harbor of Los Angeles, designated as San Pedro Harbor, and the Board of State Harbor Commissioners for San Pedro Harbor, including the regulating of the harbor, the issuance of revenue bonds therefor, and the creating of the Board of State Harbor Commissioners for San Pedro Harbor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

On page 2 of the printed bill, strike out lines 32 and 33, and insert "five thousand dollars ($5,000); and the annual salary of each of the other two commissions is three thousand dollars ($3,000). The".

Amendment No. 2

On page 8, line 4, of the printed bill, strike out "Battery", and insert "Channel".

Amendment No. 3

On page 8 of the printed bill, strike out lines 7 and 8, and insert "mington and San Pedro Road to a point where the northeasterly line of the Wilmington and San Pedro Road meets with the westerly line of Beacon Street; running thence in an easterly direction to the point at which the easterly line of Beacon Street intersects the westerly line of Harbor Boulevard; running thence in a southerly direction along the westerly line of Harbor Boulevard to the point at which the southerly line of Oliver Street extended in an easterly direction meets the westerly line of Harbor Boulevard; running thence in an easterly direction along the southerly line of Oliver Street extending easterly to the point at which the extension meets the westerly line of Front Street; running thence southerly along".

Amendment No. 4

On page 8, line 12, of the printed bill, after "Boulevard", insert "to the northerly line of Sixteenth Street; running thence in a westerly direction along the northerly line of Sixteenth Street to the easterly line of Beacon Street; running thence in a southerly direction along the easterly line of Beacon Street".

Amendment No. 5

On page 8, line 15, of the printed bill, strike out "_____", and insert "in a westerly direction along the northerly line of Twenty-second Street to a point due north of the most northerly point of the United States Reservation fronting on Hamilton Street; running thence due south to this most northerly point of the United States Reservation fronting on Hamilton Street and thence along the easterly and southerly boundaries of the United States Reservation; running thence westerly along the southerly boundary of the United States Reservation extended westerly to the point at which the extension of the southerly boundary meets the easterly line of Pacific Avenue; running thence southerly along the easterly line of Pacific Avenue to the southerly line of Thirty-seventh Street; running thence in an easterly direction".

Amendment No. 6

On page 3, line 30, of the printed bill, strike out "an attorney,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1077—An act to regulate establishments slaughtering animals for use in canned dog food and cat food or preparing meat food products to be used in the canning of dog food and cat food and to provide rules regulating the proper sanitation for such establishments and prescribing penalties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2 of the printed bill, strike out lines 13 to 16, inclusive, and insert "SEC. 5. The term "meat" means the properly dressed flesh derived from cattle, from swine, from sheep, or from goats sufficiently mature and in good health at the time of slaughter, but is restricted to that part of the striated muscle which is skeletal or that which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, and does not include that found in the lips, in the snout, or in the ears; with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the flesh and

which may not have been separated from it in the process of dressing it for sale. The term "meat" when used in a qualified form, as for example, "horse meat," "reindeer meat," and "crab meat," is then, and then only, properly applied to the corresponding portions of animals other than cattle, swine, sheep and goats."

Amendment No. 2

On page 2 of the printed bill, strike out lines 19 to 24, inclusive, and insert "SEC 7. "Meat food products" are any articles of food or any articles that enter into the composition of foods which are not prepared meats but which are derived or prepared in whole or in part by a process of manufacture from any portion of the carcasses of cattle, calves, swine, sheep and goats. The term "meat food products" when used in a qualified form, as in the case of the foregoing definition, is meat and as for example "horse meat food products" and "reindeer meat food products" is then only properly applied to the corresponding portions of animals other than cattle, swine, sheep and goats."

Amendment No. 3

On page 2 of the printed bill, strike out lines 25 to 28, inclusive, and insert "SEC. 8. The term "meat by-products" means any clean, sound and properly dressed edible parts, other than meat, which have been derived from one or more carcasses of cattle, of swine, of sheep, or of goats, sufficiently mature and in good health at the time of slaughter. The term "meat by-products" when used in a qualified form, as in the case of the foregoing definition for "meat" and as for example, "horse meat by-products" and "reindeer meat by-products," is then, and then only, properly applied to the corresponding portions of animals other than cattle, swine, sheep, and goats. Meat by-products shall not include skin, horns, teeth, hoofs, bones, and such specially processed materials as blood meal, blood flour, digester tankage, meat meal tankage, meat scraps, or similar products."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1124—An act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil, approved March 10, 1891,' approved March 23, 1893," relating to imitation olive oil.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to regulate the sale of olive oil and to prohibit the sale of imitation olive oil, establishing standards for olive oil, prescribing methods of packaging, labeling, and branding olive oil, licensing packers and manufacturers, providing rules and regulations for the proper sanitation of such establishments, imposing penalties for violations of this act, defining the powers of the State Board of Public Health in relation thereto, and to repeal an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. It shall be unlawful for any person, firm, company, organization, association, or corporation in the State of California, to engage in the distribution, packaging, repacking, or manufacture of olive oil without first obtaining a license from the State Board of Public Health.

SEC 2. The said State Board of Public Health shall issue to any person, firm, company, organization, association, or corporation in the State of California an annual license to package or manufacture olive oil, on receipt of an official application and such evidence as the board may require to show that said person, firm, company, organization, association, or corporation is properly equipped so to package or manufacture subject to such rules and regulations as the State Board of Public Health may adopt.

SEC 3. It shall be unlawful to manufacture, sell, offer for sale, give away, or to possess imitation olive oil in the State of California

(a) The term "imitation olive oil" shall mean every article, substance, or compound, or oil other than that extracted solely from the fruit of the olive tree, made in the semblance of olive oil extracted solely from the fruit of the olive tree, other than corn oil, sesame oil and cottonseed oil when labeled and sold as such.

(b) The term "olive oil" means the edible oil obtained from the sound, mature fruit of the olive tree (olea europea L.).

(c) The use of any artificial color or flavor simulating that of olive oil is prohibited

(d) Virgin olive oil shall only be manufactured from olives which are clean, sound, and wholesome, in so far as the oil content is concerned.

(e) It is unlawful to prepare, express, mix, or blend olive pomace or meats with any bland fixed oil other than olive oil.

SEC 4. The following standards of identity are hereby established:

(a) Olive oil having a free fatty acid content of not more than 2 per cent expressed as oleic acid and which is not a refined olive oil may be designated, labeled, and branded as pure virgin olive oil.

(b) Olive oil having an excess of 2 per cent free fatty acid content expressed as oleic acid shall not be sold or shipped in the State of California except for the purpose of processing.

(c) The flavor and odor of sound olive oil must be free of moldiness, fermented odor or taste, scratchiness, bitterness, charcoal taste, mustiness, or any other unusual or foreign odor and flavor, and free of rancidity, as shown by the Kreiss test

(d) All olive oil for technical purposes shall be denatured with an odoriferous substance so as to render it unfit for food purposes.

SEC 5 All olive oil packed or manufactured in the State of California shall be packed in sealed glass containers, or lithographed cans not larger in size than five gallon cans, or drums, and shall bear the following information on the label.

(a) Net contents

(b) Brand name

(c) Quality of olive oil as expressed in Section 4 (a), (b), and (c) of this act

(d) Name of manufacturer, packer, or distributor

(e) Address of manufacturer, packer, or distributor

(f) State of California license number

SEC 6 (a) The license number of each establishment shall be stated on each package of olive oil packed at each licensed plant, and in addition each invoice and bill of lading shall declare thereon said license number.

(b) It shall be unlawful to reuse any olive oil container, can, or drum for repacking any fixed oil intended to be used for food purposes, except on the premises of the processor

SEC. 7. The State Board of Public Health is hereby empowered to make rules and regulations for carrying out the provisions of this act.

SEC 8 Any person, firm, company, organization, association, or corporation in the State of California violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction for the first offense shall be punished by a fine of not less than five hundred dollars ($500) or shall be imprisoned in the county jail for a term not exceeding one year, or by both such fine and imprisonment; and each subsequent violation shall be punishable by a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) and imprisonment in the county jail for a term of not less than six months nor more than one year

SEC 9 An act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, is hereby repealed.

SEC 10 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of this State; and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

That at the present time the State Department of Public Health has uncovered extensive frauds perpetrated on the public by groups of persons who have come into California from Eastern cities, and who have made a racket of the olive oil business, because of war conditions existing at the present time. Lithographed cans of alleged olive oil containing no olive oil whatsoever have been distributed, to such an extent that the California olive oil manufacturers themselves have asked the department to introduce this legislation. California produces millions of gallons of olive oil yearly, and this market should be protected The State Department of Public Health feels that this act is urgent, because the olive oil crushing season is now on, and by this legislation the California manufacturers will receive the protection which they so rightfully deserve."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 26, inclusive, and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1670—An act to amend Sections 1, 2, 3, 4, 5 and 5a and to add Sections 2a and 2b to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to the sale and use of poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 and 2 of the title of the printed bill, strike out ", and to add Sections 2a and 2b to", and insert "of".

Amendment No. 2

On page 3 of the printed bill, strike out lines 1 to 14, inclusive.

Amendment No. 3

On page 3, line 15, of the printed bill, strike out "5", and insert "3".

Amendment No. 4

On page 3, line 34, of the printed bill, strike out "6", and insert "4".

Amendment No. 5

On page 4, line 7, of the printed bill, strike out "7", and insert "5".

Amendment No. 6

On page 4, line 22, of the printed bill, strike out "8", and insert "6".

Amendment No. 7

On page 5, line 25, of the printed bill, strike out "osteopathic physician and surgeon,".

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1140—An act to add Section 8733.5 to the Health and Safety Code, relating to perpetual care funds of cemeteries.

Bill read second time, and ordered to third reading.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed measure, preceding the comma, insert "by vote of two-thirds of the members elected to each of the two houses of the Legislature".

Amendment read and adopted

Resolution ordered printed, and to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1753.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 163 WAIVED

Mr. Robertson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 163 was passed.

Assembly Bill No. 163 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 968—An act to amend Section 7694 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Lowrey, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—T. Fenton Knight—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 969—An act to amend Sections 7686.5, 7695, 7697, 7716 of the Business and Professions Code, relating to funeral directing and embalming.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam. L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Muddough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—T. Fenton Knight—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees on military or naval duty and payment of their salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Salsman, Sheridan, Stream, Thorp, Waters, Weber, Welch, Weybret, and Wollenberg—52.

NOES—Bennett, Heisinger, Howser, F. N., Knight, T. Fenton; Richie, Russell, Thomas, and Watson—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals.

Bill read third time.

Demand for Previous Question

Messrs. Heisinger, Green, Turner, Weber and Meehan demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 711.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

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

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Cooke, Dickey, Field, Gunlock, Howser, F. N., Johnson, Kilpatrick, Lyon, Millington, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Thomas, Welch, Weybret, and Wollenberg—27.

NOES—Burns, Michael J., Cassidy, Clarke, Collins, Sam L., Cronin, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, O'Day, Phillips, Russell, Stream, Thorp, Turner, Waters, and Weber—29.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Turner, Waters, Weber, and Welch—48.

NOES—Call, Carlson, Collins, George D., Cooke, Desmond, Dickey, Field, Gunlock, Howser, F. N., Johnson, Leonard, Lyon, Millington, Potter, Robertson, Thomas, Thorp, Watson, Weybret, Wollenberg, and Mr. Speaker—21.

Notice of Motion to Reconsider Assembly Bill No. 711

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 711 was this day passed.

Assembly Bill No. 1409—An act to add Section 6.493 to the School Code, relating to the furnishing of supplies to pupils of the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1409

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1409 was this day passed.

Assembly Bill No. 313—An act to amend School Code Section 2.21, relating to interdistrict attendance of pupils of the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Lowrey, Lyon, Maloney, McCollister, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—60.
NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1944—An act to amend Sections 3.422, 3.460, 3.480 and 3.807 of and to repeal Section 3.482 of the School Code, all relating to evening schools and special day and evening classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 907—An act to amend School Code Sections 5.822, 5.854, 5.872 and 5.876, and to add Section 5.872-1 to the School Code, all relating to the California State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney,

Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Field moved that Assembly Bill No. 375 be made a special order of business for Monday, March 31, 1941, at 2.30 p.m.

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

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

TEMPORARY LEAVES OF ABSENCE

Messrs. Weber and Poulson were granted a temporary leave of absence to attend a conference in the office of the Legislative Counsel.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 235—An act to amend Section 4.974 of the School Code, relating to school bonds.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 850

Mr. Field moved that Assembly Bill No. 850 be withdrawn from the Committee on Municipal Corporations, and re-referred to the Committee on Revenue and Taxation

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 257—An act to amend Section 494 of the Agricultural Code, relating to skim milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 377—An act to amend Sections 925 and 1008 of the Penal Code, relating to accusations against district, county, township or municipal officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Stream—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 933—An act to amend Section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2050—An act providing for Citizenship Day and the observance thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Rob-

ertson, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Turner, Voigt, Watson, Welch, Wollenberg, and Mr Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to amend Section 1203.4 of the Penal Code, relating to probations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55
NOES—Carlson, Clarke, Dilworth, Heisinger, Houser, Frederick F., Lyon, and Pfaff—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2274—An act to amend Section 4 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a Civil Service Commission, the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relative to circulation of petitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 701.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1644—An act to amend Section 81 of the State Civil Service Act, relating to eligible lists.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "see", and insert "be advised".

Amendment No. 2

On page 1, line 11, of the printed bill, after "also", insert "to be advised".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1583—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie Robertson, Russell, Salsman, Stream, Tenney, Thomas, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 867—An act to repeal Chapter 846, Statutes of 1927, authorizing the issuance of leases in San Diego County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton, Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 36—An act to amend Section 4238 of the Political Code, relating to county officers in counties of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63.

NOES—Donnelly—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 885—An act to amend Section 4041.1 of the Political Code, relating to the powers of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight,

John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, and Mr. Speaker—65.
NOES—Dilworth—1.

Notice of Motion to Reconsider Assembly Bill No. 885

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 885 was this day passed.

Assembly Bill No. 1316—An act to amend Section 669 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64.
NOES—Allen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1388—An act providing for the creation of county treasurers' cash difference funds and average funds in the counties of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 42	Assembly Bill No. 1253
Assembly Bill No. 119	Assembly Bill No. 1287
Assembly Bill No. 217	Assembly Bill No. 1464
Assembly Bill No. 307	Assembly Bill No. 1552
Assembly Bill No. 330	Assembly Bill No. 1981
Assembly Bill No. 333	Assembly Bill No. 2182
Assembly Bill No. 435	Assembly Bill No. 2210
Assembly Bill No. 436	Assembly Joint Resolution No. 37
Assembly Bill No. 1007	

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1716

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1427
Assembly Bill No. 690
Assembly Bill No. 1812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Assembly Bill No. 1234

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DOYLE, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred.

Assembly Bill No. 960

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 902

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 1410
Assembly Bill No. 196
Assembly Bill No. 1163
Assembly Bill No. 1963
Assembly Bill No. 1622

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2150
Assembly Bill No. 680
Assembly Bill No. 1995
Assembly Bill No. 1643
Assembly Bill No. 818
Assembly Bill No. 255

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 11
Assembly Bill No. 845
Assembly Bill No 2149

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1126
Assembly Bill No. 1408

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 14
Assembly Bill No. 1428
Assembly Bill No. 1613

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 997
Assembly Bill No. 1080
Senate Bill No. 108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred.

Assembly Bill No. 41
Assembly Bill No. 1247

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 238—An act to amend Section 1 of the California Maritime Academy Act, relating to the California Nautical School and the place of its maintenance; declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of March, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2 of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 3, comprising Sections 259, 259.1, and 259.2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately.

Respectfully submitted.

GARDINER JOHNSON

Request referred to Committee on Introduction of Bills.

Request for Unanimous Consent

Mr. Gunlock asked for, and was granted, unanimous consent to have Assembly Bill No. 2192 withdrawn from the Committee on Natural Resources for the purpose of amending, and re-reference to the Committee on Natural Resources.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2192—An act making an appropriation for the burning of the brush and debris on a water shed for experimental purposes.

Bill read second time.

Motion to Amend

Mr. Gunlock moved the adoption of the following amendments:

Amendment No. 1

Strike out all of the title of the printed bill, and insert

"An act to repeal Sections 4401, 4402, 4403, 4404, 4405, and 4406 of the Public Resources Code, to authorize The Regents of the University of California to conduct a brush and debris burning experiment, and providing for a report thereon, and making an appropriation for the conduct of such experiment."

Amendment No. 2

Strike out all of Section 1 of the printed bill, and insert

"SECTION 1. Sections 4401, 4402, 4403, 4404, 4405, and 4406 of the Public Resources Code are hereby repealed.

SEC 2. The Regents of the University of California, with the cooperation and assistance of the Division of Forestry, shall conduct an experiment to determine the effect of burning brush, slash, undergrowth, and debris, on land, upon the run-off of water from such land, and the effect of such burning upon the underlying water level. An entire watershed of some river or creek shall be selected for the hereinabove mentioned experiment The watershed so selected shall be in a mountainous area north of the thirty-ninth degree of north latitude. If the land selected is State land, the State hereby assents to its use for the purposes of this act If the land selected belongs to the United States assent to the use thereof shall first be obtained from the proper Federal authorities. If any of the land is in private ownership the written consent of all persons having an interest therein shall be obtained prior to the commencement of said experiment

The area chosen for the experiment shall be such that the results obtained reasonably could be applied to all of the lands of the State where the same or similar problems arise.

In conducting said experiment The Regents of the University of California shall first make, or cause to be made, a survey of the said river or creek and its tributaries, and of all the springs within the area selected for said experiment, for the purpose of determining as accurately as may be possible the underlying water level of the area, and then shall cause to be burned all brush, slash, undergrowth and debris in the area After such burning has been completed there shall be made another survey or series of surveys for the purpose of determining the effect, if any, of such burning upon the run-off of water, the underlying water level, and upon the springs in the area in which said experiment was conducted.

The Regents of the University of California shall submit to the Governor and to the Legislature of the State of California, upon the convening of the Fifty-fifth Session of the Legislature, reports relative to the results of such experiment.

SEC 3 There is hereby appropriated to The Regents of the University of California, out of any moneys in the State Treasury not otherwise appropriated, the sum of fifty thousand dollars ($50,000) to be expended by The Regents of the University of California for the purposes in this act specified."

Amendments read and adopted.

Bill ordered printed and engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 663—An act to amend Section 3463 of the Political Code, relating to the lien of assessments for reclamation districts.

Bill read third time.

Motion to Amend

Mr. Millington moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended, after "report", insert "and".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 4, and insert "the assessment"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Johnson

An act to add Chapter 3, comprising Sections 259, 259 1, and 259 2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately

(Signed out)

MIDDOUGH, Chairman
POOLE
PFAFF
F. N. HOWSER

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1941

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

Assembly Bill No. 253

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 25, 1941

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

Senate Bill No. 24
Senate Bill No. 877
Senate Bill No. 889
Senate Bill No. 953
Senate Bill No. 975

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 24—An act to amend Section 21, to repeal Sections 12901, 12902 and 12906 of the Insurance Code, and to add Sections 12901, 12902 and 12906 thereto, relating to the administration of the laws pertaining to insurance.

Referred to Committee on Insurance.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135, to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Referred to Committee on Labor and Capital.

Senate Bill No. 953—An act to amend Section 8151 of the Revenue and Taxation Code and Section 16 of the Motor Vehicle Fuel License Tax Act, relating to actions to recover license taxes paid under protest under said act.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 889—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060 10, 1060.11, 1060.12, 1060.13, 1060.14 and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

Referred to Committee on Judiciary Codes.

Senate Bill No. 975—An act to add Chapter 7.5, comprising Sections 1126, 1127, 1128, 1129 and 1130, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof.

Referred to Committee on Judiciary Codes.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 18 FROM COMMITTEE

Mr. Thomas gave notice that on Friday, March 28, 1941, he would move to withdraw Assembly Bill No. 18 from the Committee on Commerce and Navigation, and have it placed upon the file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2580: By Mr. Johnson—An act to add Chapter 3, comprising Sections 259, 259.1 and 259.2, to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately.

Referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 55: By Mr. Robertson—Proposed amendment to Article VI of the Constitution, by adding Section 5a, relating to the Judicial Department.

Referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 56: By Mr. Robertson—Proposed amendment to Article VI of the Constitution, by adding Section 4d, relating to the Judicial Department.

Referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 57: By Mr. Robertson—Proposed amendment to Article VI of the Constitution, by amending Section 4c, relating to the Judicial Department.

Referred to Committee on Judiciary Codes.

Assembly Joint Resolution No. 40: By Messrs. Dilworth, Collins, Sam L., Waters, Poulson, Kellems and Miller—Relative to making citrus fruits available to the enlisted personnel of the military and naval forces of the United States.

Referred to Committee on Agriculture.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1738 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 657 re-referred to Committee on Insurance.

Assembly Bill No. 1402 re-referred to Committee on Insurance.

Assembly Bill No. 1408 re-referred to Committee on Insurance.

Assembly Bill No. 1512 re-referred to Committee on Insurance.

Assembly Bill No. 1515 re-referred to Committee on Insurance.

Assembly Bill No. 2332 re-referred to Committee on Insurance.

Assembly Bill No. 1126 re-referred to Committee on Governmental Efficiency and Economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John R. Quinn, Assessor of Los Angeles County.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Duncan S. Robinson of Rio Vista.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Americanism Class of Vallejo, and teacher, as follows: Mrs. E. E. Stockman, Mrs. Julia Bowman, Mrs. Nelly Wessel, Mrs. Emma Beutel, Mrs. Anna Stolz, Mrs. B. Michalik, Miss A. Michalik, George W. Wilcox, Mrs. I. Nickolatos, Andy Nickolatos, Mrs. A. Weingart, Leo Carboni, Natividad Moore, Mrs. Pantaleona Reyes, Hela K. Reichert, Mrs. Jeanette Warren, Mrs. Gisela Wertheim, Mrs. A. Verzasconi, Mrs. S. Lorenzo, Mrs. Clavie Clary and Mrs. F. Cheraoskeva.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher, and the following students of the High 8 Social Studies Class, Stanford Junior High: Elmer Allen, Norma Allen, Albert Artero, Lester Ball, Donald Carey, Edwin Chase, Wayne Crary, Mildred Dean, Richard DeVos, Annette Flint, Dick Hernandez, Paul Hoppe, William Hosman, Nora Hull, Laura Jackson, Glenn Kemp, Billy Klein, Lois Klein, Marjorie Little, Eugene Lofing, Alma Marasovich, Billy Marshall, Francis Mayberry, Marianna Meo, Bob McCarroll, Elmo Pappa, Mary Shelton, Carlo Shiro, Marie Sliskovich, Tommy Syftestad, Bert Van Wey and Joe Gianell.

On request of Messrs. Gallagher and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. Higgins, Geo. Higgins, Jr., Joseph Tierney and Mrs Pat Ganley of San Francisco.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edmund N. Brown of Berkeley.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Malcolm D. Glover of Davis, and James Blackstock of Davis.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Georgette Hatfield, student of Stanford University.

On request of Mr. Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Peekham of Palo Alto.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Walter Sampson and Miss Mary Silva of Stockton.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Good Citizenship Pilgrims 1941, as follows: Rilla Tyler, Sacramento; Betty Ann Brown, Sacramento; Margaret Huston, Woodland; Barbara Durkee, Berkeley; Dorothy Chinn, Oakland; Mary Esther Brown, Richmond; Joan Fogg, Berkeley; Marion Davies, San Leandro; Donna Mitchell,

Oakland; Betty Greathouse, Oakland; Mrs. Wallace A. Gilkey, General John A Sutter Chapter, Daughters of the American Revolution; Mrs. J. W. Ferguson, John Rutledge Chapter, Berkeley, State Vice Chairman, Pilgrims Clubs; Mrs. H. R. Baird, Sacramento Chapter, Daughters of the American Revolution; Mrs. Evelyn Dyke Hansen, Sacramento Chapter, Chairman, Good Citizenship Pilgrims; Mrs. Ralph P. Jacobs, First Vice Regent, Oakland Chapter, and Mrs. V. C. McConille, member.

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Johnson, teacher, and the following students of East Nicolaus High: Dorothy Christy, Lucille Cook, Mary Cripe, Gladys Darrach, Lois Darrach, Mert Dunbar, Merv. Harder, Audrey Hieter, Boots, Don Laird, Annis Marshall, Clyde McLain, Leo Michel, Lorna Wilson, Shirley Wilson, Bob Nelson, Meriam Peckham, Dot Poston, Jean Rolafs, Lorraine Vierra, Lila Wolfenbarger, Vonda Womach, Ray Woolever, Phil Gray, Herb Schmidt, Leroy Winters, Ed Gallagher, Maydell Smith, Laurence Able, Gerald Collins, Dick Taresh, Bill Robey, Elaine James, Enid Jopson, Homer Hasty and Ray Schneider.

On request of Mr F. N. Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank M. Linnell of Long Beach.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Melva Rausohoff, Mrs W. E Clifford and Mrs. Herman Griffen of Los Angeles.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chas. E. Nice, secretary, Brawley Chamber of Commerce, Brawley.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Isaac Schlatter, member, Imperial County Board of Supervisors.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of Arbuckle: Dorothy Sliger, Leatrice Kaintoch, Evelyn Charter, Beverly Romano, Bonnie West, Barbara Kaintoch, Beatrice James, Barbara James, Selina Duarte, Sheila Bailey, Muriel Simpson, Muriel Brooks, Mary Margaret Hall, Jovita Duarte, Sally Wallis, Joan Kalfweek, Betty Lou Siess and Jean Struckmeyer.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ted. Blickfeldt, member of Los Angeles Assessor's Office.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Morgan Coe, Editor, Westwood Hills News Press.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. D. J. Bruschi of San Diego.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L E Johnson and the Social Studies class of Arbuckle School of Colusa County.

On request of Messrs. Tenney and Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Rosenberg, Manager, Inglewood Daily News.

On request of Messrs. Garland and Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Corson of Nice, Lake County.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. W. Ferguson, Miss Barbara Durkee, Miss Joan Fogg, all of Berkeley.

On request of Messrs. Garland and Russell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. J Prendergast of Redlands

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge D. N. Wright of Napa.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Earl Morrehead of Compton.

ADJOURNMENT

At 5.15 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Thursday, March 27, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 27, 1941

The Assembly met at 2 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Burkhalter, Cain, Carlson, Clarke, Cooke, Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—51.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Russell.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Field.
Mr. Andreas, on motion of Mr. Kellems.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE
March 27, 1941

DEAR MR. SPEAKER: There is a meeting in San Francisco of public officials from the several counties surrounding the bay area, the purpose of which is to consider, under the State Planning Act, the formation of a regional planning district.

I have requested, as author of the State Planning Act of 1937, to attend the initiation of this movement. I feel that this matter is of such importance to the future welfare of a great metropolitan area of this State that I am justified in being absent for the remainder of the legislative day and also for the day following in order that I may attend the conferences and meetings.

I shall return at the earliest possible moment.

CHARLES M. WEBER

Motion to Appoint Mr. Weber as Delegate

Mr Allen moved that Mr. Weber be appointed as a Delegate from the Assembly to the State Planning Commission.

Motion carried.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

The Sacramento Union—Neil Shaw.

ARTHUR A OHNIMUS, Chief Clerk of the Assembly

SAN DIEGO, CALIFORNIA, March 26, 1941

State Assembly Body
Sacramento, California

Assemblymen of San Diego County and Entire State:

With the interest at heart of every citizen, business and subdivision of this prosperous State, I request that these Senate Bills Nos 180-877, 974-975, 976 and 560 respectively be defeated absolutely because of their destructive contents, which if adopted would destroy all of the prosperity and good which is now in force within the boundary of this State. Thanking you and your entire honorable body for your good judgment and immediate action in this matter.

Yours truly,

C. A. BOWER

SAN DIEGO, CALIFORNIA, March 26, 1941

Honorable State Assembly Body
Sacramento, California

Senate Bills Nos 180, 560, 877, 974, 975 and 976, consisting of such demoralizing and destructive material, we of Carpenters Local 2078 request your absolute votes to defeat these bills, and instruct our secretary-business agent to notify your body of our wishes.

C. A. BOWER
Secretary and Business Agent

REPORTS OF STANDING COMMITTEES

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on Civil Service, to which were referred:

Assembly Bill No 1335	Senate Bill No. 449
Senate Bill No. 104	Senate Bill No. 436

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 184	Assembly Bill No. 1297
Assembly Bill No. 663	Assembly Bill No. 1644

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 3
Assembly Bill No. 15
Assembly Bill No. 311
Assembly Bill No 794
Assembly Bill No. 1283
Assembly Bill No 1284

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 253—An act to add Section 1 5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8 5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-seventh day of March, 1941, at 12 m

JOHN B. KNIGHT, Chairman

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER Your Committee on Irrigation, to which was referred

Assembly Bill No. 855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred.

Senate Bill No. 693

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 245
Assembly Bill No 1412
Assembly Constitutional Amendment No 21

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on Irrigation, to which were referred:

Assembly Bill No. 956
Assembly Bill No 1795
Senate Bill No. 287
Senate Bill No 288
Senate Bill No 289
Senate Bill No. 541
Senate Bill No 549
Senate Bill No 551
Senate Bill No 626
Senate Bill No. 629
Senate Bill No 688

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading

EXPLANATIONS OF ABSENCE

At the time the Assembly convened at 2 p.m., we were in conference in the Governor's Office, we arrived in the chambers at 2:12 p.m.

(Signed)

HUGH M. BURNS
HAROLD F. SAWALLISCH

I was in the Senate, in conference, when the 2 p.m. roll was called, and so missed being recorded as present.

CHARLES W. LYON

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1941

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

Assembly Bill No. 2005

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 26, 1941

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

Assembly Joint Resolution No. 34

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 47

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 26, 1941

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

Senate Bill No. 84
Senate Bill No. 85
Senate Bill No. 120
Senate Bill No. 123
Senate Bill No. 152
Senate Bill No. 175
Senate Bill No. 179
Senate Bill No. 258
Senate Bill No. 312
Senate Bill No. 313
Senate Bill No. 314
Senate Bill No. 411
Senate Bill No. 420
Senate Bill No. 412
Senate Bill No. 414
Senate Bill No. 469
Senate Bill No. 508
Senate Bill No. 519
Senate Bill No. 639
Senate Bill No. 652
Senate Bill No. 654
Senate Bill No. 655
Senate Bill No. 560
Senate Bill No. 684
Senate Bill No. 746
Senate Bill No. 748
Senate Bill No. 786
Senate Bill No. 915
Senate Bill No. 1001
Senate Bill No. 1052
Senate Bill No. 1181

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 84—An act to amend Sections 2787 and 2810 of the Civil Code, relating to sureties.

Referred to Committee on Judiciary Codes.

Senate Bill No. 85—An act to amend Sections 3147 and 3150 of the Civil Code, relating to negotiable instruments.

Referred to Committee on Judiciary Codes.

Senate Bill No. 120—An act to amend Section 4109 of the Revenue and Taxation Code, relating to property taxation, the redemption of property, and the payment of delinquent taxes in installments.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 123—An act to repeal School Code Section 2.1095 and to add Section 2.998 to said code, both relating to the traveling expenses of governing boards of school districts.

Referred to Committee on Education.

Senate Bill No. 152—An act to amend Section 2007 of, and to add Section 2007.5 to, the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 175—An act to amend Section 6.36 of the School Code, relating to the powers and duties of the governing boards of school districts.

Referred to Committee on Education.

Senate Bill No. 179—An act to repeal Section 791, and to amend section and renumber Section 791.5 to be 791, of the Fish and Game Code, relating to crabs, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

Senate Bill No. 258—An act to amend Section 366 of the Agricultural Code, relating to live stock inspection.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 312—An act to add Section 802.5 to the Fish and Game Code, relating to abalones in Marin County.

Referred to Committee on Fish and Game.

Senate Bill No. 313—An act to amend Section 810 of, and to add Section 810.5 to, the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game.

Senate Bill No. 314—An act to add Section 6.231 to the School Code, relating to the sale of textbooks by governing boards of school districts.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 411—An act to amend the heading of Article 4 of Chapter 1 of Part 2 of Division 4 and Sections 581 and 588 and to add Section 589.1 of the Fish and Game Code, relating to kelp and other aquatic plants.

Referred to Committee on Fish and Game.

Senate Bill No. 420—An act to amend Section 862.2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to sales and conveyances of real property.

Referred to Committee on Municipal Corporations.

Senate Bill No. 412—An act to amend Section 62.5 of the Fish and Game Code, relating to Fish and Game District 1½.

Referred to Committee on Fish and Game.

Senate Bill No. 414—An act to repeal Section 290.5 of the Fish and Game Code, relating to application of other laws.

Referred to Committee on Fish and Game.

Senate Bill No. 469—An act to amend Section 1157 of the Fish and Game Code, relating to closing of areas to hunting.

Referred to Committee on Fish and Game.

Senate Bill No. 508—An act to amend School Code Section 5.352, relating to fees for credentials, renewal of credentials, and life diplomas issued by the State Board of Education.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 519—An act to repeal Sections 424, 425 and 426 of, and to add Sections 407, 408 and 409 to the Fish and Game Code, relating to license agents, compensation for sale and bonding of agents.

Referred to Committee on Fish and Game.

Senate Bill No. 639—An act to amend Section 1 of "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 652—An act to add Section 334.5 to the Agricultural Code, relating to the branding of live stock.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 654—An act to amend Section 344 of the Agricultural Code, relating to live stock inspection.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 655—An act to amend Section 363 of the Agricultural Code, relating to bills of sale for live stock.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 560—An act to add Chapter 7, comprising Sections 7300 to 7310, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of an Acute Neuropsychiatric Hospital, creating a board of trustees therefor,

and providing for the powers and duties of the Department of Institutions and The Regents of the University of California in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 684—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, relating to capital outlays by cities, counties, cities and counties, or districts.

Referred to Committee on Municipal Corporations.

Senate Bill No. 746—An act to amend Section 410 of the Political Code, relating to the laws, resolutions and Journals of the Legislature.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 748—An act to amend Sections 668 and 670 of the Fish and Game Code, relating to salmon

Referred to Committee on Fish and Game.

Senate Bill No. 786—An act to amend School Code Sections 3.712 and 5.152, relating to the study of the Constitution of the United States.

Referred to Committee on Education.

Senate Bill No. 915—An act to amend Sections 5.500 and 5.501 of the School Code, relating to persons employed by school districts in positions requiring certification qualifications

Referred to Committee on Education

Senate Bill No. 1001—An act to amend Section 4534 of the Elections Code, relating to campaign statements.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1052—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority; authorizing the Authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein; declaring this act to be an urgency measure and providing that it shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1181—An act to add Section 372.5 to the Agricultural Code, relating to reports by railroad corporations as to animals killed by trains.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1794—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1970—An act relating to the liability in damages of officers and employees of municipalities, counties, cities and counties, school districts, and the State of California for injuries to persons or property resulting or claimed to result from the negligence or carelessness of such officers or employees, including such injuries resulting or claimed to result from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers and employees against such liability, and to repeal an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such case, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read second time, and ordered engrossed.

Assembly Bill No. 792—An act to amend Sections 12605 and 12607 of the Business and Professions Code, relating to containers and their contents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2052—An act to amend Section 1299.18 of the Agricultural Code, relating to liens of producers of farm products sold to processors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 41—An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1247—An act to add Section 172.5 to the Penal Code, relating to selling, giving away, or exposing for sale alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 255—An act to add a new chapter to Part 1 of Division 4 of the School Code, to be known as Chapter 4, to add to Chapter 2 of Part 4 of Division 4 of said code a new article, to be known as Article 2a, and to add to said code two new sections, to be numbered 2.1223 and 4.766-1, all relating to the support of kindergartens.

Bill read second time, and ordered engrossed.

Assembly Bill No. 818—An act to amend Section 6.406 of the School Code, relating to school book depositories.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1643—An act to add Section 5 683 to the School Code, relating to the dismissal of probationary employees of school districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1995—An act to amend Section 4.910 of the School Code, relating to high school courses

Bill read second time, and ordered engrossed.

Assembly Bill No. 680—An act to add Section 3.103 to the School Code, relating to the observance of Bill of Rights Week in public schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2150—An act to add Section 5.604 to the School Code, relating to the attendance of teachers upon institutes and educational meetings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 902—An act to amend Section 318 of the Agricultural Code, relating to artificial coloring of meat products and casings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1234—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees in military or naval service.

Bill read second time, and ordered to third reading

Assembly Bill No. 845—An act to add Section 5.789 to the School Code, relating to leave of absence for noncertificated employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 8, inclusive, and insert "and class shall have the power to grant leaves of absence to employees in positions not requiring certification qualifications"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 793—An act to amend Sections 12021 and 12022 of the Business and Professions Code, relating to falsity in weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, immediately following "moisture", insert ", except such moisture as may be included or absorbed by the goods or commodity contained therein during preparation for market or processing in accordance with ordinary commercial practice,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 856—An act to add Section 1105.35 to the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "to sell cold storage eggs unless they", and insert "for a wholesaler to sell storage eggs to a retailer unless the wholesaler manifests to the retailer the fact that the eggs are storage eggs, and unless the wholesaler specifies the date on which such eggs were placed in storage."

Amendment No. 2

On page 1 of the printed bill, strike out lines 4 and 5.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 785—An act to amend Section 12209 of the Business and Professions Code, relating to the duties of sealers of weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 12209 of", and insert "add Section 12209.5 to".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 1 following the period, and all of lines 2 to 23, inclusive, and insert "Section 12209.5 is hereby added to the Business and Professions Code, to read as follows.

12209.5 Each sealer may, when so directed by the board of supervisors, issue and cause to be distributed to such persons as he may deem proper illustrative material or statements best adapted to insure the correct use of weights and measures and weighing and measuring devices and may prepare exhibits designed to inform the public for its protection of the duties performed by weights and measures officials."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 997—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of waitresses and entertainers on a percentage basis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert "salesmen,".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "or wholesaler's licenses from", and insert ", wholesaler's or retail package off-sale beer and wine licenses from engaging in soliciting sales for alcoholic beverages, or".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1080—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, strike out "Section 6", and insert "Sections 6 and 54".

Amendment No. 2

On page 1, line 22, of the printed bill, between "wine" and punctuation ";" insert ", and brandy manufacturers may also sell brandy to any person holding a license authorizing the sale of brandy"

Amendment No. 3

On page 1, line 26, of the printed bill, strike out "produced", and insert "originally distilled".

Amendment No. 4

On page 1, line 27, of the printed bill, strike out "produced", and insert "distilled".

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 1 to 17, inclusive.

Amendment No. 6

On page 2 of the printed bill, between lines 18 and 19, insert

"On and after July 1, 1941, in order to qualify for a rectifier's license, a person must actually be engaged at the time the license is issued or renewed or within 30 days thereafter, in the bottling of distilled spirits owned by him. Said distilled spirits so owned by him shall comprise at least 50 per cent of the total distilled spirits bottled by him. Provided, however, that nothing in this section shall be construed to prohibit the issuance of a distilled spirits manufacturer's agent's license to any person who is engaged in the bottling of distilled spirits owned solely by other manufacturers' agents, rectifiers, wholesalers or manufacturers.

A rectifier who also performs the functions of a distilled spirits wholesaler shall comply with all the provisions of this act applicable to a holder of a distilled spirits wholesaler's license."

Amendment No. 7

On page 2, line 24, of the printed bill, strike out "manufacturer's," and the comma after "rectifier".

Amendment No. 8

On page 2, line 25, of the printed bill, strike out the period after "license", and insert "or a person who holds no other license."

Amendment No. 9

On page 2, line 38, of the printed bill, following "beverage", strike out the comma, and insert "and".

Amendment No. 10

On page 2 of the printed bill, beginning with line 38, after "alcoholic beverages", strike out ", and". and insert a period, and strike out all of line 39.

Amendment No. 11

On page 2 of the printed bill, beginning with line 41, strike out "January 1, 1942, off-sale licenses to whole-", and strike out all of line 42; and in line 43, strike out "wholesale license.", and insert

"On and after September 1, 1941, no distilled spirits off-sale license shall be issued or renewed to a distilled spirits wholesaler whose premises are located in a city or town having a population of 50,000 or more as shown by the 1940 Federal Census or by a distilled spirits wholesaler who sells distilled spirits to licensees whose premises are located in any city or town having a population of 50,000 or more as shown by the 1940 Federal Census and a distilled spirits wholesaler's license shall not be issued or renewed to any person for premises located in any city or town having a population of 10,000 or more as shown by the 1940 Federal Census or by any person who sells distilled spirits to licensees whose premises are located in any city or town having a population of 10,000 or more as shown by the 1940 Federal Census unless such person at all times has on his wholesale premises not less than 500 cases distilled spirits for which he has fully paid in United States currency or its equivalent."

Amendment No. 12

On page 2, line 47, of the printed bill, strike out "shall", and insert "may".

Amendment No. 13

On page 2 of the printed bill, beginning with line 50, strike out "during a six month period does less than three", and all of line 51; and in line 52, strike out "sale business in alcoholic beverages", and insert "fails to comply with other provisions of this section".

Amendment No. 14

On page 3, line 27, of the printed bill, after "capacity", strike out the period, and insert "and of not less than one-half pint capacity; except that nothing in this act shall be deemed to prevent the sale or possession in packages of less than one-half pint capacity of bitters or other aromatic or flavoring or medicinal preparations, which are classed for taxing purposes as distilled spirits, by on-sale licensees."

Amendment No. 15

On page 3 of the printed bill, strike out all of lines 37 to 40, inclusive, and insert

"(k) Any manufacturer's, manufacturer's agent's, broker's, rectifier's or wholesaler's license authorizes the sale of warehouse receipts, for the kind of alcoholic beverages which such licensees are authorized to sell, to other licensed manufacturers, distilled spirits manufacturer's agents, brokers, rectifiers or wholesalers who are authorized to sell the kind of alcoholic beverages covered by the warehouse receipt; provided, that nothing in this act shall be deemed to prohibit the sale of warehouse receipts for alcoholic beverages by other persons, in accordance with rules and regulations adopted by the board, to manufacturers, manufacturer's agents, brokers, rectifiers and wholesalers licensed to sell the kind of alcoholic beverages covered by said warehouse receipt when such warehouse receipt was acquired by such person prior to May 1, 1941.

An offer to sell or an agreement to sell distilled spirits which at the time of said offer or agreement are stored in containers larger than one gallon capacity and the ownership of such distilled spirits is represented by a warehouse receipt, shall be deemed a sale of a warehouse receipt."

Amendment No. 16

On page 3, line 49, of the printed bill, between "manufacturer's," and "rectifier's", insert "manufacturer's agent's, importer's,".

Amendment No. 17

On page 3, line 51, of the printed bill, between "manufacturers" and "rectifiers", insert "manufacturers' agents, importers,".

Amendment No. 18

On page 4 of the printed bill, at the end of line 4, insert

"Such licenses shall also authorize the sale of alcoholic beverages specified in the license to persons who take delivery of such alcoholic beverages in this State for delivery or use without the State".

Amendment No. 19

On page 4, line 5, of the printed bill, strike out "manufacturers", and insert "manufacturer's".

Amendment No. 20

On page 4, line 9, of the printed bill, between 'spirits" and "and", insert "for his own account or for the account of a distilled spirits manufacturer, manufacturer's agent, rectifier or wholesaler".

Amendment No. 21

On page 4, line 11, of the printed bill, between "sale" and "of", insert "or delivery".

Amendment No. 22

On page 4 of the printed bill, between lines 13 and 14, insert

"It shall not be required that a person must actually engage in the cutting, blending or bottling of distilled spirits in order to qualify for a distilled spirits manufacturer's agent's license".

Amendment No. 23

On page 5, line 5, of the printed bill, between "manufacturer", and "may", insert "or brandy manufacturer".

Amendment No. 24

On page 5, line 6, of the printed bill, between "wine" and "at", insert "or brandy, as specified in the license," and between "wine" and "to", insert "or brandy".

Amendment No. 25

On page 5, line 11, of the printed bill, between "manufacturer" and "a", insert "or brandy manufacturer".

Amendment No. 26

On page 5, line 17, of the printed bill, strike out the period after "license", and insert "by a wine manufacturer and the payment for each such duplicate license of an amount equal to the fee paid for his original license".

Amendment No. 27

On page 5, line 25, of the printed bill, between "manufacturer," and "rectifier", insert "brandy manufacturer".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 28

On page 5 of the printed bill, at the end of said page, insert

"SEC. 2. Section 54 of said act is hereby amended to read as follows:

Sec 54. No manufacturer, manufacturer's agent, rectifier, distiller, bottler, importer or wholesaler or any officer, director or agent of any such person shall

(a) Hold the ownership, directly or indirectly, of any interest in any "on-sale" license. [except that no provision of this subdivision of Section 54 shall be held to apply to a manufacturer of beer or a manufacturer of wine with respect to one location only and the on-sale licenses, fixtures and appurtenances necessary to the conduct of such location and the sale of alcoholic beverages thereon when such location is in and upon and to be operated for the duration of the Golden Gate International Exposition to be held in the San Francisco Bay region in 1939, and the manufacturer of beer or wine has in writing notified the board of such single location as to which such manufacturer elects the provisions of this section shall not apply]

(b) Furnish, give or lend any money or other thing of value, directly or indirectly, to, nor guarantee the repayment of any loan or the fulfillment of any financial obligation of any person engaged in operating, owning or maintaining any "on-sale" premises where alcoholic beverages are sold for consumption on such premises;

(c) Furnish, give, rent, lend or sell, directly or indirectly, any equipment, fixtures or supplies, other than alcoholic beverage directly or indirectly to any person engaged in operating, owning or maintaining any "on-sale" premises where alcoholic beverages are sold for consumption on such premises; provided, that this subdivision shall apply only to manufacturers, bottlers, importers or wholesalers of products of the brewing industry;

(d) Furnish, give, lend or rent directly or indirectly to any person any decorations, paintings or signs other than signs for interior use of not to exceed in area 630 square inches for use in or about or in connection with any premises where alcoholic beverages are sold for consumption on such premises, or pay money or any thing of value for the privilege of placing or painting a sign or advertisement, or window display on or in any premises selling alcoholic beverages at retail,

(e) Own any interest, directly or indirectly, in the business, furniture, fixtures, signs, except signs for interior use mentioned in subdivision (d) herein, refrigeration equipment or lease in or of any premises operated or maintained under any

"on sale" license for the sale of alcoholic beverages for consumption on the premises where sold; or own any interest directly or indirectly in realty hereafter acquired upon which such "on-sale" premises are maintained unless the holding of such interest is permitted in accordance with regulations of the board;

(f) [Hold] *Except as permitted under Section 6 of this act or authorized by the provisions of this section hold* the ownership, directly or indirectly, of any off-sale distilled spirits license for any premises [other than such licensee's licensed wholesale premises], nor own or control any interest directly or indirectly by stock ownership, interlocking directors, trusteeship or mortgage of the premises or fixtures covered by an off-sale distilled spirits license [other than the premises of such manufacturer, rectifier, distiller, bottler, importer, or wholesaler]; except that any stockholder, member, officer or director of a corporation or association, which corporation or association held a wholesaler's distilled spirits license which was in force on May 1, 1937, or any renewal thereof under this act, may hold or own off-sale distilled spirits licenses, or interests therein, for premises other than the premises for which such wholesaler's distilled spirits license was issued. For the purpose of this subdivision the issuance of a new wholesaler's license upon the expiration of an existing wholesaler's license shall be deemed a renewal thereof.

The provisions of this subdivision shall not apply to any off-sale distilled spirits license held or to be held by any wholesaler when such off-sale distilled spirits license is necessary to enable said wholesaler to operate or continue to operate any concession or leased retail stand in any hotel, which concession or stand is required to be operated by such wholesaler pursuant to any lease or contract entered into prior to [*the effective date of this subdivision*] *July 1, 1937, and such retail off-sale distilled* spirits licenses may be issued to any such wholesaler for such premises and purposes.

[The provisions of this subdivision shall not apply for a period of one year after the effective date of this section to any ownership or control, stock ownership, mortgage or direct or indirect interest in any off-sale distilled spirits license issued in the name of another person or the premises covered by said license by any distilled spirits manufacturer, rectifier, or wholesaler, when such ownership interest, control, stock ownership or mortgage existed prior to May 1, 1937, and also provided that such ownership, control or interest shall be disclosed to the board, in accordance with *regulations adopted in connection therewith, within a period of 60 days after* the effective date of this section, and] Provided further, that nothing in this subdivision shall prohibit any holder of a distilled spirits manufacturer's, manufacturer's agent's, rectifier's or wholesaler's license or any officer, employee or representative of such manufacturer, *manufacturer's agent*, rectifier or wholesaler from acting as a trustee for any off-sale distilled spirits licensee in any bankruptcy or other proceedings for the benefit of the creditors of such off-sale distilled spirits licensee.

(g) Directly or indirectly, deliver the possession of any alcoholic beverages to any "on-" or "off-sale" licensee under an agreement of consignment whereby title to such alcoholic beverages is retained by the seller or whereby such licensee receiving such alcoholic beverages has the right at any time prior to sale to relinquish possession to or return them to the original seller;

(h) Directly or indirectly, give any licensee or any person any alcoholic beverages as free goods as a part of any sale or transaction involving alcoholic beverages.

(i) *Give secret rebates or make any secret concessions to any licensee or to the* employees or agents of said license and no licensee shall request or knowingly accept from another licensee secret rebates or secret concessions; or give or furnish, directly or indirectly, to any employee of any holder of a retail on-sale or off-sale license only anything of value for the purpose or with the intent to solicit, acquire or obtain the help or assistance of any such employee to encourage or promote either the purchase or the sale of the alcoholic beverage sold or manufactured by the licensee giving or furnishing any such thing of value, and any such employee who shall accept or acquire any such thing of value contrary to the provisions of this subdivision shall be guilty of a misdemeanor.

(j) Wilfully or knowingly discriminate, in the same trading area, either directly or indirectly in the price of any brand of distilled spirits sold to different retail licensees purchasing under like terms and conditions.

(k) Pay, credit, or compensate a retailer or retailers for advertising, display or distribution service in connection with the advertising and sale of distilled spirits.

(l) Directly or indirectly, hold the ownership or any interest by stock ownership or otherwise, in any firm, corporation, partnership or business, furnishing, supplying or dealing in any office, store or restaurant furnishings or equipment, other than signs for interior use or supplies authorized to be given under this act to any person engaged in operating, owning or maintaining any on-sale premises; provided that this subdivision shall apply only to manufacturers, bottlers, importers and wholesalers of products of the brewing industry.

Any person violating any provision of this section shall be guilty of a misdemeanor and any holder of any retail "on-sale" or retail "off-sale" license who shall solicit the violation of the provisions of this section or accept or permit to be accepted on his behalf and with his consent any of the prohibited matters, articles or acts herein designated shall be guilty of a misdemeanor; provided, however, that the provisions of this section shall not apply to any equipment, fixtures or supplies

furnished, given, lent or sold prior to the passage of this act so long as such equipment, fixtures or supplies remain in the premises in which installed prior to such time, nor shall the provisions of this act apply to carbonic acid gas or tapping accessories furnished to any one "on-sale" licensee to a limit of not exceeding a value of five dollars ($5) per tap in any one calendar year."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1410—An act to amend School Code Section 1.33, relating to property of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "loss of, or damage to," and insert "wilful injury of, damage to, or loss of".

Amendment No. 2

On page 1, line 16, of the printed bill, after "may", insert a comma and "if the board deems it necessary,".

Amendments read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 196—An act to amend Section 2.972 and Section 2.1050 of, and to add Section 2.1124 to, the School Code, relating to the compensation of members of school governing boards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "each", and insert "the first".

Amendment No. 2

On page 1 of the printed bill, strike out lines 18 and 19, and insert "board actually attended in any one calendar month, and two dollars ($2) for each subsequent meeting actually attended in the same calendar month, not to exceed sixteen dollars ($16) in any one calendar month. Such compensation shall be a"

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1427—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to, and".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "250, 251, 252, 253, 254, 258, 264, 267," and insert "71 and".

Amendment No. 3

In lines 3 and 4 of the title of the printed bill, strike out "269, 271, 273, 310 and 315".

Amendment No. 4

In line 5 of the title of the printed bill, strike out "operators", and insert "drivers".

Amendment No. 5

On page 1, line 1, of the printed bill, strike out all down to and including line 18 on page 4, and insert

"SECTION 1. Section 71 of the Vehicle Code is hereby amended to read as follows.

71. "Chauffeur." "Chauffeur" is a person who *either (1)* is employed by another for the principal purpose of driving a motor vehicle upon the highways and receives compensation, or *(2) who drives on the highways any vehicle carrying passengers for hire, compensation or profit or any motor vehicle designed, used, or maintained for the transportation of persons or property and weighing unladen six thousand (6,000) pounds or more.*"

Amendment No. 6

On page 4, line 19, of the printed bill, strike out "12", following "SEC.", and insert "2".

Amendment No. 7

On page 4 of the printed bill, strike out lines 34 to 37, inclusive, and insert

"Examinations of chauffeurs may relate to the type of vehicles to be operated, and if the applicant fails to qualify for the operation of vehicles of all types as a chauffeur he shall be restricted to the operation of the type or types for which he has qualified."

Amendment No. 8

On page 4 of the printed bill, beginning with line 38, strike out the remainder of the bill.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 690—An act to amend Section 454 of the Vehicle Code, to provide for the inclusion within the exemptions granted to authorized emergency vehicles of licensed physicians when traveling in response to emergency calls.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In the title of the printed bill, strike out lines 1, 2 and 3 and insert

"An act to add Section 454.2 to the Vehicle Code relating to the operation of vehicles owned by licensed physicians when travel-".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 454.2 is hereby added to the Vehicle Code, to read as follows:

454.2. Vehicles owned by physicians. A physician traveling in response to an emergency call shall be exempt from a strict application of the provisions of Sections 510, 511 and 577 of this code, provided the vehicle so used by him displays an insignia approved by the Department of Motor Vehicles indicating that such vehicle is owned by a licensed physician. The provisions of this section shall not relieve the driver of any such vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall the provisions of this section protect any such driver from the consequences of an arbitrary exercise of the privileges declared in this section."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 25, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1812—An act to amend Section 370 of the Vehicle Code, relating to registration and license fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 370", and insert "Sections 370 and 776".

Amendment No. 2

In line 2 of the title of the printed bill, after "fees", insert ", and making an appropriation".

Amendment No. 3

On page 1 of the printed bill, after line 7, insert

"SEC. 2. Section 776 of the Vehicle Code is hereby amended to read as follows.

776 Report and Deposit of Money The department shall file weekly with the State Controller a report of all money received by the department and at the same time deposit all such money with the State Treasurer. Of such moneys so reported and deposited, the Treasurer shall place to the credit of the "Motor Vehicle Support Fund," which fund is hereby created, (a) [thirty-six and one-half per cent (36½%)] *forty-five per cent (45%)* of all fees received as registration and weight fees and penalties thereon, and fees for special plates, (b) all other money received by the department and not otherwise appropriated

The balance of the money so received and reported as registration and weight fees and penalties thereon, and fees for special plates, shall be placed to the credit of the "Motor Vehicle Fund," which fund is hereby created in the State Treasury.

All salaries and expenses of the department, including deductions for retirement pay, shall be paid from the Motor Vehicle Support Fund."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1163—An act to amend School Code Sections 3.122 and 3.172, relating to the admission of pupils to public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 16, both inclusive, and insert

"3.122. A child shall be admitted to a kindergarten in any term during the first school month of such term, if he is of the age herein prescribed. For good cause the governing board of a school district may permit a child of proper age to be admitted to such a class after the first school month of the school term.

If there is but one term during the school year, such child must be four and one-half years of age on or before September 1, of the then current school year. If there are two terms maintained during the school year such child must be four years and nine months of age on or before September 1, of the then current school year, before he may be admitted in the first term of the school year, or four years and nine months of age on or before February 1, of the then current school year, before he may be admitted in the second term of any school year."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 19 to 28, both inclusive; and on page 2, strike out all of lines 1 to 6, both inclusive, and insert

"3.172. A child shall be admitted to the first grade of an elementary school during the first month of any school term if he is of the age herein prescribed. For

good cause, the governing board of a school district may permit a child of proper age to be admitted to such a class after the first school month of the school term.

If there be but one term during the school year, such child must be five and one-half years of age on or before September 1, of the then current school year. If there are two terms maintained during the school year such child must be five years and nine months of age on or before September 1, of the then current school year, before he may be admitted in the first term of the school year, or five years and nine months of age on or before February 1, of the then current school year, before he may be admitted in the second term of any school year."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1963—An act to repeal Sections 3.331 to 3.339, both inclusive, of, and to add Sections 3.331 to 3.339a, both inclusive, to the School Code, relating to high school pupils attending high school in adjoining States.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, after the comma, insert "and to add Chapter 8 to Part 1 of Division 3 of said code, all".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "high", and insert "the interstate attendance of public".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "attending high", and strike out all of line 4, and insert a period.

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "coterminous", and insert "contiguous".

Amendment No. 5

On page 1, line 17, of the printed bill, after the period, insert

"The payment for transportation shall not exceed twenty dollars ($20) per month per pupil transported."

Amendment No. 6

On page 1, line 22, of the printed bill, after "State", insert a comma and "not to exceed twenty dollars ($20) per month per pupil transported,".

Amendment No. 7

On page 2, line 2, of the printed bill, strike out "submit", and insert "certify".

Amendment No. 8

On page 2, line 16, of the printed bill, strike out the period, and insert a comma and "but such amount shall not include any costs for the transportation of such pupils in excess of twenty dollars ($20) per month per pupil transported."

Amendment No. 9

On page 2, line 17, of the printed bill, strike out the first word "amount", and insert "cost".

Amendment No. 10

On page 2, line 17, of the printed bill, strike out "required to be paid", and insert "and transportation".

Amendment No. 11

On page 2, line 33, of the printed bill, after "all", insert "costs of transportation and all".

Amendment No. 12

On page 2 of the printed bill, beginning in line 36, strike out "in favor of the high school district educating such pupils.", and insert a period.

Amendment No. 13

On page 2 of the printed bill, following line 50, insert

"SEC. 12. Chapter 8 is hereby added to Part 1 of Division 3, of the School Code, to read as follows:

CHAPTER 8 ADMISSION OF PUPILS

3.105. The governing board of any school district of any type or class may, with the approval of the county superintendent of schools, admit to the schools thereof pupils living in an adjoining State which is contiguous to such school district; provided, that an agreement shall be entered into between such governing board and the governing board or authority of the school district in which such pupils reside providing for the payment by the latter of such tuition as shall be agreed upon. The amount of such tuition per unit of average daily attendance of pupils from such adjoining State shall not exceed the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance in the district of attendance, plus the actual expenditure, not to exceed ten dollars ($10) per pupil per month for the transportation of such pupils."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1622—An act to amend School Code Section 5.410, relating to the public school system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend School Code Section 5.410", and insert "add Section 5 331 to the School Code".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "the", and insert "authorization of service in schools of the".

Amendment No. 3

In line 2 of the title of the printed bill, strike out the period, and insert a comma and "declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 1 to 6, both inclusive, and insert

"SECTION 1. Section 5 331 is hereby added to the School Code, to read as follows:

5 331. All teachers', administrative service, and supervisory service credentials, life diplomas, California normal school diplomas, university documents, normal documents, State teachers college and State college credentials; city, city and county, and county certificates of all grades, granted in accordance with State Board of Education regulations previous to the first day of October, 1941, not heretofore revoked, shall be continued in full force and effect for the full time for which they were granted, and shall be deemed valid for all purposes and to the full extent of time that the same were intended respectively to be until revoked by the State Board of Education.

SEC 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, of Article IV of the Constitution of the State of California, and shall therefore take effect immediately A statement of the facts constituting such urgency is as follows:

Over a long period of years, the State Board of Education and the Commission of Credentials of the State Department of Education have issued several thousand credentials valid until revoked, to qualified graduates of the State colleges and the University of California. The right of the State Board of Education and the Commission of Credentials of the State Department of Education to have issued credentials valid until revoked has been questioned in a recent opinion of the Attorney General, and as a consequence, the validity of the credentials already issued is in doubt In order to adequately protect the right of the persons holding credentials of this nature, such as are serving under such credentials and to insure against the loss of their positions in the public school system, it is necessary that this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendmerts

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "735.9 and 736.1", and insert "735.4, 736.3, 736.11, 736.13, 736.14, 737.5, 737.7 and 737.11".

Amendment No. 2

Strike out all of line 2 of the title of the printed bill, and insert "cultural Code,".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "ings".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 6 to 27, inclusive, and insert "(b) "Fluid milk" means any and all whole milk which is produced in conformity with applicable health regulations for market milk of the place where such milk is consumed and for the purpose of this chapter fluid milk may be classified as follows:

Class 1. Any such milk which is supplied to consumers in the form of whole milk, which shall include "raw milk"; "pasteurized milk"; "homogenized milk"; condensed" and "evaporated" milk, or "modified milk" which is prepared from fluid milk but is not packaged in hermetically sealed containers; any combination of fluid milk and fluid cream containing a milk-fat content in excess of the minimum statutory requirements for fluid milk and less than the minimum statutory requirement for "cream," and includes milk fat used in the standardization of Class 1 fluid milk;

Class 2 Any such milk or the cream derived from such milk, as cream is defined in the Agricultural Code, and sold or disposed of by distributors for consumption as cream;

Class 3 Any such milk or the cream derived from such milk, as cream is defined in the Agricultural Code, and sold or disposed of by distributors in any form not included in Classes 1, 2 or 4;

Class 4. Any such milk or the cream derived from such milk, as cream is defined in the Agricultural Code, which is used by a distributor in the manufacture of butter."

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 7 to 12, inclusive, and insert "(c) "Fluid cream" means any and all cream defined in the Agricultural Code as cream and which is processed and packaged as cream; provided, however, that the cream derived from the separation of Class 2 fluid milk shall not be considered as fluid cream except that such cream when packaged as cream shall be subject to all of the terms and provisions of orders of the director establishing minimum wholesale and minimum retail prices for fluid cream."

Amendment No. 5½

On page 5, line 16, of the printed bill, after "cows", insert "or goats".

Amendment No. 6

On page 2 of the printed bill, strike out all of lines 25 to 35, inclusive, and insert "incorporated and unincorporated associations The definition of "distributor" shall not include any of the following (1) any retail store which is not engaged in processing or bottling of fluid milk or fluid cream, (2) any establishment where fluid milk or fluid cream is sold only for consumption on the premises, which is not engaged in processing or bottling of fluid milk or fluid cream, (3) any producer who delivers fluid milk or fluid cream only to a distributor

(ff) "Producer-distributor" means any person who is both a producer and a distributor of fluid milk or fluid cream For the purposes of this chapter a producer-distributor shall be deemed to be a producer in any transaction involving the delivery of fluid milk or fluid cream produced by him to a distributor, and shall be deemed

to be a distributor in any transaction involving the delivery of fluid milk or fluid cream to a person who is not a distributor as defined in this section."

Amendment No. 7

On page 2, line 41, of the printed bill, strike out the period, and insert "and include all territory within such geographical limits owned by or ceded or leased to any subdivision of the Federal, State or local governments, or to any agency thereof"

Amendment No. 8

On page 2 of the printed bill, immediately following line 51, insert

"(l) "Purchase", "sell", or any other form of such terms, includes any transaction or means by which title, possession, or control, or the right to title, possession, or control of fluid milk or fluid cream passes to another person for sale or resale and shall include the transfer of fluid milk or fluid cream to any person on consignment, the handling or receiving of fluid milk or fluid cream through agencies, agency agreements, or by any and all similar methods for the purpose of transferring possession or obtaining title to or control of fluid milk or fluid cream, provided, however, that nothing herein contained shall prevent a cooperative association of producers from deducting operating expenses of such association, other than those expenses incurred in receiving, processing or distributing fluid milk or fluid cream.

(m) "Payment" means to pay in full in lawful money or its equivalent at not less than the minimum price prescribed by the director in any stabilization and marketing plan or order establishing minimum wholesale and minimum retail prices for fluid milk or fluid cream; provided, however, that in any place where a stabilization and marketing plan is not in effect the prices to be paid by distributors to producers shall be those specified in a written contract filed with the director pursuant to the provisions of Section 736 3 (5) of this chapter.

SEC. 2 Section 735 4 of the Agricultural Code is hereby amended to read as follows.

735 4 (a) The director shall have and may exercise any or all the powers conferred by Section 353 of the Political Code upon the head of a department of the State with respect to hearings and investigations under this chapter

(b) The director is hereby declared to be the instrumentality of this State for the purpose of administering and enforcing the provisions of this chapter and to execute the legislative intent herein expressed, and is hereby vested with the administrative authority:

(1) To investigate any and all transactions between producers and distributors[,] *or among distributors* or between distributors and retail stores or between distributors and consumers[,] or *between* retail stores and consumers, and for that purpose the director or his authorized agents shall have access to and may enter at all reasonable hours all places where milk is being stored, bottled or manufactured, or where milk or milk products are being bought, sold or handled, or where the books, papers, records or documents relating to such transactions are kept, and shall have power to inspect and copy the same in any place within the State

(2) To issue licenses to distributors and require the registration of producers

(3) To formulate any stabilization and marketing plan as prescribed in this chapter and declare the same effective after public hearing and reasonable notice by mail or otherwise to all producers and distributors of record with the director, affected by such plan.

(4) To prescribe minimum prices to be paid by distributors in accordance with a stabilization and marketing plan for fluid milk and classify said milk according to usage by distributors; provided, that the prices so prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above such costs incurred in producing and marketing manufacturing milk

(5) To prescribe minimum prices to be paid by distributors for fluid cream in accordance with a stabilization and marketing plan, provided, that the prices so prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid cream over and above such costs incurred in producing and marketing manufacturing milk.

(6) (a) To amend or terminate any stabilization and marketing plan, after notice and public hearing as prescribed in Section 736 1, in the event that he finds that such plan is no longer in conformity with the standards prescribed in, or will not tend to effectuate the purposes of, this chapter Such hearing may be held upon the motion of the director and shall be held upon receipt of a petition signed by producers representing not less than 55 per cent of the total number of all producers and not less than 55 per cent of the total production of all producers who are eligible to petition the director for the formulation of such plan.

(b) To amend, after notice and public hearing called and held in the same manner as provided in Section 736 12, any minimum wholesale and retail prices established under the provisions of Article 2a of this chapter, in the event that he finds that any such price is, or that any such prices are, no longer in conformity

with the standards prescribed therefor, or will not tend to effectuate the purposes of this chapter.

(c) To terminate any such minimum wholesale and retail prices without notice or hearing at any time that there is no stabilization and marketing plan in force and effect in such marketing area.

(7) To appoint a local control board for any marketing area, in the event that he deems such board necessary or advisable.

(8) To remove any member from a local control board in the event that he finds such member, after hearing, is guilty of nonfeasance or malfeasance in office.

(9) To appoint a member to fill a vacancy on a local control board.

SEC. 3. Section 736.3 of the Agricultural Code is hereby amended to read as follows:

736.3. Any stabilization and marketing plan shall contain the following provisions:

(a) Provisions for prohibiting distributors *and retail stores* from engaging in the unfair practices hereinafter set forth:

(1) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise.

(2) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing the fluid milk or fluid cream business of any customer.

(3) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions.

(4) The false or misleading advertising of fluid milk or fluid cream as defined in Section 654a of the Penal Code.

(5) The purchase of any fluid milk in excess of 100 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period; the quantity of such milk to be paid for as Class 1, [and Class 2,] and the price to be paid for each of the several classes, [but in any marketing plan where an equalization pool is in operation such contract need not specify the quantity of the several classes.] *but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class.* The contract shall also state the date and method of payment, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter, *and shall contain a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk in excess of 20 per cent more than the amount for which such producer received the Class 1 price during the preceding calendar month.* A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution.

(6) The purchasing, processing, bottling, offering for sale, contracting for sale, consigning, selling, transportation, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area.

(7) The purchasing or receiving of any fluid milk from any producer by distributors within a marketing area, which milk is sold or distributed outside a marketing area, for less than the average of the prices paid for fluid milk of similar grade or quality by distributors for fluid milk received at plants in the town or vicinity in which such fluid milk is distributed as such prices are determined by the director from contracts required to be filed with him pursuant to this section.

(8) Any deduction by a distributor from payments for fluid milk purchased or received from a producer which has not been authorized by the provisions of a stabilization and marketing plan, or by written agreement signed by both producer and distributor, a copy of which has been filed with and approved by the director; provided further, that no such agreement may contain provisions at variance with or contrary to the provisions of any applicable stabilization and marketing plan.

(b) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers, for fluid milk in one or more of the various classes; provided, however, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above costs incurred in producing and marketing manufacturing milk; and provided further, the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome milk.

Any stabilization and marketing plan may contain the following provisions:

(c) Provisions whereby distributors shall report to each producer from whom fluid milk is secured, the volume of fluid milk received from such producer in pounds

of milk, the milk fat test of such milk and the amount of fluid milk in milk fat pounds paid for in the several classes and the prices paid for the various classes for each month.

(d) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid cream [.] *:* provided, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing cream, taking into consideration the additional costs incurred in producing and marketing fluid cream; and provided further, that the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome cream.

(e) Provisions whereby the director designates or prescribes methods to provide uniform prices to be paid to all producers supplying fluid milk to distributors for pasteurization purposes in the marketing area involved by pooling the returns of all such fluid milk [,] *;* provided, that no equalization pool shall be established unless the director, after hearing, determines that producers who supply distributors with not less than sixty-five *(65)* per cent of the total volume of fluid milk used for pasteurization purposes and who represent not less than sixty-five *(65)* per cent of the total number of such producers desire the establishment of such pool, but no hearing shall be necessary if said sixty-five *(65)* per cent, by volume and production, of such producers petition the director in writing to establish such equalization pool as a part of the plan. If the director finds that an equalization pool is necessary to carry out the provisions of this chapter he shall make provision therefor. The director may designate the local control board for the marketing area as his agency to operate the equalization pool and may permit such local board to employ a pool manager and such other necessary personnel and to incur such expenses incidental to the operation of the pool as the director finds are necessary. The director is hereby empowered to require distributors to make reports to the pool manager at such intervals and in such detail as he finds is necessary for the operation of the pool which reports shall be kept confidential as to any individual distributor but shall be available to the director or his agents and the pool manager, and such employees of the pool as are necessary to the operation of the equalization pool.

No provision of any pooling program shall prevent any distributor from paying premiums for quality *:* provided, all producers supplying fluid milk of like quality to such distributor are paid similar premiums, nor shall any provision prohibit the paying of different prices to producers based on differentials in transportation, adjustments or deductions made by a cooperative association of producers to its members, including the blending of proceeds received from the sale of fluid milk by such cooperative in other markets. Distributors who purchase fluid milk from producers for pasteurization purposes shall deduct from payments due such producers at such time and in such manner such sums as the director determines are sufficient to insure uniform prices to all producers subject to the provisions of the equalization pool, irrespective of the usage of such fluid milk by the distributors. Distributors shall make, in addition to the deductions herein prescribed, such additional deductions per pound milk fat as the director finds necessary to pay all expenses incidental to the operation of the equalization pool, including the establishment of a reserve account to insure prompt payments to producers. The deductions herein prescribed are in addition to any other deductions prescribed by this chapter.

SEC. 4. Section 736.11 of the Agricultural Code is hereby amended to read as follows:

736.11 The director shall, as soon as possible, after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing [,] *:*

(a) Minimum wholesale prices which, as used herein, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail stores, restaurants, confectioneries and other places for consumption on the premises but excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributors; and

(b) Minimum retail prices which, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors and retail stores to consumers.

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of Section 736.12.

The director shall in making effective any stabilization and marketing plan for fluid cream, correlate the price to producers for fluid cream to the cost to distributors of cream obtained from Class 2 fluid milk, taking into consideration the value

of skim milk obtained by separation of Class 2 fluid milk, transportation charges and other factors entering into the production of fluid cream and cream obtained from Class 2 fluid milk.

SEC. 5. Section 736.13 of the Agricultural Code is hereby amended to read as follows:

736 13. No distributor shall sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or to any consumer, and no retail store, restaurant, confectionery or other place for consumption on the premises, shall purchase from any distributor or sell to any consumer, any fluid milk or fluid cream, or either of them, at less than the prices as established by the director under the provisions of this article, and the use or attempted use of any method, device or transaction whereby any distributor sells or offers *or agrees* to sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or consumer or any retail store, restaurant, confectionery or other place for consumption on the premises, buys or offers *or agrees* to buy from any distributor, or sells or offers *or agrees* to sell to any consumer fluid milk or fluid cream, or either, at a price less than that established by the director under the provisions of this article, whether by discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift, or otherwise and whether any such discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift applies directly to fluid milk or fluid cream or is allowed upon or in connection with the sale or handling of any other commodity or product, is hereby prohibited. [The director may, for the purpose of enabling him to enforce the provisions of this section, require every] *Every* distributor in any marketing area [to file] *wherein an order establishing minimum wholesale and minimum retail resale prices is in effect shall file* with [him] *the director* schedules and any amendments thereto setting forth the prices at which each such distributor is selling or offering *or agreeing* to sell *fluid milk, fluid cream and* dairy products, *excluding butter, cheese, except cottage cheese, canned milk, powdered milk, casein and ice cream,* in such marketing area. *Such filings shall be made in such office of the director as he shall designate. Such prices shall not become effective until the fifth day after filing. Evidence of any sale of, or offer or agreement to sell such fluid milk, fluid cream or dairy products by a distributor, made as part of, or in connection with the sale of, or offer or agreement to sell fluid milk and fluid cream, or both, in a marketing area where prices for fluid milk or fluid cream, or both have been established by the director, at less than the prices theretofore filed with the director by such distributor pursuant to the provisions of this section, shall constitute prima facie proof of a violation of this section. Offers and agreements to sell, as used herein shall include offers and agreements which are conditional, or which shall become effective, upon the filing thereafter of amended prices by the distributor making such offer. Upon receipt of such amendments the director shall forthwith date, file, and index the same in such manner that the information therein contained shall at all times be kept current and be readily available to any interested party desiring to inspect the same. Any other distributor in the marketing area may meet any such prices so filed provided that such distributor shall file with the director a schedule of prices not exceeding the prices so met by him within 24 hours after meeting the same.*

SEC. 6. Section 736 14 of the Agricultural Code is hereby amended to read as follows:

736 14. Distributors who are subject to the provisions of this article shall pay to the director on all milk fat contained in fluid milk and fluid cream purchased from producers, *including their own production, if any,* a fee in mills per pound of milk fat equal to that required to be deducted from the payments due producers of fluid milk under Section 737.6 of this code. The amount so received by the director shall be used in the administration and enforcement of this chapter or any stabilization or marketing plan established by this chapter. Any amounts in excess of that required for this purpose shall be returned *pro rata,* at such times as the director may determine, to distributors [pro rata] from whom such sums were collected.

SEC 7. Section 737.5 of the Agricultural Code is hereby amended to read as follows:

737 5. (a) After thirty *(30)* days after the effective date of this chapter no distributor shall deal in fluid milk or fluid cream without first having obtained a license from the director. The special licenses provided in this section are in addition to any and all licenses required by any other section of Division 4, Agricultural Code, or any law or ordinance of any county or municipality of this State. Applications for the licenses herein provided shall be made on forms prescribed by the director and shall state the name and address of the applicant and such details as to the nature of the applicant's business as the director may require. *Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application.* [Licenses shall be issued for a period of 12 months from the first day of each year. Application for renewal shall be made at least 30 days before the commencement of the license year.]

Licenses shall be issued for a period of twelve (12) months from the first day of each year or for the remainder of the calendar year from the date of issuance. Application for a new license for the following year by a licensee shall be made at least thirty (30) days prior to the commencement of such year, and if not so made the applicant shall pay an additional sum equal to 50 per cent of the license fee before such license shall be issued.

(b) [Before any license is issued to any distributor who purchases fluid milk or fluid cream from producers, the applicant shall] *Every distributor before purchasing any fluid milk or fluid cream from a producer must* execute and deliver to the director a surety bond in the minimum sum of *one thousand dollars* ($1,000), executed by the applicant as principal and by a surety company qualified and authorized to do business in this State as surety. Said bond shall be upon a form approved by the director, and shall be conditioned upon the payment in the manner required by this chapter, of all amounts due to producers for fluid milk or fluid cream purchased by such licensee or applicant during the license year. Said bond shall be to the State in favor of every producer of fluid milk and fluid cream. In case of failure by a distributor to pay any producer or producers for fluid milk or fluid cream in the manner required by this chapter, the director shall proceed forthwith to ascertain the names and addresses of all producer-creditors of such distributor, together with the amounts due and owing to them and each of them by such distributor, and shall request all such producer-creditors to file a verified statement of their respective claims with the director. Thereupon the director shall bring an action on the bond on behalf of said producer-creditors. Upon any action being commenced upon said bond, the director may require the filing of a new bond and immediately upon a recovery in any action upon such bond, such distributor shall file a new bond, and upon failure to file same within ten *(10)* days in either case, such failure shall constitute grounds for the revocation or suspension of the license of such distributor. In the event that recovery upon the bond is not sufficient to pay all of the claims as *finally determined and adjudged by the court, any such amount recovered shall be* divided pro rata among said producer-creditors.

The minimum bond of *one thousand dollars* ($1,000) shall be required of distributors purchasing an average daily quantity of fluid milk [not to exceed] *of less than* 100 gallons; distributors purchasing an average daily quantity of 100 gallons and less than 200 gallons must post a bond in the amount of *two thousand dollars* ($2,000); distributors purchasing an average daily quantity of 200 gallons and less than 300 gallons must post a bond in the amount of *three thousand dollars* ($3,000); distributors purchasing an average daily quantity of 300 gallons or more shall post a bond in the sum of *five thousand dollars* ($5,000).

The same bond requirements shall apply to purchases of fluid cream, except that for the purposes of computation of the required bond, 10 gallons of fluid cream shall be deemed the equivalent of 100 gallons of fluid milk.

In the event that any distributor so increases his purchases of fluid milk or fluid cream during the license year that said purchases exceed the amount for which said distributor is bonded, said distributor shall forthwith post such additional bond or bonds as may be required to comply with the provisions of this section.

The licenses and bonds provided for in this section shall be required for each distributor, and for the purposes of this section each subsidiary milk plant or branch milk plant whether under one ownership or not shall be considered as an individual distributor.

Failure of any distributor who purchases fluid milk or fluid cream from producers to execute and deliver the bond as herein provided and required shall constitute a violation of this chapter; failure of any such distributor to post such additional bond or bonds as may be required to comply with the provisions of this chapter shall likewise constitute a violation of this chapter.

SEC. 8. Section 737 7 of the Agricultural Code is hereby amended to read as follows:

737 7. (a) The violation of any provision of this chapter, or of any provision of any stabilization and marketing plan *or any order of the director establishing minimum wholesale and minimum retail prices for fluid milk or fluid cream or of any other order, rule or regulation* formulated under the provisions of this chapter, or of any of the unfair practices set forth in this chapter, is a misdemeanor, and is furthermore ground for revocation or suspension of license in the manner set forth in this chapter. The unfair practice provisions described in this chapter are hereby declared to apply to all distributors, whether or not a plan is in effect in the area in which a distributor is licensed or carries on business.

(b) Every distributor must pay for fluid milk or fluid cream delivered to him or it at the time and in the manner specified in the contract with the producer; failure to make such payment is hereby declared to be a violation of this chapter, and ground for refusal, suspension or revocation of license in the manner set forth in this chapter

(c) Any person who violates any provision of a stabilization and marketing plan *or any order of the director establishing minimum wholesale and minimum retail resale prices for fluid milk or fluid cream* shall be liable civilly in the sum of five

hundred dollars *($500)* for each and every violation, such sum to be recovered by the director in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State Treasury to the credit of the Department of Agriculture Fund.

SEC. 9. Section 737 11 of the Agricultural Code is hereby amended to read as follows:

737.11. (a) The director may refuse to grant any license herein provided and may, after due hearing upon a verified complaint signed and filed with the director by any interested person, revoke or suspend any such license as the case may require, when he is satisfied that any applicant or licensee has violated any provision of this chapter, or any provision of any stabilization and marketing plan formulated under the provisions of this chapter, *or of any order of the director establishing minimum wholesale and minimum retail resale prices for fluid milk or fluid cream or of any other order, rule or regulation formulated under the provisions of this chapter*. Upon the filing of such a verified complaint, the director shall cause a copy thereof, together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon the person or persons named as respondent or respondents therein. Such service shall be made at least ten *(10)* days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the licensee or respondent, or in which the transaction or violation complained of is said to have occurred, *or in the county seat of the county in which the transaction or violation complained of is said to have occurred*, or in the nearest office of the State Department of Agriculture, at the discretion of the director. At the time and place appointed for such hearing the director or his agents shall hear the parties to said complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. A copy of such decision shall be furnished to each, every and all *of* the respective parties thereto.

(b) Such decision may include an order refusing, revoking or suspending the license applied for or held by the respondent, or affixing such other conditional and probationary orders as may be proper for the enforcement of this chapter or any of the provisions thereof or of any stabilization and marketing plan formulated hereunder.

(c) [After a hearing upon the verified complaint referred to herein,] *At the time of the filing of the verified complaint herein provided,* or after any decision as above described, [and in the event that any person against whom an order is entered and specified as herein set forth shall fail, refuse or neglect to obey said order, within the time specified in said order,] the director may thereupon and in the premises issue to and serve upon said person or respondent, an order directing said person or respondent to show cause why the license of said person or respondent should not be suspended or revoked for the violation [charged or for failure to comply with any previous order entered as herein provided.] *complained of in the verified complaint or specified in the decision.*

(d) Where the order to show cause is heard separately from the case or hearing set forth in the verified complaint, a copy of the said order to show cause, together with notice of the time and place of hearing upon said order, shall be served personally or by mail upon said person or respondent. Said order shall refer to an attached copy of a verified complaint, or to such other notice, affidavit or official document, in such a way as generally to advise and inform the respondent of the charge or violation upon which said order is based and pursuant to which it is issued. Such service shall be made at least ten *(10)* days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the respondent, or in which the transaction or violation complained of is said or charged to have occurred, *or in the county seat of the county in which the transaction or violation complained of is said or charged to have occurred*, or at the nearest office of the State Department of Agriculture, at the discretion of the director.

(e) At the time and place appointed for such hearing the director or his agents shall hear the matter set forth in the order, and the showing of the licensee in the premises, and shall enter in the office of the director at Sacramento an order and decision specifying the facts, dismissing the order to show cause or directing the suspension or revocation of the license or licenses held by the licensee, or making such other conditional or probationary orders as may be proper, upon the evidence presented at such hearing. A copy of said order and decision shall be furnished to the licensee. Previous violation by any applicant or by any person connected with said applicant of any provision of this chapter or of any stabilization and marketing plan formulated thereunder *or of any order of the director establishing minimum wholesale and minimum retail prices for fluid milk and fluid cream or of any other order, rule or regulation formulated under the provisions of this chapter* shall be good and sufficient ground for denial of a license."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1207—An act to provide for the formation of districts within municipalities, for the providing of parking space for automobiles; for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, lanes, alleys, public auto parks, and public right of ways within such districts necessary or convenient therefor; for the condemnation of property or of any interest therein necessary or convenient therefor; for work in or upon any such places including property over which possession and right of use has been obtained under the provisions of Section 14, of Article I, of the Constitution in such districts; for the acquisition and construction of public improvements, works, equipment necessary or convenient therefor; for the maintenance of such districts and the public improvements, works, and equipment thereof; for the issuance, sale, and payment of bonds of such districts to meet the cost thereof; for the levy of assessments; and providing for aid from any county, municipality, State, or the Federal Government, or any department thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6 and 7 of the title, and insert "or in part, of public auto parks and public right of ways necessary or convenient therefor; for the con-".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 10, inclusive, and insert "in whole or in part, of public auto parks and public right of ways necessary or convenient therefor; for the condemnation of property, or of any interest therein, necessary or convenient for such purposes; for work in or upon public auto parks and public".

Amendment No. 3

On page 2 of the printed bill, strike out line 1, and insert "right of ways, including property over".

Amendment No. 4

On page 3 of the printed bill, strike out lines 15 to 20, inclusive, and insert "published by said clerk once in said city in a newspaper of general circulation published therein. In any city where no such".

Amendment No. 5

On page 5, line 29, of the printed bill, after "contain", insert "substantially".

Amendment No. 6

On page 8 of the printed bill, between lines 10 and 11, insert

"The provisions of an act entitled "An act to secure the payment of claims of persons employed by contractors upon public works and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as now or hereafter amended, are hereby expressly made applicable to any work performed under the provisions of this act."

Amendment No. 7

On page 9 of the printed bill, following line 50, insert

"This act and all proceedings hereunder shall be exempt from any and all provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931."

SEC. 15. This act shall be known and may be cited and referred to as the "Automobile Parking District Act of 1941." "

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1440—An act to amend the title of, and to add Sections 30 to 72, inclusive, to an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to authorizing the creation and establishment of sewage disposal districts within the boundaries of a municipal utility district, and authorizing the issuance of bonds, including revenue bonds, for the acquisition or construction of sewage disposal systems, providing for the operation and maintenance thereof, and providing for the fixing, collecting and application of rates and charges for the use of such sewage disposal systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, after "6E", insert "7,".

Amendment No. 2

On page 2, line 15, of the title of the printed bill, after "6F to 6I INCLUSIVE," insert "7a,".

Amendment No. 3

On page 2, line 18, of the title of the printed bill, after "SPECIAL DISTRICTS;" insert "OATHS OF OFFICE;".

Amendment No. 4

On page 18 of the printed bill, strike out lines 16, 17 and 18, and insert "in this act includes city, county water district, county sanitation district or sanitary district."

Amendment No. 5

On page 25, line 10, of the printed bill, after "porated territory", insert "within the boundaries of a municipal utility district".

Amendment No. 6

On page 25, line 41, of the printed bill, strike out "placed", and insert "places".

Amendment No. 7

On page 26 of the printed bill, between lines 29 and 30, insert

"SEC. 13a. Section 7 of said act is hereby amended to read as follows.

Sec. 7. Except as otherwise provided herein, all subsequent elections and nominations of candidates for directors to be elected thereat shall be held and conducted in accordance with the general election laws of the State as near as they may be applicable.

Notice of election shall be given by publication once a day for at least seven days in one or more newspapers of general circulation published and circulated at least six days a week in such district, or once a week for two weeks in some newspaper published less than six days a week in such district; and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. In districts where no such newspaper is published, such notice shall be posted in three public places therein for two succeeding weeks. No other notice of such election need be given. Said notice shall refer to the wards as previously established by resolution or ordinance of the board of directors.

The board of directors shall in the notice, ordinance or resolution calling an election consolidate the same with the election to be held at the same time in the respective counties wherein the district is located and shall authorize the respective boards of supervisors to canvass the returns of such district election and certify the

result of said canvass to the directors of said district and it shall be the duty of the board or boards of supervisors to so consolidate said election, canvass such returns and cause the result thereof to be properly certified to the board of directors of said district.

Such election shall be held in all respects as if there were only one election, and only one ticket or ballot shall be used thereat. Nomination papers shall be circulated throughout the district. A nomination paper containing the name of the candidate to be nominated, with such other information as may be required herein, shall be signed by electors residing within the district equal in number to at least 1 per cent of the entire vote cast at the last preceding general election within the district.

Except as otherwise provided herein the provisions of Section 1188 of the Political Code and of Sections 5, 6 and 10 of the Direct Primary Law as the latter existed in 1926 shall substantially govern as to the manner of appointment of verification deputies, the form of nomination papers and the securing of signatures thereto and fastening together of sections of the nomination paper containing such signatures, the filing of the candidate's affidavit, the payment of filing fees and all other things necessary to get the name of the candidate upon the ballot; provided, however, that verification deputies may obtain signatures to the nomination paper of any candidate at any time not more than 65 days nor less than 40 days prior to such election, and all nomination papers shall be filed with the secretary of the district not more than 60 days nor less than 35 days before the day of election and shall be examined by him. Said election shall be consolidated with the general election as to territory which is the same and the secretary of the district shall certify the names of all candidates to be placed upon the ballot to the county clerk or county clerks within the territory affected by such consolidation at least 25 days prior to the date of said election. Upon the filing of a sufficient nomination paper and affidavit by any candidate the name of such candidate shall go upon the ballot at the ensuing general election. Upon receipt of the returns of the canvass by the respective boards of supervisors the directors of the district shall meet and determine results of the election and declare the candidate or candidates elected.

The secretary of the district shall issue certificates of election signed by him and duly authenticated immediately following the determination of the result of the election by the directors of the district

[The oath of office must be taken, subscribed and filed with the secretary of the district within 30 days after the officer has notice of his election or appointment or before the expiration of 15 days before the commencement of his term of office. No other filing is required.]

Of the directors elected at the next general State election following the election at which the district is created, those three elected by the highest vote shall hold office for four years, and the other two for two years, and until their successors are elected and qualified Thereafter, at each biennial general election [provided for under Section 1041 of the Political Code], a number of directors corresponding to the number whose term of office expires shall be elected for the term of four years. The terms of such officers shall commence on the first Monday after the first day of January next following their election

SEC. 13b. Section 7a is hereby added to said act, to read as follows:

Sec. 7a. The oath of office of all officers of the district, whether elected directors or appointed officials, shall be taken, subscribed and filed with the secretary of the district within 30 days after the officer has notice of his election or appointment or before the expiration of 15 days before the commencement of his term of office. No other filing is required."

Amendment No. 8

On page 27, line 33, of the printed bill, strike out "this", and insert "the".

Amendment No. 9

On page 29, line 52, of the printed bill, after "city", insert a comma.

Amendment No. 10

On page 30, line 15, of the printed bill, strike out "sewer", and insert "sewage".

Amendment No. 11

On page 35, line 30, of the printed bill, after "municipal utility district", insert "and within the boundaries of a single county,".

Amendment No. 12

On page 36, line 9, of the printed bill, strike out "contan", and insert "contain".

Amendment No. 13

On page 37, line 21, of the printed bill, strike out "any area in", and insert "additional area within the same county in which the territory proposed to be included in said special district is located and within".

Amendment No. 14

On page 37, line 29, of the printed bill, strike out the period after the word "notice" and insert "provided further, no public agency or portion thereof shall be included within the boundaries of a special district unless the legislative body thereof shall, by resolution, consent thereto

The consent of the legislative body of any public agency to the inclusion of such public agency or portion thereof shall not be required if the proceedings for the creation of said special district have been initiated by petition of the electors as provided in Section 15d."

Amendment No. 15

On page 38 of the printed bill, strike out lines 8 and 9.

Amendment No. 16

On page 38, line 13, of the printed bill, strike out "the board of directors shall canvass".

Amendment No. 17

On page 38 of the printed bill, strike out line 15, and insert "ritory, if any, shall be canvassed separately and the board of directors shall order and declare said".

Amendment No. 18

On page 38 of the printed bill, strike out lines 22, 23 and 24, and insert "Sec. 15j. If a proposition for incurring a bonded indebtedness is submitted at the same election with the proposal to create said special district, the votes cast on the proposition of incurring a bonded indebtedness shall be separately canvassed in the special district as a whole. It".

Amendment No. 19

On page 38, line 40, of the printed bill, strike out "matter".

Amendment No. 20

On page 40, line 12, of the printed bill, after "act", strike out the period, and insert "and has been organized for not less than two years".

Amendment No. 21

On page 41 of the printed bill, strike out lines 15 to 22, inclusive, and insert "The board may provide that rates, tolls and charges for any sewage disposal enterprise or service may be collected with the rates, tolls and charges for any water or other utility service rendered by the utility district, and that all rates may be billed upon the same bill and collected as one item. If charges for water and sewage disposal service are billed upon the same bill the utility district may discontinue water service in the event of failure to pay the whole or any part of said bill. The".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1442—An act to provide for the organization, incorporation, and government of joint municipal sewage disposal districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of sewage disposal systems and to levy and collect taxes to pay the principal and interest thereon, and authorizing such districts to issue revenue bonds for the acquisition and construction of sewage disposal systems, and for the fixing, collecting and application of rates and charges for the use of sewage disposal systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert "Article I. Organization of District."

Amendment No. 2

On page 1, of the printed bill, strike out lines 10 to 14, inclusive, and insert "or more municipalities and unincorporated territory, or any portion of one or more municipalities, and any portion of the unincorporated territory of a county; provided, however, that no such district shall be organized to include territory in more than one county. The territory of any".

Amendment No. 3

On page 2, line 13, of the printed bill, strike out "counties", and insert "county".

Amendment No. 4

On page 2, line 30, of the printed bill, strike out "each", and insert "the".

Amendment No. 5

On page 2, line 41, of the printed bill, strike out "each", and insert "the".

Amendment No. 6

On page 2, line 48, of the printed bill, strike out "each", and insert "the".

Amendment No. 7

On page 3, line 4, of the printed bill, strike out "each county", insert "the county".

Amendment No. 8

On page 3, line 13, of the printed bill, strike out the entire line, and insert "SEC. 8. Instead of proceeding in the manner hereinabove provided, a joint municipal sewage disposal district may be created in the manner following:

The legislative body of any municipality proposing the creation of a district under the provisions of this act shall pass a resolution reciting the following:

1. That public interest or necessity requires the creation of a joint municipal sewage disposal district for the treatment, purification or disposal of sewage and industrial wastes originating within the proposed district.

2 The name of the municipalities and county, the whole or any portion of the territory of which would be within the proposed district.

3. A description of the exterior boundaries of the proposed district.

4. A general description of a sewage disposal system proposed to be constructed.

5. The name of the proposed district.

SEC. 9. A certified copy of said resolution shall be filed with the board of supervisors of the county within which the proposed district is to be created."

Amendment No. 9

On page 3 of the printed bill, strike out lines 15 to 19, inclusive, and insert "SEC. 10. Instead of the resolution mentioned in Section 8 a petition may be presented to the board of supervisors of the county signed by".

Amendment No. 10

On page 3, line 27, of the printed bill, strike out "ordinance", and insert "resolution".

Amendment No. 11

On page 3, line 31, of the printed bill, strike out "Sec. 9".

Amendment No. 12

On page 3, line 35, of the printed bill, strike out "10", and insert "11".

Amendment No. 13

On page 3, line 44, of the printed bill, strike out "Upon receipt", and insert "Within sixty (60) days after receipt of a certified copy of said resolution of the initiating municipality or".

Amendment No. 14

On page 3 of the printed bill, strike out all of lines 47 to 52, inclusive, and insert "fix a time and place for a hearing on the proposed creation of said district and publish notice thereof. Said notice shall be published once in a newspaper of general circulation printed and published within said proposed district. If no such newspaper is printed and published therein, then notice of such hearing shall be given by posting a notice thereof in three (3) public places within the boundaries of said proposed district. The time fixed for such hearing shall be not less than thirty (30) nor more than sixty (60) days from the date of the first publication of said notice, or of its posting, in the event of posting."

Amendment No. 15

On page 4 of the printed bill, strike out all of lines 1 to 3, inclusive, and insert "SEC. 12. At or before said hearing, any person interested may file with the clerk of the board of supervisors written objections to the creation of said district or to the inclusion of his property therein. Upon such hearing, the said board of supervisors shall hear and determine all protests and objections. Any such hearing may be adjourned from time to time by the board of supervisors without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of such adjournment. In the event that no protests are filed, or the protests filed are overruled and denied by the board of supervisors, said board shall thereupon, by resolution, approve the creation of the district either as originally described, or may, with or without the filing of any protest or objection, and on its own motion, revise by reducing or enlarging the boundaries of said special dis-

trict; provided, that said board of supervisors shall not approve the creation of a district containing territory not included in the initial proceedings for the formation of such district until notice of its intention to include such additional territory has been published or posted for the time and in the manner hereinbefore fixed for the hearing on the original matter, and a hearing is had pursuant to such notice."

Amendment No. 16

On page 4 of the printed bill, strike out all of line 4, and insert

"SEC. 13. At any time after the board of supervisors of said county has approved the creation of said district, said board shall call and".

Amendment No. 17

On page 4, line 11, of the printed bill, strike out "Sec. 12".

Amendment No. 18

On page 4, line 17, of the printed bill, strike out "13", and insert "14".

Amendment No. 19

On page 4 of the printed bill, strike out lines 27, 28 and 29, and insert "Said board of supervisors shall meet on the Mon-".

Amendment No. 20

On page 4 of the printed bill, strike out lines 34, 35 and 36, and insert "district created and established if in each municipality and if in each parcel of unincorporated territory a majority of those who voted on the proposition of creating said district voted in favor of the creation thereof."

Amendment No. 21

On page 5, line 2, of the printed bill, strike out "counties", and insert "county".

Amendment No. 22

On page 5 of the printed bill, strike out all of said lines 6 to 26, inclusive, and insert

"SEC. 17. Upon the creation of said district the legislative body of each municipality within, or partly within, said district and the board of supervisors if unincorporated territory is included therein shall appoint a member of the board of directors of said district, and the mayor of the municipality having the largest population within said district".

Amendment No. 23

On page 5 of the printed bill, strike out lines 49 to 52, inclusive.

Amendment No. 24

On page 6 of the printed bill, strike out lines 1 to 3, inclusive.

Amendment No. 25

On page 6 of the printed bill, strike out lines 4 to 13, inclusive, and insert

"SEC. 21. In the event that the board of directors so appointed consists of an even number an additional member shall be chosen and appointed by the directors already appointed, and if such directors shall fail to make such appointment within thirty (30) days after the date set for the first meeting of the board of directors, it shall be the duty of the secretary of the board of directors or any member thereof to notify the mayor of the city having the largest population within said district of such fact, and it thereupon shall become the duty of said mayor to appoint such additional".

Amendment No. 26

On page 7 of the printed bill, strike out all of lines 9, 10, 11 and 12, and "of said offices in one and the same person." in line 13, and insert

"SEC. 25. The board of directors may enter into agreements with any municipality within said district for the performance by the officers and employees of said municipality of their same various duties for said district without additional compensation."

Amendment No. 27

On page 7, line 14, of the printed bill, strike out "by ordinance".

Amendment No. 28

On page 7 of the printed bill, strike out all of lines 20 to 45, inclusive, and "salary of the engineer." in line 46, and insert "SEC. 26."

Amendment No. 29

On page 7, line 47, of the printed bill, strike out "professional".

Amendment No. 30

On page 10 of the printed bill, strike out lines 15 to 52, inclusive, and insert

"SEC. 41. To accept, without limitation by any other provisions of this act requiring approval of indebtedness, contributions or loans from the United States

of America, or any department, instrumentality or agency thereof, for the purpose of financing the construction, maintenance and operation of any enterprise in which the district is authorized to engage, and to enter into contracts and cooperate with, and accept cooperation from, the United States of America, or any department, instrumentality or agency thereof, in the construction, maintenance and operation, and in financing the construction, maintenance and operation, of any such enterprise in accordance with any legislation which Congress may have heretofore adopted or may hereafter adopt, under which aid, assistance and cooperation may be furnished by the United States of America in the construction, maintenance and operation or in financing the construction, maintenance and operation of any such enterprise; and to do any and all things necessary in order to avail itself of such aid, assistance and cooperation under any Federal legislation now or hereafter enacted.

SEC. 42. To accept, without limitation by any other provisions of this act requiring approval of indebtedness, contributions of money, rights of way, labor, materials and any other property for the construction, maintenance and operation of any enterprise in which the district is authorized to engage, and to enter into any contracts and cooperate with, and accept cooperation from, the State of California, or any department, instrumentality or agency thereof, or any public agency of this State in the construction, maintenance and operation of, and in financing the construction, maintenance and operation of, any such enterprise.

SEC. 43. The provisions of an act entitled "An act to secure the payment of claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain officers with respect thereto," approved May 10, 1919, as now or hereafter amended, are hereby expressly made applicable to the construction of any sewage disposal system under this act."

Amendment No. 31

On page 11 of the printed bill, strike out lines 1 to 4, inclusive.

Amendment No. 32

On page 11 of the printed bill, strike out lines 18 to 52, inclusive.

Amendment No. 33

On page 12 of the printed bill, strike out lines 1 to 34, inclusive.

Amendment No. 34

On page 19, line 33, of the printed bill, after "levy", insert "and collect".

Amendment No. 35

On page 23, line 24, of the printed bill, strike out "95 per cent of".

Amendment No. 36

On page 24, lines 8 and 9, of the printed bill, strike out "monthly or quarterly or", and insert "as".

Amendment No. 37

On page 28 of the printed bill, strike out lines 44 to 47, inclusive, and insert "contracts with the district for the use of the facilities of the district".

Amendment No. 38

On page 28, lines 48 and 49, of the printed bill, strike out "ordinance or resolution of".

Amendment No. 39

On page 32, line 43, of the printed bill, strike out "the act, as to the proposed", and insert "the".

Amendment No. 40

On page 33, line 15, of the printed bill, strike out the period and insert "and need not be within the county within which the district was originally organized".

Amendment No. 41

On page 33, line 31, of the printed bill, strike out "adopting", and insert "fixing".

Amendment No. 42

On page 33 of the printed bill, strike out lines 35 to 50, inclusive.

Amendment No. 43

On page 34 of the printed bill, strike out all of lines 1 to 21, inclusive, and insert "SEC. 105. If the legislative body proposing such annexation consents to said terms and conditions the board shall fix the time and place for hearing on the question of said annexation and provide for the giving of notice thereof.

Notice fixing the time and place for hearing on the question of the annexation of said territory to said district shall be published once in a newspaper of general

circulation printed and published in said district. If no such newspaper is printed and published therein, the notice of such hearing shall be given by posting a notice thereof in three (3) public places within the boundaries of said district, at least one of which shall be within the boundaries of the territory proposed to be annexed. The time for such hearing shall be not less than thirty (30) nor more than sixty (60) days from the date of the first publication of said notice, or its posting, in the event the same is posted.

At or before said hearing any person interested may file with the clerk or secretary of said district written objections to the annexation of said territory to said district or to the inclusion of his property therein. Upon such hearing, the board of directors of the district shall hear and determine all protests and objections. Any such hearing may be adjourned from time to time by the board of directors without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of such adjournment. In the event that no protests are filed, or the protests filed are overruled and denied by the board of directors, said board shall thereupon, by resolution, declare such territory, or a portion thereof, annexed to said special district. From and after the date of the filing of said resolution with the secretary or clerk of said district the annexation of said territory, or portion thereof, to such district shall be deemed completed."

Amendment No. 44

On page 34, lines 23 to 25, inclusive, of the printed bill, strike out "of supervisors of the county within which the territory proposed to be annexed is located,"

Amendment No. 45

On page 34, line 31, of the printed bill, after "district," insert "and need not be within the county within which the district was originally organized, and"

Amendment No. 46

On page 34, lines 32 and 33, of the printed bill, strike out "a joint municipal sewage disposal district, and name".

Amendment No. 47

On page 34, line 47, of the printed bill, strike out "(a)".

Amendment No. 48

On page 34, line 50, of the printed bill, strike out "of supervisors shall forthwith cause written".

Amendment No. 49

On page 35 of the printed bill, strike out all of lines 1 to 4, inclusive, and "sors, the board of directors" in line 5.

Amendment No. 50

On page 35, line 9, of the printed bill, after "made", insert "provide for notice and hearing and declare such territory annexed"

Amendment No. 51

On page 35 of the printed bill, strike out all of lines 12 to 35, inclusive.

Amendment No. 52

On page 36, line 6, of the printed bill, strike out "Neither the engineer nor any director", and insert "No director or officer".

Amendment No. 53

On page 38, line 14, of the printed bill, insert

"SEC. 118. Any sewage disposal district created pursuant to the provisions of this act may be dissolved by resolution of the board, if any proposition for the incurring of a bonded indebtedness as in this act provided fails to carry, provided such sewage disposal district is then subject to no other indebtedness or liability pursuant to the provisions of this act and has been organized for not less than two (2) years."

Amendment No. 54

On page 38, line 17, of the printed bill, strike out "118", and insert "119".

Amendment No. 55

On page 39, line 8, of the printed bill, strike out "(m)", and insert "Sec. 120"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 14—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to sale of intoxicating liquors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", and to provide that this act shall go into effect immediately."

Amendment No. 2

On page 1 of the printed bill, after line 19, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into effect immediately. The facts constituting the necessity are as follows In several of the seasonal resort areas of the State which are located more than one mile outside the limit of incorporated cities or towns public works camps have become established In such areas regularly going resort businesses of many years standing have been duly licensed for the sale of distilled spirits and wine for more than six months prior to the establishment of such public works camps. Nevertheless, under the present law when the owner of such a resort business dies or sells his business, or when a partner in a partnership operating such a business dies or drops out of the partnership, there can be no transfer of the licenses held by such owner or partnership The law does not now permit new licenses, except on-sale beer licenses, to be issued in such areas after the camps are established. However, since the licenses for such businesses can not be transferred and are being rapidly eliminated by the death of present owners or by a partner's death or his going out of business there is an increasing tendency for unlicensed persons to carry on the business of making unlawful sales of alcoholic beverages. There is thereby created a police problem which is extremely detrimental to the public peace, health and safety"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1428—An act to amend Section 18 of the Alcoholic Beverage Control Act, relating to restrictions on issuance of on-sale beer and wine and distilled spirits licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, before the period, insert "and off-sale beer and wine licenses".

Amendment No. 2

On page 1, line 10, of the printed bill, before "shall", insert "and "off-sale beer and wine licenses" ".

Amendment No. 3

On page 1, line 12, of the printed bill, after "licenses", insert "or either of them"

Amendment No. 4

On page 1, line 13, of the printed bill, after "on-sale", insert "or off-sale".

Amendment No. 5

On page 1, line 15, of the printed bill, after "on-sale", insert "or off-sale".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1613—An act to add Section 24.25 to the Alcoholic Beverage Control Act and to amend Section 27a of said act with reference to sale and excise tax collections on alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, after "24.25", insert "and Section 24.26".

Amendment No. 2

On page 1 of the printed bill, between lines 10 and 11, insert

"SEC. 2 Section 24.26 is hereby added to the Alcoholic Beverage Control Act, to read as follows

Sec 24.26. Any person, who is authorized without license to purchase and take delivery of alcoholic beverages within this State for delivery or use without the State as provided in Section 6 subdivision (a) and Section 24.25 of this act may, without obtaining any license export the same from this State provided such exportation is completed within 30 days from the date of such purchase."

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "2", and insert "3".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 11—An act to amend Section 6.771 of the School Code, relating to the use of school buildings or grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "charged", insert "or contributions are solicited".

Amendment No. 2

On page 1, line 5, of the printed bill, after "fees", insert "or contributions".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 9 to 12, inclusive, and insert "The governing board may, however, in their discretion, permit such use, without charge, by organizations, clubs or associations organized for general character building or welfare purposes, when membership dues or contributions solely for the support of such organization, club or association, or the advancement of its character building or welfare work, are accepted."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2149—An act to amend the School Code by adding Part 6 to Division 5 thereof, consisting of Sections 5.1500 to 5.1519, inclusive, to provide for and to regulate the certification of librarians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Libraries:

Amendment No. 1

On page 3, line 43, of the printed bill, strike out "the", as it appears at the end of said line; strike out lines 44 to 49, inclusive; and in line 50, strike out "in libraries by municipalities", and insert "any library".

Amendment No. 2

On page 3, line 51, of the printed bill, strike out "the", as it appears at the end of said line, and insert "such".

Amendment No. 3

On page 4, line 2, of the printed bill, strike out "municipality", and insert "library".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1628—An act to amend the title of Article 1, Chapter 5, Division 5 and Sections 911, 912, 913, 914, 915, 916, 917, 919 and 920, and to add Sections 911.5, 911.10, 911.14, 911.15, 911.17, 911.20, 911.21, 911.25, 911.30, 911.35, 911.40, 911.45, 911.50, 911.55, 911.60, 911.65, 911.70, 911.71, 911.72, 911 75, 911.80, 911.81, 911.85, 911.90, 911.95, 911.100, 911.105, 911 110, 911 115, 911.120, 912.5, 912.10, 912.30, 912.35, 912.40, 914.5, 914.7, 914.10, 916.5, 916.10, 916.15, 916 20, 916.25, 916 30, 917.5, 917.10, 917.15, 919.1, 919.5 and 921 to the Agricultural Code, relating to seeds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 9 of the title of the printed bill, strike out "917.15,".

Amendment No. 1½

On page 1 of the printed bill, strike out all of line 9; strike out all of pages 2, 3, 4, and 5, and on page 6, strike out all of lines 1 to 8, inclusive, and insert

"911. "Agricultural seeds" means the seeds of all domesticated grasses and cereals, and of all legumes and other plants grown as turf, cover crops, forage crops, or field crops, except varieties which are or may be generally known and sold under the name of flower seeds or vegetable seeds."

Amendment No. 2

On page 6, line 14, of the printed bill, strike out the comma following "seeds", and insert a period; strike out all of the remainder of line 14, and all of lines 15 to 52, inclusive; and on page 7, strike out all of lines 1 to 38, inclusive.

Amendment No. 3

On page 8 of the printed bill, strike out all of lines 3 to 26, inclusive, and insert

"911.15. "Primary noxious weed" means any species of noxious weed which is not of wide or general distribution within the State, and includes the following:

Austrian field cress (Radicula austriaca)
Blueweed (Helianthus ciliaris)
Camel thorn (Alhagi camelorum)
Canada thistle (Cirsium arvense)
Gaura (including wavy-leaved gaura (Gaura sinuata), scarlet gaura (G. coccinea), scented gaura (G. odorata), and hairy gaura (G. villosa)
Hoary cress (including Lepidium draba, and var. repens, and Hymenophysa pubescens)
Horsenettle, including Carolina horsenettle (Solanum carolinense) and white horsenettle (Solanum elaeagnifolium)
Klamath weed (Hypericum perforatum)
Leafy spurge (Euphorbia esula)
Perennial peppercress (Lepidium latifolium)
Perennial sow thistle (Sonchus arvensis)
Quackgrass (Agropyron repens)
Russian knapweed (Centaurea repens)

and any other species which the director, as provided in Section 911.95 of this code, finds and declares to be a primary noxious weed."

Amendment No. 4

On page 8 of the printed bill, strike out all of lines 30 to 51, inclusive, and on page 9, strike out all of lines 1 to 3, inclusive, and insert

"911.17. "Secondary noxious weed" means, except as provided in Section 911.21, any species of noxious weed not classified as primary noxious weed, and includes the following:

Alkali mallow (Sida hederacea)
Bermuda grass (Cynodon dactylon)

Dodder, including clover dodder (Cuscuta epithymum), field dodder (C. pentagona), flax dodder (C. epilinum), large-seeded alfalfa dodder (C. indecora), and small-seeded alfalfa dodder (C planiflora)
Johnson grass (Holcus halenpensis)
Nut grass (including Cyperus esculentus and C. rotundus)
Poverty weed (Iva axillaris)
Puncture vine (Tribulus terrestris)
Russian thistle (Salsola kali)
Sandbur grass (Cenchrus pauciflorus)
Wild morning glory or bindweed (Convolvulus arvensis)
Yellow star thistle (Centaurea solstitialis) and any other species which the director, as provided in Section 911 95 of this code, finds and declares to be a secondary noxious weed."

Amendment No. 5

On page 9 of the printed bill, strike out all of lines 19 to 26, inclusive, and insert
"Bermuda grass (Cyndon dactylon)
Black medick (Medicago lupulina)
Cardoon (Cynara cardunculus)
Lupine (Lupinus species)
Mallow (Malva parviflora)
Mustard (Brassica species)
Pigweed (Amaranthus species)
Radish (Raphanus sativus) and any other agricultural or vegetable seed added to the foregoing list by rules and regulations of the director, as provided in Section 911 95 of this code."

Amendment No. 6

On page 10, line 5, of the printed bill, strike out the period, and insert a semicolon.

Amendment No. 7

On page 10, line 7, of the printed bill, strike out the period, and insert a semicolon.

Amendment No. 8

On page 10, line 10, of the printed bill, strike out the period, and insert a semicolon.

Amendment No. 9

On page 10 of the printed bill, strike out all of lines 11 to 21, inclusive, and insert
"(d) Dirt, gravel, or stones;
(e) Chaff, including (1) empty glumes of grasses, and (2) except in Rhodes grass, attached sterile glumes of grasses which must be removed from the fertile glumes;
(f) Fungus bodies, including (1) ergot, (2) other sclerotia, and (3) smut balls; and
(g) Other material."

Amendment No. 10

On page 10, line 47, of the printed bill, strike out the period, and insert a semicolon and "or".

Amendment No. 11

On page 11 of the printed bill, strike out all of lines 22 and 23, and insert
"911 72. If agricultural or vegetable seeds are sold under type or".

Amendment No. 12

On page 11, line 25, of the printed bill, strike out "if", and strike out all of lines 26 and 27, and insert "as to variety or type if the seed in the container is indistinguishable by seed characteristics, and if he keeps such records as are necessary to disclose".

Amendment No. 13

On page 12 of the printed bill, strike out all of lines 19 to 23, inclusive, and insert
"911 95. The director, in rules and regulations promulgated as provided in Section 911 110, from time to time may publish in the Bulletin of the Department of Agriculture:
(a) A list of the plants and crops which he finds are or are likely to be grown in this State from agricultural and vegetable seeds.
(b) A list of seeds which are classed as weed seeds when occurring incidentally in agricultural and vegetable seeds, but which may be classed as crop seed when sold alone or as a specific constituent of a definite seed mixture.
(c) A list of noxious weeds which he finds are not of wide or general distribution within the State, and which therefore are classed by this article as primary noxious weeds.
(d) A list of those noxious weeds which are not classified as primary noxious weeds, and which therefore are classed by this article as secondary noxious weeds."

Amendment No. 14

On page 12 of the printed bill, strike out all of lines 26 to 33, inclusive, and insert

"911.100. The director, by rules and regulations promulgated as provided in Section 911.110, shall:

(a) Adopt germination standards for vegetable seeds.

(b) Adopt tolerances to be applied in all enforcement procedure required by this article.

(c) Prescribe methods of procedure in the examination of lots of agricultural and vegetable seeds, and in securing samples thereof.

(d) Fix the maximum number of samples that may be tested free of charge for any one person in any period of time.

(e) Fix a schedule of charges for tests or samples in excess of those tested free of charge.

(f) Adopt a procedure for hearings to show cause why complaint should not be filed for alleged violation of any provision of this article.

(g) Issue such other orders, schedules, and announcements as will assist in carrying out the purposes of this article."

Amendment No. 15

On page 12 of the printed bill, strike out all of lines 36 to 44, inclusive, and insert

"911.105. All standards and tolerances promulgated hereunder shall be as nearly as practicable like those established under the Federal Seed Act."

Amendment No. 16

On page 12 of the printed bill, strike out all of lines 47 to 51, inclusive; and on page 13, strike out all of lines 1 and 2, and insert

"911.110. All rules and regulations issued under the provisions of this acticle shall be published in the Bulletin of the Department of Agriculture not less than 30 days before the date on which they are to become effective, together with a notice of the time and place for hearing objections. Such hearing shall be not less than 10 nor more than 20 days from the date of publication. Notice of hearing shall be mailed not less than 10 days prior to the date of the hearing to all persons who heretofore have filed with the director a request for notice of such hearings. At the hearing, interested parties shall be heard and a record kept of the proceedings for determination by the director of the facts shown at the hearing."

Amendment No. 17

On page 13 of the printed bill, strike out all of lines 5 to 9, inclusive, and insert

"911.115. The director, upon his findings on the facts shown at the hearing, shall rescind, modify or affirm the rules and regulations as published; and such rules and regulations, unless rescinded or postponed by the director, shall take effect on the date appointed therefor."

Amendment No. 18

On page 13 of the printed bill, strike out all of lines 12 to 21, inclusive, and insert

"911.120. When any area has been proclaimed in accordance with the provisions of Section 155 of this code to be a weed free area as to any species of plant, said species is hereby declared to be a primary noxious weed as to such area, and all provisions of this article applicable to primary noxious weed seeds shall thenceforth apply within such area to said species.

When any pest abatement district has been formed as provided in Division 3, Chapter 8, of the Health and Safety Code to control or abate any species of plant that is detrimental to the agricultural industry of the State, said species is hereby declared to be a primary noxious weed as to such district, and all provisions of this article applicable to primary noxious weed seeds shall thenceforth apply within such district to said species.

The director, in any list of primary noxious weed seeds published under the provisions of this article, shall include therein all species declared by this section to be primary noxious weeds, together with a description of the area or district in which each such species is a primary noxious weed."

Amendment No. 19

On page 14, line 15, of the printed bill, after "examined", insert a comma

Amendment No. 20

On page 14 of the printed bill, strike out all of line 20, and insert

"(a) Twenty-five grams for such seed as blue grasses, bent-".

Amendment No. 21

On page 14, line 22, of the printed bill, after "type", strike out the comma, and insert a semicolon.

Amendment No. 22

On page 14, line 25, of the printed bill, after "type", strike out the comma, and insert a semicolon

Amendment No. 23

On page 14, line 26, of the printed bill, strike out "seed", and insert "seeds".

Amendment No. 24

On page 14, line 27, of the printed bill, after "type", strike out the comma, and insert a semicolon.

Amendment No. 25

On page 14, line 29, of the printed bill, after "type", strike out the comma, and insert a semicolon

Amendment No. 26

On page 14 of the printed bill, strike out all of lines 37 to 39, inclusive, and insert "2 per cent by weight of weed seed, except as provided in Section 911 21"

Amendment No. 27

On page 15 of the printed bill, strike out all of lines 5 to 33, inclusive, and insert "for seeding purposes, unless each container bears, or if the seed is in bulk the invoice is accompanied by, a label stating in accordance with rules and regulations prescribed by the director

(a) The name of the kind, or the kind and variety, or the kind and type, of each agricultural seed component present in excess of 5 per cent by weight of the whole or stated on the label, and the purity percentage by weight of each;

(b) When there are two or more kinds, types, or varieties of agricultural seeds present in excess of 5 per cent by weight or stated on the label, that the lot is a mixture;

(c) The total percentage by weight of weed seeds;

(d) The total percentage by weight of agricultural seeds other than those named in accordance with provision (a) of this section;

(e) The percentage by weight of inert matter;

(f) For each agricultural seed component present in excess of 5 per cent by weight of the whole or stated on the label:

(1) The percentage by count of germination, exclusive of hard seed;

(2) The percentage by count of hard seed, if present; and

(3) The calendar month and year the test was completed to determine these percentages;

(g) The name and address of the vendor;

(h) The lot number or other identification, unless the seed is a customer's order mixture weighing less than 100 pounds;

(i) The name of each species of secondary noxious weed seeds, if present.

Seed taken from a properly labeled package or container and repackaged in the presence of the purchaser is exempt from the provisions of this section"

Amendment No. 28

On page 16, line 7, of the printed bill, strike out "in containers".

Amendment No. 29

On page 16, line 11, of the printed bill, strike out the period, and insert a semicolon.

Amendment No. 30

On page 16 of the printed bill, strike out all of lines 12 to 19, inclusive, and insert

"(b) The name of each species of secondary noxious weed seeds, if present;".

Amendment No. 31

On page 16 of the printed bill, between lines 21 and 22, insert

"(d) For seeds which germinate less than the standard last established by or under this article:

(1) The percentage by count of germination, exclusive of hard seed;

(2) The percentage by count of hard seed, if present;

(3) The calendar month and year the test was completed to determine these percentages; and

(4) The words "Below Standard"."

Amendment No. 32

On page 16 of the printed bill, strike out all of lines 45 and 46, and insert "wise dispose of, for seeding purposes, any agricultural or vegetable seed having a false label or pertaining to which there".

Amendment No. 33

On page 17, line 15, of the printed bill, strike out "after a public hearing".

Amendment No. 34

On page 17 of the printed bill, strike out all of lines 44 to 48, inclusive.

Amendment No. 35

On page 17, line 49, of the printed bill, strike out "(e)", and insert "(d)".

Amendment No. 36

On page 18 of the printed bill, strike out all of lines 24 to 39, inclusive, and insert

"916 5. The director shall maintain a properly equipped laboratory for making the tests required by this article."

Amendment No. 37

On page 18, line 47, of the printed bill, after "director", insert "and the commissioners".

Amendment No. 38

On page 19 of the printed bill, strike out all of lines 13 and 14, inclusive, and insert "State immediately thereupon shall notify the commissioner of the county in which the lot is located. Such notice shall indi-".

Amendment No. 39

On page 19 of the printed bill, strike out all of lines 21 to 31, inclusive, and insert "shall be held for inspection for a period of 72 hours from and after delivery to the commissioner of the notice required by Section 916 20 or 916 25, unless the label carries a laboratory code designation approved by the director indicating that labeling is in accordance with specific tests, and that satisfactory records are available for examination. Laboratory code designations shall be filed with the director. Such code designation may consist of a code identification and number and shall be a matter of public record and information. Laboratory records and samples of lots of seed carrying laboratory code designation and numbers shall be open for examination to the director and agricultural commissioners. Samples representing the lot shall be kept for a period of six months.

Amendment No. 40

On page 19, line 33, of the printed bill, strike out "five", and insert "two".

Amendment No. 41

On page 19, line 36, of the printed bill, after "director", insert "and the commissioners".

Amendment No. 42

On page 19, line 39, of the printed bill, after "director", insert "and the commissioners".

Amendment No. 43

On page 20, line 15, of the printed bill, strike out "vendor", and insert "person so notified".

Amendment No. 44

On page 20 of the printed bill, strike out all of lines 26 and 27, and insert "sions of this article shall be applied in the determination of violations relative to analysis statements."

Amendment No. 45

On page 20 of the printed bill, strike out all of lines 28 to 33, inclusive.

Amendment No. 46

On page 20, line 34, of the printed bill, strike out "56", and insert "55".

Amendment No. 47

On page 21, line 1, of the printed bill, strike out "57", and insert "56".

Amendment No. 48

On page 21 of the printed bill, strike out all of lines 3 to 25, inclusive, and insert

"919.1. Any lot of agricultural or vegetable seed sold or offered for sale in violation of any of the provisions of this article is a public nuisance and shall be held, from and after notice of violation, by the person in whose possession it may be and shall not be moved from the place where it may be, except under the specific direction of a proper enforcing officer. The enforcing officer shall affix a warning tag or notice to such lot of seed. If, after notice of such violation, the owner or his agent refuses or fails within a reasonable time, to be specified in the notice, to relabel or reclean or otherwise recondition said lot so as to comply with all of the requirements of this article any such noncomplying lots of agricultural or vegetable seeds and the containers thereof may be seized by the director or the commissioner, and by order of a court of proper jurisdiction of the county, city, or township within which said lot of seed may be, shall be condemned and destroyed or released upon such conditions as the court in its discretion may impose to insure that such lot will not be shipped, transported, or sold in violation of this chapter."

Amendment No. 49

On page 21, line 26, of the printed bill, strike out "58", and insert "57".

Amendment No. 50

On page 21, line 30, of the printed bill, following the period, strike out all the remainder of the line; and strike out all of lines 31 to 34, inclusive.

Amendment No. 51

On page 21, line 35, of the printed bill, strike out "59", and insert "58".

Amendment No. 52

On page 21, line 43, of the printed bill, strike out "60", and insert "59".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 960—An act to amend the heading of Division 4 and Sections 452, 455, 456, 466, 467, 470, 471, 476, 478, 481, 482, 483, 484, 485, 486, 498, 500, 501, 511, 513, 523, 526, 542, 543, 545, 546, 551, 616, 618, 619, 620, 621, 631, 635, 636, 641, 642, 643, 644, 645, 661, 662, 666, 676, 681, 722 and 723 of, to add Sections 472, 590, 640 and 640.5 to, and to repeal Section 559 of, the Agricultural Code, relating to the dairy industry and milk, milk products, and imitation milk products, processing plants and factories, and retail establishments, milk products and imitations of milk products, and providing for the taking effect hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 2, line 30, of the printed bill, strike out "and", and insert "or."

Amendment No. 2

On page 2, line 31, of the printed bill, strike out "0.01 cubic centimeters", and insert "cubic centimeter."

Amendment No. 3

On page 4, line 4, of the printed bill, strike out "and", and insert "or."

Amendment No. 4

On page 4, line 9, of the printed bill, strike out "and", and insert "or".

Amendment No. 5

On page 4, line 21, of the printed bill, strike out "and", and insert "or."

Amendment No. 6

On page 8, line 42, of the printed bill, insert a comma following the word "and."

Amendment No. 7

On page 9, line 25, of the printed bill, strike out "or retail establishments."

Amendment No. 8

On page 9, line 29, of the printed bill, strike out "or retail establish-"; and in line 30, strike out "ments."

Amendment No. 9

On page 9, line 49, of the printed bill, strike out "or retail establishments."

Amendment No. 10

On page 10, line 2, of the printed bill, strike out "or retail establishments."

Amendment No. 11

On page 10, line 6, of the printed bill, strike out "or", and "retail establishments", in line 7.

Amendment No. 12

On page 10, line 19, of the printed bill, strike out "or retail establishments."

Amendment No. 13

On page 10, line 34, of the printed bill, following "milk", insert "products."

Amendment No. 14

On page 11, line 34, of the printed bill, following "milk", insert "products."

Amendment No. 15

On page 11, line 37, of the printed bill, following "milk", insert "products."

Amendment No. 16

On page 12, line 2, of the printed bill, following "milk", insert "products."

Amendment No. 17

On page 18, line 42, of the printed bill, strike out "factory of milk products", and insert "milk products plant"

Amendment No. 18

On page 9, line 4, of the printed bill, strike out the period, and insert a semicolon and "provided, however, that persons in the employ of the State of California or any county or city or city and county in California may be eligible for employment by any county or city without being on such eligible list if such person was in the employ of the State of California or any county or city or city and county in California, and while so employed, enforcing laws, rules, regulations and ordinances pertaining to milk and milk products within two years immediately preceding date of such subsequent employment."

Amendment No. 19

On page 9, line 27, of the printed bill, following "list", insert "or previously employed as provided for in subdivision (c) of this section."

Amendment No. 20

On page 9, line 33, of the printed bill, following "list", insert "or previously employed as provided for in subdivision (c) of this section"

Amendment No. 21

On page 10 of the printed bill, strike out lines 12 to 23, inclusive.

Amendment No. 22

On page 10, line 24, of the printed bill, strike out "(7)", and insert "(6)."

Amendment No. 23

On page 5, line 9, of the printed bill, following "milk", insert "or three gallons of goat's milk."

Amendment No. 24

On page 6, line 41, of the printed bill, strike out the period, the remainder of the line, and all of lines 42 to 47, inclusive, and insert a semicolon.

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 589—An act to amend Sections 345, 466 and 612 of the Streets and Highways Code, relating to descriptions of certain State Highways.

Bill read second time, and ordered to third reading

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "amend", insert "Section 4 and".

Amendment No. 2

On page 2, line 39, of the printed bill, after the comma, strike out the balance of the line, and strike out lines 40 to 43, inclusive, and insert "that the privilege of

applying for a transfer of a license shall be exercised by the surviving partners of a deceased licensee, or by the executor, administrator or guardian of the estate of a licensee, or, in the event that a deceased licensee leaves no estate to be administered, by the surviving spouse of the deceased licensee, and may be exercised by a trustee of the bankrupt estate of a licensee, or by an assignee for the benefit of the creditors of a licensee".

Amendment No. 3

At the end of the printed bill, as amended, insert

"SEC. 2. Section 4 of the Alcoholic Beverage Control Act is hereby amended to read as follows:

Sec. 4. Any person in possession of a stock of lawfully acquired alcoholic beverages following the revocation or voluntary surrender of, or failure to renew his license may sell such stock, under supervision of the board in such manner as the board shall by rule or regulation provide, to a licensee or licensees authorized to sell such alcoholic beverages.

Any bank, trust company, or financial institution owning or possessing warehouse receipts for alcoholic beverages which warehouse receipts were acquired by such bank, trust company, or financial institution as security for a loan may after permission has been given by the board sell such warehouse receipts to a licensee authorized to sell such alcoholic beverages or such warehouse receipts.

Any person acting as administrator, executor, or guardian of the estate of a retail licensee, or any person acting as receiver for a retail licensee, or trustee of the bankrupt estate of a retail licensee, or assignee for the benefit of creditors of a retail licensee, is authorized, after receiving permission from the board, to sell and deal in alcoholic beverages under authority of the license issued to the retail licensee for whom such person is acting, for a period not exceeding 45 days from the date of the appointment of such person as administrator, executor, guardian, receiver, trustee, or assignee for the benefit of creditors."

Amendments read and adopted.

Bill ordered printed, and to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1753.

Assembly Bill No. 1409.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1698—An act to describe, define and officially adopt a system of coordinates for designating and stating positions of points on the surface of the earth within the State of California.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 42 to 46, inclusive, and insert "of a foot. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction from the Y axis; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction from the X axis. These coordinates shall be made to depend".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 51, and insert "contained in Section 5 of this act. The Y axis of any".

Amendment No. 3

On page 3, line 2, of the printed bill, as amended, strike out "origin or".

Amendment No. 4

On page 3, line 17, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 5

On page 3, line 25, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 6

On page 3, line 33, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 7

On page 3, line 41, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 8

On page 3, line 49, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 9

On page 4, line 5, of the printed bill, as amended, strike out "origin", and insert "point of control".

Amendment No. 10

On page 5, line 21, of the printed bill, as amended, strike out "any", and insert "some other recorded".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 516—An act to add Section 543 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cassidy, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hersinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, and Mr. Speaker—51.

NOES—Burns, Michael J., Call, Carlson, Millington, Richie, Russell, Salsman, Sheridan, Watson, and Weybret—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 64—An act to add Section 201.5 to the State Civil Service Act, prohibiting discrimination upon account of race, religion or color and prescribing means for the enforcement thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. C. Don Field Presiding

At 2.59 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

Assembly Bill No. 2318—An act to add a new section to the School Code, to be numbered 5.723a, relating to sabbatical leaves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—64.

NOES—Leonard—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or right of ways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Carlson and Sheridan—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 140—An act to amend Section 3 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to special assessments and public improvements, including the preparation of reports on proposed improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 139—An act to amend Section 2825 of the Streets and Highways Code, relating to special assessments and public improvements, including the preparation of reports on proposed improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1053—An act to add Section 2.88 to the School Code, relating to the inclusion of territory within a school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 223—An act to amend Sections 737e and 737v of the Political Code, relating to the salaries of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—51

NOES—Bashore, Donnelly, Field, Heisinger, Houser, Frederick F., and Pelletier—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152—An act to amend Section 2651 of the Labor Code, relating to industrial homework and to permit the manufacture of children's wearing apparel thereby.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 152

Mr. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 152 was this day passed.

Assembly Bill No. 851—An act to add Section 2958a to the Civil Code, and to amend Section 2971 thereof, relating to chattel mortgages on aircraft.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley,

Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1255—An act to amend Section 559½ of the Code of Civil Procedure, relating to alias writs of attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1678—An act to amend Section 1662 of the Probate Code, requiring the issuance of public records by the official in charge thereof to be used in matters under the jurisdiction of the Veterans' Administration of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1682—An act to amend Section 423 of the Probate Code, relating to nomination of a person to act as administrator of a decedent's estate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Vogt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1895—An act to amend Section 1274 of the Code of Civil Procedure, relating to escheated property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 663—An act to amend Section 3463 of the Political Code, relating to the lien of assessments for reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 75—An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Bennett, Collins, George D., Houser, Frederick F., and Sheridan—4.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.40 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1508—An act to add Section 5.852-1 to the School Code, relating to members of the California State Teachers' Retirement System serving in the armed forces of the United States of America or of the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Green moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5.852-1", and insert "Sections 5.852-1 and 5.1112".

Amendment No. 2

In line 3 of the title of the printed bill, after "tem", insert "and of district retirement systems".

Amendment No. 3

On page 1, line 23, of the printed bill, after "forces", insert "or Red Cross service".

Amendment No. 4

On page 2 of the printed bill, between lines 3 and 4, insert

"SEC. 2. Section 5.1112 is hereby added to the School Code, to read as follows:

5.1112. Any member of the retirement system of any school district or districts maintained under the provisions of Sections 5.1100 to 5.1131, inclusive, of this code, or of any thereof, serving in the armed forces of the United States of America or of the State of California or in the medical, nursing or ambulance service of the American Red Cross, during or after the termination of such service, and at his option, may make payments due to the district retirement fund of such district or districts with the same effect, in all respects, as though he had not been absent from the service thereof. The district or districts by which such employee was employed, at its or their option may make such contributions for and in lieu of such employee, and contributions so made shall be treated and administered as if made by the employee. If such employee shall not pay such contributions as provided in this section during such service in said armed forces or Red Cross service, and if same be not made by the district, then such contributions shall be deducted from his salary payments during such period after his return to service as may be agreed upon by the employee and the governing board of the employing district or districts."

Amendment No. 5

On page 2, line 4, of the printed bill, strike out "Sec. 2", and insert in lieu thereof the following: "Sec. 3".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Hon. Earl D. Desmond Presiding

At 3.45 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62.

NOES—None.

Assembly Bill No. 1328—An act to amend Sections 2, 6, 11 and 13 of the Inheritance Tax Act of 1935, relating to inheritance taxation, including powers of appointment, increased values of transfers, deduc-

tions for funeral expenses and expenses of last illness, charitable transfers, the exemption of property acquired from another decedent, refunds, taxes on erroneous debts, lists of contents of safe deposit boxes, and appraiser's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 832—An act to amend Section 3166 of the Civil Code, relating to the time of payment of negotiable instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1461—An act to add Section 8.8 to the California Toll Bridge Authority Act, relating to the collection of tolls on toll bridges or other toll highway crossings constructed or acquired under the provisions of said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 279—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley,

Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—60.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 593

Mr. Burkhalter moved that Assembly Bill No. 593 be withdrawn from the file, and re-referred to the Committee on Social Service and Welfare.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—66.

NOES—None.

Hon. Nelson S. Dilworth Presiding

At 4.10 p. m., Hon. Nelson S. Dilworth, member of the Assembly from the Seventy-sixth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 349—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 701 WAIVED

Mr. Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 701 was passed.

Assembly Bill No. 701 ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 885.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 350—An act to amend Section 1871 of the Code of Civil Procedure, relating to expert witnesses.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George, D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Weybret—60.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 411—An act to add Sections 11b and 11c to the Municipal Courts Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey,

Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1161—An act to add Section 14450.5 to the Health and Safety Code, relating to county fire protection districts and civil service rates applying thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Porter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1816

Has had the same under consideration, and reports the same back with amendments with the recommendation: Be amended, and re-refer to Committee on Revenue and Taxation.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER Your Committee on Federal Relations, to which was referred: Senate Joint Resolution No 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

HEISINGER, Chairman

Above reported resolution ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No 1690
Assembly Bill No. 842
Assembly Bill No 1729
Assembly Bill No 929

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred

Assembly Bill No 1934
Assembly Bill No 2137
Assembly Bill No. 518

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred

Assembly Bill No 379
Assembly Bill No. 2496
Assembly Bill No 398
Assembly Bill No. 399
Assembly Bill No 425
Assembly Bill No 1921
Assembly Bill No 2115

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER Your Committee on Judiciary Codes, to which were referred.

Assembly Bill No. 1922
Assembly Bill No. 1003
Assembly Bill No. 1004
Assembly Bill No 38
Senate Bill No. 63

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER. Your Committee on Social Service and Welfare, to which was referred

Assembly Bill No. 101

Has had the same under consideration, and reports the same back with the recommendation. Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 800
Assembly Bill No 801
Assembly Bill No 1151
Assembly Bill No 1635
Assembly Bill No. 1899
Assembly Bill No 1969
Assembly Bill No 1982
Assembly Bill No. 2570
Assembly Bill No. 850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3, to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, and Wollenberg—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, and Wollenberg—63.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 485

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 485 was this day passed.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 711.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Abalone", and insert "Fresh abalone".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 207—An act to amend Section 616 of the Fish and Game Code, relating to trout and whitefish in Tuolumne County.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D. Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—69.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—69.
NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 47—An act to amend Sections 337b, 337c, 337d and 337e of, and to add Section 337f to, the Penal Code, relating to crimes in connection with sporting events, contests and exhibitions, including horse racing, baseball, football, boxing and wrestling, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 47?

Amendment No. 1

On page 4, line 8, of the printed bill, as amended, strike out "377f", and insert "337f".

Amendment No. 2

On page 4, line 14, of the printed bill, as amended, strike out "the use of an electric whip," and insert "by the use of any electrical device or any electrical equipment or by any mechanical or other device not generally accepted as regulation racing equipment,".

Amendment No. 3

On page 4, line 23, of the printed bill, as amended, strike out the period, and insert ", or

(d) Who wilfully or unjustifiably enters or races any horse in any running or trotting race under any name or designation other than the name or designation assigned to such horse by and registered with The Jockey Club or the United States Trotting Association or who wilfully sets on foot, instigates, engages in or in any way furthers any act by which any horse is entered or raced in any running or trotting race under any name or designation other than the name or designation duly assigned by and registered with The Jockey Club or the United States Trotting Association is guilty of a felony and punishable by imprisonment in the State prison for a period not exceeding five years or by a fine not exceeding five thousand dollars ($5,000) or by both such fine and imprisonment."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 47 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—68.

NOES—None.

Assembly Bill No. 47 ordered to enrollment.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 994	Senate Bill No. 75
Assembly Bill No. 2203	Senate Bill No. 264
Senate Bill No. 69	Senate Bill No. 338
Senate Bill No. 73	Senate Bill No. 339

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DALEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 556
Assembly Bill No. 1705
Assembly Bill No. 2027

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 187
Assembly Bill No. 1846
Assembly Bill No. 2357

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 180
Assembly Bill No. 679
Assembly Bill No. 67

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No 2101

Has had the same under consideration, and reports the same back with the recommendation · Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1070
Assembly Bill No 1561

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass as amended, and re-refer to Committee on Ways and Means

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1011
Assembly Bill No 1037
Assembly Bill No. 2146
Assembly Bill No 2281

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 18
Assembly Bill No. 1075
Assembly Bill No. 1077
Assembly Bill No. 1124
Assembly Bill No. 1381
Assembly Bill No 1500
Assembly Bill No. 2192

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR SPEAKER · Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1030

Has had the same under consideration, and reports the same back with the recommendation · Do pass, and be re-referred to Committee on Ways and Means

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Voigt:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, shareholders, stockholders and unsecured creditors and such corporation or corporations from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937

Respectfully submitted.

ERNEST O. VOIGT

Request referred to Committee on Introduction of Bills.

REQUEST TO USE ASSEMBLY CHAMBER

Mr. Desmond requested the use of the Assembly Chamber on Tuesday, April 1, 1941, for a meeting of the Committee on Unemployment.

Mr. Phillips requested the use of the Assembly Chamber on Wednesday, April 2, 1941, and Thursday, April 3, 1941, for a meeting of the Committee on Judiciary Codes.

Requests granted.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Voigt:

An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, shareholders, stockholders and unsecured creditors and such corporation or corporations from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Pot-

ter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2581: By Mr. Voigt—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, shareholders, stockholders and unsecured creditors and such corporation or corporations from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Referred to Committee on Building and Loan Associations.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 116

WHEREAS, The construction of a bridge on State Highway Route No 161 between Vineland and Tujunga Avenues in the County of Los Angeles is a necessity to the free and unimpeded movement of traffic in that vicinity; and

WHEREAS, During this Winter schools in the surrounding district had to be closed on account of the lack of such a bridge; and

WHEREAS, At the present time sufficient funds are available for the construction thereof; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works and the California Highway Commission are hereby requested to provide for the construction of a bridge on State Highway Route No. 161 between Vineland and Tujunga Avenues in the County of Los Angeles and for the maintenance of the same as part of the State Highway System.

Resolution read, and referred to Committee on Rules.

INSTRUCTIONS TO CHIEF CLERK

Mr. Maloney moved that the Chief Clerk be instructed to send a congratulatory wire to Mr. and Mrs John B Cooke Jr., son of Assemblyman John B. Cooke of the Fortieth District, who are sailing on the Matsonia Friday for Honolulu, where he and his family will take the Clipper plane to Wake Island, where he will be airport manager at that station.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1893 re-referred to Committee on Agriculture.

Assembly Bill No 1500 re-referred to Committee on Agriculture.

Assembly Bill No 15 re-referred to Committee on Agriculture.

Assembly Bill No. 83 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 18 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1077 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1124 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1670 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1381 re-referred to Committee on Banking.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dan Beswick of San Francisco.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of Martinez Junior High School: Patricia Hovey, Joanne Huffman, Beverley Wadsworth, Edwin Capello, Raymond Swearengin, Bill Crossman, Catherine Morton, David Campbell, Edward Brashear, Jim Flynn, Frank Cellini, Bill McGregor, Robert French, Bob Case, Bernald Smith, Verna Nelson, Catherine Farley, Milton Tromanhauser, Dorothy Hayden, Marcha Wallin, Marian Lucido, Anne Carone, Wilma Welch, Opal Jorden, Norma Zenk, Merle Arnold, Barbara Viera, Barbara Young, Ben Hall, Jim Steffinson, Anita Pongrace, Dean Dawson, Roy Lopey, Viola Irwin, Miriam Russell, Beverly Wells, Esther Lacy, Betty Ketner, Dolores McAtee, Marian Randall, Janis Sefzik, Betty June Gill, Genevieve Silva, Dorothy Webber, Joe Lopas, Floyd Carroll, Ormond Morford, Tom Daly, Catherine Amato and Bessie Billecci; accompanied by Miss Ruth Bulger, counselor, and Arthur H. French, principal.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Angela Burgess and Miss Carol Burgess, both of Los Angeles.

On request of Messrs. Cain and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Arnold of Sacramento.

On request of Messrs. Garland and Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Lou Boedecker, ex Chief of Highway Patrol from Helena, Montana.

On request of Mr Geo. D. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Bernice McColl of San Francisco.

On request of Mr. Michael J. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. May Dolson of Eureka, and Mr and Mrs Al La Tour of Sacramento.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Melva Ransohoff and Mrs. Herman Griffin of Los Angeles

On request of Messrs. Waters and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Geo. T. Jeffers, wife of Geo T. Jeffers, secretary to E. Raymond Cato, Chief of California Highway Patrol, and Roy T. Dorsey, Traffic Engineer of the City of Los Angeles.

On request of Messrs Gaffney and Green and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. R. H Donaldson of San Francisco, member of the Industrial Welfare Commission.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. M. Rochlen, Director of Public Relations, Douglas Aircraft Co , Inc., Santa Monica.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to D C. Freeman, Commissioner of Finance, and Chas. R. James, City Auditor, both of Santa Monica.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. J. Shuman, Lakeport.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Walter W. Arnholtz, Mrs. W. W. Arnholtz, State President of Chiropractic Auxiliary, and Miss Smilax S. Arnholtz

On request of Messrs. Thorp and Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Pearl Sifford of the Stockton High School and Stockton Chapter No. 41, California Scholarship Federation, as follows: Annette Anderson, Elna Bacigalupi, Angelina Bantillo, Allen Barnes, Beverly Barth, Olga Billones, Helen Boren, Richard Burnett, Satomi Chikaraishi, Constance Choy, Ava June Colliver, David Connelly, Louis Costanza, Ethel De Stefani, Bob De Vere, Jack Dyhre, Dick Erickson, Jeanne Fayette, Roberta Fletcher, Doris Fong, Rose Fong, Mabel Fuller, Janet Gallagher, Lawrence Germaine, Daven Gipner, Charles Gulick, Anita Harris, Jean Herring, Betty Hogan, Emiko Ito, Fumi Iwata, Toshiko Iwata, Katheryn Ladas, Sargent Littlehale, Shirley Lowe, Kiyoko Matsoka, Jeanette Morrison, Bill McKee, Warren Noteware, Aloha Ohm, Winifred Parkinson, Natalie Passadore, Stark Pister, Mary V. Pond, Laura Remonda, Reed Robbins, Caryl Rothenbush, Ed Sanderson, Jesus Sanchez, Dorothy Sattui, Iris Scribner, Tom Shepherd, Herta Silzer, Russell Smith, Pete Spanos, Dave Stanford, Seymour Sweet, Marlys Swenson, Nobuko Takahashi, Darrel Train, Satoni Uyekubo, John Waddell, Ernest Ware, Jack Wickware and Stanley Wright.

ADJOURNMENT

At 5 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Friday, March 28, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 28, 1941

The Assembly met at 2 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—63.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Poole.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Welch, on motion of Mr. Green.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 11
Assembly Bill No. 14
Assembly Bill No. 83
Assembly Bill No. 196
Assembly Bill No. 690
Assembly Bill No. 785
Assembly Bill No. 793
Assembly Bill No 845
Assembly Bill No. 856
Assembly Bill No. 997
Assembly Bill No 1104
Assembly Bill No. 1163
Assembly Bill No. 1410
Assembly Bill No. 1428
Assembly Bill No. 1613
Assembly Bill No. 1622
Assembly Bill No. 1812
Assembly Bill No 1893

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 665
Assembly Bill No. 1508

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 41
Assembly Bill No. 255
Assembly Bill No. 792
Assembly Bill No. 818
Assembly Bill No. 902
Assembly Bill No. 1247
Assembly Bill No 1670
Assembly Bill No. 1794
Assembly Bill No. 1970
Assembly Bill No 1995
Assembly Bill No 2052
Assembly Bill No 2150

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No 928

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No 2156

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on State Colleges, to which were referred:

Assembly Bill No 1231
Assembly Bill No. 1312
Assembly Bill No 1322

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DEL MUTOLO, Chairman

Above reported bills re-referred to Committee on Ways and Means.

EXPLANATIONS OF ABSENCE

At the time the Assembly convened at 2 p m, I was in the Senate, but arrived in the Assembly Chamber at 2 10 p.m.

DAN GALLAGHER

I was in the Senate, in conference, when the 2 p m roll was called, and so missed being recorded as present. I returned to the Assembly immediately after the roll was called.

FREDERICK F. HOUSER

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1941

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

Senate Bill No 101
Senate Bill No. 102
Senate Bill No. 142
Senate Bill No. 143
Senate Bill No. 144
Senate Bill No. 145
Senate Bill No 181
Senate Bill No. 318
Senate Bill No 619
Senate Bill No. 653
Senate Bill No 685
Senate Bill No. 776
Senate Bill No. 845
Senate Bill No. 1018
Senate Bill No 1056
Senate Bill No 1062
Senate Bill No. 1182

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 101—An act to amend Section 4274 of the Political Code, relating to compensation for public services in counties of the forty-fifth class.

Referred to Committee on County Government.

Senate Bill No. 102—An act to amend Section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class.

Referred to Committee on County Government.

Senate Bill No. 142—An act to amend Section 862a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to organization, incorporation and government of cities of the sixth class.

Referred to Committee on Municipal Corporations.

Senate Bill No. 143—An act to add Section 2901 to the Health and Safety Code, relating to annexation of land to pest control districts.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 144—An act to amend Section 2871 of, and to add Sections 2822.5, 2871.5, 2871.7, and 2875 to, the Health and Safety Code, relating to pest abatement districts.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 145—An act to amend Sections 2853 and 2871 of, and to add Section 2803 to, the Health and Safety Code, relating to pest abatement districts.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 181—An act to add Section 72 to the State Civil Service Act, relating to adjustment of compensation.

Referred to Committee on Civil Service.

Senate Bill No. 318—An act to amend Sections 7302, 7332, 7360, 7372, 7373, 7374, 7394 and 7442 of, and to repeal Article 13, comprising Sections 7450 to 7457, inclusive, of Chapter 10 of Division 3 of, and to add Sections 7335, 7370.5 and 7401 to, the Business and Professions Code, and to repeal an act entitled "An act relating to persons receiving training in cosmetology through the public school system, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 7, 1941, relating to the practice of and the training for cosmetology.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 619—An act to amend Sections 7302, 7321, 7324, 7330, 7331, 7332, 7334, 7351, 7360, 7372, 7373, 7376, 7382, 7383, 7391, 7393, 7394.5, 7396, 7399, 7412, 7431, 7436 and 7437 of, to repeal Article 13, comprising Sections 7450 to 7457, inclusive, of, and to add Section 7329 to Article 3 of Chapter 10 of Division 3 of said code, relating to the practice, the training for and government of cosmetology.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 653—An act to amend Section 336 of the Agricultural Code, relating to live stock brands.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 685—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Referred to Committee on Banking.

Senate Bill No. 776—An act to amend Sections 4380, 4381, 4382, 4400, 4101, 4113 of, and to add Section 4101.5 to, the Water Code, or to amend Sections 4, 8 and 12 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Referred to Committee on Irrigation.

Senate Bill No. 845—An act to amend Section 2313 of the Public Resources Code, relating to mining claims, tunnel locations and mill

sites, and the recording of notice of location, markings of boundaries, and performance of discovery work.

Referred to Committee on Mines and Mining.

Senate Bill No. 1018—An act to amend School Code Sections 2.981 and 6.190, relating to the powers of governing boards of school districts, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1056—An act to amend Sections 347 and 363.2 of the Agricultural Code, relating to live stock sold or slaughtered without consent of the owner.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 1062—An act authorizing the conveyance to the County of Ventura, State of California, of easements and rights of way for road and highway purposes along, in, through, or across property of the State known as the Camarillo State Hospital Grounds.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1182—An act to provide for the organization and government of water storage and conservation districts; to provide for the acquisition, construction, maintenance and operation of works for the purposes of such districts, including the drainage, reclamation and irrigation of land; and to prescribe and define the powers, duties, purposes and responsibilities of such districts.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1941

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

Senate Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 16—Relative to a statement of position of the Legislature of this State in regard to the amendment of the Old Age Security Law and the Aid to Needy Blind Law and appointing a committee to secure changes in the Federal Social Security Act.

Referred to Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

FIFTY-NINTH ASSEMBLY DISTRICT DEMOCRATIC CLUB
March 24, 1941

Speaker of the House of Representatives
State Legislature of California
Sacramento, California

DEAR SIR: At a meeting of the above organization a resolution was passed against Senate Bill No. 1033 and in favor of Senate Bill No. 310.

This organization speaks the opinion and will of the people in the Fifty-ninth Assembly District

We trust you will give this letter its proper reading so that the members of your body may know how we stand on the above mentioned bills, and will forward your immediate reply and acknowledge receipt of this communication.

Respectfully yours,

RUTHE G. GRAVES

MOTION TO RECESS

Mr. Lyon moved that at the hour of 5 p.m., the Assembly recess until the hour of 8 p.m., and then at the completion of business adjourn until Monday morning.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Joint Resolution No. 41: By Mr. Weybret—Relative to memorializing Congress to investigate the feasibility of growing of guayule rubber in California and if found feasible to subsidize the same.

Referred to Committee on Federal Relations.

Assembly Constitutional Amendment No. 58: By Mr. Bashore—Proposed amendment to Article XXIV of the Constitution, by amending subdivision (c) of Section 2, relating to the State Personnel Board and the executive officer thereof.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1690—An act to amend School Code Sections 3.730, 3.731, 3.732, 3.733, 3.734, 3.735, 3.736, 3.737 and 3.738, and to add Sections 3.735-1 and 3.735-2 to said code, all relating to physical education and related activities in the public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 842—An act to amend Section 5883 of the Elections Code, defining the word "clerk," and to add Sections 5899, 5933 and 7799 to the Elections Code, relating to absentee ballots for school district elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1729—An act to amend Section 2.446 of, and to add Section 2.447 to, the School Code, relating to school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 929—An act to add Article 2a, comprising Sections 5.785 and 5.786 to Chapter 9, Part 3, Division 5 of the School Code, relating to institutions of noncertificated employees.

Bill read second time.

Motion to Amend

Mr. Meehan moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "must", and insert "may".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 379—An act to amend Sections 226 and 227a of the Civil Code, relating to adoption.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2496—An act to add Section 1140.1 to the Probate Code, relating to the Public Administrator.

Bill read second time, and ordered engrossed.

Assembly Bill No. 398—An act to add Section 1985.5 to the Code of Civil Procedure, relating to subpena.

Bill read second time, and ordered engrossed.

Assembly Bill No. 399—An act to amend Section 1991 of the Code of Civil Procedure, relating to disobedience of subpena.

Bill read second time, and ordered engrossed.

Assembly Bill No. 425—An act to amend Section 454 of, and to add Sections 455.1 and 455.2 to, the Code of Civil Procedure, relating to bills of particulars, pleading and evidence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1921—An act to amend Section 940 of the Code of Civil Procedure, relating to notice of appeal.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2115—An act to add Section 326.5 to the Political Code, relating to the construction of statutes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 956—An act to amend Sections 4901, 4905, 4909 and 4910 of the Water Code, relating to joint use of conduits, wells and pumping plants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1795—An act to add Section 28.5 to the California Irrigation District Act, relating to the manner of selecting directors of certain irrigation districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1335—An act to add Section 38.1 to the State Civil Service Act, relating to the orders and decisions of the State Personnel Board and the enforcement of the provisions thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 994—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2203—An act to amend Section 11 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to the determination of the ratio of assessed value to true value.

Bill read second time, and ordered engrossed.

Assembly Bill No. 556—An act to add Section 4015a to the Political Code, relating to justices of the peace.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1705—An act to require public districts, which assess, levy and collect assessments or taxes to file certain records and reports thereof in the offices of the county recorders of the several counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2027—An act to amend Section 403d of the Civil Code, relating to unclaimed and disputed shares and debts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2101—An act to add Section 4.731 to the School Code, relating to the apportionment of State funds to school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1922—An act to amend Section 953a of the Code of Civil Procedure, relating to appeals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 26, 27 and 28; and on page 2 strike out lines 1 and 2.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1003—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks and their deputies in cities and towns.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 4, of the printed bill, after "one-fourth", insert "second and three-eighths.".

Amendment No. 2

On page 1, line 6, of the printed bill, after "the", insert "second and three-eighths and the".

Amendment No. 3

On page 2, line 41, of the printed bill, after "($2,100).", insert

"Every clerk of the justice's court in any city or county of the second and three-eighths class, where there is a police court or other inferior court organized under the city charter, shall receive an annual salary of two thousand two hundred five dollars ($2,205)."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1004—An act to amend Section 103 of the Code of Civil Procedure, relating to justices' courts in townships.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 3, line 5, of the printed bill, after "fourth," insert "second and three-eighths,".

Amendment No. 2

On page 3, line 23, of the printed bill, after "one-fourth," insert "second and three-eighths,".

Amendment No. 3

On page 3, line 30, of the printed bill, after "class", insert "and second and three-eighths class".

Amendment No. 4

On page 3, line 39, of the printed bill, after "city", insert "of the second and three-eighths class shall receive four thousand six hundred dollars ($4,600) per annum and in any city".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 38—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 5, of the printed bill, after "title", insert "based upon a deed given pursuant to a sale for delinquent taxes or assessments".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 180—An act to add Section 5078 to the Welfare and Institutions Code, relating to the restoration to competency of persons committed to the care and custody of the psychopathic probation officer.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "ordered to be".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 679—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9 and 1435.10 to Division 4, Chapter 2 thereof,

relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "spouse with the", and insert "husband".

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 and 2, and insert "if both are either".

Amendment No. 3

On page 4, line 51, of the printed bill, strike out "or", and after "trust", insert ", compromise, settlement or composition."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 67—An act to add Article 4, 5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", 6600.5 and 6631", and insert "and 6600.5".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "trading", and insert "trade".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "reasonable", and insert "reasonably".

Amendment No. 3.5

On page 2 of the printed bill, between lines 38 and 39, insert

"6552.5. As used in this article, "barber" means any registered barber actively engaged in the practice of barbering."

Amendment No. 4

On page 3, line 30, of the printed bill, strike out "barber shops", and insert "barbers".

Amendment No. 5

On page 3, line 46, of the printed bill, strike out "35", and insert "51".

Amendment No. 6

On page 4, lines 1 and 2, of the printed bill, strike out "the majority of barber shop owners or managers affected", and insert "barber shop owners and operators"

Amendment No. 7

On page 4 of the printed bill, strike out lines 17 to 25, inclusive.

Amendment No. 8

On page 2, line 12, of the printed bill, after "commerce", insert "and it is not intended that the terms of this act shall in any way apply to barbers performing barber service on railroad passenger trains, and such terms shall not so apply".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 855—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Irrigation:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "subdivision", and insert "division".

Amendment No. 2

On page 2, lines 2 to 5, inclusive, of the printed bill, strike out "add to his signature his place of residence, giving the precinct, and if within a town having named streets and numbered houses, street and number, and the date of his signing", and insert "at the time of signing the petition or section of it himself affix thereto the date of his signing, his place of residence, giving street and number, and if no street or number exists, then a designation of his place of residence which will enable the location to be readily ascertained, and a designation of his county precinct".

Amendment No. 3

On page 2, lines 25 to 29, inclusive, of the printed bill, strike out "was filed. When filed in sections, a recall petition is deemed for all purposes filed at the time of the filing of the section of it first to be filed, but this does not prevent filing sections of the same petition on different days", and insert "or if filed in sections, the section of it first to be filed, was filed".

Amendment No. 4

On page 2, line 31, of the printed bill, after "officer", insert "or deputy officer".

Amendment No. 5

On page 2, line 35, of the printed bill, after "it", insert "or if filed in sections, the section of it first to be filed,".

Amendment No. 6

On page 3, line 22, of the printed bill, strike out "all".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1816—An act to amend Section 7351 of the Revenue and Taxation Code and Section 3 of the Motor Vehicle Fuel License Tax Act, relating to the rate of tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. The necessity for this act is predicated upon the fact that present State, county and city revenues are insufficient for a completely adequate highway, road and street construction and maintenance program, for the removal of defective bridges which constitute bottlenecks in the transportation of persons and property, and for the elimination of dangerous railroad grade crossings which cause a large percentage of motor vehicle accidents with attendant destruction of life and property. This act will provide the means for remedying these defects, and at the same time place the State of California in a position of eminent importance in the National Defense Program.

SEC. 2. Section".

Amendment No. 2

On page 2, line 34, of the printed bill, strike out "and until July 1, 1943,"

Amendment No. 3

On page 2, line 49, of the printed bill, after "counties", insert "and cities and counties".

Amendment No. 4

On page 2, line 31, of the printed bill, after "county", insert "or city and county".

Amendment No. 5

On page 3, line 2, of the printed bill, after "county", insert "or city and county".

Amendment No. 6

On page 3, line 4, of the printed bill, strike out "or city and county".

Amendment No. 7

On page 3, line 5, of the printed bill, strike out "within all counties.", and insert "within all counties and city and counties except that for the purpose of determining the highway mileage in a city and county all streets, roads and highways therein shall be included, excluding only State highways"

Amendment No. 8

On page 3, line 13, of the printed bill, strike out "and cities and counties".

Amendment No. 9

On page 3, line 14, of the printed bill, strike out "or city and county".

Amendment No. 10

On page 3, line 16, of the printed bill, strike out "or city and county".

Amendment No. 11

On page 3, line 19, of the printed bill, strike out "or city and county".

Amendment No. 12

On page 3, line 21, of the printed bill, strike out "and cities," and strike out line 22, and insert " No city is entitled to any".

Amendment No. 13

On page 3, line 25, of the printed bill, strike out "or city and county".

Amendment No. 14

On page 3, lines 28 and 29, of the printed bill, strike out "or city and county".

Amendment No. 15

On page 3, line 35, of the printed bill, strike out "2", and insert "3".

Amendment No. 16

On page 3, line 41, of the printed bill, strike out "3", and insert "4".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1934—An act to repeal Section 3788 of the Political Code, relating to the disposition of State lands upon which the full purchase price is not paid and which are sold to the State for taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "to add a new Section 3788 thereto, and to repeal Sections 4108 and 4108.5 of the Revenue and Taxation Code,".

Amendment No. 2

On page 1 of the printed bill, after line 2, insert

"SEC. 2. A new section numbered 3788 is hereby added to the Political Code, to read as follows.

3788. When State lands, upon which the full purchase price has not been paid, have been sold to the State for delinquent taxes and the deed therefor to the State has been forwarded to and filed with the State Lands Commission, such lands shall again become subject to entry and sale in the same manner, and subject to the same conditions, as apply to State lands of like character.

SEC. 3. Sections 4108 and 4108.5 of the Revenue and Taxation Code are hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2137—An act to amend Section 284 of the Code of Civil Procedure, relating to substitution of attorneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, after "284 of", insert "and to add Section 285.5 to".

Amendment No. 2

On page 1 of the printed bill, after line 13, insert

"SEC. 2 Section 285.5 is hereby added to the Code of Civil Procedure, to read as follows:

285.5. Whenever application for change of attorneys is made under the provisions of Subdivision 2 of Section 284 of this code and the fee of the attorney to be substituted out of the case is contingent upon the judgment or disposition of the action or proceeding, the amount and the terms of payment of the fee or compensation to be paid by the party to the attorney may be determined by the court. None of the provisions of this section shall deprive any person of the right to a jury trial in any case where such right is given by the Constitution, but a jury trial may be waived by the parties."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 518—An act to amend Section 337 of the Code of Civil Procedure, relating to time of commencing actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out the period and insert "; and provided that the time within which an action must be brought upon a promissory note or upon a contract for the payment of money in installments or upon any installment of principal or interest of such note or contract shall not commence to run until the date of the last payment of any kind on account of said note or contract regardless of the manner of application of such payment."

Amendment No. 2

On page 1, line 20, of the printed bill, strike out "; (4) upon a promissory note," and insert period.

Amendment No. 3

On page 1 of the printed bill, strike out lines 21 and 22.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 101—An act to amend Section 2020 of the Welfare and Institutions Code, relating to income under the Old Age Security Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 2026 to,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "income", and insert "aid to the aged".

Amendment No. 3

On page 1 of the printed bill, after line 20, insert

"SEC. 2. Section 2026 is hereby added to said code to read as follows:

2026. Aid may be granted under this chapter to any person who resides in this State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application, and who is otherwise eligible therefor under this chapter but for whose aid no money from a Federal grant-in-aid is available.

The total amount of aid to which such person shall be entitled shall be the total amount of State funds or State and county funds that would have been paid to such person had such person been eligible to receive money from a Federal grant-in-aid and no sums shall be available for such person from the appropriation made by Section 2021 in excess of the limitations of this Section 2026.

The income of such person from any source shall not be considered in determining need under this chapter until such income and the aid under this section exceed forty dollars ($40) per month, in which event the need of such person shall be determined in accordance with Section 2020."

Amendments read and adopted.

Bill ordered printed and engrosed.

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9.3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of the Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 36, of the printed bill, strike out "For the"; in line 37, strike out "purpose of Sections 25 and 33 the", and insert ". The".

Amendment No. 2

On page 7, line 11, of the printed bill, strike out all of that line following "made"; strike out all of lines 12 to 16, inclusive, and insert a period.

Amendment No. 3

On page 7, line 43, of the printed bill, strike out "two years"; and in line 45, after "plan", and before the period, insert

"(1) three years, if the first of such series of distributions is made in a taxable year beginning after December 31, 1940, or (2) two years if the first of such series of distributions was made in a taxable year beginning before January 1, 1941".

Amendment No. 4

On page 9 of the printed bill, after line 52, insert

"For the purposes of this subdivision, the words "law applicable to the year" shall be deemed to refer to the State act or the United States Revenue Act in force for the year in which the sale or other disposition was made."

Amendment No. 5

On page 10 of the printed bill, after line 52, insert

"(j) The repeal in 1937 of Sections 2 (o) and 34 of The Personal Income Tax Act of 1935 shall not be construed to sanction double taxation of income."

Amendment No. 6

On page 11 of the printed bill, strike out all of line 44 following "than", and all of line 45, preceding "and other", and insert "taxes computed as an addition to, or as a percentage of taxes which are not deductible hereunder".

Amendment No. 7

On page 18, line 15, of the printed bill, strike out "Federal income", and insert "State".

Amendment No. 8

On page 21, line 8, of the printed bill, after "1937", and before the comma, insert "(except as provided in Subparagraph (B))".

Amendment No. 9

On page 23, line 13, of the printed bill, strike out "estate or"; in line 20, strike out "estate or"; in line 28, strike out "an estate" and insert "a"; and in line 29, strike out "or" and "estate or".

Amendment No. 10

On page 24 of the printed bill, strike out lines 41 to 44, inclusive.

Amendment No. 11

On page 30, line 1, of the printed bill, strike out the number "1", and insert the letter "*I*".

Amendment No. 12

On page 30 of the printed bill, strike out all of lines 26 to 35, inclusive, following "(g)", and insert

"When the status of a taxpayer changes from resident to nonresident, or from nonresident to resident, there shall be included in determining income from sources within or without this State, as the case may be, income and deductions accrued prior to the change of status even though not otherwise includible in respect to the period prior to such change, but the taxation or deduction of items accrued prior to the change of status shall not be affected by the change."

Amendment No. 13

On page 32 of the printed bill, strike out all of line 9 following the period, and strike out all of lines 10 to 12, inclusive

Amendment No. 14

On page 33, line 11, of the printed bill, strike out "at his last known address", and in lines 19 and 20, strike out "at his last known address".

Amendment No. 15

On page 35, line 10, of the printed bill, strike out the period, and insert ", or unless before the expiration of such period the commissioner has certified the overpayment to the State Board of Control for approval of the refunding or the crediting thereof"

Amendment No. 16

On page 35, line 50, of the printed bill, strike out "at any time".

Amendment No. 17

On page 37, line 9, of the printed bill, strike out "two copies", and insert "a copy"; in line 11, before "At", insert "A second copy of the complaint and the summons must be furnished to the commissioner, but this requirement shall not be considered jurisdictional."

Amendment No. 18

On page 39, line 32, of the printed bill, strike out "refunded", and insert "refundable".

Amendment No. 19

On page 41, line 8, of the printed bill, strike out the period, and insert "and shall continue for five years from the date of the recording of the judgment by the county clerk unless sooner released or otherwise discharged. Within five years from the date of the recording of the judgment by the county clerk, or within five years from the date of the last extension of the lien in the manner herein provided, the lien may be extended by recording in the office of the county recorder of Sacramento County an abstract or copy of the judgment, and from the time of such recording the lien shall be extended for five years unless sooner released or otherwise discharged"

Amendment No. 20

On page 41, line 27, of the printed bill, strike out the period, and insert "and shall continue for five years from the date of the recording of the certificate by the county clerk unless sooner released or otherwise discharged. Within five years from the date of the recording of the certificate by the county clerk, or within five years from the date of the last extension of the lien in the manner herein provided, the lien may be extended by recording in the office of the county recorder of Sacramento County a new certificate, and from the time of such recording the lien shall be extended for five years unless sooner released or otherwise discharged."

Amendment No. 21

On page 42, line 39, of the printed bill, strike out "to pay any tax or"

Amendment No. 22

On page 43, lines 6 and 7, of the printed bill, strike out "tax has not been paid, that a", and in lines 9 and 10, strike out "such tax has not been paid, that".

Amendment No. 23

On page 44, line 40, of the printed bill, strike out "subdivision (a) of".

Amendment No. 24

On page 44, line 42, of the printed bill, strike out "this section", and insert "subsection (a)", in lines 46 and 47, strike out "upon the incomes of individuals, estates, trusts or partnerships" and insert "or a tax measured by income,".

Amendment No. 25

On page 45, line 7, of the printed bill, after the period, insert

"The information furnished or secured pursuant to this subsection shall be used solely for the purpose of administering the tax acts administered by the person or agency obtaining it, and unwarranted disclosures or uses of the information by such person or agency, or the employees and officers thereof, shall be subject to the penalty provisions of this section."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 801—An act to provide for the relative priority of all taxes imposed by the State of California or any political subdivision thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 12 and 13 of the printed bill, strike out "or by any political subdivision thereof", and insert "for State purposes".

Amendment No. 2

Strike out all of lines 20 to 22, inclusive, of the printed bill, and insert

"SEC. 4. Whenever the assets of any person are found to be insufficient to pay all taxes, the taxes, together with interest and penalties attaching thereto, shall be first satisfied; provided, however, that this section shall not be construed to give the State a preference over (a) unpaid wage claims or (b) any recorded lien which attached prior to the date when the taxes became a lien. If any tax is entitled to priority under this section, then all taxes shall share, as provided, in Section 3 of this act, in that priority and to the extent thereof."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1151—An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3594, 3616, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, and to repeal Chapter 4.6, consisting of Sections 3571 to 3578, inclusive, of Part 6, Division 1 of, to add Sections 124, 127, 3511.5, 3521, 3543, 3546.5, 3550, 3552, 3594, 3602.5, 3614.5, 3616, 3651, 3661, 3691, 3707.5, 3774, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to, and to amend the title of Chapter 5, Part 6, Division 1 of the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785.6, 3833.3, 3857.2, 3859.20 and 3860.20 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 9, inclusive, and insert "3552, 3571, 3572, 3574, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend Section 3355 of, and to add Sections 124, 127, 133, 3511.3, 3511.5, 3521, 3543, 3546.5, 3550, 3550.5, 3552, 3571, 3571.3, 3571.5, 3572, 3574, 3651, 3661, 3691, 3707.5, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to the Revenue and Taxation Code, and to repeal".

Amendment No. 2

In line 11 of the title of the printed bill, strike out "and 3860.20", and insert a comma and "3860.05, 3860.07, 3860.08, 3860.09, 3860.10, 3860.11, 3860.12, 3860.13, 3860.14, 3860.15, 3860.16, 3860.17, 3860.18, 3860.19, 3860.20, 3860.21, 3860.22, 3860.24, 3860.25, 3860.26, 3860.27, 3860.28, 3860.29, 3860.30, 3860.31 and 3860.32".

Amendment No. 3

In the title of the printed bill, strike out lines 16 and 17, and insert "redemption thereto, distressed assessment districts and the right of redemption of property therein, the classification and control of tax delinquent".

Amendment No. 4

On page 2 of the printed bill, strike out lines 12 to 15, inclusive, and insert "deeded to the State for taxes and which".

Amendment No. 5

On page 2 of the printed bill, strike out line 18, and insert "use, and has not been redeemed

SEC. 4.3. Section 133 is hereby added to the Revenue and Taxation Code, to read as follows:

133 "Distressed assessment district" means an ad valorem or direct assessment district:

(a) Formed for public purposes, the assessments or bonds of which were levied or issued to pay the cost of accomplishing such purposes,

(b) The assessments or bonds of which have become a lien upon real property, and

(c) In which, if it is an ad valorem district, 30 per cent or more of the assessments levied for the fiscal year 1939-1940 were delinquent on June 30, 1940, or, if it is a direct assessment district, 30 per cent or more of the original number of assessment parcels were delinquent on June 30, 1940

Prior to April 1, 1942, the officer charged with the collection of assessments under an ad valorem district or direct assessment district formed for public purposes shall certify to the board of supervisors of the county wherein the district is located the amount of the assessments levied for the fiscal year 1939-1940 which were delinquent on June 30, 1940, if the district is an ad valorem district, or the number of the original parcels which were delinquent on June 30, 1940, if it is a direct assessment district

Within two weeks after the receipt of the certification as to any district, the board of supervisors shall expressly find by resolution whether such district comes within the definition of a "distressed assessment district" contained in this section, and if so, shall declare by resolution that such district is a distressed assessment district. A copy of the resolution shall be sent to the Land Classification Commission and such resolution shall be conclusive as to whether the district is or is not a distressed assessment district.

SEC. 4.5. Section 3355 of the Revenue and Taxation Code is hereby amended to read as follows:

3355. The published notice of sale of tax sold property shall show:

(a) A list of descriptions of the property. The assessments contained in this notice of sale shall be numbered in regular sequence.

(b) That five years will have elapsed on the date of sale at public auction since the property was sold to the State.

(c) The year of sale to the State and the fiscal year for which the taxes were levied.

(d) That the property will be sold at public auction to the highest bidder for cash, in lawful money of the United States, unless sooner redeemed.

(e) The time and place at which the property will be sold.
(f) That the minimum acceptable bid will be the amount of taxes, delinquent penalties, and costs for which it was sold to the State.
(g) The amount of the minimum bid, opposite the description of the property.
(h) The time within which the successful bidder must redeem the property.
(i) That, after a bid is made and accepted at the sale, the right of redemption, except by the purchaser, ceases

(j) That if no bid is made and accepted at the sale, and the property is deeded to the State, the right of redemption ceases as provided in Sections 3511.3 and 3511.5.

(k) [j] The date of the notice.

SEC. 4.6. The provisions of Section 4.5 are not operative until August 1, 1941, on and after which date they become and continue operative and applicable.

SEC. 4.8. Section 3511.3 is hereby added to the Revenue and Taxation Code, to read as follows:

3511.3. On and after June 1, 1942, and prior to January 1, 1947, on execution of the deed to the State, the right of redemption is terminated as to all property other than property in distressed assessment districts. This section is indivisible."

Amendment No. 6

On page 2 of the printed bill, strike out lines 23 and 24, and insert

"3511.5. On and after January 1, 1947, on execution of the deed to the State the right of redemption is terminated as to all property."

Amendment No. 7

On page 3 of the printed bill, strike out lines 7 to 9, inclusive, and insert

"3550. Until final classification is completed, tax deeded property is subject to rental and, as provided in Section 3550.5, to sale.

SEC. 13.5. Section 3550.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3550.5. If property proposed to be sold under Chapters 7 or 8 of this part has not been finally classified, at the time the tax collector forwards to the Controller a copy of the resolution of the board of supervisors approving a sale under the provisions of Chapter 7, or at the time the agreement entered into under Chapter 8 is submitted to the Controller for his approval, the tax collector shall send a copy of the resolution or agreement to the Land Classification Commission. Along with the resolution or agreement there shall be transmitted to the Land Classification Commission a description of the property proposed to be sold, a description of the improvements thereon, the present use made of the property, the character of the surrounding neighborhood, and any other information which in the opinion of the tax collector will aid the Land Classification Commission in classifying the property.

If the resolution or agreement is received before the sixteenth day of the month, then on or before the last day of the month, or if the resolution or agreement is received after the fifteenth day of the month and on or before the last day of the month, then before the sixteenth day of the next month, the Land Classification Commission shall proceed to classify the property proposed to be sold. If the commission expressly refuses to classify the property for private use within such period and so notifies the Controller, the Controller shall not authorize or approve the sale of the property. If the property is classified within such period as suitable for private use, or if the commission fails to notify the Controller within such period of any action taken by it, the property is finally classified for private use and further proceedings for sale may be had accordingly."

Amendment No. 8

On page 3, lines 15 and 16, of the printed bill, strike out "continues", and insert "is".

Amendment No. 9

On page 3 of the printed bill, strike out lines 18 to 50, inclusive; on page 4, strike out lines 1 to 12, inclusive, and insert

"SEC. 16. Section 3571 of the Revenue and Taxation Code is hereby repealed.

SEC. 17. Section 3571 is hereby added to the Revenue and Taxation Code, to read as follows:

3571. The right of redemption of property which was deeded to the State before June 1, 1942, shall be terminated as provided under this chapter, if such right of redemption has not already been terminated.

SEC. 18. Section 3571.3 is hereby added to the Revenue and Taxation Code, to read as follows:

3571.3. No right of redemption of tax-deeded property in distressed assessment districts shall be terminated, and no notice of the termination of the right of redemption of such property shall be sent under this chapter until after January 1, 1947. After that date, notice shall be given as to tax-deeded property in such districts in

the same manner and within the same time limits after January 1, 1947, as is provided in this chapter as to other property for the giving of notices on June 1, 1942, or within a fixed period thereafter.

SEC. 19. Section 3571.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3571.5 Should Section 3511.3 or Section 3571.3 be held unconstitutional by a final decision of a court of appellate jurisdiction, then the right of redemption of all property which was deeded to the State before January 1, 1947, shall be terminated after that date as provided under this chapter, if such right of redemption has not already been terminated. In such event, in place of June 1, 1942, wherever used in this chapter, there shall be substituted the date of January 1, 1947, and any termination of a right of redemption purported to be made under this chapter prior to January 1, 1947, is hereby declared to be invalid and ineffective, and unless such right of redemption has been or is terminated under other provisions of this code, such right shall continue to exist until terminated under this chapter. Also, in such event, tax-deeded property in distressed assessment districts shall be treated like all other property tax deeded prior to January 1, 1947.

SEC. 20. Section 3572 of the Revenue and Taxation Code is hereby repealed.

SEC. 21. Section 3572 is hereby added to the Revenue and Taxation Code, to read as follows:

3572. Within one year after June 1, 1942, or within six months after default under any plan for payment of delinquent taxes in installments, whichever is later, the tax collector shall send a notice of termination of right of redemption to the last assessee of every assessment of tax-deeded property which was deeded to the State before June 1, 1942, except as provided in Section 3571.3. The notice shall be sent by registered mail to the assessee at his last known address, and if no address is known for him, or if the property was assessed to unknown owners, the tax collector shall make an affidavit of such fact and file the affidavit with his record of notices sent. The notice need not be mailed if the assessee files with the tax collector a waiver of the notice.

The auditor shall cooperate with the tax collector in the performance of the duties required of the tax collector by this chapter.

SEC. 22. Section 3574 of the Revenue and Taxation Code is hereby repealed.

SEC. 23. Section 3574 is hereby added to the Revenue and Taxation Code, to read as follows:

3574. The tax collector shall also publish the notice of termination of right of redemption once in a newspaper of general circulation published in the county, or, if, none, by posting in three conspicuous places in the county, as to every last assessee for whom no address is known, and for all property assessed to unknown owners. He may also publish all notices sent by registered mail in the same manner. The publication by the tax collector of the notice of termination of the right of redemption of any property shall be made within 10 days after the notice as to such property is mailed or within 10 days after the affidavit is filed, as the case may be."

Amendment No. 10

On page 4 of the printed bill, strike out lines 42 to 45, inclusive, and insert

"3691. The tax collector may sell for lawful money of the United States all of any portion of tax-deeded property as provided in this chapter, subject to the provisions of Sections 3550.5 and 3554."

Amendment No. 11

On page 5 of the printed bill, strike out lines 1 to 16, inclusive.

Amendment No. 12

On page 6 of the printed bill, strike out lines 2 and 3, and insert "margin of the record of the deed, if issued, the following:".

Amendment No. 13

On page 6 of the printed bill, strike out line 10, and in line 11, strike out "become", and insert "4112. On redemption, the deed becomes".

Amendment No. 14

On page 6, line 33, of the printed bill, strike out "and 3860.20", and insert "3860.05, 3860.07, 3860.08, 3860.09, 3860.10, 3860.11, 3860.12, 3860.13, 3860.14, 3860.15, 3860.16, 3860.17, 3860.18, 3860.19, 3860.20, 3860.21, 3860.22, 3860.24, 3860.25, 3860.26, 3860.27, 3860.28, 3860.29, 3860.30, 3860.31, and 3860.32".

Amendment No. 15

On page 7 of the printed bill, strike out line 13, and insert

"SEC. 48. Except for the provisions of Section 4.5, the provisions of Sections 1 to 47, inclusive, of".

Amendment No. 16

On page 7, line 23, of the printed bill, strike out "revolutionary", and insert "fundamental".

Amendment No. 17

On page 7, line 30, of the printed bill, strike out "untold", and insert "great".

Amendment No. 18

On page 7 of the printed bill, strike out lines 33 to 35, inclusive, and insert "own, due to the tremendous burden of assessments of assessment districts. These districts may now be refunded, and in this way the property may be expeditiously returned to the tax rolls. To allow the provisions".

Amendment No. 19

On page 7 of the printed bill, strike out lines 41 to 44, inclusive, and insert "on the citizens of the State of California. The inevitable result would be the thwarting of the purposes of the Tax Redemption Termination Act by preventing the return of property to the tax rolls. It is therefore imperative that this act take effect immediately."

Amendment No. 20

On page 8 of the printed bill, after line 9, insert

"There are specifically exempted from the provisions of this section the provisions of Sections 4.8 and 18 of this act, which sections add Sections 3511.3 and 3571.3, respectively, to the Revenue and Taxation Code. The Legislature hereby expressly declares that it is its intent not to terminate the right of redemption of property in distressed assessment districts, as defined, until after January 1, 1947, in order to permit refunding of such districts. If the exception of property in delinquent assessment districts from the provisions of Section 4.8 of this act, or from the provisions of Chapter 4.6 of Part 6, Division 1 of the Revenue and Taxation Code until after January 1, 1947, as provided in Section 18 of this act, is declared unconstitutional, then both entire sections shall be ineffective."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1635—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend", and insert "to repeal and add".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 4101.5 of the Revenue and Taxation Code is hereby repealed.

SEC. 1.5. Section 4101.5 is hereby added to the Revenue and Taxation Code, to read as follows:

4101.5 If tax-sold or tax-deeded property was sold to the State on or before July 6, 1941, and is redeemed on or before 90 days after this section becomes effective, the amount necessary to redeem the property is the amount of sold taxes.

No other interest, costs, delinquent penalties, or redemption penalties accruing before 90 days after this section takes effect need be paid under such redemption."

Amendment No. 3

On page 1, lines 22 and 23, of the printed bill, strike out "with reduced", and insert "without".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect

thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "quiet", and insert "contest the validity of tax deeds to the State and quieting".

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, strike out "Quiet Title Against", and insert "Contest the Validity of".

Amendment No. 3

On page 1 of the printed bill, strike out lines 8 to 11, inclusive, and insert

"3618. As used in this chapter, "taxes" means:

(a) All taxes and assessments which were a lien on the real property at the time of the sale of the property to the State for taxes.

(b) All other unpaid taxes of every description which were a lien on the property for the year of sale and for each year since the sale, as shown on the delinquent lists for which the time of sale to the State is passed, or, if the property was not assessed for any year, which would be shown on such delinquent list if it had been assessed in that year. The amount of taxes for any year not assessed shall be based on the valuation required to be made by the assessor on redemption of unassessed property.

"Taxes" does not include any penalties, interest or costs."

Amendment No. 4

On page 1, line 15, of the printed bill, after "property", insert "deeded to the State for taxes".

Amendment No. 5

On page 1 of the printed bill, strike out lines 18 and 19, and insert "located to contest the validity of the tax deed to the State.

3621. The".

Amendment No. 6

On page 1 of the printed bill, strike out line 22; on page 2, strike out line 1, and insert "a Deputy State Controller. All other taxing"

Amendment No. 7

On page 2, line 21, of the printed bill, strike out "penalties, interest, or costs,".

Amendment No. 8

On page 2 of the printed bill, strike out lines 41 to 44, inclusive, and insert "whether the tax deed or any taxes are for any reason invalid in whole or in part.

3627. If the tax deed and the taxes are determined to be valid in all respects, the court shall".

Amendment No. 9

On page 2 of the printed bill, strike out line 46.

Amendment No. 10

On page 3, line 4, of the printed bill, strike out "for any year since the sale".

Amendment No. 11

On page 3 of the printed bill, strike out lines 6 to 8, inclusive, and insert "sary steps taken to correct any cause of invalidity other than a cause of invalidity which affects the amount of taxes. The same".

Amendment No. 12

On page 3 of the printed bill, strike out lines 19 to 22, inclusive, and insert "amount of taxes, the court shall determine in its interlocutory decree the correct method of computing the taxes as if the assessment, com-".

Amendment No. 13

On page 3, line 27, of the printed bill, strike out "sold".

Amendment No. 14

On page 3 of the printed bill, strike out lines 29 to 31, inclusive, and insert "penalties or costs thereon. The interlocutory".

Amendment No. 15

On page 3 of the printed bill, strike out lines 34 and 35, and insert "State's title under the tax deed. This interlocutory decree".

Amendment No. 16

On page 3 of the printed bill, strike out line 37, and insert "either party in any action under this chapter."

Amendment No. 17

On page 4 of the printed bill, strike out lines 1 and 2, and insert "State. After the final decree has become".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1969—An act to amend Sections 3803 and 3804 of, and to add Sections 3793.5, 3793.6 and 3807.1 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "3793.6 and 3807.1", and insert "3793.6, 3807.5, and 3807.8".

Amendment No. 2

In line 4 of the title of the printed bill, strike out the comma, and insert "and the division of the proceeds of the sales of such property, the allowing of deductions prior to division, termination of the right of redemption, and".

Amendment No. 3

On page 1, line 8, of the printed bill, after the period, insert "If provisions for the pro rata division of the proceeds of a sale of the property by the taxing agency are included in an agreement under this chapter, the agreement shall require the taxing agency to sell the property to a private purchaser within two years after the execution of the deed to the taxing agency, which period may be extended by resolution for a reasonable length of time by the board of supervisors."

Amendment No. 4

On page 2, line 27, of the printed bill, after "been", insert "paid the purchase price in".

Amendment No. 5

On page 2 of the printed bill, strike out lines 29 to 34, inclusive, and insert

"SEC. 5. Section 3807.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3807.5 If the agreement contained provisions for the pro rata division of the proceeds of a sale of the property, and the property is not sold by the taxing agency within two years after the execution of the deed, and not within any extension of such period approved by the board of supervisors, the taxing agency shall execute a deed to the State reconveying to the State all the right, title and interest of the State in the property which such taxing agency obtained by the deed of the tax collector under the provision of this chapter. Thereafter, such property shall be held as tax-deeded property by the State.

The Controller shall provide uniform blanks on which such reconveyances shall be made. There shall be the same number of duplicates as is required for deeds to the State for taxes and the same procedure shall be followed in recording such deeds as is provided by law for the recording of deeds to the State for taxes.

SEC. 6. Section 3807.8 is hereby added to the Revenue and Taxation Code, to read as follows:

3807.8 If provisions for the pro rata division of the proceeds of a sale of the property by the taxing agency are included in an agreement under this chapter, the following notices shall be transmitted to the Land Classification Commission:

(1) On execution of the deed to the taxing agency, notice of the execution of the deed shall be given by the tax collector.

(2) On resale of the property by the taxing agency, notice of such resale shall be given by the tax collector.

(3) On extension of the two-year period by the board of supervisors, notice of such extension shall be given by the clerk of the board

(4) On reconveyance to the State by the taxing agency of all the right, title and interest of the State in the property which such taxing agency obtained by the deed of the tax collector, notice of such reconveyance shall be given by the tax collector.

SEC. 7. This act is hereby declared to be an urgency meas-".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1982—An act to amend Section 2 of the Personal Income Tax Act, relating to the definition of residents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "legally"

Amendment No. 2

On page 2 of the printed bill, after line 45, insert

"SEC. 2. Section 1 of this act in so far as it pertains to the definition of "resident" is hereby declared to be a positive expression of a continuing legislative intent with respect to the construction of the term in The Personal Income Tax Act since its first enactment."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2570—An act to amend Sections 2 and 9, to repeal Section 2 5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2 5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 2, 9, 11, 17, 18, 20, 21, 23, 26, and 28 of, to repeal Section 2.5 of, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4, 7, 9, 10, 12, 14, 15, 17, 20, and 22 and to repeal Section 2 5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to repeal Section 6 of Chapter 355, Statutes of 1935; to amend Sections 6006, 6010, 6455, 6481, 6487, 6511, 6514, 6561, 6701, 6702, 6738, 6757, 6776, 6777, 6811, 6812, 6901, 6902 and 7056 of, to repeal Section 6402 of and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately."

Amendment No. 2

On page 2, lines 17 and 18, of the printed bill, strike out "of a publication or".

Amendment No. 3

On page 2 of the printed bill, between lines 19 and 20, insert ", or of any publication,".

Amendment No. 4

On page 4, line 8, of the printed bill, following "month", strike out the period, and insert ", *and tangible personal property which becomes an ingredient or component part of any such publication.*"

Amendment No. 5

On page 4, line 31, of the printed bill, following "quarters", insert ", depending upon the location of the principal place of business of the seller,".

Amendment No. 6

On page 4 of the printed bill, between lines 47 and 48, insert

"SEC. 5. Section 11 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec 11. The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any person subject to the tax imposed hereunder to deposit with it such security as the board may determine. *The amount of the security shall be fixed by the board but shall not be greater than twice the person's estimated average tax for the period for which he files returns, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided.* The [same] *security* may be sold by the board at public sale if it becomes necessary so to do in order to recover any tax, interest or penalty due. Notice of such sale may be served upon the person who deposited such securities personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due under this act shall be returned to the person who deposited the security.

SEC. 6. Section 17 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 17. The burden of proving that a sale of tangible personal property is not a sale at retail shall be upon the person who makes it, unless such person takes from the purchaser a certificate to the effect that the property is purchased for resale. Such certificate relieves the seller from such burden only if taken in good faith from a person engaged in the business of selling tangible personal property and holding the permit provided for in Section 12 of this act and who, at the time of purchasing the tangible personal property, intends to sell it in the regular course of business or is unable to ascertain at the time of purchase whether such property will be sold or will be used for some other purpose. Such certificate shall be signed by and bear the name and address of the purchaser, shall indicate the number of the permit issued to such purchaser under this act, and shall indicate the general character of the tangible personal property sold by such purchaser in the regular course of business. Such certificate shall be substantially in such form as the board may prescribe.

If a purchaser who gives such a certificate makes any use of such property other than retention, demonstration, or display while holding it for sale in the regular course of business, such use shall be deemed a retail sale by such purchaser as of the time such property is first used by him and the cost of such property to him shall be deemed the gross receipts from such retail sale. If the sole use of such property other than retention, demonstration or display in the regular course of business is *the rental of the property while holding it for sale, the purchaser may* elect to include in his gross receipts the amount of the rental charged rather than the cost of the property to him

For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed it shall be presumed that all gross receipts are subject to the tax hereby imposed until the contrary is established

If the board is not satisfied with the return or returns of tax made by any retailer, it is *hereby authorized and empowered to make* [an] *one or more* additional assessment*s* of tax due from such retailer based upon the facts contained in the return or returns, or upon any information within its possession or that shall come into its possession [An] *One or more* additional assessment*s* may be made of the amount of the tax due for *one or for* more than one period

The amount of tax so assessed shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof from the fifteenth day after the close of the quarterly period for which the amount of such tax or any portion thereof should have been returned until the date of payment In making an assessment hereunder the board may offset overpayments for a period or periods, together with interest on such overpayments, against underpayments for another period or periods, against penalties, and against the interest on such underpayments. Such interest on underpayments and overpayments shall be computed in the manner set forth

in Sections 9½ and 23 hereof. If any part of the deficiency for which the additional assessment is imposed is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of 10 per cent of the amount of the additional assessment shall be added thereto. If any part of the deficiency for which the additional assessment is imposed is due to fraud or an intent to evade the tax, a penalty of 25 per cent of the amount of the additional assessment shall be added thereto. The board shall give to the retailer written notice of such additional assessment. Such notice may be served upon the retailer personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the retailer at his address as the same appears in the records of the board.

SEC. 7. Section 18 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 18. If a retailer [neglects or refuses] *fails* to make a return as required by this act, the board shall make an estimate based upon any information in its possession or that may come into its possession, of the amount of the gross receipts of the delinquent for the period of periods in respect to which he failed to make a return, and upon the basis of said estimated amount compute and assess the tax payable by the delinquent, adding to the sum thus arrived at a penalty equal to 10 per cent thereof. [An] *One or more* assessments may be made of the amount of tax due for *one or for* more than one period. The amount of tax so assessed shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the fifteenth day after the close of the quarterly period for which the amount of such tax or any portion thereof should have been returned until the date of payment. In making an assessment hereunder the board may offset overpayments for a period or periods together with interest on such overpayments against underpayments for another period of periods, against penalties, and against the interest on such underpayments. Such interest on underpayments and overpayments shall be computed in the manner set forth in Sections 9½ and 23 hereof.

If the [neglect or refusal] *failure* of a retailer to file a return as required by this act was due to fraud or an intent to evade the tax, there shall be added to the tax a penalty equal to 25 per cent thereof in addition to the 10 per cent penalty [as above provided] *for failure to file returns*. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 17 hereof. But the delinquent shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section.

SEC. 8. Section 20 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 20. Any retailer against whom an assessment is made by the board under the provisions of Section 17 or 18 hereof *or any person directly interested* may petition for a reassessment thereof within 30 days after service upon the retailer of notice thereof. If a petition for reassessment is not filed within said 30-day period the amount of the assessment becomes final at the expiration thereof.

If a petition for reassessment is filed within said 30-day period the board shall reconsider the assessment, and if the retailer has so requested in his petition, shall grant said retailer an oral hearing and shall give the retailer 10 days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The board may decrease or increase the amount of the assessment. The amount of the assessment may be increased, however, only if a claim for such increase is asserted by the board at or before the hearing.

The order or decision of the board upon a petition for reassessment shall become final 30 days after service upon the retailer of notice thereof.

All assessments made by the board under the provisions of Section 17 or 18 hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of 10 per cent of the amount of the tax.

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 17 hereof.

SEC. 9. Section 21 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 21. Except in case of [a] fraud, [ulent return or neglect or refusal,] intent to evade the tax, *failure* to make a return, or claim for additional tax pursuant to Section 20 hereof, and except in case of additional tax proposed to be assessed with respect to sales of property for the storage, use or other consumption of which notice of a determination of an additional amount has heretofore been given, or is hereafter given, pursuant to Sections 9, 10, 11, and 15 of the Use Tax Act of 1935, every notice of additional tax proposed to be assessed hereunder shall be mailed

to the retailer within three years after the fifteenth day of the calendar month following the quarterly period for which the tax is proposed to be assessed or within three years after the return is filed, whichever period expires the later.

SEC. 10. Section 23 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec 23. If the board determines that any [tax] *amount*, penalty or interest has been paid more than once, or has been erroneously or illegally collected, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, *and the person* from whom it was collected, or by whom paid, and if approved by *the State Board of Control* [that board] the [same] *excess amount collected or paid* shall be credited on any taxes then due from the retailer under this act or under the California Use Tax Act of 1935 and the balance shall be refunded to the [retailer] *person*, or his successors, administrators, or executors [.]. [but no such credit or] No refund shall be allowed unless a claim therefor is filed with the State Board of Equalization within three years from the fifteenth day after the close of the quarterly period for which the overpayment was made or, with respect to assessments made under the provisions of Sections 17 and 18 hereof, within six months after such assessments become final, *or within 60 days from the date of overpayment*, whichever period expires the later *No credit shall be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the board within such period.*

Every such claim must be in writing and must state the specific grounds upon which the claim is founded

Failure to file such claim within the time prescribed in this section shall constitute waiver of any and all demands against this State on account of overpayments hereunder. Within 30 days after disallowing any such claim in whole or in part, the board shall serve notice of such action on the claimant, such service to be made as provided by Section 17 hereof.

Interest shall be computed, allowed and paid upon any overpayment of any tax, at the rate of one-half of 1 per centum per month as follows:

(1) From the fifteenth day of the calendar month following the quarterly period for which the overpayment was made but no refund or credit shall be made of any interest imposed upon the claimant with respect to the tax being refunded or credited.

(2) In the case of a refund, to the fifteenth day of the calendar month following the date upon which the claimant is notified by the board that a claim may be filed or that the claim has been certified to the State Board of Control, whichever date is the earlier.

(3) In the case of a credit, to the same date that interest is computed on the tax against which the credit is applied.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the County of Sacramento, in the name of the people of the State of California and such action shall be tried in the County of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for

In the event that a tax has been illegally levied, the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board.

If the board determines that any overpayment of tax has been intentionally made or made by reason of carelessness, it shall not allow any interest thereon

SEC 11. Section 26 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 26. In any case in which any tax, interest or penalty imposed under this act is not paid when due the board may within three years after the tax is due file in the office of the county clerk of Sacramento County, or any other county, a certificate specifying the amount of the tax, interest and penalty due, the name and [last known] address *as it appears on the records of the board* of the retailer liable for the same, that the board has complied with all the provisions of this act in relation to the computation and levy of the tax and a request that judgment be entered against the retailer in the amount of the tax, interest and penalty set forth in the certificate. The county clerk immediately upon the filing of such certificate shall enter a judgment for the people of the State of California against the retailer in the amount of the tax, interest and penalty set forth in the certificate. The judgment may be filed by the county clerk in a loose-leaf book entitled "Special Judgments for State Retail Sales or Use Tax."

An abstract of such judgment or a copy thereof may be recorded with the county recorder of any county and from the time of such recording, the amount of the taxes, interest and penalty therein set forth shall constitute a lien upon all the real property of the retailer in such county, owned by him or which he may afterwards

and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien *and shall continue for five years from the date of the judgment so entered by the county clerk unless sooner released or otherwise discharged. The lien may, within five years from the date of the judgment or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record in the office of the county recorder of any county an abstract or copy of the judgment and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.* Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales shall be held under such execution as prescribed in the Code of Civil Procedure. In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California.

In any case in which any tax, interest or penalty imposed under this act is not paid when due the board may within three years after the tax is due file in the office of any county recorder a certificate specifying the amount of the tax, interest and penalty due, the name and [last known] address *as it appears on the records of the board* of the retailer liable for the same, and that the board has complied with all provisions of this act in relation to the computation and levy of the tax. From the time of [such recording] *the filing for record* the amount of the tax, interest and penalty therein set forth shall constitute a lien upon all real property of the retailer in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien *and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.*

At any time within three years after the delinquency of any tax, interest, or penalty, or within five years after the filing of the certificate referred to in the third paragraph of this section [A] *a* warrant may be issued by the board or its duly authorized representative for the collection of any tax, interest or penalty and for the enforcement of any lien, directed to any sheriff, *marshal* or constable; and shall have the same effect as a writ of execution. It may and shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and sale pursuant to a writ of execution. The sheriff, *marshal or constable* shall receive upon the completion of his services pursuant to a warrant and the board is authorized to pay to him the same fees and commissions and expenses in connection with services pursuant to said warrant as are provided by law for similar services pursuant to a writ of execution; provided, that fees for publication in a newspaper shall be subject to approval by the board rather than by the court; said fees, commissions and expenses shall be an obligation of the retailer and may be collected from the retailer by virtue of the warrant or in any other manner provided in this act for the collection of a tax.

If any retailer liable for any tax, interest or penalty levied hereunder shall sell out his business or stock of goods or shall quit the business, he shall make a final return and payment within 15 days after the date of selling or quitting business. His successor, successors or assigns, if any, shall withhold sufficient of the purchase [money] *price* to cover the amount of such taxes, interest or penalties *accrued or* due and unpaid until such time as the former owner shall produce a receipt from the board showing that they have been paid, or a certificate stating that no taxes, interest or penalties are due. If the purchaser of a business or stock of goods shall fail to withhold *the* purchase [money] *price* as above provided, he shall be personally liable for the payment of the taxes, interest and penalties accrued and unpaid on account of the operation of the business by any former owner, owners or assignors[.] *to the extent of the purchase price, valued in money. Within 30 days after receiving a written request from the purchaser for a certificate, the board shall either issue the certificate or mail notice to the purchaser at his address as it appears on the records of the board of the amount of the tax, interest, and penalties that must be paid as a condition of issuing the certificate. Failure of the board to mail the notice will release the purchaser from any further obligation to withhold purchase price as above provided.*

In the event that any retailer is delinquent in the payment of the tax herein provided for *or in the event an assessment has been made against him which remains unpaid*, the board may, [within] *not later than* three years after the payment [became] *becomes* delinquent give notice [of the amount of such delinquency] *thereof* by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such retailer, or owing any debts to such retailer at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the board shall have consented to a transfer or disposition, or until 20 days shall have elapsed from and after the

receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

At any time within three years after any retailer is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the retailer in the following manner: The board shall seize any property, real or personal, of the retailer not exempt from execution under the provisions of Section 690 of the Code of Civil Procedure, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent retailer in writing at least 10 days before the date set for such sale by inclosing such notice in an envelope addressed to such retailer at his last known residence or place of business in this State, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least 10 days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county 10 days prior to the date set for such sale. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the retailer, and the further statement that unless such taxes, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the retailer in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the retailer. If upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such retailer, any such excess shall be returned to the retailer, and his receipt therefor obtained; provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such retailer shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such retailer, his heirs, successors or assigns.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board of Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 12. Section 28 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 28. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer or other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person; provided, however, that the Governor may, by general or special order, authorize examination of such returns by other State officers, by tax officers of another State [,] or the Federal Government [,] if a reciprocal arrangement exists, and any other persons the Governor may so authorize *Successors, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, may be given information as to the items included in the measure and amounts of any unpaid tax, interest, and penalties.*

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC. 13. Section 6 of Chapter 355, Statutes of 1935, is hereby repealed."

Amendment No. 7

On page 4, line 48, of the printed bill, following "SEC.", strike out "5", and insert "14".

Amendment No. 8

On page 5, line 15, of the printed bill, strike out "a publication or other".

Amendment No. 9

On page 5, line 17, of the printed bill, following "customer", insert ", or of any publication,".

Amendment No. 10

On page 6 of the printed bill, between lines 19 and 20, insert

"SEC. 15. Section 2.5 of the Use Tax Act of 1935 is hereby repealed."

Amendment No. 11

On page 6, line 20, of the printed bill, strike out "6", and insert "16".

Amendment No. 12

On page 7 of the printed bill, strike out lines 10 to 23, inclusive.

Amendment No. 13

On page 7, line 25, of the printed bill, strike out the period, and insert ", and tangible personal property which becomes an ingredient or component part of any such publication."

Amendment No. 14

On page 7, line 26, of the printed bill, strike out "7" following "Sec.", and insert "17".

Amendment No. 15

On page 8, line 1, of the printed bill, following "quarters", insert ", depending upon the location of the principal place of business of the retailer,".

Amendment No. 16

On page 8, line 26, of the printed bill, following "insure", insert "and facilitate".

Amendment No. 17

On page 8 of the printed bill, between lines 27 and 28, insert "quarterly periods other than calendar quarters depending upon the location of the principal place of business of the purchaser, or for".

Amendment No. 18

On page 9 of the printed bill, between lines 20 and 21, insert

"SEC. 18. Section 9 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 9. If the board is not satisfied with the return or returns of the tax or the amount of tax herein required to be paid to the State by any person, it is hereby authorized and empowered to compute and determine the amount required to be paid based upon the facts contained in the return or returns or upon any information within its possession or that shall come into its possession.

[An] *One or more* additional determinations may be made of the amount due for *one or for* more than one period. The amount so determined shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the fifteenth day after the close of the quarterly period for which such amount or any portion thereof should have been returned until the date of payment.

In making a determination hereunder the board may offset overpayments for a period or periods, together with interest on such overpayments, against underpayments for another period or periods, against penalties, and against the interest on such underpayments. Such interest on underpayments and overpayments shall be computed in the manner set forth in Sections 8 and 17 hereof.

If any part of the deficiency for which a determination of an additional amount due is made is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of 10 per cent of such amount shall be added thereto. If any part of the deficiency for which a determination of an additional amount due is made is due to fraud or an intent to evade the act or authorized rules and regulations, a penalty of 25 per cent of such amount shall be added thereto. The board shall give to the retailer or person storing, using or consuming tangible personal property written notice of its determination. Such notice may be served personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the retailer or person storing, using or consuming tangible personal property at his address as the same appears in the records of the board.

SEC. 19. Section 10 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 10. If any person [neglects or refuses] *fails* to make a return required to be made by this act, the board shall make an estimate for the period or periods in respect to which such person failed to make a return, based upon any information in its possession or that may come into its possession, of the amount of the total sales price of tangible personal property sold or purchased by such person, the storage, use or other consumption of which in this State is subject to the tax imposed by this act, and upon the basis of said estimate compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty equal to 10 per cent thereof.

[A] *One or more* determinations may be made of the amount due for *one or for* more than one period The amount so determined shall bear interest, at the rate of one-half of 1 per cent per month, or fraction thereof, from the fifteenth day after the close of the quarterly period for which such amount or any portion thereof should have been returned until the date of payment In making a determination hereunder the board may offset overpayments for a period or periods together with interest on such overpayments against underpayments for another period or periods, against penalties, and against the interest on such underpayments Such interest on underpayments and overpayments shall be computed in the manner set forth in Sections 8 and 17 hereof If the [neglect or refusal] *failure* of any person to file a return as required by this act was due to fraud or an intent to evade this act or rules and regulations hereunder, a penalty of 25 per cent of the amount required to be paid by such person shall be added thereto in addition to the 10 per cent penalty as above provided Promptly thereafter the board shall give to such person written notice of such estimate, determination and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 9 hereof

SEC. 20. Section 12 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 12. *Any person from whom an amount is determined to be due under the* provisions of Section 9 or 10 hereof *or any person directly interested* may petition for a redetermination thereof within 30 days after service upon such person of notice thereof. If a petition for redetermination is not filed within said 30-day period, the amount determined to be due becomes final at the expiration thereof. If a petition for redetermination is filed within said 30-day period, the board shall reconsider the amount determined to be due, and if such person has so requested in his petition, shall grant such person an oral hearing and shall give such person 10 days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The board may decrease or increase the amount of the determination. The amount of the determination may be increased, however, only if claim for such increase is asserted by the board at or before the hearing.

The order or decision of the board upon a petition for redetermination shall become final 30 days after service upon such person of notice thereof.

All amounts determined to be due by the board under the provisions of Section 9 or 10 hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of 10 per cent of the amount determined to be due

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 9 hereof.

SEC. 21. Section 14 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 14. The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any person subject thereto to deposit with it such security as the board may determine. *The amount of the security shall be fixed by the board but shall not be greater than twice the person's estimated average liability for the period for which he files returns determined in such manner as the board deems proper, or ten thousand dollars ($10 000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided.* The [same] *security* may be sold by the board at public auction if it becomes necessary so to do in order to recover any tax, or any amount herein required to be collected, interest or penalty due. Notice of such sale may be served upon the person who deposited such security personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due under this act shall be returned to the person who deposited the security.

SEC. 22. Section 15 of the Use Tax Act of 1935 is hereby amended to read as follows.

Sec. 15. Except in the case of [a fraudulent return, neglect or refusal] *fraud, intent to evade the act or authorized rules and regulations, failure* to make a return, or claim for additional amount pursuant to Section 12 hereof, every notice of a determination of an additional amount due shall be mailed within three years after the fifteenth day of the calendar month following the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.

SEC. 23. Section 17 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 17 If the board determines that any amount, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, *and*

the person from whom it was collected, or by whom paid to the board, and if approved by the State Board of Control the [same] *excess amount collected or paid* shall be credited on any amounts then due from such person under this act or the California Retail Sales Tax Act of 1933, and the balance shall be refunded to such person, or his successors, administrators, or executors [, but no such credit or]. *No* refund shall be allowed unless a claim therefor is filed with the State Board of Equalization within three years from the fifteenth day after the close of the quarterly period for which the overpayment was made, or, with respect to determinations made under the provisions of Sections 9 and 10 hereof within six months after such determinations become final, *or within 60 days from the date of overpayment* whichever period expires the later. *No credit shall be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the board within such period.* No such credit or refund shall be allowed on the ground that the storage, use or other consumption of the property is exempted under the provisions of subdivision (a) of Section 4 of this act unless in addition to the overpayment for which the claim is filed the claimant has also reimbursed his vendor for the amount of tax imposed upon his vendor under the Retail Sales Tax Act of 1933 with respect to the sale of such property and the vendor has paid such amount to the State Every [such] claim *for refund or credit* must be in writing and must state the specific grounds upon which the claim is founded

Any overpayment made by a purchaser to a retailer required to collect the tax, and who gives the purchaser a receipt therefor pursuant to Section 3 of this act, shall be credited or refunded to the purchaser.

Failure to file such claim within the time prescribed in this section shall constitute waiver of any and all demands against this State on account of overpayment hereunder. Within 30 days after disallowing any such claim in whole or in part the board shall serve notice of such action on the claimant, such service to be made as provided by Section 9 hereof.

Interest shall be computed, allowed and paid upon any overpayment of any amount of tax, at the rate of one-half of 1 per centum per month as follows:

(1) From the fifteenth day of the calendar month following the quarterly period for which the overpayment was made but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited.

(2) In the case of a refund, to the fifteenth day of the calendar month following the date upon which the claimant is notified by the board that a claim might be filed or that the claim has been certified to the State Board of Control, whichever date is the earlier.

(3) In the case of a credit, to the same date that interest is computed on the tax or amount against which the credit is applied.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California and such action shall be tried in the County of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that any amount has been illegally determined, the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of such amount upon the records of the board

If the board determines that any overpayment has been intentionally made or made by reason of carelessness, it shall not allow any interest thereon.

SEC. 24. Section 20 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 20. In any case in which any amount required to be paid to the State in accordance with the provisions of this act is not paid when due the board may within three years after the amount is due file in the office of the county clerk of Sacramento County, or any other county, a certificate specifying the amount required to be paid, interest and penalty due, the name and [last known] address *as it appears on the records of the board* of the retailer or other person liable for the same, that the board has complied with all the provisions of this act in relation to the determination of the amount herein required to be paid and a request that judgment be entered against the retailer or other person in the amount herein required to be paid, together with interest and penalty as set forth in the certificate. The county clerk immediately upon the filing of such certificate shall enter a judgment for the people of the State of California against the retailer or other person in the amount herein required to be paid, together with interest and penalty as set forth in this certificate The judgment may be filed by the county clerk in a loose-leaf book entitled, "Special Judgments for State Retail Sales or Use Tax."

An abstract of such judgment or a copy thereof may be [recorded] *filed for record* with the county recorder of any county and from the time of such [recording] *filing*, the amount herein required to be paid, together with interest and penalty therein set forth shall constitute a lien upon all the real property of the retailer or other person liable for the tax, interest or penalty in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien *and shall continue for five years from the date of the judgment so entered by the county clerk unless sooner released or otherwise discharged. The lien may within five years from the date of the judgment, or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record in the office of the county recorder of any county an abstract or copy of the judgment and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.* Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales shall be held under such execution as prescribed in the Code of Civil Procedure In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California.

In any case in which any amount required to be paid to the State in accordance with the provisions of this act is not paid when due, the board may within three years after the amount is due file *for record* in the office of any county recorder a certificate specifying the amount required to be paid, interest and penalty due, the name and [last known] address *as it appears on the records of the board* of the retailer or other person liable for the sum and that the board has complied with all provisions of this act in relation to the determination of the amount herein required to be paid. From the time of such [recording] *filing* the amount so required to be paid with interest and penalty therein set forth shall constitute a lien upon all real property of the retailer or other person liable for the tax, interest or penalty in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien [ ] *and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.*

At any time within three years after any amount required to be paid to the State in accordance with the provisions of this act is due, or within five years after the filing of the certificate referred to in the third paragraph of this section [A] a warrant may be issued by the board or its duly authorized representative for the collection [of any amount required to be paid to the State in accordance with the provisions of this act] *thereof* and for the enforcement of any lien [s], directed to any sheriff, *marshal* or constable, and shall have the same effect as a writ of execution. It may and shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of *and* sale pursuant to a writ of execution. The sheriff, *marshal or constable* shall receive upon the completion of his services pursuant to a warrant and the board is authorized to pay to him the same fees and commissions and expenses in connection with services *pursuant to said warrant as are provided by law for similar services* pursuant to a writ of execution; provided, that fees for publication in a newspaper shall be subject to approval by the board rather than by the court; said fees, commissions and expenses shall be the obligation of the person required to pay any amount hereunder and may be collected from such person by virtue of the warrant or in any other manner provided in this act for the collection of [the] *a* tax.

If any retailer liable for an amount of tax herein required to be collected shall sell out his business or stock of goods or shall quit the business, he shall make a final return and payment within 15 days after the date of selling or quitting business. His successor, successors or assigns, if any, shall [be required to] withhold sufficient of the purchase [money] *price* to cover the amount of such taxes herein required to be collected, and interest or penalties *accrued or* due and unpaid until such time as the former owner shall produce a receipt from the board showing that they have been paid, or a certificate stating that no amount is due If the purchaser of a business or stock of goods [shall] *fails* to withhold *the* purchase [money] *price* as [above provided,] required, he [shall be] *becomes* personally liable for the payment of the amount [or taxes herein,] required to be [collected by the former owner,] *withheld by him to the extent of the purchase price valued in money.* [interest and penalties accrued and unpaid by any former owner, owners or assignors.] *Within 30 days after receiving a written request from the purchaser for a certificate, the board shall either issue the certificate or mail a notice to the purchaser at his address as it appears on the records of the board*

of the amount that must be paid as a condition of issuing the certificate. Failure of the board to mail the notice will release the purchaser from any further obligation to withhold the purchase price as above provided.

In the event that any person is delinquent in the payment of the amount herein required to be paid by him, *or in the event a determination has been made against him which remains unpaid* the board may [within] *not later than* three years after the payment [became] *becomes* delinquent give notice [of the amount of such delinquency] *thereof* by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such person, or owing any debts to such person at the time of the receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the board shall have consented to a transfer or disposition, or until 20 days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, the board may proceed forthwith to collect such amount in the following manner: The board shall seize any property, real or personal, of such person *not exempt from execution under the provisions of Section 690 of the Code of Civil Procedure*, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the amount due [hereunder], together with any interest or penalties imposed [hereby] for [such] *the* delinquency, and any [and all] costs [that may have been] incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent person in writing at least 10 days before the date set for such sale by inclosing such notice in an envelope addressed to such person at his last known address or place of business, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least 10 days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county 10 days prior to the date set for such sale. The said notice shall contain a description of the property to be sold, together with a statement of the amount due, including interest, penalties and costs, if any, the name of the person from whom due, and the further statement that unless the amount due, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the retailer or other person liable for the tax in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the retailer or other person liable for the tax. If upon any such sale, the moneys so received shall exceed the total of all amounts including interest, penalties and costs due the State, any such excess shall be returned to the retailer, or other person liable for the tax, and his receipt therefor obtained, provided, however, that if any person having an interest or lien upon the property, has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such retailer or other person liable for the tax shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such retailer or other person liable for the tax, his heirs, successors or assigns.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 25. Section 22 of the Use Tax Act of 1935 is hereby amended to read as follows.

Sec. 22. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof of any book containing any abstract or particulars thereof

to be seen or examined by any person; provided, however, that the Governor may, by general or special order, authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize. *Successors, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, may be given information as to the items included in the measure and amounts of any unpaid tax or amounts of tax required to be collected, interest, and penalties.*

Any violation of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment not exceeding one year, or both, at the discretion of the court."

Amendment No. 19

On page 9, line 35, of the printed bill, strike out "9", and insert "26".

Amendment No. 20

On page 10, line 16, of the printed bill, strike out "a publication or other".

Amendment No. 21

On page 10, line 18, of the printed bill, after "customer", insert ", or of any publication".

Amendment No. 22

On page 10, line 23, of the printed bill, strike out "10", and insert "27".

Amendment No. 23

On page 10, line 31, of the printed bill, strike out "a publication or other".

Amendment No. 24

On page 10, line 33, of the printed bill, after "customer", insert ", or of any publication,".

Amendment No. 25

On page 10, line 38, of the printed bill, strike out "11", and insert "28".

Amendment No. 26

On page 10, line 44, of the printed bill, after "month", insert "and tangible personal property which becomes an ingredient or component part of any such publication".

Amendment No. 27

On page 10, line 45, of the printed bill, strike out "12", and insert "29".

Amendment No. 28

On page 10, line 47, of the printed bill, strike out "13", and insert "30".

Amendment No. 29

On page 11, line 2, of the printed bill, after quarters", insert "depending upon the principal place of business of the seller, retailer or purchaser as the case may be,".

Amendment No. 30

On page 11 of the printed bill, between lines 2 and 3, insert

"SEC 31. Section 6481 of the Revenue and Taxation Code is hereby amended to read as follows

6481. If the board is not satisfied with the return or returns of the tax or the amount of tax required to be paid to the State by any person, it may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within its possession or that may come into its possession. [A] *One or more* deficiency determinations may be made of the amount due for *one or for* more than one period.

SEC 32. Section 6487 of the Revenue and Taxation Code is hereby amended to read as follows:

6487. Except in the case of [a fraudulent return, neglect or refusal] *fraud, intent to evade this part or authorized rules and regulations, failure* to make a return or claim for additional amount pursuant to Section 6563, every notice of a deficiency determination shall be mailed within three years after the fifteenth day of the calendar month following the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later

The limitation specified in this section does not apply in case of a sales tax proposed to be determined with respect to sales of property for the storage, use, or other consumption of which notice of a deficiency determination has been or is given pursuant to Sections 6486, 6515 and 6537 and to the first paragraph of this section.

SEC. 33. Section 6511 of the Revenue and Taxation Code is hereby amended to read as follows:

6511. If any person [neglects or refuses] *fails* to make a return, the board shall make an estimate of the amount of the gross receipts of the person, or, as the case may be, of the amount of the total sales price of tangible personal property sold or

purchased by the person, the storage, use, or other consumption of which in this State is subject to the use tax. The estimate shall be made for the period or periods in respect to which the person failed to make a return and shall be based upon any information which is in the board's possession or may come in its possession. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty equal to 10 per cent thereof. [A] *One or more* determination*s* may be made for *one or for* more than one period.

SEC. 34. Section 6514 of the Revenue and Taxation Code is hereby amended to read as follows:

6514. If the [neglect or refusal] *failure* of any person to file a return is due to fraud or an intent to evade this part or rules and regulations, a penalty of 25 per cent of the amount required to be paid by the person, exclusive of penalties, shall be added thereto in addition to the 10 per cent penalty provided in Section 6511.

SEC. 35. Section 6561 of the Revenue and Taxation Code is hereby amended to read as follows:

6561. Any person against whom a determination is made under Articles 2 or 3 of this chapter *or any person directly interested* may petition for a redetermination within 30 days after service upon the person of notice thereof. If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.

SEC. 36. Section 6701 of the Revenue and Taxation Code is hereby amended to read as follows:

6701. The board, whenever it deems it necessary to insure compliance with this part, may require any person subject thereto to deposit with it such security as the board may determine. *The amount of the security shall be fixed by the board but shall not be greater than twice the person's estimated average liability for the period for which he files returns, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided.* The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due. Notice of the sale may be served upon the person who deposited the security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.

SEC. 37. Section 6702 of the Revenue and Taxation Code is hereby amended to read as follows:

If any person is delinquent in the payment of the amount required to be paid by him *or in the event a determination has been made against him which remains unpaid*, the board may [within], *not later than* three years after the payment became delinquent give notice of the amount of the delinquency by registered mail to all persons having in their possession or under their control any credits or other personal property belonging to the delinquent, or owing any debts to the delinquent. After receiving the notice the persons so notified shall neither transfer nor make any other disposition of the credits, other personal property, or debts in their possession or under their control at the time they receive the notice until the board consents to a transfer or disposition or until 20 days elapse after the receipt of the notice. All persons so notified shall within five days after receipt of the notice advise the board of all such credits, other personal property, or debts in their possession, under their control, or owing by them.

SEC. 38. Section 6738 of the Revenue and Taxation Code is hereby amended to read as follows:

6738. An abstract of the judgment or a copy may be recorded with the county recorder of any county. From the time of the recording, the amount required to be paid together with interest and penalty set forth constitutes a lien upon all the real property in the county owned by the person liable or afterwards and before the lien expires acquired by him. The lien has the force, effect, and priority of a judgment lien *and shall continue for five years from the date of the judgment so entered by the county clerk unless sooner released or otherwise discharged. The lien may within five years from the date of the judgment or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record in the office of the county recorder of any county an abstract or copy of the judgment and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.*

SEC. 39. Section 6757 of the Revenue and Taxation Code is hereby amended to read as follows:

6757. If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due file in the office of any county recorder a certificate specifying the amount, interest, and penalty

due, the name and [last known] address *as it appears on the records of the board* of the person liable for the sum, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid From the time of the filing for record, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards and before the lien expires acquired by him The lien has the force, effect, and priority of a judgment lien *and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for five years unless sooner released or otherwise discharged.*

SEC. 40. Section 6776 of the Revenue and Taxation Code is hereby amended to read as follows:

6776 The board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the State under this part The warrant shall be directed to any sheriff, *marshal* or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

SEC. 41 Section 6777 of the Revenue and Taxation Code is hereby amended to read as follows:

6777. The board shall pay the sheriff, *marshal* or constable, upon the completion of his services pursuant to a warrant, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution The board, and not the court, shall approve the fees for publication in a newspaper

SEC. 42 Section 6811 of the Revenue and Taxation Code is hereby amended to read as follows:

6811 If any retailer liable for any sales tax, any amount of use tax required to be collected by him, interest, or penalties sells out his business or stock of goods or quits the business, his successors or assigns shall withhold sufficient of the purchase money to cover the amount of the taxes, interest, and penalties *accrued or* due and unpaid until the former owner produces a receipt from the board showing that they have been paid or a certificate stating that no amount is due

SEC. 43 Section 6812 of the Revenue and Taxation Code is hereby amended to read as follows:

6812. If the purchaser of a business or stock of goods fails to withhold purchase money as required, he becomes personally liable for the payment of the amount required to be withheld by him *to the extent of the purchase price, valued in money. Within 30 days after receiving a written request from the purchaser for a certificate, the board shall either issue the certificate or mail notice to the purchaser at his address as it appears on the records of the board of the amount that must be paid as a condition of issuing the certificate Failure of the board to mail the notice will release the purchaser from any further obligation to withhold purchase money as above provided.*

SEC. 44. Section 6901 of the Revenue and Taxation Code is hereby amended to read as follows:

6901. If the board determines that any amount, penalty, or interest has been paid more than once or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of the amount legally due and the person from whom it was collected or by whom paid [to the board.] If approved by the State Board of Control the excess amount collected or paid shall be credited on any amounts then due from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, or executors.

Any overpayment of the use tax by a purchaser to a retailer who is required to collect the tax and who gives the purchaser a receipt therefor pursuant to Article 1, Chapter 3, of this part shall be credited or refunded by the State to the purchaser.

SEC 45. Section 6902 of the Revenue and Taxation Code is hereby amended to read as follows:

6902. No [credit or] refund shall be allowed unless a claim therefor is filed with the board within three years from the fifteenth day after the close of the quarterly period for which the overpayment was made, or, with respect to determinations made under Articles 2 or 3 of Chapter 5 of this part, within six months after the determinations become final, *or within 60 days from the date of overpayment,* whichever period expires the later. *No credit shall be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the board within such period.*

SEC. 46. Section 7056 of the Revenue and Taxation Code is hereby amended to read as follows:

7056. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the returns by other State officers, by tax officers of another State, by the Federal Government, if a reciprocal arrangement exists, or by any other person. *Successors, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, may be given information as to the items included in the measure and amounts* of any unpaid tax *or amounts of tax required to be collected*, interest and penalties."

Amendment No. 31

On page 11, line 3, of the printed bill, strike out "14", and insert "47".

Amendment No. 32

On page 11, line 11, of the printed bill, strike out "15", and insert "48".

Amendment No. 33

On page 11 of the printed bill, strike out all of line 17, and insert "in force until July 1, 1941, that the provisions amending such acts shall".

Amendment No. 34

On page 11, line 18, of the printed bill, after "1941", insert "and the provisions of this act amending the Revenue and Taxation Code shall become operative at the same time as Part 1 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session, at which time sections of the Retail Sales Tax Act of 1933 and of the Use Tax Act of 1935 amended or added by this act are hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 850—An act to repeal Sections 3594 and 3616 and to add Sections 3594, 3602.5, and 3614.5 and 3616 to the Revenue and Taxation Code, relating to property taxation including redemption of tax delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to repeal Section 3616 of, to add Sections 3602.5, 3614.5 and 3616 to, and to amend Sections 3606 and 3615 of the Revenue and".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "Sec. 3.", and insert

"SECTION 1. Section 3606 of the Revenue and Taxation Code is hereby amended to read as follows:

3606. If the tax deed or taxes for any year since the sale are determined to be invalid, the court shall order any necessary steps taken to correct any cause of invalidity [, except where] *other than* a cause of invalidity *which* affects the amount

of taxes due for the year of sale or any year since the sale. The same officials shall comply with this order as would have taken such steps in the first instance.

SEC. 2."

Amendment No. 3

On page 1 of the printed bill, between lines 18 and 19, insert

"SEC. 4.5. Section 3615 of the Revenue and Taxation Code is hereby amended to read as follows:

3615 If, in any action under this chapter, it is determined that an invalidity exists in the taxes for any year, and the invalidity affects in the same manner any property, not directly affected by the interlocutory decree, sold to the State for taxes in such year, redemptioners of such other property may redeem their property in full by paying the amount of said taxes, computed as of the time of payment, *if the right or privilege of redemption has not been terminated.* The procedure for this invalidity redemption shall otherwise be the same as an ordinary redemption. The estimate of the amount to be paid shall, as to the years covered by the action, be based on the interlocutory decree of the court in the action."

Amendment No. 4

On page 2 of the printed bill, strike out lines 5 to 7, inclusive, and insert "becomes a final judgment At any time after one year, if the right".

Amendment No. 5

On page 2 of the printed bill, strike out lines 13 and 14.

Amendment No. 6

On page 2 of the printed bill, strike out lines 42 to 44, inclusive, and insert "this act take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 187—An act to amend Section 17050 of, and to add Section 17050.5 to, the Business and Professions Code, relating to unfair practices in close-out sales

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17050 of and to add Section 17050.5"; and strike out lines 2 and 3 of the title, and insert "16601 of the Business and Professions Code relating to sales of the good will of a business."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "17050", and insert "16601".

Amendment No. 3

On page 1 of the printed bill, strike out line 3, and insert

"16601. Any person who sells the good will of a business may agree with the buyer to refrain from carrying on a similar business within a specified county *or counties*, city *or cities*, or a part thereof, *in which the business so sold has been carried on*, so long as the buyer, or any person deriving title to the good will from him, carries on a like business therein."

Amendment No. 4

On page 1 of the printed bill, strike out lines 4 to 27, inclusive; and on page 2, strike out lines 1 to 20, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1846—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 5, and insert "and motor vehicle sales agency, or to anyone engaged in the business of selling new automobile tires or batteries or other equipment taking in part payment for the same used articles of the same kind and thereafter selling or disposing of the same. If said second-hand car".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 8 and 9, insert

"This act shall not apply to any person, association or corporation which may sell any article defined in this act as junk if the same was acquired in the conduct of any business other than that defined as dealer in this act.

No provision of this act shall be construed to be a limitation on the power of a county, city, or city and county to provide for other and additional regulations, nor shall the provisions of this act be construed to be a limitation on the power of such subdivisions to license for purposes of revenue and regulation."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2357—An act to add Sections 678.2, 678.4 and 678.6 to the Vehicle Code, relating to tires.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, preceding "add", insert "amend Section 679 of, and to".

Amendment No. 2

In line 2 of the title of the printed bill, preceding the period, insert "and the operation or moving of unsafe vehicles on the highway".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "person", and insert "dealer".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "repair or retread", and insert "sell any recapped, retreaded, or recapped".

Amendment No. 5

On page 1 of the printed bill, strike out lines 17 to 20, inclusive, and insert

"678.6. Recapped and retreaded tires to be marked. No person shall sell or offer for sale any recapped or retreaded pneumatic tire for use upon vehicles to be operated upon the highways of this State unless such tires are plainly and permanently marked to indicate that such tires have been recapped or retreaded.

SEC. 4. Section 679 of the Vehicle Code is hereby amended to read as follows:

679. Unlawful to operate vehicle without required equipment or in unsafe condition. No person shall operate or move on any highway any motor vehicle or any combination of vehicles unless said vehicle or combination of vehicles is equipped as required by this code and is in such safe [mechanical] condition as not to endanger the driver or other occupant or any person upon the highway."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1011—An act to amend Sections 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8772, 8781 and 8792, and

to repeal Sections 8703, 8704 and 8705 of the Business and Professions Code, relating to the regulation of persons engaged in land surveying.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, after "8764," insert "8765, 8769,".

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "does", and insert ", either in a public or private capacity, does or offers to do".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 19 to 24, inclusive; and on page 2, strike out lines 1 to 3; and in line 4, strike out "(d)", and insert "(a)".

Amendment No. 4

On page 2 of the printed bill, strike out line 5; and in line 6, strike out "(e)", and insert "any property line or boundary of any parcel of land or any road, right of way, easement, alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as described in Chapter 7, Division 3 of this code.
(b)".

Amendment No. 5

On page 2 of the printed bill, strike out lines 8, 9 and 10, and in line 11, strike out "(g)", and insert

"(c) By the use of the principles of land surveying determines the position for any monument or reference point which marks a property line, boundary or corner, or sets, resets or replaces any such monument or reference point.
(d)".

Amendment No. 6

On page 2, line 14, of the printed bill, strike out "geometry and".

Amendment No. 7

On page 2 of the printed bill, strike out lines 15 to 19, inclusive, and insert

"(e) Geodetic or cadastral surveying

(f) Determines the information shown or to be shown on any map or document prepared or furnished in connection with any one or more of the functions described in subsections (a), (b), (c), (d) and (e).

(g) Indicates, in any capacity or in any manner, by the use of the title "Land Surveyor" or by any other title or by any other representation that he practices or offers to practice land surveying in any of its branches.

(h) Procures or offers to procure land surveying work for himself or others.

(i) Manages, or conducts as manager, proprietor, or agent, any place of business from which land surveying work is solicited, performed or practiced."

Amendment No. 8

On page 2, lines 42 and 43, of the printed bill, strike out "corporation unless", and insert "corporation. However, nothing contained herein shall prohibit one or more licensed land surveyors from practicing or offering to practice their profession through the medium of a partnership, firm, company, association or corporation, provided".

Amendment No. 9

On page 3, line 28, of the printed bill, strike out "three", and insert "four".

Amendment No. 10

On page 3, line 30, of the printed bill, strike out "four", and insert "three".

Amendment No. 11

On page 4, line 10, of the printed bill, strike out "Within 180", and insert "After making a survey in conformity with the practice of land surveying, the surveyor or civil engineer may file with the county surveyor in the county in which the survey was made, a record of such survey.
Within 90".

Amendment No. 12

On page 4, line 11, of the printed bill, strike out "relating to land boundaries or property lines,".

Amendment No. 13

On page 4, line 14, of the printed bill, strike out "any survey", and insert "such survey relating to land boundaries or property lines,".

Amendment No. 14

On page 4, line 20, of the printed bill, after "filed", strike out the comma, and insert "in the office of the county recorder, county clerk, municipal or county surveying department".

Amendment No. 15

On page 4, line 22, of the printed bill, strike out "the record", and strike out all of lines 23 and 24, and insert "such record."

Amendment No. 16

On page 4 of the printed bill, between lines 26 and 27, insert

"(d) The establishment of one or more lines not shown on any such map, the positions of which are not ascertainable from an inspection of such map without trigonometric calculations.

Any record of survey filed with the county surveyor shall after being examined by him be filed with the county recorder"

Amendment No. 17

On page 4, line 38, of the printed bill, after "signature", insert "of the surveyor".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 18

On page 4 of the printed bill, between lines 44 and 45, insert

"SEC. 10 3. Section 8765 of said code is hereby amended to read as follows:

8765. A record of survey is not required of any survey:

(a) When it has been made by a public officer in his official capacity, has been filed by him as a permanent record of his office and is available for public inspection.

(b) When it is of a preliminary nature.

(c) When a [record of survey] *map* is in preparation for recording or shall have been recorded under the provisions of the Subdivision Map Act.

SEC. 10 5. Section 8769 of said code is hereby amended to read as follows:

8769. The charge for filing any record of survey, [and any maps thereof,] and for indexing the same, shall be one dollar ($1)."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1037—An act to amend Sections 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215 and 216 of, to repeal Section 217 of, and to add Sections 217.1, 217.2 and 217 3 and Chapter 4 of Division 1, consisting of Sections 230, 231, 232, 233, 234, 235, 236, 237 and 238, to the Welfare and Institutions Code, relating to administration of welfare and institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert

"An act to amend Sections 200, 201, 202, 203, 205, 206, 207, 208, 209, 210, 212, 215 and 216 of, to repeal Section 217 of, and to add Sections 200.1, 201.1, 217.1 and 217 2 and Chapter 4 of Division 1, consisting of Sections 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240 and 241 to, the Welfare and Institutions Code, relating to hospital and medical care by public agencies"

Amendment No. 2

On page 1 of the printed bill, strike out lines 9 and 10, and insert "in Chapter 4 of this division defined, and for that purpose may levy the necessary property or poll taxes, or both.

SEC 1a. Section 200 1 of the Welfare and Institutions Code is hereby added, to read as follows:

200.1. In addition to jurisdiction and powers otherwise conferred, the board of supervisors in each county may provide for relief to the indigents of the county and may levy the necessary property or poll taxes, or both."

Amendment No. 3

On page 1 of the printed bill, strike out lines 17 to 23, inclusive, and insert "offices if hospitalization is unnecessary.

SEC. 2a. Section 201.1 of the Welfare and Institutions Code is hereby added, to read as follows.

201.1. The board of supervisors may, if in its discretion the public needs require, permit any patient to choose his own attending doctor or dentist; provided, such attending doctor or dentist shall comply with all reasonable rules and regulations of the hospital; and provided further, the county shall not be responsible for the compensation or professional service of such attending doctors or dentists."

Amendment No. 4

On page 2 of the printed bill, strike out lines 5 to 51, inclusive, and insert "exclusive contract to any person except if the public needs require In cases of unusual difficulty or which require treatment or the use of facilities not immediately available in the county, and in cases of emergency, the board may secure by agreement, for the needy sick, hospital care within or without the county, at cost from any hospital maintained and operated by any county or by the State, or by any State college, university, or other institution supported in whole or in part by taxation, or exempted in whole or in part from taxation, or by any persons, firms or corporations, in the county. Such agreements shall be made only with those hospitals which are qualified to render and are actually rendering services to the sick, economically and efficiently, and the books of which reflect accurately in monthly statements the per diem cost to patients. The board of supervisors may in its discretion, if public needs require, contract with any nonprofit organization operated by and open to the participation of all legally qualified doctors of medicine in the State, for the care, treatment and other medical attention either in the county hospital or elsewhere of persons falling within classifications "A" or "B" Any such contract may be upon such terms as the board of supervisors deem equitable and shall safeguard in so far as practicable the freedom of choice of attending doctor or dentist.

SEC 4. Section 203 of the Welfare and Institutions Code is hereby amended to read as follows:

203. The board of supervisors in each county may establish and maintain a county hospital, prescribe rules for the government and management thereof, and appoint a county physician and other necessary officers and employees thereof, who shall hold office during the pleasure of the board. The board of supervisors shall appoint a hospital superintendent for the hospital so established, who shall have the sole supervision of medical care and hospitalization at county expense and shall receive no other remuneration for the practice of medicine and shall hold office at the pleasure of the board."

Amendment No. 5

On page 3, line 3, of the printed bill, after "board", insert "of supervisors".

Amendment No. 6

On page 3, line 8, of the printed bill, after "board", insert "of supervisors".

Amendment No. 7

On page 3, line 19, of the printed bill, after "board", insert "of supervisors".

Amendment No. 8

On page 3, line 30, of the printed bill, after "of", insert "not less than five".

Amendment No. 9

On page 3, line 32, of the printed bill, after "of", insert "not less than five".

Amendment No. 10

On page 3, line 41, of the printed bill, after "appointments", insert "to such county board of public welfare".

Amendment No. 11

On page 4 of the printed bill, strike out lines 8 to 24, inclusive, and insert "expense. The board of supervisors may employ at county expense any necessary clerical assistance for the board of public welfare."

Amendment No. 12

On page 4, line 27, of the printed bill, strike out "shall", and insert "may".

Amendment No. 13

On page 4 of the printed bill, strike out lines 34 to 47, inclusive

Amendment No. 14

On page 5 of the printed bill, strike out lines 37, 38 and 39, and insert "fices or procedure shall be investigated by the board of supervisors within 60 days of its presentation to the board of supervisors."

Amendment No. 15

On page 5, line 44, of the printed bill, strike out "public welfare", and insert "supervisors".

Amendment No. 16

On page 5, line 51, of the printed bill, strike out "welfare board's".

Amendment No. 16a

On page 6, line 3, of the printed bill, strike out "public welfare", and insert "supervisors".

Amendment No. 17

On page 6 of the printed bill, strike out lines 6 to 35, inclusive, and insert

"217.2. The county boards of supervisors may if the public need requires allow any person in classification "B" to be hospitalized in any approved private hospital within the county and the board of supervisors shall pay a portion of the bill not to exceed three dollars ($3) per diem and 50 per cent of other standard hospital charges approved by the board. No private hospital shall make a total charge in excess of the actual cost. In cases of emergency, due to accident or sudden illness, persons in classification "A" may be hospitalized in private hospitals to prevent the necessity of transportation and the cost of hospitalization shall be borne by the county; provided, that in no case shall such cost be greater than actual cost. All private hospitals in the county shall file with the board of supervisors a statement of cost of hospitalization before approval is given."

Amendment No. 18

On page 6, line 37, of the printed bill, strike out "and 238", and insert ", 238, 239, 240 and 241"

Amendment No. 19

On page 6, line 44, of the printed bill, after "is", insert "a county resident within the meaning of Section 2556 of this code and is".

Amendment No. 20

On page 7, line 2, of the printed bill, after "is", insert "a county resident within the meaning of Section 2556 of this code and is".

Amendment No. 21

On page 7, line 12, of the printed bill, after "is", insert "a county resident within the meaning of Section 2556 of this code and is".

Amendment No. 22

On page 7 of the printed bill, strike out lines 24 and 25, and insert "medical care or treatment at county expense by such com-".

Amendment No. 23

On page 7, line 48, of the printed bill, strike out "in monthly statements".

Amendment No. 24

On page 8, line 15, of the printed bill, strike out "shall", and insert "must".

Amendment No. 25

On page 8, line 22, of the printed bill, strike out "shall", and insert "may".

Amendment No. 26

On page 8, line 26, of the printed bill, strike out "shall", and insert "may".

Amendment No. 27

On page 8 of the printed bill, following line 27, insert

"239. The respective boards of supervisors shall incur no personal responsibility directly or indirectly as a consequence of the provisions of this chapter

240 The boards of supervisors in the respective counties in administering the provisions of this chapter and Chapter 3 of this division shall not discriminate between persons within classifications "A," "B" or "C" with respect to hospital facilities. It is intended by this section to prohibit any discrimination between the hospital facilities granted to persons falling within different income or economic groups and to insure that all county residents requiring hospitalization in county hospitals shall be treated alike

241. No persons in classification "C" may be admitted to a county hospital in counties of the first, second, third, fourth, fifth, sixth, seventh, thirteenth and fifteenth classes."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2146—An act to amend Section 5286 of the Business and Professions Code, relating to advertising displays

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 25, of the printed bill, after "it", insert "This subdivision shall not affect advertising displays placed under the provisions of Section 5229."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2281—An act relating to State officers and the appointment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 14, inclusive, and insert

"SEC. 1 5. As used in this act, "office" means the office of every noncivil service State officer appointed by the Governor, whether or not such appointment is now required by law to be submitted to the Senate for approval or confirmation."

Amendment No. 2

On page 1 of the printed bill, strike out lines 20 to 27, inclusive, and insert "is made to an office in which a vacancy does not exist, or to an office in which a vacancy does exist but the Governor is of the opinion that it is to the public interest that the appointment be first confirmed by the Senate, the appointment shall be promptly submitted to the Senate, and the person appointed is not qualified to hold such office until his appointment is confirmed. Failure of the Senate to act on the appointment shall not render the person appointed ineligible to interim appointment

SEC. 4 When the Senate is meeting, and the Governor determines that it is to the public interest that an appointment be made to an office in which a vacancy exists without such appointment being first confirmed by the Senate, the appointment may be made and the appointment shall be promptly submitted to the Senate.

The person appointed shall hold office until the expiration of his term and the appointment and qualification of his successor, unless:

(a) The appointment is not submitted to the Senate within 10 days or before final adjournment of the Senate, whichever is earlier, in which event he shall surrender the office at the end of the 10-day period or on final adjournment, whichever is earlier, and he shall not hold such office until he is again appointed and until his appointment is confirmed by the Senate.

(b) The Senate refuses confirmation, in which event he shall hold office only until midnight of the day following the day on which the Senate refused confirmation

(c) The Senate fails to act, and adjourns sine die, in which event he shall hold the office as provided in Section 6.

SEC. 5. When the Senate is not meeting and the Governor determines that it is to the public interest that an appointment be made to an office in which a vacancy exists or the term of which has expired, the Governor may issue an interim appointment to the office, which appointment does not need confirmation by the Senate The person appointed to the office shall hold such office at the pleasure of the Governor until midnight of the day on which the Senate next meets, at which time the office shall be vacated by such appointee or his successor, and the office shall be vacant. Any person so receiving an interim appointment is not disqualified from being appointed to the same office, as provided in Section 4, or from being appointed to any other office"

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 15, inclusive, and insert

"SEC. 6. If the Senate fails to act on an appointment and adjourns sine die, and if the appointment was made to an office pursuant to Section 4, the".

Amendment No. 4

On page 2 of the printed bill, strike out lines 51 and 52, and insert "in which event the latter's appointment shall be like any other interim appointment."

Amendment No. 5

On page 3 of the printed bill, after line 12, insert

"(f) Notary publics.

SEC. 8. The Legislature hereby declares that it is its intent to require confirmation by the Senate of all appointments to appointive nonelival service State offices, other than interim appointments as provided in Section 5, in order that the Senate of the State of California may prevent unqualified persons from being appointed to offices having jurisdiction over the formulation of policies for the guidance of State officers and employees in the performance of their duties, and jurisdiction over the spending or the authorizing of the spending of State funds."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1070—An act to add Section 249 to, and to amend Sections 250, 257 and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "medical", and insert "physicians and surgeons".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1561—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "25", and insert "30".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "20", and insert "30".

Amendments read and adopted.

Bill ordered printed, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 287—An act to amend Section 43 of the California Irrigation District Act, relating to irrigation district assessments.

Bill read second time, and ordered to third reading.

Senate Bill No. 288—An act to amend Section 39e of the California Irrigation District Act, relating to irrigation assessments.

Bill read second time, and ordered to third reading.

Senate Bill No. 289—An act to amend Sections 7055, 7057 and 7058 and the article heading of Article 2, Chapter 2, Part 6 of the Water Code, and Section 4 of the Central Valley Project Act of 1933, relating to the changing of the name of Kennett Dam to Shasta Dam.

Bill read second time, and ordered to third reading.

Senate Bill No. 541—An act to add Section 1.5 to the California Irrigation District Act, relating to publication of notices pursuant to laws relating to irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 549—An act to repeal Sections 62 and 63 of the California Irrigation District Act, relating to apportionment of water by water commissioners and flow of water through irrigation district ditches in times of high water.

Bill read second time, and ordered to third reading.

Senate Bill No. 551—An act to repeal Section 2½ of an act entitled "An act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, relating to the dissolution of irrigation districts having no indebtedness not barred by the statute of limitations.

Bill read second time, and ordered to third reading.

Senate Bill No. 626—An act to amend Section 19c of the California Irrigation District Act, relating to the selection of the officers of irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 629—An act to amend Section 1 of "An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume," approved May 25, 1923, relating to right of ways for electric power lines.

Bill read second time, and ordered to third reading.

Senate Bill No. 688—An act to add Section 46 to the California Irrigation District Act, relating to property sold for delinquent irrigation district assessments.

Bill read second time, and ordered to third reading.

Senate Bill No. 75—An act to amend Section 114 of the Revenue and Taxation Code, relating to property taxation and the definition of "debts" as appertaining thereto, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 264—An act to amend Sections 3101, 3105 and 3110 of the Revenue and Taxation Code, relating to property taxation and to the registration of vessels to enforce the payment of property taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 338—An act to amend Section 4 of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 339—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 104—An act amending Sections 26 and 28 of the County Employees Retirement Act of 1937, relating to retirement, declaring the urgency thereof and that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Bill read second time, and ordered to third reading.

Senate Bill No. 69—An act to amend Section 611 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 73—An act to amend Sections 447 and 1060 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, including matters shown on the property statement and on supplemental statements thereto, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 449—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Bill read second time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill as introduced in the Senate on January 22, 1941, after "months", strike out the period, and insert "; and provided further, that this amendment shall not affect, adversely or otherwise, the civil service status of any officer or employee directly appointed or employed by the Attorney General who now has civil service status."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 63—An act to add Section 6141.1 to the Business and Professions Code, relating to waiver of fees of members of the State Bar of California, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "on or before the"; and in line 17, strike out "first day of February of each year".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 133—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2500, 2555 and 2556 of", and insert "124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code".

Amendment No. 2

In the title of the printed bill, as amended, strike out all of line 2, and insert "Sections 2501, 2502 and 2557 and Article 2.5, comprising Sections 2559 to".

Amendment No. 3

In line 4 of the title of the printed bill, as amended, strike out "2632, inclusive," and insert "2633, inclusive, Article 6.5, comprising Sections 2635 and 2636,".

Amendment No. 4

In line 5 of the title of the printed bill, as amended, strike out "2654", and insert "2658".

Amendment No. 5

In line 6 of the title of the printed bill, as amended, after "Code", insert "and repealing acts and parts of acts specified herein".

Amendment No. 6

In the title of the printed bill, as amended, strike out lines 11 and 12, and insert "lations thereof, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare and transferring relief cases to county administration."

Amendment No. 7

On page 1, lines 6 and 7, of the printed bill, as amended, strike out ", (ii) are lawfully resident therein, and (iii)" and insert "and (ii)".

Amendment No. 8

On page 1, line 8, of the printed bill, as amended, strike out "State hos-"; and strike out all of line 9, and insert "a State or county hospital or other public or private institutions.

As used in this chapter, "needy person" and "indigent" are synonymous terms.

SEC. 2. Sections 2501 and 2502 of said code are hereby repealed.

SEC. 3. Section 2501 is hereby added to said code, to read as follows:

2501. Needy persons, including aliens otherwise ineligible, who possess no residence eligibility in this State but who are in urgent need of relief for protection of life and limb or for the protection of the health and welfare of the community in which they are present, may be granted relief by the county of their presence for a period of not to exceed 90 days.

The State shall be responsible for all direct costs of the relief granted to such needy persons and for all expenses incurred to transport them to the State in which they do reside or the county from which they came.

The department may determine the amount and scope of relief within the limits of this chapter that may be granted by a county at State expense under this section.

SEC. 4. Section 2502 is hereby added to said code, to read as follows:

2502. (a) Needy persons who possess a State residence but no county residence shall be granted relief by the county of their presence. The State shall be responsible for all direct costs of the relief granted to such persons until they acquire a county residence.

(b) Needy persons who possess a State and county residence shall be granted relief by the county of their residence at county expense, the State to bear such proportion of the costs thereof as may be provided by law.

SEC. 5. Section 2506 of said code is hereby amended to read as follows:

2506. The board of supervisors of every county as a board, or by committee or by such person or society as it may authorize, shall investigate every application for relief [from the funds of the county] *under this chapter*, shall supervise by periodic visitation every person receiving [such] relief, shall devise ways and means for bringing persons unable to maintain themselves to self-support and shall keep full and complete records of such investigation, supervision, relief [,] and rehabilitation as shall be prescribed by the [State] department [of Social Welfare].

Such records shall be confidential and shall not be open to examination or inspection except by the grand jury of the county or by a board or an officer of the State or the county charged with the supervision or direction of [such] relief or with the control or expenditure of funds applicable to [such] relief.

Any citizen shall be entitled to demand and receive from the board, officer, committee, person, or society having custody of such records a statement of the amount, character, and value of the relief received by any person."

Amendment No. 9

On page 1, line 10, of the printed bill, as amended, strike out "2", and insert "6".

Amendment No. 10

On page 2, line 15, of the printed bill, as amended, strike out "3", and insert "7".

Amendment No. 11

On page 2, line 17, of the printed bill, as amended, strike out ", to whom Section 2557 applies or".

Amendment No. 12

On page 2 of the printed bill, as amended, strike out all of lines 25 to 28, inclusive, and insert "has no year of residence in a county within three years preceding his application, but is a resident of California under Section 2555, the county of his presence shall be responsible for his support and the State shall reimburse the county for the costs of all relief granted to him until he has remained in the county for the period necessary to acquire a residence therein."

Amendment No. 13

On page 2 of the printed bill, as amended, strike out all of lines 32 to 36, inclusive.

Amendment No. 14

On page 2, line 37, of the printed bill, as amended, strike out "4", and insert "8".

Amendment No. 15

On page 2 of the printed bill, as amended, strike out all of lines 39 to 47, inclusive; and in line 48, strike out "(c)", and insert

"2557. Notwithstanding any residence qualifications contained in Sections 2555 and 2556, every person in need, otherwise eligible, may be granted relief if he is within the scope of the following provisions:

(a) Who on or at any time prior to March 31, 1941, either (i) is receiving or has received relief from the Relief Administrator and the Relief Commission or (ii) was certified to the Works' Projects Administration by the Relief Administrator and the Relief Commission.

(b)".

Amendment No. 16

On page 2 of the printed bill, as amended, strike out line 52, and insert

"The relief shall be granted to such person in the same manner and to the same extent that it is granted to persons complying with Sections 2555 and 2556 by the county determined to be responsible for him as though he were a resident of that county. The county responsible for him is one of the following

(a) The county in which he applies, if he has resided therein continuously for one year immediately preceding his application.

(b) If no county is responsible under (a), the county in which he resided continuously for one year within three years of his application.

(c) If no county is responsible under (a) or (b), the county wherein he was present for the longest time within three years of his application

SEC. 9. Section 2600 of said code is hereby repealed.

SEC. 10. Article 2.5, comprising Sections 2559 to 2570,".

Amendment No. 17

On page 3, line 5, of the printed bill, as amended, insert

"2559. Subject to the limitations of Section 2560, the department may from time to time fix for each county maximum relief case budgets and minimum standards of relief within the range of which the board of supervisors may establish its own policies.

All budgets and standards shall be based upon need and shall not be more than sufficient to maintain him and his dependents in accordance with minimum living requirements."

Amendment No. 18

On page 3, lines 50 and 51, of the printed bill, as amended, strike out "of the Welfare and Institutions Code".

Amendment No. 19

On page 4, line 37, of the printed bill, as amended, strike out "Every county", and insert "The department".

Amendment No. 20

On page 4, line 50, of the printed bill, as amended, after "law", insert "and (ii) to the standards of living, wage rates and living conditions in the locality in which such person and his family reside"

Amendment No. 21

On page 5, line 8, of the printed bill, as amended, after "supervisors", insert "and the department".

Amendment No. 22

On page 5 of the printed bill, as amended, strike out line 24, and insert

"SEC. 11. Article 6, comprising Sections 2625 to 2633, inclu-".

Amendment No. 23

On page 6 of the printed bill, as amended, strike out line 36, and insert

"2633. As used in this article, the term "appropriations for the purposes of this chapter" refer to State money appropriated or made available for expenditure under this chapter.

SEC. 12. Article 6.5, comprising Sections 2635 and 2636, is hereby added to Chapter 2 of Division 4 of said code, to read as follows:

Article 6.5. Administration

2635. As used in this chapter, "department" refers to the State Department of Social Welfare, to the Director of the State Department of Social Welfare, to the State Social Welfare Board and to any division of the State Department of Social Welfare which has been established or designated by the Director of the State Department of Social Welfare in accordance with the provisions of this code, to exercise the particular power or to perform the particular duty granted or imposed.

2636. The department may require the counties to establish an accounting system and a system of records in the form prescribed by it with respect to relief activities

The department, the State Controller or any other agency of the State authorized by law or requested by the department, may, with respect to county relief activities, examine all books, records, reports or other matter in possession of any county and may post-audit all county relief activity expenditures.

SEC. 13. Article 7, comprising Sections 2650 to 2658, inclu-".

Amendment No. 24

On page 6 of the printed bill, as amended, strike out lines 42 to 50, inclusive; and on page 7, strike out lines 1 to 45, inclusive, and insert

"2650. To the extent and for purposes provided in this chapter, State grants shall be made to the counties, from money appropriated by other provisions of law, for the direct and administrative costs incurred by them under this chapter.

2651. Within the limits of this chapter, State money may be expended for relief when matched by the required share of county money. Every county may grant such medical assistance from county funds as may be necessary for the adequate relief of persons resident therein

2652. From money appropriated therefor by other provisions of law, the State shall pay:

(a) The entire amount of the direct costs of relief incurred by a county under this chapter for the relief of (i) persons having no State and no county residence and (ii) persons having a State but no county residence.

(b) Two-thirds of the direct costs of relief incurred by a county under this chapter for the relief of persons having a State and a county residence, until the total cost to any county under this subdivision exceeds the amount expended by the county for the direct costs of indigent relief under this chapter during the fiscal year, 1939-1940, and any costs in excess thereof for the remainder of the current fiscal year shall be borne 90 per cent by the State and 10 per cent by the county.

(c) Two-thirds of the administrative costs incurred by a county under this chapter in administering relief to any person for whose relief the State bears the costs in whole or in part, not counting in the amount of such administrative costs so much thereof as exceeds 15 per cent of the total amount of State and county funds expended by the county for direct relief under this chapter. The department shall define administrative costs by rule and regulation.

2653. Prior to the beginning of each quarter, the department shall estimate the amount that will have to be paid upon the beginning of the quarter to each county from the amounts of State money appropriated for the direct and administrative costs of relief

2654 The department shall make its estimate of the amount to be paid each county upon the basis of a report filed by the particular county containing

(a) An estimate of the total sums that will probably be expended during the quarter by the county for the direct and administrative costs of relief for which it is entitled to receive State money

(b) The amount appropriated or to be made available by the county for the quarter for that share of the direct and administrative costs of relief to be borne by it, and, if the total sum appropriated or made available by the county is less than that share it is required by law to bear, the source from which the difference is expected to be derived.

(c) Records showing the number of relief cases in the county

2655 The department shall certify to the Controller the amounts estimated by it to be paid to each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the department for such prior quarter

Upon the order of the department, the amount approved for the quarter may be paid in monthly installments and, if paid in monthly installments, all necessary adjustments for the prior quarters shall be made by additions or deductions from the allowance for the first month of each new quarter.

The Controller shall draw his warrant prior to audit or settlement by the department or the Controller and the State Treasurer shall pay to each county the amount certified

2656 Reports of all money paid out by the counties for all costs of relief, both direct and administrative, shall be presented by the counties in the form and at the times prescribed by the department.

The reports shall be audited by the department and the Controller and when and in the amount approved shall be allowed to the county as a credit to apply against the advances made to the counties.

2657. Within 10 days after the beginning of each month for the month preceding, each county shall send to the department in such manner and form as the department may prescribe:

(a) The number of applications for relief granted

(b) The grants of relief changed, revoked or suspended.

(c) Copies of all applications received and a statement of the action of the county on such applications

2658 Notwithstanding any other provisions of law to the contrary or otherwise providing, all reimbursement secured from any relief case shall be divided between the State and the county in the same proportion that both or either thereof contributed to the direct costs of the case.

SEC. 14 Section 124 of said code is hereby amended to read as follows:

124 There is a Social Welfare Fund established in the State Treasury, in which fund there shall be deposited:

(a) All grants of money received by this State from the United States, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare and for the administrative costs incurred by the counties in the administration of aid to needy children under Chapter 1 of Part 2 of Division 2,

to the aged under Chapter 1 of Division 3, and to the needy blind under Chapter 1 of Division 5 of this code

(c) All money appropriated by the State for the direct and administrative costs of relief under Chapter 2 of Division 4.

The money to be deposited in the Social Welfare Fund under [this] subdivision *(b) and (c)* shall be transferred to the Social Welfare Fund monthly, in amounts of not less than one-twenty-fourth *(1/24)* of [the] *a* biennial appropriation *or one-twelfth (1/12) of an annual appropriation.*

The State Department of Social Welfare shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursements therefrom.

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and four years from the time the appropriation became available, the unexpended amount thereof shall revert to the State fund from which the appropriation was made.

Amendment No. 25

On page 8, line 10, of the printed bill, as amended, strike out "8", and insert "15".

Amendment No. 26

On page 8, line 12, of the printed bill, as amended, strike out "from the General Fund".

Amendment No. 27

On page 8, line 17, of the printed bill, as amended, strike out "9", and insert "16. Notwithstanding any of the provisions contained in this act or in any section amended, repealed or added by this act, all relief cases under the jurisdiction of the Relief Commission and the Relief Administrator shall become subject to the full, complete, absolute and separate jurisdiction of the State Department of Social Welfare upon the effective date of this act.

For this purpose, the State Department of Social Welfare shall have all the powers, duties, purposes, responsibilities and jurisdiction of the Relief Commission and the Relief Administrator under the California Unemployment Relief Act of 1935.

From the effective date of this act and until April 1, 1942, the State Department of Social Welfare may exercise all the powers, duties, purposes, responsibilities and jurisdictions granted to it under this section necessary or convenient to effect the transfer of all duties, powers, purposes, responsibilities and jurisdictions over the relief cases under the California Unemployment Relief Act of 1935 to itself and the counties in accordance with Chapter 2 of Division 4 of the Welfare and Institutions Code, and for this purpose the State Department of Social Welfare may continue in existence the administrative organization of the Relief Commission and the Relief Administrator as a separate unit of the State Department of Social Welfare.

On and after the effective date of this act, no further relief cases shall be accepted under the California Unemployment Relief Act of 1935, but all such cases shall be subject to the jurisdiction of the State Department of Social Welfare or the counties, or both, in accordance with the provisions of Chapter 2, of Division 4 of the Welfare and Institutions Code. All cases receiving relief under the California Unemployment Relief Act of 1935 on the effective date of this act and which after such date continuously receive such relief and for which the counties are responsible under the provisions of Chapter 2 of Division 4 of the Welfare and Institutions Code shall be gradually transferred to the counties in accordance with the rules and regulations prescribed by the State Department of Social Welfare.

Irrespective of whether the State Department of Social Welfare has transferred the administration of relief for a relief case to a county or not, the State shall bear all the direct costs of every relief case receiving relief under the California Unemployment Relief Act of 1935 on the effective date of this act and which after such date continuously receives such relief, until January 1, 1942, after which date the counties shall bear its proportion of the costs as determined under Chapter 2 of Division 4 of the Welfare and Institutions Code.

Immediately upon the effective date of this act, the State Department of Social Welfare shall undertake to determine the relief cases for which each county is responsible under Chapter 2 of Division 4 of the Welfare and Institutions Code, and to determine the amount of the direct costs connected therewith, which direct costs would in some part be borne by the county under Chapter 2 of Division 4 of the Welfare and Institutions Code if the case were subject to county administration. For all direct costs borne by the State after January 1, 1942, for relief cases receiving relief on the effective date of this act and continuously receiving relief after such date the administration of which has not been transferred to the counties, and any part of the direct costs of which would be borne from county funds under Chapter 2 of Division 4 of the Welfare and Institutions Code, the State shall retain from the funds thereafter advanced to the county for the

direct costs of relief under Article 7 of Chapter 2 of Division 4 of the Welfare and Institutions Code, the amount which would be borne by the county from county funds had the administration of the case been transferred to the county.

Effective April 1, 1942, the California Unemployment Relief Act of 1935 is hereby repealed

SEC 17 The State Department of Social Welfare shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the Relief Commission and the Relief Administrator under the provisions of the California Unemployment Relief Act of 1935 and of the several officers, deputies and employees of or under the Relief Administrator of the Relief Commission.

SEC. 18 The State Department of Social Welfare shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the Emergency Relief Administrator and the State Emergency Relief Commission under the Unemployment Relief Bond Act of 1933, or of any other law, and of the several officers, deputies, and employees of or under the Emergency Relief Administrator or the State Emergency Relief Commission.

SEC 19 Whenever by the provisions of any statute or law now in force or which may hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon the Relief Administrator or the Relief Commission, or upon any of the officers, deputies or employees of or under either thereof, such duty, jurisdiction and authority are imposed upon and transferred to the State Department of Social Welfare with the same force and effect as if the department had been specifically set forth and named therein, in lieu of the name of the Relief Administrator, the Relief Commission, or any such officer, deputy or employee thereof or thereunder. For the purposes of this act, the terms "Relief Administrator," "Relief Commission," or similar designation, and of the several officers, deputies and employees of or under either thereof, when used in any statute or law now in force or which may hereafter be enacted, shall be construed to refer to and mean the State Department of Social Welfare the same as if the department had been specifically set forth and named therein.

SEC 20 The State Department of Social Welfare shall be in possession and control of all records, books, papers, offices, equipment, moneys, funds, appropriations, and real and personal property now or hereafter held for the benefit or use of the Relief Commission or Relief Administrator, and the title to all property held by the Relief Commission or Relief Administrator for the use and benefit of the State is hereby transferred to the State of California to be held in the possession of the State Department of Social Welfare. The State Department of Social Welfare shall make available or give possession to the counties of all records of the Relief Commission and the Relief Administrator relating to all needy persons to whom the county is authorized to grant relief under Chapter 2 of Division 4 of the Welfare and Institutions Code and Section 16 of this act.

SEC 21 From and after the date on which this act takes effect, the State Department of Social Welfare shall be and is hereby authorized to expend the moneys in any appropriation or in any special fund in the State Treasury now remaining or made available by law for expenditure by the Relief Commission or Relief Administrator, if such money is appropriated and available for withdrawal from the State Treasury under any provisions of law not contained in this act.

SEC. 22 The following acts and parts of acts together with all acts amendatory and supplementary thereof, are hereby repealed:

(a) The Unemployment Relief Appropriation Act of 1940.

(b) An act entitled "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, providing the conditions and terms upon which any expenditure for such relief may be made and declaring that this act shall take effect immediately," enacted over Governor's veto, February 24, 1940

(c) An act entitled "An act to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare and declaring the urgency thereof to take effect immediately," approved May 8, 1937.

SEC. 23 "

Amendment No. 28

On page 8 of the printed bill, as amended, strike out lines 19 to 39, inclusive, and insert

"SEC. 24 This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the Fifty-fourth Legislature

SEC. 25 Notwithstanding the provisions of Section 24, this act shall not take effect unless the Old Age Assistance Act of 1941 and the Public Works Act of 1941 are both in effect."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 693—An act to add Section 72.5 to the California Irrigation District Act, relating to court proceedings brought by and against irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Irrigation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", 71, and 72", and insert "and 71".

Amendment read and adopted.

Bill ordered printed, and to third reading.

MOTION FOR WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1705

Mr Millington moved that Assembly Bill No. 1705 be withdrawn from the file, and re-referred to the Committee on Judiciary General.

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

AYES—Allen, Call, Crowley, Dickey, Dilworth, Donnelly, Millington, Pelletier, Salsman, Sawallisch, Sheridan, Watson, Weybret, and Mr Speaker—14

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Daley, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Poole, Potter, Russell, Stream, Thomas, Thorp, Thurman, Turner, Voigt, and Wollenberg—43.

RECONSIDERATION OF ASSEMBLY BILL NO. 711

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Assembly Bill No. 711 was passed be reconsidered.

Assembly Bill No. 711 reconsidered by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weybret, Wollenberg, and Mr Speaker—59.

NOES—Burns, Hugh M., Millington, and Sheridan—3.

Assembly Bill No. 711 ordered placed on file

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1753.
Assembly Bill No. 1409.
Assembly Bill No. 885.
Assembly Bill No. 152.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 416—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing

of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 417—An act to add Section 739.1 to the Vehicle Code, relating to notices to appear in court and to the filing of complaints and amended complaints charging offenses under said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, **Heisinger, Houser, Frederick F.,** Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, **Thorp, Thurman,** Turner, Voigt, Waters, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1469—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 5 of the printed bill, as amended, strike out "State", and insert "other State to a resident of such State by a licensed personal property broker of such State".

Amendment No. 2

On page 2, line 9, of the printed bill, as amended, after "act", insert "No loan made in or from another State to any person residing in this State at the time of the making of such loan shall be enforceable in this State:

(a) If a greater rate of interest, consideration or charges than is permitted by this act has been charged, contracted for or received on the loan; or

(b) If the loan violated any provision of this act or any rule or regulation made by the Commissioner of Corporations pursuant to this act."

Amendment No. 3

On page 3, line 17, of the printed bill, as amended, strike out "State", and insert "other State to a resident of such State by a licensed personal property broker of such State".

Amendment No. 4

On page 3, line 22, of the printed bill, as amended, after "act", insert "No loan made in or from another State to any person residing in this State at the time of the making of such loan shall be enforceable in this State:

(a) If a greater rate of interest, consideration or charges than is permitted by this act has been charged, contracted for or received on the loan; or

(b) If the loan violated any provision of this act or any rule or regulation made by the Commissioner of Corporations pursuant to this act."

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

Assembly Bill No. 1470—An act to amend Section 19 of the "California Small Loan Act." Statutes 1939, Chapter 1045, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, strike out "State", and insert "other State to a resident of such State by a licensed lender of such State"

Amendment No. 2

On page 1, line 23, of the printed bill, as amended, after "act", insert "No loan made in or from another State to any person residing in this State at the time of the making of such loan shall be enforceable in this State.

(a) If a greater rate of interest, consideration or charges than is permitted by this act has been charged, contracted for or received on the loan; or

(b) If the loan violated any provision of this act or any rule or regulation made by the Commissioner of Corporations pursuant to this act."

Amendment No. 3

On page 2, line 48, of the printed bill, as amended, strike out "State", and insert "other State to a resident of such State by a licensed lender of such State".

Amendment No. 4

On page 3, line 2, of the printed bill, as amended, after "act.", insert "No loan made in or from another State to any person residing in this State at the time of the making of such loan shall be enforceable in this State:

(a) If a greater rate of interest, consideration or charges than is permitted by this act has been charged, contracted for or received on the loan; or

(b) If the loan violated any provision of this act or any rule or regulation made by the Commissioner of Corporations pursuant to this act."

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

Assembly Bill No. 1244—An act to add Article 2 to Chapter 2 of Part 2 of Division 3 of the School Code, relating to the supervision of instruction in elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1644—An act to amend Section 81 of the State Civil Service Act, relating to eligible lists.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendment:

Amendment No. 1

On page 1, of the printed bill, as amended, strike out lines 9 to 12, inclusive, and insert "rule of board. On the application of any person on an eligible list, the board

shall advise him where his name appears on said list and also where the names of all other persons above him appear on such list."

Amendment read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

Hon. Hugh M. Burns Presiding

At 3 p.m., Hon. Hugh H. Burns, member of the Assembly from the Thirty-sixth District, presiding.

Assembly Bill No. 2343—An act to amend Section 422 of the Probate Code, relating to persons entitled to letters of administration of the estate of a person dying intestate and order of their priority

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Turner, and Wollenberg—48.

NOES—Bashore, Bennett, Dills, Dilworth, Donnelly, Evans, Heisinger, Houser, Frederick F. Howser, F. N., Kellems, Leonard, Robertson, Sawallisch, Tenney, Waters, Watson, and Weybret—17.

Notice of Motion to Reconsider Assembly Bill No. 2343

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2343 was this day passed.

Assembly Bill No. 95—An act to amend Section 737hh of the Political Code, relating to compensation of the judges of the Superior Court in and for the County of Sacramento.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weybret, and Mr. Speaker—47.

NOES—Allen, Bashore, Burkhalter, Carlson, Dills, Dilworth, Donnelly, Evans, Field, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kilpatrick, Knight, T. Fenton; Miller, Pelletier, and Richie—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to amend Section 651.6 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Field, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—46.

NOES—Bennett, Burkhalter, Cassidy, Clarke, Collins, George D., Cooke, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, Meehan, O'Day, Pelletier, Russell, and Tenney—19.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1804—An act to add Sections 6953, 6954, 6955 and 6956 to the Labor Code, relating to the use of safety glass on electric cars and electric locomotives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N. Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 639—An act to amend Section 7101 of the Labor Code, relating to safety in employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 156—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or inclosure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, and Weybret—49.

NOES—Burkhalter, Cooke, Crowley, Dills, Evans, Field, Kilpatrick, Richie, Robertson, Salsman, Waters, and Wollenberg—12.

Notice of Motion to Reconsider Assembly Bill No. 156

Mr. Salsman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 156 was this day passed.

Assembly Bill No. 471—An act to amend Section 89 of the Code of Civil Procedure, relating to original jurisdiction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F Howser,

F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1632—An act to amend Section 4095 of the Political Code, relating to the issuance and cancellation of county warrants.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters Watson, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1390—An act to amend Sections 125, 152 5 and 172 of and to add Section 151 6 to the State Civil Service Act, relating to State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1670—An act to amend Sections 1, 2, 3, 4, 5 and 5a and to add Sections 2a and 2b to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to the sale and use of poisons.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended, after "package", insert "but need not be in red on white or white on red".

Amendment No. 2

On page 4, line 18, of the printed bill, as amended, after "preparations," insert "antimony compounds,".

Amendment No. 3

On page 4, line 19, of the printed bill, as amended, after "barium," insert "conium, cotton root,".

Amendment No. 4

On page 4 of the printed bill, as amended, strike out line 21, and insert "flourides, gelsemium, hyoscymus, nitroglycerine, squill, strophanthus, strychnine, hydrocyanic acid, oils".

Amendment No. 5

On page 4, line 22, of the printed bill, as amended, after "croton," insert "pennyroyal,".

Amendment No. 6

On page 4, line 24, of the printed bill, as amended, strike out "viride".

Amendment No. 7

On page 4, line 30, of the printed bill, as amended, after "aloin", strike out the comma.

Amendment No. 8

On page 4, line 31, of the printed bill, as amended, after "donna", strike out the comma.

Amendment No. 9

On page 5, line 1, of the printed bill, as amended, strike out "conium, cotton root,".

Amendment No. 10

On page 5, line 4, of the printed bill, as amended, strike out "gelsemium, hyoscyamus, oil of", and in line 5, strike out "pennyroyal,".

Amendment No. 11

On page 5 of the printed bill, as amended, strike out lines 8 to 28, inclusive, and insert

"The following is Schedule "C1" which comprises compounds or mixtures thereof that may only be sold on prescription or order of a physician and surgeon, dentist, or veterinary surgeon, duly licensed to practice in California, and such order or prescription may not be refilled except on order of the prescriber: Acetylureas, Allylisopropylacetylurea, Bromdiethylacetylurea, Bromisovalerylurea, Paraldehyde, Sulfonmethanes, Sulfonmethane, Sulfonethylmethane, or chemically related central nervous system depressants, or compounds or mixtures thereof; Aminophenylpyrazolones, Amidopyrine, or compounds or mixtures thereof; Phenylcinchoninic acids and esters, Cinchophen, Neocinchophen, or compounds or mixtures thereof; Sobisminol, Sulfanilamide, Sulfapyridine, Sulfathiazole, or chemically related chemotherapeutic agents, or compounds or mixtures thereof.

The following is Schedule "C2" which comprises compounds or mixtures thereof that may only be sold on prescription or order of a physician and surgeon, dentist, or veterinary surgeon, duly licensed to practice in California, and such prescriptions may be refilled by the person for whom the prescription was originally written: Phenylethylamines, Amphetamine, or chemically related central nervous system stimulants, or compounds or mixtures thereof, except for external use as by inhalation, spray or wash; Phenylhydantoins, Phenylethylhydantoin, Diphenylhydantoin, or chemically related central nervous system depressants, or compounds or mixtures thereof; Thyroid, its physiologically active compounds or derived mixtures, or chemically and physiologically related agents, or compounds or mixtures thereof.

Nothing in Schedules "C1" and "C2" shall apply to a wholesale house supplying physicians and surgeons, osteopathic physicians and surgeons, dentists, or veterinary surgeons, duly licensed to practice in California, nor to prevent them from supplying duly licensed pharmacies with such drugs and medicines as are enumerated in Schedules "C1" and "C2"."

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

Speaker Presiding

At 4.25 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Tenney, Allen, Potter and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1475.

The roll was called, and Assembly Bill No. 1475 passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—53.

NOES—Cassidy, Collins, George D., Cooke, Dills, Gaffney, Gunlock, Hawkins, Kilpatrick, O'Day, Pelletier, Richie, and Wollenberg—12.

Notice of Motion to Reconsider Assembly Bill No. 1475

Mr. Wollenberg gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1475 was this day passed.

Assembly Bill No. 503—An act to amend Section 2286 of the Business and Professions Code, relating to medical examinations.

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 12, insert

"SEC. 2. The amendment to Section 2286 of the Business and Professions Code made by this act shall not apply to any person, who on March 31, 1941, was serving the period of internship required by Chapter 5 of Division 2 of the Business and Professions Code, relating to the practice of medicine, and who on March 31, 1941, was registered with the Board of Medical Examiners of the State of California, and he shall be entitled to the credits provided by said Section 2286 as it existed prior to its amendment by this act."

Amendment read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

Hon. Gardiner Johnson Presiding

At 4.27 p.m., Hon. Gardiner Johnson, member of the Assembly from the Nineteenth District, presiding.

Assembly Bill No. 155—An act to add Article 3, comprising Section 1980, to Chapter 2 of Part 7 of Division 2 of the Labor Code, relating to the employment of persons who are members of the Communist

party or of any organization or group which advocates the overthrow of the government by force and violence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Richie—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Ways and Means.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2005—An act to amend School Code Section 393, relating to the maintenance of public school classes on Saturday and declaring the urgency thereof and providing that this act shall take effect immediately;

Assembly Joint Resolution No. 34—Relative to memorializing the President and the Congress in connection with legislation to provide marine hospitalization for fishermen;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1941, at 2 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1440

Assembly Bill No 1698

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1241

Assembly Bill No 1972

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 949
Assembly Bill No. 951
Assembly Bill No 952
Assembly Bill No 1058
Assembly Bill No. 2061
Assembly Bill No. 1474

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 1220

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 1219
Assembly Bill No. 1392
Assembly Bill No. 1824
Assembly Bill No. 2015
Assembly Bill No. 2151
Assembly Bill No. 2338

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER. Your Committee on Federal Relations, to which was referred:

Senate Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

HEISINGER, Chairman

Above reported resolution ordered to second reading.

Committee on Hospitals and Asylums

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER Your Committee on Hospitals and Asylums, to which were referred.

Assembly Bill No. 626
Assembly Bill No. 627
Assembly Bill No. 628
Assembly Bill No. 629
Assembly Bill No. 630
Assembly Bill No. 632
Assembly Bill No. 633
Assembly Bill No 634
Assembly Bill No. 635
Assembly Bill No. 636
Assembly Bill No 641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: Your Committee on Hospitals and Asylums, to which was referred

Assembly Bill No. 631

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

DICKEY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 116

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which were referred:

Assembly Bill No. 891
Senate Bill No. 167

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 431
Assembly Bill No. 432
Assembly Bill No. 2214

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 1942

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 246

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 880

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DALEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 1250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2543
Senate Bill No. 1191

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2130
Assembly Bill No. 2131
Assembly Bill No. 2132
Assembly Bill No. 1545
Assembly Bill No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 97
Assembly Bill No. 400
Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No. 211
Senate Bill No. 1188
Senate Bill No. 1189
Senate Bill No. 1190
Senate Bill No. 1192
Senate Bill No. 1193
Senate Bill No. 1194
Senate Bill No. 1195
Senate Bill No. 1196
Senate Bill No. 1197

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto, and providing that the act shall take effect immediately.

Respectfully submitted.

GREEN

Request referred to Committee on Introduction of Bills.

RECONSIDERATION OF SENATE BILL NO. 485

In compliance with a notice given on a previous day, Mr. Frederick F. Houser moved that the vote whereby Senate Bill No. 485 was passed be reconsidered.

Senate Bill No 485 reconsidered by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3, to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service.

Bill read third time.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "In the event that", and insert "Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for the National defense,".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, after "provided", insert "who"

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, strike out "he".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 12 and 13, and insert "registered mail, within 90 days of the termination of the war or within 90 days of the finding and proclamation by the Governor that the emergency no longer exists or within 90 days after the termination of the enlistment made during such war or emergency."

Amendment No. 5

On page 1, line 16, of the printed bill, as amended, strike out "In the event that", and insert "Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for the National defense,".

Amendment No. 6

On page 1, line 18, of the printed bill, as amended, after "prescribe", insert "who".

Amendment No. 7

On page 1, line 20, of the printed bill, as amended, strike out "he".

Amendment No. 8

On page 2 of the printed bill, as amended, strike out lines 4 and 5, and insert "personally or by registered mail within 90 days of the termination of the war or within 90 days of the finding and proclamation by the Governor that the emergency no longer exists, or within 90 days after the termination of the enlistment made during such war or emergency."

Amendments read and adopted.

Bill ordered printed, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 793 re-referred to Committee on Agriculture
Assembly Bill No. 856 re-referred to Committee on Agriculture.

Assembly Bill No. 785 re-referred to Committee on Agriculture.
Assembly Bill No. 1628 re-referred to Committee on Agriculture.
Assembly Bill No. 997 re-referred to Committee on Public Morals.
Assembly Bill No 1080 re-referred to Committee on Public Morals.
Assembly Bill No. 1410 re-referred to Committee on Education.
Assembly Bill No. 196 re-referred to Committee on Education.
Assembly Bill No. 1427 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 690 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 1812 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 1163 re-referred to Committee on Education.
Assembly Bill No. 1963 re-referred to Committee on Education.
Assembly Bill No. 1622 re-referred to Committee on Education.
Assembly Bill No. 1716 re-referred to Committee on Live Stock and Dairies.
Assembly Bill No. 1893 re-referred to Committee on Agriculture.
Assembly Bill No. 83 re-referred to Committee on Commerce and Navigation.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

Mr Meehan moved that Assembly Constitutional Amendment No. 14 be withdrawn from the Committee on Constitutional Amendments, and re-referred to the Committee on Public Morals.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—51.

NOES—Donnelly, and Miller—2

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. Phillips moved as follows:

That Assembly Bill No. 38 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 1411 be withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No 1512 be withdrawn from the Committee on Insurance, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2233 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2234 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2235 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2236 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2237 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation

That Assembly Bill No. 2239 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2240 be withdrawn from the Committee on Irrigation, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2242 be withdrawn from the Committee on Irrigation, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2512 be withdrawn from the Committee on Irrigation, and re-referred to the Committee on Revenue and Taxation.

That Assembly Bill No. 2528 be withdrawn from the Committee on County Government, and re-referred to the Committee on Revenue and Taxation.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—56.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Green:

An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto, and providing that the act shall take effect immediately.

(Signed out)

MIDDOUGH, Chairman
POOLE
HOWSER, F. N.
PFAFF

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2582: By Mr. Green—An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice opera-

tions on United States land adjacent thereto, and providing that the act shall take effect immediately.

Referred to Committee on Judiciary General.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Bashore moved that the record be expunged, and the action rescinded whereby Assembly Constitutional Amendment No. 14 was withdrawn from the Committee on Constitutional Amendments, and re-referred to the Committee on Public Morals.

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

AYES—Allen, Bashore, Burkhalter, Carlson, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, Phillips, Poole, Potter, Russell, Stream, Waters, Watson, Weybret, and Mr. Speaker—36

NOES—Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Crowley, Gunlock, Heisinger, Lowrey, Meehan, Richie, Thomas, Thorp, Turner, and Voigt—15.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 14 was withdrawn from the Committee on Constitutional Amendments, and re-referred to Committee on Public Morals.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 410 FROM COMMITTEE

Mr. Donnelly gave notice that on Tuesday, April 1, 1941, he would move to withdraw Assembly Bill No. 410 from the Committee on Rules, and have it placed upon the file.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 159
Assembly Bill No. 848
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 395
Assembly Bill No. 1859
Assembly Bill No. 2568
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman.

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: Your Commitee on Fish and Game, to which was referred:
Assembly Bill No. 325
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bill ordered to second reading.

MOTION TO PRINT LETTER IN JOURNAL

Mr. Lyon moved that the following letter be printed in the Journal: Motion carried.

ASSEMBLY, CALIFORNIA LEGISLATURE, March 28, 1941

Honorable Charles W. Lyon and
Other Members of the Committee on Rules

GENTLEMEN: I am certain that each and every member of the Committee on Rules, as well as the members of the Legislature clearly recall the maladjustment of economic conditions following the cessation of activities after the last World War. Not only did labor suffer untold hardship and privation due to lack of employment, but industry and business as well suffered one of the most devastating reversals in the history of our Nation. These conditions undoubtedly resulted in part from a lack of foresight and planning at that time.

With this thought in mind, I am persuaded that it would be both wise and advisable for the Legislature to give thought and attention to this problem during the present period of artificial prosperity to the end that we may maintain employment and business activity at the highest possible level after the Defense program normally ends.

I believe that a committee composed of members of the Legislature, augmented by leaders in labor and industry can, by making a thorough study of economic conditions in the State of California, submit a plan which will serve to protect not only the State of California but the entire Nation as well against the usual and attendant depression which ordinarily follows a period of abnormal prosperity.

In my opinion, this type of study and activity would be the most valuable contribution that this session of the Legislature could make to the future welfare of the State of California.

Keeping in mind the protection of the working man and of business and industry in this State, will you therefore prepare at your earliest convenience and submit to the Legislature for its consideration a suitable resolution which will initiate the above-mentioned plan.

Very truly yours

GORDON H. GARLAND

RECESS

At 5.45 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1941

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

Assembly Bill No. 176
Assembly Bill No. 177
Assembly Bill No. 230
Assembly Bill No. 262
Assembly Bill No. 659
Assembly Bill No. 883
Assembly Bill No. 1110
Assembly Bill No. 1125
Assembly Bill No. 1160
Assembly Bill No. 1495
Assembly Bill No. 1476
Assembly Bill No. 2433

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1941

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

Assembly Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Assembly Joint Resolution No. 22 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 207

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 555
Assembly Bill No. 843
Assembly Bill No. 844
Assembly Bill No. 1398
Assembly Bill No. 1401

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 555—An act to amend Sections 106, 107, 108 and 109 of the Streets and Highways Code, relating to cooperative agreements as to bridges, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 555?

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add a new section to be numbered 109.5 to the Streets".

Amendment No. 2

Strike out line 3 of the title of the printed bill, and insert "to highways and bridges required in connection with the construction of the Central Valley Project by the United States, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 26, both inclusive, and on page 2, strike out lines 1 to 36, both inclusive, and insert

"SECTION 1. A new section is hereby added to the Streets and Highways Code, to be numbered 109.5, and to read as follows:

109.5. Whenever the construction of the Central Valley Project, or any feature thereof, requires construction or relocation of, or other change in any State highway or bridge, the department may enter into an agreement with the United States, or with the United States and any person, providing therefor, and for the exchange of any property required thereby. The department may enter into like agreements for acquisition of a right of way over, or respecting maintenance of, any bridge, constructed or owned by the United States, all or any portion of which is to be used for highway purposes."

Amendment No. 4

On page 2, line 37, of the printed bill, strike out "5", and insert "2"

Amendment No. 5

On page 3, line 3, of the printed bill, strike out "doubtful", and insert "questioned".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 555 by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Field, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Allen, Bashore, and Dilworth—3.

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 555

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby the Senate amendments to Assembly Bill No. 555 were this day adopted.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 843—An act to amend Section 1.70 of the School Code, relating to transportation of pupils.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 843?

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "by the"; and strike out lines 17 and 18; and in line 19, strike out "inviting bids", and insert "pursuant to Sections 6 30 and 6 31 of this code".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 843 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Hastain, Hawkins, Howser, F N, Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 843 ordered enrolled.

Assembly Bill No. 844—An act to amend Section 6.210 of the School Code, relating to the sale of personal property belonging to one school district to another.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 844?

Amendment No. 1

In lines 14 and 15 of the printed bill, as amended on March 14, 1941, strike out "in the manner provided by this section", and insert "for the purpose of resale".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 844 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Howser, F N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 844 ordered enrolled.

Assembly Bill No. 1398—An act to amend Sections 760, 781 and 1706.8 of, and to add Section 760.5 to, the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1398?

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 36 and 37, and insert "A person shall not make any representation or comparison of insurers or policies to an insured which is misleading, for the pur-".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1398 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 1398 ordered enrolled.

Assembly Bill No. 1401—An act to amend Sections 981, 3016, 3035, 3036, 3039, 3040, 11715 and 12091, and to repeal Section 3017 of the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1401?

Amendment No. 1

On page 2, lines 21 and 22, of the printed bill, strike out "in any one calendar year 7 per cent of".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1401 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52.
NOES—Field—1.

Assembly Bill No. 1401 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1941

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

Senate Bill No. 39	Senate Bill No. 656
Senate Bill No. 46	Senate Bill No. 710
Senate Bill No 216	Senate Bill No 829
Senate Bill No. 247	Senate Bill No 943
Senate Bill No. 304	Senate Bill No. 1016
Senate Bill No. 458	Senate Bill No. 1068
Senate Bill No. 467	Senate Bill No. 1071
Senate Bill No. 468	Senate Bill No. 1124
Senate Bill No. 557	Senate Bill No 1184
Senate Bill No. 649	Senate Bill No 1183

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 39—An act to add Section 1107 to Chapter 4 of Title 1 of Part 3 of the Code of Civil Procedure, relating to the issuance of writs of review, mandate and prohibition.

Referred to Committee on Judiciary Codes.

Senate Bill No. 46—An act to amend Sections 43 and 44 of the Alcoholic Beverage Control Act

Referred to Committee on Public Morals.

Senate Bill No. 216—An act to amend Section 564 of the Code of Civil Procedure, relating to appointment of receivers.

Referred to Committee on Judiciary Codes.

Senate Bill No. 247—An act to amend Section 725a of the Code of Civil Procedure, relating to foreclosure.

Referred to Committee on Judiciary Codes.

Senate Bill No. 304—An act to validate the assessment and equalization of property for tax purposes, and the levy of taxes thereon, by sixth class cities, and to validate tax sales, certificates of tax sales, tax deeds and other conveyances resulting therefrom.

Referred to Committee on Municipal Corporations.

Senate Bill No. 458—An act to amend Section 714 of the Probate Code, relating to actions on rejected claims.

Referred to Committee on Judiciary General.

Senate Bill No. 467—An act to amend Section 1032 of the Agricultural Code, relating to agricultural minerals.

Referred to Committee on Agriculture.

Senate Bill No. 468—An act to amend Section 1030 of, and to add a new section to be numbered 1031 to, of the Agricultural Code, relating to registration of fertilizing materials.

Referred to Committee on Agriculture.

Senate Bill No. 557—An act to amend Sections 975, 977 and 980 of the Code of Civil Procedure, and to add Sections 980a, 980b and 980c to said code, relating to appeals from justices' and police courts.

Referred to Committee on Judiciary Codes.

Senate Bill No. 649—An act to amend Section 1011 of the Agricultural Code, relating to spray residue.

Referred to Committee on Agriculture.

Senate Bill No. 656—An act to amend Section 1300.3 of the Agricultural Code, relating to processors.

Referred to Committee on Agriculture.

Senate Bill No. 710—An act to add Section 1144 to the Penal Code, relating to criminal jury trials in municipal courts.

Referred to Committee on Judiciary Codes.

Senate Bill No. 829—An act to add Chapter 4, comprising Sections 2620 to 2625, to Part 9 of Division 2 of the Labor Code and to repeal an act entitled "An act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours," approved May 24, 1915, relating to drinking water facilities for employees.

Referred to Committee on Judiciary Codes.

Senate Bill No. 943—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State depart-

ments, boards, commissions, officers or employees from accountability for the collection of taxes and other moneys, the amount of which does not justify the cost of their collection.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1016—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property.

Referred to Committee on Motor Vehicles.

Senate Bill No. 1068—An act to add Section 135.8 to the Vehicle Code, requiring reports of damaged fences.

Referred to Committee on Motor Vehicles.

Senate Bill No. 1071—An act to add Section 38.1 to the Public Utility District Act of 1921 (Stats 1921, page 906 and amendments) providing for the addition of a section thereto whereby delinquent service charges may be made a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

Referred to Committee on Public Utilities.

Senate Bill No. 1124—An act to amend Sections 1205, 1212 and 1214 of the Health and Safety Code, relating to clinics and dispensaries.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 1184—An act to add Section 1.5 to the State Civil Service Act, relating to services performed by independent contractors for the State.

Referred to Committee on Civil Service.

Senate Bill No. 1183—An act to add Section 45.5 to the Vehicle Code, relating to definition of implement of husbandry.

Referred to Committee on Motor Vehicles.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 59: By Messrs. Richie, Kilpatrick, Pelletier, Evans, Tenney, Dills, Hawkins, Burkhalter and Thomas—Proposed amendment to the Constitution, by adding Article XXXII thereto, to provide a job and a pay check or a pension to every citizen of California who is 21 years of age or over and to provide for the financing of the same, together with the other expenses of government, by means of a gross income tax.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Assembly Bill No. 1475, at this time, for reconsideration.

RECONSIDERATION OF ASSEMBLY BILL NO. 1475

In compliance with a notice given, Mr. Wollenberg moved that the vote whereby Assembly Bill No. 1475 was passed be reconsidered.

Assembly Bill No. 1475 reconsidered by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Bill read third time.

Motion to Amend

Messrs. Pfaff and Wollenberg moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 29, insert

"SEC. 2. Subdivision (e) added to Section 2193 of the Business and Professions Code by this amendatory act does not apply to any person who on March 31, 1941, was registered as an intern under Chapter 5 of Division 2 of the Business and Professions Code, relating to the practice of medicine".

Amendment read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2097—An act to add a new section to the Health and Safety Code, to be numbered 115, relating to the creation of the Department of Public Health Fund, and providing for the expenditure of moneys from said fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Allen—1.

Notice of Motion to Reconsider Assembly Bill No. 2097

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2097 was this day passed.

Assembly Bill No. 199—An act to add Section 4041.13b to the Political Code, relating to the powers and duties of purchasing agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field,

Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2097—An act to repeal an act entitled "An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River," approved May 28, 1929, and to abolish the Pajaro River Flood Control Fund which is created thereby.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 347—An act to amend Section 726 of the Welfare and Institutions Code, relating to serving of notice of hearing by mail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Bashore, Houser, Frederick F., and Knight, T. Fenton—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 348—An act to amend Sections 633 and 641 of the Welfare and Institutions Code, relating to term of office, compensation, powers and duties of probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Bashore, Burkhalter, Doyle, and Kilpatrick—4.

Bill ordered transmitted to the Senate.

MOTION TO PRINT TELEGRAM IN JOURNAL

Mr. Hugh M. Burns moved that the following telegram be printed in the Journal:

Motion carried.

FRESNO, CALIFORNIA, March 27, 1941

Hon. Hugh M. Burns, State Assembly

Are our faces red. But, honest, we are not solely to blame Our error in addressing the postcard to the House of Representatives instead of the State Assembly is only another result of the problem that we have on our campus. For years proponents of physical education have maintained that physical activity is a basis for an efficient circulatory system which in turn supplies the brain with its entire energy output capacity, and this both physical and mental fatigue are reflected through inefficient circulation. Due to the lack of a gymnasium in which we can get this necessary physical activity our brains are sluggish, stagnant, cloggy, listless, blunt and doltish. You can help remedy this situation by getting us a new gymnasium. With facilities for physical recreation, we are confident that our knowledge of civics will improve. Yours for future correct addresses.

AL RADKA, President
Associated Students, Fresno State College

LEAVES OF ABSENCE

Mr. Kellems was granted leave of absence for the balance of this legislative day, on motion of Mr. Waters.

Mr. Poulson was granted leave of absence for the balance of this legislative day, on motion of Mr. Field.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 351—An act to amend Section 631 of the Welfare and Institutions Code, relating to probation officers, assistant probation officers and deputy probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Dilworth, and Field—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 339—An act to add a new section to the Penal Code of the State of California to be known as Section 1309, relating to the escheat of certain money deposited as bail.

Bill read third time

Motion to Amend

Mr. Poole moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "justice's", insert a comma and "city".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after "justice's", insert "court of a township".

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, after "city", insert "justice's or other city".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2021—An act to amend Section 1 of an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 18, 1921, relating to the reversion of unexpended balances of certain appropriations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Voigt, Waters, Weybret, and Wollenberg—51.

NOES—Allen, Dilworth, and Mr. Speaker—3.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 2—Proposed amendment to Article IV, Section 23, of the Constitution, relative to the compensation of members of the Legislature.

Resolution read.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed measure, strike out lines 9 to 11, inclusive, and insert "SEC 23. Each member of the Legislature shall receive for his services such compensation, not to exceed thirty-six hundred dollars ($3,600) per year, as the Legislature shall fix by law, to be paid".

Amendment No. 2

On page 1 of the printed measure, strike out lines 14 to 16, inclusive, and insert "such times as may be provided by law; and, in addition, shall receive such mileage, not to exceed five cents ($0.05) per mile, as the Legislature shall fix by law. Such compensation and mileage shall be paid out of the State Treasury."

Amendments read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Carlson, Cassidy, Collins, George D, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Heisinger, Howser, F. N., Johnson, Kilpatrick, McCollister, Middough, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Voigt, Weybret, and Mr Speaker—34.

NOES—Cain, Clarke, Cronin, Daley, Dilworth, Donnelly, Field, Gunlock, Hastain, Houser, Frederick F, Kepple, Knight, T Fenton; Lowrey, Maloney, Meehan, Miller, Pfaff, Phillips, Potter, Stream, Waters, Watson, and Wollenberg—23.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 379	Assembly Bill No. 1705
Assembly Bill No. 398	Assembly Bill No. 1716
Assembly Bill No. 399	Assembly Bill No. 1729
Assembly Bill No. 425	Assembly Bill No. 1921
Assembly Bill No. 556	Assembly Bill No. 1963
Assembly Bill No. 842	Assembly Bill No. 2027
Assembly Bill No 956	Assembly Bill No 2101
Assembly Bill No. 1207	Assembly Bill No 2115
Assembly Bill No. 1335	Assembly Bill No. 2203
Assembly Bill No. 1427	Assembly Bill No. 2496
Assembly Bill No. 1690	

And reports the same correctly engrossed JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nan Cardaya of Los Angeles.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy J. Burrowes of San Francisco.

On request of Mrs. Daley, Messrs Stream and O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Winabel Miller of San Diego County.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Angelo Burgess and Miss Carol Burgess.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to T. E. Cain and William Smith.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Fay Martin, wife of Morris L. Martin.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Helen Kimball of Ventura, Miss Wendy Downey of Sacramento and Miss Betty Auger of Monterey.

On request of Mr. Tenney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Barney Ferguson, Official Host for the State of California, also official entertainer for State of California.

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. G. England, Principal, Mrs. E. H. Weldin, Trustee, and the following students of Durham Grammar School, six miles south of Chico: Constance Noordhoff, Margaret Cantieni, Mildred Rose, Lorraine Brines, Claire Elise Goodspeed, Ora Lee Franklin, Sheldon Taylor, Harold Adams, Barbara Tupper, Lorraine Brinson, Wayne Franklin, Harry Rose, Charmaine Weldin, Lois Hoenike, Joan Cantieni, Freda Sohnrey, Marguerite Boyles, Emma Brooks, Richard Granger, Junior Cole, Gene Ferris, Earl Decker, Elwin Strawn, Milton Willadsen, Harold Miller, and Ben Cox.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ann Finch of Alhambra, Mr. and Mrs. Fred H. Clough, City Manager of South Pasadena, and Morris K. Benagh of South Pasadena.

On request of Messrs. Carlson, Maloney and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ernest Percy Morgan of Oakland and Mrs. Henry Meehan of Oakland.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Schuyler of Whittier.

ADJOURNMENT

At 10.25 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 2 p.m., Monday, March 31, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY
EIGHTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 31, 1941

The Assembly met at 2 p m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—66

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cronin.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. George D. Collins, on motion of Mr. O'Day.
Mr. F. N. Howser, on motion of Mr. Robertson.
Mr. Andreas, on motion of Mr. Dilworth.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 187
Assembly Bill No. 929
Assembly Bill No. 1070
Assembly Bill No. 1628

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1644

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 339
Assembly Bill No. 503
Assembly Bill No. 1475
Assembly Constitutional Amendment No. 2
Assembly Bill No. 1670
Assembly Bill No. 1846

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1816

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1469
Assembly Bill No 1470

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 357

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 808
Assembly Bill No. 809

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 38
Assembly Bill No. 67
Assembly Bill No. 101
Assembly Bill No. 180
Assembly Bill No. 518
Assembly Bill No. 679
Assembly Bill No. 801
Assembly Bill No. 850
Assembly Bill No. 855
Assembly Bill No. 960
Assembly Bill No. 1003
Assembly Bill No. 1442
Assembly Bill No. 2137
Assembly Bill No. 2149
Assembly Bill No. 2281

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Reapportionment, to which was referred:

Assembly Bill No. 2575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FREDERICK F. HOUSER, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1941

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

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 20
Senate Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 19—Relative to the naming of the "Dr. Ernest M. Fine Memorial Bridge."

Request for Unanimous Consent

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 19, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 19

Senate Concurrent Resolution No. 19—Relative to the naming of the "Dr. Ernest M. Fine Memorial Bridge."

Resolution read.

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

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None.

Resolution ordered transmitted to the Senate.

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 20—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the members of the Senate and Assembly.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 21—Relative to reports of the Department Encampment of the Grand Army of the Republic.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1219—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California, lying east of D Street in said city, to property owners whose lands abut thereon, or to persons occupying said land.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1392—An act to amend Section 1030 of the Political Code, relating to office hours.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1824—An act to add Section 661.9 to the Political Code, relating to the repayment of money borrowed from the Emergency Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2015—An act to amend Section 72 of the Agricultural Code, relating to the Division of Exhibits in the Department of Finance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2151—An act to amend Section 6.224 of the School Code, relating to the sale of property of a school district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2338—An act to amend Section 374b of the Penal Code, relating to the disposal of garbage and refuse upon public and private highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 626—An act to amend Section 745 of the Welfare and Institutions Code, relating to modification of commitment orders of juvenile delinquents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 627—An act to amend Section 869 of the Welfare and Institutions Code, relating to the liability of the committing county for maintenance of juvenile delinquents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 628—An act to amend Section 6700 of the Welfare and Institutions Code, relating to the transfer of inmates of State institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 629—An act to amend Section 6701 of the Welfare and Institutions Code, relating to the transfer of inmates at the request of relatives or friends.

Bill read second time, and ordered engrossed.

Assembly Bill No. 630—An act to add Section 6702 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 632—An act to repeal Chapter 1, Part 1, Division 2, of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research.

Bill read second time, and ordered engrossed.

Assembly Bill No. 633—An act to amend Section 1008 of the Welfare and Institutions Code, relating to establishment of a Laboratory of Juvenile Research.

Bill read second time, and ordered engrossed.

Assembly Bill No. 634—An act to amend Section 1129 of the Welfare and Institutions Code, relating to the establishment of feeblemindedness.

Bill read second time, and ordered engrossed.

Assembly Bill No. 635—An act to repeal Sections 6622 and 6623 of the Welfare and Institutions Code, relating to dental services at State institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 636—An act to add Section 160.5 to the Welfare and Institutions Code, relating to the transportation of nonresident or alien criminal insane persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 641—An act to amend Section 7102 of the Welfare and Institutions Code, pertaining to the purpose of the State Inebriate Colony.

Bill read second time, and ordered engrossed.

Assembly Bill No. 891—An act to amend an act of the Legislature approved April 27, 1923, conveying certain lands of the State to the City of Coronado, to correctly describe the boundaries of such lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 431—An act to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same.

Bill read second time, and ordered engrossed.

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 880—An act to amend and renumber Section 3045 of the Welfare and Institutions Code (as added by Chapter 916 of the Statutes of 1939), relating to aid to the needy blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 97—An act to amend Section 1012 of the Code of Civil Procedure, relating to service by mail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 400—An act to add Article 3, consisting of Sections 22175 to 22181, inclusive, to Chapter 12 of Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of gold or its alloys.

Bill read second time, and ordered engrossed.

Assembly Bill No. 211—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Bill read second time, and ordered engrossed

Assembly Bill No. 203—An act to amend Section 822 of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 204—An act to amend Section 1269a of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and com-

pensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 202—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 325—An act to add Section 996 to the Civil Code, relating to property and other rights in and to fur bearing animals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 928—An act to add Section 5.5 to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," relating to computation of gross receipts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1220—An act to amend Section 12710 of the Business and Professions Code, relating to public weighmasters and double draft weights.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "Double", and insert "Until December 31, 1943, double".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 631—An act to add Section 6703 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Hospitals and Asylums:

Amendment No. 1

On page 1, line 13, of the printed bill, after "person", insert "to the extent provided by Sections 7009 and 7010 of the Welfare and Institutions Code".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1942—An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 9, line 35, of the printed bill, strike out the period, and insert "; and except that nothing in this chapter applies to lands acquired by the State under the provisions of the Streets and Highways Code and sold or exchanged pursuant to the provisions of Section 1045 thereof."

Amendment read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 2543—An act to add Section 604.10 to the Vehicle Code, relating to the transportation, care and treatment of persons injured upon the highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert "604.10 Persons Injured on Highways. Any member of the California Highway Patrol may transport or arrange for the transportation to a doctor or hospital of any person injured in an accident upon any highway. Any member of the California Highway Patrol exercising ordinary care and precaution shall not be liable for any damages due to any further injury or for any medical, ambulance or hospital bills incurred in behalf of the injured party or parties."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 395—An act to add Chapter 3 to Division 4a of the Fish and Game Code, relating to trapping wild boar.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period at end of line, and insert "in Monterey County."

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1859—An act to amend Section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets

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Amendment No. 1

On page 1 of the printed bill, strike out lines 16 to 27, inclusive, and insert "its intersection with the junction of the Sulphur Springs Road in Section 10, T. 3 N., R. 11 W., thence following the southerly side of Sulphur Springs Road to Squaw Canyon, thence easterly along the bed of the creek of Squaw Canyon to Cloudburst Canyon, thence southerly following Cloudburst Canyon to the Pacifico Road in Section 17, T. 3 N., R. 10 W., thence following said Pacifico Road to the summit of North Baldy near the range line between ranges eight and nine west, thence north approximately one-half mile, thence east one-half mile thence north approximately one mile, east one-half mile, north one and one-half miles, east two and one-half miles, south one-half mile, east three and one-half miles to the northeast corner of Section 31, T. 4 N., R. 7 W., [Little Rock Creek] thence south following".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2568—An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "In District 16," and insert "In that part of District 16 lying north and west of a line drawn from Roberts' residence at Seaside to the light on the end of the Monterey Breakwater,".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "In District 16," and insert "In that part of District 16 lying north and west of a line drawn from Roberts' residence at Seaside to the light on the end of the Monterey Breakwater,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1174—An act to add Section 2 to an act entitled "An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school," approved June 12, 1931.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2", and insert "Sections 2 and 3".

Amendment No. 2

In line 5 of the title of the printed bill, strike out the period, and insert ", relating to the purchase of additional land for the California Polytechnic School"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Section 2 is", and insert "Sections 2 and 3 are".

Amendment No. 4

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert "purpose any moneys donated or proceeds from the sale of real or personal property acquired as gifts by the California Polytechnic School."

Amendment No. 5

Add Section 3 to the printed bill, as follows:

"SEC. 3. There is hereby made available for the purchase of additional land by the California Polytechnic School not to exceed twenty-five thousand dollars ($25,000) in each of the Ninety-third and Ninety-fourth Fiscal Years from funds appropriated to the school under Chapter 4 of Division 8 of the Business and Professions Code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 949—An act to repeal Chapter 208, Statutes of 1919.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to repeal Chapter 395 of the Statutes of 1915, entitled "An act providing for the sale of certain State lands suitable for cultivation," approved May 15, 1915, as amended."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. The act cited in the title hereof is hereby repealed"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 951—An act to repeal Chapter 281, Statutes of 1889.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, following "1889", insert ", entitled "An act to provide for the applications for purchase of sixteenth and thirty-sixth sections, and to regulate the application for purchase of such sections, and requiring a deposit to accompany all applications for the purchase of the same," approved March 20, 1889".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "chapter", and insert "act".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 952—An act to repeal Sections 4000, 4001, 3820-3881, inclusive, and 3500-3511, inclusive, of the Harbors and Navigation Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to repeal Chapter 5, comprising Sections 3700 to 3740, inclusive, Chapter 6, comprising Sections 3750 to 3752, inclusive, of Part 2 of Division 6 of the Harbors and Navigation Code, to repeal Part 3, comprising Sections 3800 to 3881, inclusive, of Division 6, and to repeal Chapter 1, comprising Sections 4000 to 4017, inclusive, of Division 7 of said code, relating to powers, duties and jurisdiction over ungranted tide and submerged lands, including San Diego Harbor, Eureka Harbor, and the power of county boards of supervisors to authorize construction of wharves, chutes or piers thereon"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 5, comprising Sections 3700 to 3740, inclusive, Chapter 6, comprising Sections 3750 to 3752, inclusive, of Part 2 of Division 6, of the Harbors and Navigation Code, Part 3, comprising Sections 3800 to 3881, inclusive, of Division 6, and Chapter 1, comprising Sections 4000 to 4017, inclusive, of Division 7 of said code, are hereby repealed."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1058—An act relating to National and local defense and public emergencies, authorizing extraterritorial activities by public agencies and providing that privileges, immunities and benefits applicable to the activity of employees of such public agencies when acting within their territorial limits shall apply to them while engaged in any such work extraterritorially; declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, after the comma, strike out "action taken or expenditure made", and insert "or expenditures made in connection therewith,".

Amendment No. 2

On page 1, line 7, of the printed bill, after "thereto", insert ", whether within or without the territorial limits of such agency,".

Amendment No. 3

On page 1, line 9, of the printed bill, after "agency", strike out the comma and the remainder of line 9, and all of lines 10 and 11, and insert ". When such services are to be performed outside the territorial limits of the public agency so performing them, such services shall be ordered by the chief administrative officer in charge of the office or the department of such agency performing such services unless otherwise provided by the governing body of such agency"

Amendment No. 4

On page 1, line 20, of the printed bill, after "in", strike out "the"; and strike out line 21, and insert "Section 1 hereof."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2061—An act to add a new section to the Political Code, to be numbered 696, relating to the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 29, of the printed bill, after the period, insert "At least 60 days prior to the filing of said report as above provided, copies thereof or of such portions thereof as relate to each department or other agency shall be furnished to such department or agency. Each such department or agency may likewise file a written report with reference to those matters and recommendations mentioned in the report prepared by the Department of Finance."

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1474—An act appropriating money for repair of beaches at Long Beach.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repair of beaches", and insert "the acquisition and improvement of a public beach".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3, 4 and 5, and insert "of three hundred fifty thousand dollars ($350,000) to be expended by the Division of Parks for the acquisition and improvement as a public beach of all or a portion of the area within the City of Long Beach known as the East Beach Property and more particularly that area lying between Granada and Fifty-fifth Place, as a part of the State Park System.

SEC. 2. No part of the money appropriated by this act shall be expended until an amount in a sum, not less than three hundred thousand dollars ($300,000) and not exceeding the amount of this appropriation, satisfactory to the State Park Finance Board created by Chapter 765 of the Statutes of 1937, has been deposited in the State Treasury from sources other than State funds to be used in augmentation of this appropriation."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 246—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code, relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2500, 2555 and 2556 of", and insert "124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code".

Amendment No. 2

In the title of the printed bill, as amended, strike out all of line 2, and insert "Sections 2501, 2502 and 2557 and Article 2.5, comprising Sections 2559 to".

Amendment No. 3

In line 3 of the title of the printed bill, as amended, strike out "2632", and insert "2633".

Amendment No. 4

In line 4 of the title of the printed bill, as amended, after "inclusive," insert "Article 6.5, comprising Sections 2635 and 2636,".

Amendment No. 5

In line 5 of the title of the printed bill, as amended, strike out "2654", and insert "2658".

Amendment No. 6

In line 6 of the title of the printed bill, as amended, after "Code", insert "and repealing acts and parts of acts specified herein".

Amendment No. 7

In line 10 of the title of the printed bill, as amended, strike out the semicolon after "violations", and strike out all of line 11, and insert "thereof; defining the purposes for which money appropriated for relief activities may be used; transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare; transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administrator to the State Department of Social Welfare and transferring relief cases to county administration."

Amendment No. 8

On page 1, lines 7 and 8, of the printed bill, as amended, strike out ", (ii) are lawfully resident therein, and (iii)", and insert "and (ii)".

Amendment No. 9

On page 1, line 10, of the printed bill, as amended, strike out "State hospitals or other State", and insert "a State or county hospital or other public".

Amendment No. 10

On page 1 of the printed bill, as amended, between lines 11 and 12, insert "as used in this chapter, "needy person" and "indigent" are synonymous terms.

SEC. 2. Sections 2501 and 2502 of said code are hereby repealed.

SEC. 3. Section 2501 is hereby added to said code, to read as follows:

2501. Needy persons, including aliens otherwise ineligible, who possess no residence eligibility in this State but who are in urgent need of relief for protection of life and limb or for the protection of the health and welfare of the community in which they are present, may be granted relief by the county of their presence for a period of not to exceed 90 days.

The State shall be responsible for all direct costs of the relief granted to such needy persons and for all expenses incurred to transport them to the State in which they do reside or the country from which they came.

The department may determine the amount and scope of relief within the limits of this chapter that may be granted by a county at State expense under this section.

SEC. 4. Section 2502 is hereby added to said code, to read as follows:

2502. (a) Needy persons who possess a State residence but no county residence shall be granted relief by the county of their presence. The State shall be responsible for all direct costs of the relief granted to such persons until they acquire a county residence.

(b) Needy persons who possess a State and county residence shall be granted relief by the county of their residence at county expense, the State to bear such proportion of the costs thereof as may be provided by law.

SEC. 5. Section 2506 of said code is hereby amended to read as follows:

2506. The board of supervisors of every county as a board, or by committee or by such person or society as it may authorize, shall investigate every application for relief [from the funds of the county] *under this chapter*, shall supervise by periodic visitation every person receiving [such] relief, shall devise ways and means for bringing persons unable to maintain themselves to self support and shall keep full and complete records of such investigation, supervision, relief [,] and rehabilitation as shall be prescribed by the [State] department [of Social Welfare].

Such records shall be confidential and shall not be open to examination or inspection except by the grand jury of the county or by a board or an officer of the State

or the county charged with the supervision or direction of [such] relief or with the control of expenditure of funds applicable to [such] relief.

Any citizen shall be entitled to demand and receive from the board, officer, committee, person, or society having custody of such records a statement of the amount, character, and value of the relief received by any person."

Amendment No. 11

On page 1, line 12, of the printed bill, as amended, strike out "2", and insert "6"

Amendment No. 12

On page 2, line 16, of the printed bill, as amended, strike out "3", and insert "7"

Amendment No. 13

On page 2, line 18, of the printed bill, as amended, strike out ", to whom Section 2557 applies, or".

Amendment No. 14

On page 2 of the printed bill, as amended, strike out all of lines 26 to 29, inclusive, and insert "has no year of residence in a county within three years preceding his application, but is a resident of California under Section 2555, the county of his presence shall be responsible for his support and the State shall reimburse the county for the costs of all relief granted to him until he has remained in the county for the period necessary to acquire a residence therein."

Amendment No. 15

On page 2 of the printed bill, as amended, strike out all of lines 33 to 37, inclusive.

Amendment No. 16

On page 2, line 38, of the printed bill, as amended, strike out "4", and insert "8"

Amendment No. 17

On page 2 of the printed bill, as amended, strike out all of lines 40 to 48, inclusive, and in line 49, strike out "(c)", and insert

"2557. Notwithstanding any residence qualifications contained in Sections 2555 and 2556, every person in need, otherwise eligible, may be granted relief if he is within the scope of the following provisions:

(a) Who on or at any time prior to March 31, 1941, either (1) is receiving or has received relief from the Relief Administrator and the Relief Commission or (2) was certified to the Works' Projects Administration by the Relief Administrator and the Relief Commission.

(b)".

Amendment No. 18

On page 3 of the printed bill, as amended, strike out line 1, and insert

"The relief shall be granted to such person in the same manner and to the same extent that it is granted to persons complying with Sections 2555 and 2556 by the county determined to be responsible for him as though he were a resident of that county. The county responsible for him is one of the following.

(a) The county in which he applies, if he has resided therein continuously for one year immediately preceding his application.

(b) If no county is responsible under (a), the county in which he resided continuously for one year within three years of his application

(c) If no county is responsible under (a) or (b), the county wherein he was present for the longest time within three years of his application.

SEC. 9. Section 2600 of said code is hereby repealed

SEC. 10. Article 2.5, comprising Sections 2559 to 2570, inclu-"

Amendment No. 19

On page 3, line 6, of the printed bill, as amended, insert

"2559. Subject to the limitations of Section 2560, the department may from time to time fix for each county maximum relief case budgets and minimum standards of relief within the range of which the board of supervisors may establish its own policies.

All budgets and standards shall be based upon need and shall not be more than sufficient to maintain him and his dependents in accordance with minimum living requirements."

Amendment No. 20

On page 3, line 51, of the printed bill, as amended, after "legal", insert "; except as otherwise provided in Section 2501".

Amendment No. 21

On page 4, line 13, of the printed bill, as amended, strike out "immediately contiguous to the United States".

Amendment No. 22

On page 4 of the printed bill, as amended, strike out lines 27 to 34, inclusive.

Amendment No. 23

On page 4, line 37, of the printed bill, as amended, strike out "Every county", and insert "The department".

Amendment No. 24

On page 4, line 45, of the printed bill, as amended, after "rent", insert "or other expenditures".

Amendment No. 25

On page 5, line 8, of the printed bill, as amended, after "supervisors", insert "and the department".

Amendment No. 26

On page 5, line 15, of the printed bill, as amended, after "Federal", insert "or State".

Amendment No. 27

On page 5 of the printed bill, as amended, strike out line 24, and insert

"SEC. 11. Article 6, comprising Sections 2625 to 2633, inclu-".

Amendment No. 27:5

On page 6 of the printed bill, as amended, strike out line 36, and insert

"2633 As used in this article, the term "appropriations for the purposes of this chapter" refer to State money appropriated or made available for expenditure under this chapter.

SEC. 12. Article 6 5, comprising Sections 2635 and 2636, is hereby added to Chapter 2 of Division 4 of said code, to read as follows.

Article 6 5 Administration

2635. As used in this chapter, "department" refers to the State Department of Social Welfare, to the Director of the State Department of Social Welfare, to the State Social Welfare Board and to any division of the State Department of Social Welfare which has been established or designated by the Director of the State Department of Social Welfare in accordance with the provisions of this code, to exercise the particular power or to perform the particular duty granted or imposed.

2636 The department may require the counties to establish an accounting system and a system of records in the form prescribed by it with respect to relief activities.

The department, the State Controller or any other agency of the State authorized by law or requested by the department, may, with respect to county relief activities, examine all books, records, reports or other matter in possession of any county and may post-audit all county relief activity expenditures

SEC. 13. Article 7, comprising Sections 2650 to 2658, inclu-".

Amendment No. 28

On page 6 of the printed bill, as amended, strike out lines 42 to 50, inclusive; and on page 7, strike out lines 1 to 43, inclusive, and insert

"2650. To the extent and for purposes provided in this chapter, State grants shall be made to the counties, from money appropriated by other provisions of law, for the direct and administrative costs incurred by them under this chapter.

2651. Within the limits of this chapter, State money may be expended for relief when matched by the required share of county money. Every county may grant such medical assistance from county funds as may be necessary for the adequate relief of persons resident therein.

2652. From money appropriated therefor by other provisions of law, the State shall pay:

(a) The entire amount of the direct costs of relief incurred by a county under this chapter for the relief of (i) persons having no State and no county residence and (ii) persons having a State but no county residence.

(b) Two-thirds of the direct costs of relief incurred by a county under this chapter for the relief of persons having a State and a county residence, until the total cost to any county under this subdivision exceeds the amount expended by the county, for the direct costs of indigent relief under this chapter during the fiscal year, 1939-1940, and any costs in excess thereof for the remainder of the current fiscal year shall be borne 90 per cent by the State and 10 per cent by the county.

(c) Two-thirds of the administrative costs incurred by a county under this chapter in administering relief to any person for whose relief the State bears the costs in whole or in part, not counting in the amount of such administrative costs so much thereof as exceeds 15 per cent of the total amount of State and county funds expended by the county for direct relief under this chapter. The department shall define administrative costs by rule and regulation.

2653. Prior to the beginning of each quarter, the department shall estimate the amount that will have to be paid upon the beginning of the quarter to each county from the amounts of State money appropriated for the direct and administrative costs of relief.

2654. The department shall make its estimate of the amount to be paid each county upon the basis of a report filed by the particular county containing:

(a) An estimate of the total sums that will probably be expended during the quarter by the county for the direct and administrative costs of relief for which it is entitled to receive State money.

(b) The amount appropriated or to be made available by the county for the quarter for that share of the direct and administrative costs of relief to be borne by it, and, if the total sum appropriated or made available by the county is less than that share it is required by law to bear, the source from which the difference is expected to be derived.

(c) Records showing the number of relief cases in the county.

2655. The department shall certify to the Controller the amounts estimated by it to be paid to each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the department for such prior quarter.

Upon the order of the department, the amount approved for the quarter may be paid in monthly installments and, if paid in monthly installments, all necessary adjustments for the prior quarters shall be made by additions or deductions from the allowance for the first month of each new quarter.

The Controller shall draw his warrant prior to audit or settlement by the department or the Controller and the State Treasurer shall pay to each county the amount certified.

2656. Reports of all money paid out by the counties for all costs of relief, both direct and administrative, shall be presented by the counties in the form and at the times prescribed by the department.

The reports shall be audited by the department and the Controller and when and in the amount approved shall be allowed to the county as a credit to apply against the advances made to the counties.

2657. Within 10 days after the beginning of each month for the month preceding, each county shall send to the department in such manner and form as the department may prescribe:

(a) The number of applications for relief granted.

(b) The grants of relief changed, revoked or suspended.

(c) Copies of all applications received and a statement of the action of the county on such applications.

2658. Notwithstanding any other provisions of law to the contrary or otherwise providing, all reimbursements secured from any relief case shall be divided between the State and the county in the same proportion that both or either thereof contributed to the direct cost of the case.

SEC. 14. Section 124 of said code is hereby amended to read as follows:

124. There is a Social Welfare Fund established in the State Treasury, in which fund there shall be deposited;

(a) All grants of money received by this State from the United States, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare and for the administrative costs incurred by the counties in the administration of aid to needy children under Chapter 1 of Part 2 of Division 2, to the aged under Chapter 1 of Division 3, and to the needy blind under Chapter 1 of Division 5 of this code.

(c) All money appropriated by the State for the direct and administrative costs of relief under Chapter 2 of Division 4.

The money to be deposited in the Social Welfare Fund under [this] subdivision *s (b) and (c)* shall be transferred to the Social Welfare Fund monthly, in amounts of not less than one twenty-fourth *(1/24)* of [the] *a* biennial appropriation *or one-twelfth (1/12) of an annual appropriation.*

The State Department of Social Welfare shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursements therefrom.

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and four years from the time the appropriation became available, the unexpended amount thereof shall revert to the State fund from which the appropriation was made."

Amendment No. 29

On page 7, line 44, of the printed bill, as amended, strike out "8", and insert "15".

Amendment No. 30

On page 7, line 46, of the printed bill, as amended, strike out "from the General Fund".

Amendment No. 31

On page 7, line 51, of the printed bill, as amended, strike out "9", and insert

"16. Notwithstanding any of the provisions contained in this act or in any section amended, repealed or added by this act, all relief cases under the jurisdiction of the Relief Commission and the Relief Administrator shall become subject to the full, complete, absolute and separate jurisdiction of the State Department of Social Welfare upon the effective date of this act.

For this purpose, the State Department of Social Welfare shall have all the powers, duties, purposes, responsibilities and jurisdiction of the Relief Commission and the Relief Administrator under the California Unemployment Relief Act of 1935.

From the effective date of this act and until April 1, 1942, the State Department of Social Welfare may exercise all the powers, duties, purposes, responsibilities and jurisdictions granted to it under this section necessary or convenient to effect the transfer of all duties, powers, purposes, responsibilities and jurisdictions over the relief cases under the California Unemployment Relief Act of 1935 to itself and the counties in accordance with Chapter 2 of Division 4 of the Welfare and Institutions Code, and for this purpose the State Department of Social Welfare may continue in existence the administrative organization of the Relief Commission and the Relief Administrator as a separate unit of the State Department of Social Welfare.

On and after the effective date of this act, no further relief cases shall be accepted under the California Unemployment Relief Act of 1935, but all such cases shall be subject to the jurisdiction of the State Department of Social Welfare or the counties, or both, in accordance with the provisions of Chapter 2, of Division 4 of the Welfare and Institutions Code. All cases receiving relief under the California Unemployment Relief Act of 1935 on the effective date of this act and which after such date continuously received such relief and for which the counties are responsible under the provisions of Chapter 2 of Division 4 of the Welfare and Institutions Code shall be gradually transferred to the counties in accordance with the rules and regulations prescribed by the State Department of Social Welfare.

Irrespective of whether the State Department of Social Welfare has transferred the administration of relief for a relief case to a county or not, the State shall bear all the direct costs of every relief case receiving relief under the California Unemployment Relief Act of 1935 on the effective date of this act and which after such date continuously receives such relief, until January 1, 1942, after which date the counties shall bear their proportion of the costs as determined under Chapter 2 of Division 4 of the Welfare and Institutions Code.

Immediately upon the effective date of this act, the State Department of Social Welfare shall undertake to determine the relief cases for which each county is responsible under Chapter 2 of Division 4 of the Welfare and Institutions Code, and to determine the amount of the direct costs connected therewith, which direct costs would in some part be borne by the county under Chapter 2 of Division 4 of the Welfare and Institutions Code if the case were subject to county administration. For all direct costs borne by the State after January 1, 1942, for relief cases receiving relief on the effective date of this act and continuously receiving relief after such date the administration of which has not been transferred to the counties, and any part of the direct costs of which would be borne from county funds under Chapter 2 of Division 4 of the Welfare and Institutions Code, the State shall retain from the funds thereafter advanced to the county for the direct costs of relief under Article 7 of Chapter 2 of Division 4 of the Welfare and Institutions Code, the amount which would be borne by the county from county funds had the administration of the case been transferred to the county.

Effective April 1, 1942, the California Unemployment Relief Act of 1935 is hereby repealed.

SEC. 17. The State Department of Social Welfare shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the Relief Commission and the Relief Administrator under the provisions of the California Unemployment Relief Act of 1935 and of the several officers, deputies and employees of or under the Relief Administrator of the Relief Commission.

SEC. 18. The State Department of Social Welfare shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the Emergency Relief Administrator and the State Emergency Relief Commission under the Unemployment Relief Bond Act of 1933, or of any other law, and of the several officers, deputies, and employees of or under the Emergency Relief Administrator or the State Emergency Relief Commission.

SEC. 19. Whenever by the provisions of any statute or law now in force or which may hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon the Relief Administrator or the Relief Commission, or upon any of and

officers, deputies or employees of or under either thereof, such duty, jurisdiction and authority are imposed upon the transferred to the State Department of Social Welfare with the same force and effect as if the department had been specifically set forth and named therein, in lieu of the name of the Relief Administrator, the Relief Commission, or any such officer, deputy or employee thereof or thereunder. For the purposes of this act, the terms "Relief Administrator," "Relief Commission," or similar designation, and of the several officers, deputies and employees of or under either thereof, when used in any statute or law now in force or which may hereafter be enacted, shall be construed to refer to and mean the State Department of Social Welfare the same as if the department had been specifically set forth and named therein

SEC 20. The State Department of Social Welfare shall be in possession and control of all records, books, papers, officers, equipment, moneys, funds, appropriations, and real and personal property now or hereafter held for the benefit or use of the Relief Commission or Relief Administrator, and the title to all property held by the Relief Commission or Relief Administrator for the use and benefit of the State is hereby transferred to the State of California to be held in the possession of the State Department of Social Welfare. The State Department of Social Welfare shall make available or give possession to the counties of all records of the Relief Commission and the Relief Administrator relating to all needy persons to whom the county is authorized to grant relief under Chapter 2 of Division 4 of the Welfare and Institutions Code and Section 16 of this act

SEC 21. From and after the date on which this act takes effect, the State Department of Social Welfare shall be and is hereby authorized to expend the moneys in any appropriation or in any special fund in the State Treasury now remaining or made available by law for expenditure by the Relief Commission or Relief Administrator, if such money is appropriated and available for withdrawal from the State Treasury under any provisions of law not contained in this act

SEC 22 The following acts and parts of acts together with all acts amendatory and supplementary thereof, are hereby repealed

(a) The Unemployment Relief Appropriation Act of 1940

(b) An act entitled "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, providing the conditions and terms upon which any expenditure for such relief may be made and declaring that this act shall take effect immediately," enacted over Governor's veto, February 24, 1940.

(c) An act entitled "An act to transfer the duties, powers, purposes, responsibilities, unexpended moneys, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare and declaring the urgency thereof, to take effect immediately," approved May 8, 1937.

SEC. 23."

Amendment No. 32

On page 8 of the printed bill, as amended, strike out lines 1 to 21, inclusive, and insert

"SEC 24. This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the Fifty-fourth Legislature

SEC 25 Notwithstanding the provisions of Section 24, this act shall not take effect unless the Old Age Assistance Act of 1941 and the Public Works Act of 1941 are both in effect"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2130—An act to add an article heading for Article 1, and Article 2, comprising Sections 955 and 956, to Chapter 1 of Title 2 of Part 3 of Division 2 of, and Section 3333 5 to, the Civil Code, and Section 1880 to the Code of Civil Procedure, and to amend Section 573 of the Probate Code, relating to survival of personal injury actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "and Section 1880 to the Code of Civil Procedure,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 17 to 31, inclusive; and in line 32, strike out "SEC. 4.", and insert "SEC. 3."

Amendment No. 3

On page 2, line 41, of the printed bill, strike out "SEC. 5.", and insert "SEC 4"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "Bait nets may be used to take fish for bait in Districts 15, 20 and 118.5."

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 848—An act to amend Section 730 of the Fish and Game Code, relating to halibut.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, following "that", insert "a holder of a commercial fishing license may take and possess during one day".

Amendment No. 2

On page 1, line 7, of the printed bill, after more than", insert "30 pounds of California halibut of less than such minimum weights. No more than".

Amendment No. 3

On page 1, line 9, of the printed bill, following "day", strike out the comma and "but may not", and insert "by anyone except a holder of a commercial fishing license as provided in this section, but no California halibut less than the specified minimum weights may".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2131—An act to add Sections 955 and 3333.5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, and to amend Section 1880 of the Code of Civil Procedure, relating to survival of personal injury actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," strike out "and", and strike out line 3 of the title.

Amendment No. 2

On page 2 of the printed bill, strike out lines 23 to 37, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2132—An act to add Sections 955 and 3333.5 to the Civil Code, and to amend Sections 573 and 707 of the Probate Code, and to amend Section 1880 of the Code of Civil Procedure, relating to survival of personal injury actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," strike out "and"; and strike out line 3 of the title.

Amendment No. 2

On page 2 of the printed bill, strike out lines 23 to 37, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1545—An act to add Division 2a, comprising Sections 3100 to 3123, to the Labor Code, relating to labor organizations and the procedure to be followed in fining, suspending, and expelling members thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "3124", and insert "3123".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "expelled," insert "other than under the provisions of the Constitution, by-laws or other rules of a local union or its parent body providing for summary disciplinary proceedings for nonpayment of dues, initiation fees or other fees or assessments,".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 12 and 13, and insert "or organization within 30 days of the discovery by the person making the charges of the facts constituting the basis of such charges and a copy must be served upon the member accused, either by personal service or by registered mail within 10 days after the filing of the copy of the charges with the secretary or president. Deposit of a registered letter in the United States mails containing such copy in sufficient time for the letter to bear a postmark dated within the 10 days shall be deemed to be service upon the member accused."

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 22 to 24, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Amendment No. 5

On page 2, line 8, of the printed bill, as amended, strike out "answer", and insert "3104. Within not less than 10 days after service of the copy of the charges upon the member accused."

Amendment No. 6

On page 2, line 9, of the printed bill, as amended, after "hearing", insert "of the charges".

Amendment No. 7

On page 2 of the printed bill, as amended, between lines 13 and 14, insert ", either in writing or orally,".

Amendment No. 8

On page 2 of the printed bill, as amended, between lines 14 and 15, insert

"3105. No complainant, member accused, or witness shall be a member of the executive board or other committee which hears the charges."

Amendment No. 9

On page 2, line 15, of the printed bill, as amended, strike out "3107", and insert "3106".

Amendment No. 10

On page 2 of the printed bill, as amended, strike out lines 16 and 17, and insert "and the member who filed the charges may attend the hearing in person or by counsel or".

Amendment No. 11

On page 2 of the printed bill, as amended, between lines 21 and 22, insert

"3107. In the event of the acquittal of the person accused, the actual and reasonable costs paid or incurred by him in the proceedings shall be borne by the union. Such costs shall include the fees of a reporter for recording and transcribing, but shall not include attorney's fees."

Amendment No. 12

On page 2 of the printed bill, as amended, between lines 27 and 28, insert

"3108.5. The executive board or other committee shall postpone the hearing for a reasonable time in case of sickness or absence from the city of either party or of a principal witness and may so postpone the hearing for other good cause."

Amendment No. 13

On page 2, line 29, of the printed bill, as amended, after the period, insert "On the demand of any party, an oath or affirmation shall be administered to any witness by a notary public or other officer or person authorized to administer oaths or affirmations."

Amendment No. 14

On page 2 of the printed bill, as amended, between lines 38 and 39, insert

"3111.5 The decision shall be subject to the approval or disapproval of the next regular general meeting of the local body at which a quorum is present, expressed by secret ballot.

A vote of at least two-thirds of the members voting at such meeting shall be necessary to approve a decision expelling a member from the union."

Amendment No. 15

On page 2 of the printed bill, as amended, strike out lines 35 to 38, inclusive, and insert "time after the completion of the hearing.".

Amendment No. 16

On page 2, line 39, of the printed bill, as amended, after "decision", insert ", as modified by such approval or disapproval,".

Amendment No. 17

On page 3, line 8, of the printed bill, as amended, strike out "at least".

Amendment No. 18

On page 3 of the printed bill, as amended, strike out lines 14 to 16, inclusive, and insert "a hearing shall state the findings of fact separately."

Amendment No. 19

On page 3 of the printed bill, as amended, strike out lines 48 to 51, inclusive; and on page 4, strike out lines 1 to 10, inclusive.

Amendment No. 20

On page 4, line 11, of the printed bill, as amended, strike out "3124", and insert "3123".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 58—An act to amend Section 6067 of, and to add Section 6103.5 to, the Business and Professions Code, relating to attorneys at law, specifying the contents of the oath on admission, and providing additional causes for suspension and disbarment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6067 of, and to".

Amendment No. 2

Strike out line 3 of the title of the printed bill, and insert "at law,"

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 22, inclusive

Amendment No. 4

On page 2, line 1, of the printed bill, strike out "Sec 2.", and insert "Section 1"

Amendment No. 5

On page 2, line 3, of the printed bill, strike out "carrying on,"

Amendment No. 6

On page 2, line 5, of the printed bill, after "or", insert "directly or indirectly carrying on"

Amendment No. 7

On page 2 of the printed bill, after line 16 insert

"(c) Nothing in this section shall prevent any attorney from representing or acting as counsel for any person who directly or indirectly engages in any activity referred to in subdivision (a) of this section, or who is a member of any party or organization referred to in subdivision (b) of this section"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2156—An act to add Sections $2\frac{1}{8}$ and $50\frac{5}{16}$ to the Public Utilities Act, relating to passenger stage corporations operating within the limits of a single incorporated city.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, before "add", insert "amend Sections $2\frac{1}{4}$ and $50\frac{1}{4}$ and to".

Amendment No. 2

On page 1, line 1, of the printed bill, after "SECTION 1" insert "Section $2\frac{1}{4}$ of the Public Utilities Act is hereby amended to read as follows:

Sec $2\frac{1}{4}$ (a) The term "passenger stage" when used in this act, includes every stage, auto stage or other motor vehicle, used in the transportation of persons, or persons and their baggage or express, when such baggage or express is transported incidental to the transportation of passengers.

(b) The term "passenger stage corporation," when used in this act, includes every corporation, or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever engaged as a common carrier, for compensation, in the ownership, control, operation or management of any passenger stage over any public highway in this State between fixed termini or over a regular route; provided, however, that this term shall not include those whose operations are exclusively within the limits of a single incorporated city, town or city and county, [or] *and shall not include those operations of any such passenger stage corporation conducted entirely within the limits of such city, town or city and county even though such passenger stage corporation may conduct other operations which are included within said term. Likewise such term shall not include either those companies or lines* whose operations consist solely in the transportation of bona fide pupils attending an institution of learning between their homes and such institution of learning.

(c) The words "between fixed termini or over a regular route," when used in this act, mean the termini or route between or over which any passenger stage corporation usually or ordinarily operates any passenger stage, even though there may be departures from said termini or route, or such departures be periodic or irregular.

(d) The term "common carrier," when used in this act, in addition to the definition herein otherwise given, shall include every "passenger stage corporation," their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating within this State.

SEC. 2."

Amendment No. 3

On page 1 of the printed bill, between lines 11 and 12, insert

"SEC. 3. Section 50¼ of the Public Utilities Act is hereby amended to read as follows:

Sec. 50¼. No passenger stage corporation shall hereafter operate or cause to be operated any passenger stage over any public highway in this State without first having obtained from the Railroad Commission a certificate declaring that public convenience and necessity require such operation, but no such certificate shall be required of any passenger stage corporation as to the fixed termini between which, or the route over which, it is actually operating in good faith at the time this act becomes effective in compliance with the provisions of an act known as Chapter 213, Statutes of 1917, of the State of California, approved May 10, 1917, and amendments thereto, nor shall any such certificate be required of any person or corporation who on January 1, 1927, was operating, or during the calendar year 1926 had operated a seasonal service of not less than three consecutive months duration, sight seeing buses on a continuous sight seeing trip with one terminus only. Any right, privilege, franchise or permit held, owned or obtained by any passenger stage corporation may be sold, assigned, leased, mortgaged, transferred, inherited, or otherwise encumbered as other property, only upon authorization by the Railroad Commission. Every applicant for a certificate shall file in the office of the commission an application therefor in such form as shall be required by the commission, and the Railroad Commission shall have power, with or without hearing, to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require; provided, that the Railroad Commission shall have power, after hearing, to issue said certificate when an applicant requests a certificate to operate in a territory already served by a certificate holder under this act only when the existing passenger stage corporation or corporations serving such territory will not provide the same to the satisfaction of the Railroad Commission. The Railroad Commission, in the exercise of the jurisdiction conferred upon it by the Constitution of this State and by this act, shall have power and authority to grant certificates of public convenience and necessity and make decisions and orders and to prescribe rules and regulations affecting passenger stage corporations, notwithstanding the provisions of any ordinance or permit of any incorporated city or town, city and county, or county and in case of conflict between any such order, rule or regulation, and any such ordinance or permit, the certificate, decision, order, rule or regulation of the Railroad Commission shall in each instance prevail.

When a complaint has been filed with the commission alleging that any passenger stage is being operated without a certificate of public convenience and necessity, contrary to or in violation of the provisions of this act, the commission shall have the power, with or without notice, to make its order requiring the corporation, or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating or managing such passenger stage, to cease and desist from such operation, until the commission makes and files its decision on said complaint, or until further order of the commission.

Whether or not any stage, auto stage, or other motor vehicle is being, or is proposed to be operated as a passenger stage corporation "between fixed termini or over a regular route" within the meaning of this act shall be a question of fact, and the finding of the Railroad Commission thereon shall be final and shall not be subject to review, *except when either both termini of a line, or all termini of all lines, operated by such passenger stage corporation are within the limits of the same incorporated city, town or city and county and such city, town or city and county shall not have voted to surrender its powers of regulation thereover pursuant to the provisions of Section 23, Article XII of the California Constitution.* Any act of transporting or attempting to transport any person or persons by stage, auto stage, or other motor vehicle upon a public highway of this State between two or more points not both within the limits of a single incorporated city, town or city and county, where the rate, charge or fare for such transportation is computed, collected or demanded on an individual fare basis, shall be presumed to be an act of operating as a passenger stage corporation within the meaning of this act.

Each application for a certificate of public convenience and necessity made under the provisions of this section must be accompanied by a fee of fifty dollars ($50).

Amendment No. 4

On page 1, line 12, of the printed bill, strike out "2", and insert "4".

Amendments read and adopted.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 167—An act to amend Sections 5, 7 and 17 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof, and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts, including the qualifications of district directors, the qualifications of electors, the qualifications of directors when such directors are elected to represent divisions of the district, and the qualifications of electors entitled to vote for directors who are elected by divisions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1190—An act to add Section 2056 to the Penal Code and to repeal Section 1595 of the Penal Code as added in 1907, relating to the rebuilding of buildings destroyed by fire.

Bill read second time, and ordered to third reading.

Senate Bill No. 1189—An act to add Sections 2745 and 2746 to the Penal Code and to repeal Sections 6 and 7 of an act entitled "An act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work," approved March 28, 1895, making an appropriation for the operation by prison labor of rock-crushing plants.

Bill read second time, and ordered to third reading.

Senate Bill No. 1188—An act to add Section 2722 to the Penal Code and to repeal Section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods.

Bill read second time, and ordered to third reading.

Senate Bill No. 1192—An act to add Sections 2004 and 2006 to the Penal Code, and to repeal an act entitled "An act relating to the first unit of the Southern California Prison and making an appropriation therefor," approved May 28, 1937, relating to an appropriation for the Southern California Prison.

Bill read second time, and ordered to third reading.

Senate Bill No. 1193—An act to amend Section 1 of an act entitled "An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto," approved May 14, 1927, relating to highways leading to State prisons or the Preston School of Industry.

Bill read second time, and ordered to third reading.

Senate Bill No. 1194—An act to amend Section 1 of an act entitled "An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use," approved July 1, 1937, relating to the purchase of meat from the Napa State Farm.

Bill read second time, and ordered to third reading.

Senate Bill No. 1195—An act to add Section 2710 to the Penal Code and to repeal an act entitled "An act to create a Revolving Fund for the Manufacturing Departments at the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, appropriating a Revolving Fund for the Maintenance of the Manufacturing Departments of the State Prison at San Quentin.

Bill read second time, and ordered to third reading.

Senate Bill No. 1196—An act to add Section 2720 to the Penal Code and to repeal an act entitled "An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to a Revolving Fund for the Purchase of Jute.

Bill read second time, and ordered to third reading.

Senate Bill No. 1197—An act to amend Section 4174a of the Political Code, relating to the duties of sheriff.

Bill read second time, and ordered to third reading.

Senate Bill No. 1191—An act to add Section 2765 to the Penal Code and to repeal Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for the manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to forfeiture by prisoners of moneys earned by them.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "after", and strike out all of line 2, and insert "in accordance with law".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1250—An act to repeal Part 3, except Section 1595, to repeal certain other sections of the Penal Code, to amend Sections 107, 109, 110, 171, 171a, 171b, 273b, 606, 644, 667, 681, 1168, 1202a, to repeal other acts and parts of acts specified herein, and to add Part 3 to the Penal Code, relating to prisons, jails, prisoners, terms and conditions of imprisonment, the death penalty, parole, reprieves, commutations, pardons, and convict-made goods.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On pages 4 and 5 of the printed bill, as amended, make the following changes.

Page	Line	Strike out	Insert
4	42	California State Prison at Chino	Southern California Prison
4	45	California State Prison at Chino	Southern California Prison
4	46	California State Prison at Chino	Southern California Prison
4	52	California State Prison at Chino	Southern California Prison
5	9 and 10	California State Prison at Chino	Southern California Prison
5	14	California State Prison at Chino	Southern California Prison

Amendment No. 2

On page 14, line 5, of the printed bill, as amended, strike out "the", and insert "in a civil action or special proceeding a".

Amendment No. 3

On page 14, line 7, of the printed bill, as amended, after "deposition", insert ", or for his temporary removal and production before a court or officer, for the purpose of being orally examined,".

Amendment No. 4

On page 18, lines 50 and 51, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "Southern California Prison".

Amendment No. 5

On page 19, lines 6 and 7, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "the Southern California Prison".

Amendment No. 6

On page 24, line 27, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "Southern California Prison".

Amendment No. 7

On page 38 of the printed bill, as amended, between lines 24 and 25, insert

"Any woman inmate who would give birth to a child during her term of imprisonment may be temporarily taken to a hospital outside the prison for the purposes of childbirth, and the charge for the hospital and medical care shall be charged against the funds allocated to the institution. The board shall provide for the care of any children so born and shall pay for their care until suitably placed."

Amendment No. 8

On page 54 of the printed bill, as amended, after line 46, insert

"SEC. 18. The following acts, together with all acts amendatory thereof and supplementary thereto, are hereby repealed.

Year	Chapter	Page
1880	56	43
1913	591	1048
1925	346	622
1927	456	783
1931	440	993

Amendments read and adopted.

Bill ordered printed, and to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 156 WAIVED

Mr. Salsman waived his notice of motion to reconsider the vote whereby Assembly Bill No. 156 was passed.

Assembly Bill No. 156 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1409 WAIVED

Mr Cronin waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1409 was passed.

Assembly Bill No. 1409 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 152

In compliance with a notice given on a previous day, Mr. Dills moved that the vote whereby Assembly Bill No 152 was passed be reconsiderd.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

Motion carried. Time, 2.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RECONSIDERATION OF ASSEMBLY BILL NO. 2097

In compliance with a notice given on a previous day, Mr. Carlson moved that the vote whereby Assembly Bill No. 2097 was passed be reconsidered.

Assembly Bill No. 2097 reconsidered by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Assembly Bill No. 2097 ordered on inactive file.

Speaker Presiding

At 2.27 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 152

At 2.28 p m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 152 reconsidered by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—49.

NOES—Allen, Carlson, Clarke, Collins, Sam L., Daley, Dilworth, Field, Hastain, Houser, Frederick F., Kellems, Kepple, Knight, T. Fenton; Lyon, Middough, Miller, Millington, Pfaff, Poole, Stream, Thorp, and Watson—21.

Assembly Bill No. 152 ordered placed on file.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, March 24, 1941; Tuesday, March 25, 1941; Wednesday, March 26, 1941; Thursday, March 27, 1941, and Friday, March 28, 1941, were approved, as corrected, by the Minute Clerk.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

*National City News*_____Joseph A. Vurgason

ARTHUR A. OHNIMUS, Chief Clerk

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 375 was taken up.

Assembly Bill No. 375—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Field moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 375.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems,

Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland presiding.

MOTION FOR TIME LIMIT OF DISCUSSION

Mr. Maloney moved that the proponents be limited to 30 minutes, and the opponents to 30 minutes of discussion, and that extra time may be allowed for questioning.

Motion carried.

On motion of Mr. Field, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H. Garland presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 25: By Messrs. Turner, Phillips, Cain, McCollister and Garland—Mourning the death of Hugh Lovett Spears, member of the State Board of Prison Directors.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 25

Assembly Concurrent Resolution No. 25—Mourning the death of Hugh Lovett Spears, member of the State Board of Prison Directors.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 26: By Messrs. Phillips, Cain, Gaffney and McCollister—Relative to expressing wishes for the speedy recovery of Christopher Thomas Merchant, member of the State Board of Prison Directors.

Request for Unanimous Consent

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 26, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26

Assembly Concurrent Resolution No. 26—Relative to expressing wishes for the speedy recovery of Christopher Thomas Merchant, member of the State Board of Prison Directors.

Resolution read.

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

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John R., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act making an additional appropriation to the State Park Commission for acquisition of land in Marin County as part of the State Park System.

Respectfully submitted

R. H. McCOLLISTER

Request referred to Committee on Introduction of Bills.

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act, to be known as the California Highway Safety Act of 1941, to add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of

California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

Respectfully submitted.

S. L. HEISINGER

Request referred to Committee on Introduction of Bills.

By Mr Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to establish a State Emergency Rent Commission and regional emergency rent boards, to prescribe the powers, duties and functions of such commission and of such boards, to provide for regulation of rents, rental agreements, and certain other incidents of the landlord-tenant relationship within regions and with respect to classes of dwellings as defined, to provide penalties and other means of enforcement

Respectfully submitted.

ERNEST CROWLEY

Request referred to Committee on Introduction of Bills.

Speaker Pro Tempore Presiding

At 4 40 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 375

Assembly Bill No. 375—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors.

Bill read third time.

Motion to Amend

Mr Field moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, following line 19, insert

"At the time when hereafter a minor is first supplied with newspapers, magazines, periodicals or circulars for the purpose of sale and/or distribution, the person, firm or corporation supplying the same to such minor shall give written notification to such effect to the person authorized to issue permits to work under Chapter 1 or Chapter 2, as the case may be, of Part 2 of Division 1 of the School Code, and shall furnish the said minor or his parent or guardian with a card containing a true copy of said written notification, which said card shall be carried by such minor while selling or distributing such newspapers, magazines, periodicals or circulars; but such person, firm or corporation supplying the minor shall not be responsible for any failure of such minor to carry such card.

"Whenever the school physician of the school attended by such minor, or in any case where there is no school physician of such school, the superintendent of schools having jurisdiction of the school attended by such minor shall certify in writing that the health of such minor is adversely affected by his engaging in the sale and/or distribution of such newspapers, magazines, periodicals or circulars, or whenever the superintendent of schools having jurisdiction of the school attended by such minor shall certify that engaging in the sale and/or distribution of such newspapers, magazines, periodicals or circulars is adversely affecting the ability of such minor to properly perform the work required of him at school, the certificate of such physician or of such superintendent of schools, as the case may be, shall be delivered to the parent or guardian of such minor and to the person, firm or corporation supplying such minor with newspapers, magazines, periodicals or circulars.

If the said parent or guardian, as the case may be, shall fail to cause said minor to cease the sale and/or distribution of such newspapers, magazines, periodicals or circulars, within five days after receipt of said certificate, then the person, firm or corporation supplying such minor with newspapers, magazines, periodicals or circulars shall cease supplying such minor with such newspapers, magazines, periodicals or circulars for sale and/or distribution."

Amendment read.

Motion to Substitute Amendments

Mr. Bashore moved the adoption of the following amendments as a substitute to the amendment offered by Mr. Field:

Amendment No. 1

On page 2, line 3, of the printed bill, after the period, insert "Nothing in this section shall affect the provisions of subdivision (i) of Section 1294 or Section 1296 of the Labor Code."

Amendment No. 2

On page 2 of the printed bill, strike out lines 6 to 19, inclusive, and insert

"1299.1. No boy between the ages of 10 and 16 years shall sell or distribute newspapers, magazines, periodicals, or circulars without securing a permit as provided in this section. The permit shall be obtained from the superintendent of schools of the city, or city and county, having jurisdiction over the district in which the boy resides or, in any case, from the county superintendent of schools having jurisdiction over the district in which the boy resides. The permit shall be signed by his parent or guardian and approved by the superintendent or a person authorized by him in writing.

Before commencing any work of selling newspapers or other publications, the boy shall show his permit to his employer. The latter shall in all cases demand a permit to be shown to him before employing any such boy in the work mentioned. The boy shall then report his place of employment to the superintendent of schools or other person who approved his permit.

No permit shall allow the sale or distribution of newspapers or other periodicals more than 21 hours in any one week nor during more than eight hours in any one day of 24 hours, nor before 5 a.m. nor after 10 p.m.; nor shall it allow any boy between the ages of 10 and 16 years to work outside of school hours for a period of time which when added to the time such boy is required by law to attend school shall exceed eight hours in any one day.

All permits shall be prepared on forms prescribed and furnished by the State Superintendent of Public Instruction and shall contain the information necessary to promote the health, general welfare and school progress of the boy. Any such permit shall be subject to cancellation at any time by the superintendent of schools, or other person, who originally approved the permit, when conditions show that either the health, welfare or school work of the boy is being adversely affected. Any violation of this section shall be a misdemeanor and shall be punished as such. This section shall be enforced by the superintendent of schools who issued the permit."

Division of Question

Mr. Bashore asked for a division of the question.

Request granted.

The question being on Amendment No. 1 by Mr. Bashore.

The roll was called, and Amendment No. 1 refused adoption by the following vote:

AYES—None.

NOES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

The question being on Amendment No. 2 by Mr. Bashore.

The roll was called, and Amendment No. 2 refused adoption by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cassidy, Cronin, Crowley, Dills, Doyle, Gallagher, Green, Hawkins, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Robertson, Russell, Sheridan, Thomas, Waters, and Wollenberg—29.

NOES—Allen, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Leonard,

Lyon, Millington, Pfaff, Phillips, Potter, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—40.

The question being on the original amendment by Mr. Field.

Amendment read

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

AYES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Leonard, Lyon, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—51.

NOES—Bennett, Cain, Cassidy, Cronin, Gaffney, Gunlock, Hawkins, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Meehan, Pelletier, Russell, Thomas, Voigt, and Wollenberg—18.

Request for Unanimous Consent

Mr Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 375, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed for the purpose of further amendment.

Consideration of Assembly Bill No. 375, as Amended

Assembly Bill No. 375—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors.

Bill read third time, as amended.

Motion to Amend

Mr. Frederick F. Houser, moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, between lines 3 and 4, insert

"The power conferred by this section is in addition to any power which the Division of Labor Statistics and Law Enforcement may have under existing statutes to declare whether any particular trade, process of manufacture, or occupation is sufficiently dangerous to the lives and limbs or injurious to the health or morals of minors to justify their exclusion therefrom."

Amendment read and adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

MOTION TO SET SPECIAL ORDER

Mr. Field moved that Assembly Bill No. 375 be made a special order of business for Tuesday, April 1, 1941, at 2.30 p.m.

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

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—Gaffney—1.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1464—An act to add Section 19622.5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out all after the comma, and strike out lines 3 to 11, inclusive, and insert "relating".

Amendment No. 2

On page 2 of the printed bill, strike out lines 23 to 52, inclusive; and on page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 10 inclusive

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1469—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended March 28, 1941, strike out "personal property broker", and insert "lender".

Amendment No. 2

On page 3, line 26, of the printed bill, as amended March 28, 1941, strike out "personal property broker", and insert "lender".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred

Assembly Bill No. 2250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred

Assembly Bill No. 1399 — Assembly Bill No. 2332
Assembly Bill No. 1514 — Senate Bill No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 1057

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Public Health and Quarantine.

(Signed out)

POULSON, Chairman — GALLAGHER
HUGH M. BURNS — BENNETT
FIELD — TENNEY
WATERS — JOHN B. KNIGHT
HAWKINS — ALLEN
CRONIN — POTTER

Above reported bill ordered to second reading.

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Building and Loan Associations, to which were referred:

Assembly Bill No. 2100 — Assembly Bill No. 1325
Assembly Bill No. 1346

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

VOIGT, Chairman

Above reported bills ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1915

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CRONIN, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 657 — Assembly Bill No. 1513
Assembly Bill No. 1402 — Assembly Bill No. 1515
Assembly Bill No. 1407 — Assembly Bill No. 1517

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER Your Committee on Insurance, to which was referred.

Assembly Bill No. 1845

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 97
Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No. 211
Assembly Bill No. 325
Assembly Bill No. 400
Assembly Bill No. 431
Assembly Bill No. 432
Assembly Bill No. 626
Assembly Bill No. 1004
Assembly Bill No. 1561
Assembly Bill No. 1635
Assembly Bill No. 1982
Assembly Bill No 2214
Assembly Bill No. 2357

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 22—Relative to construction of a dam on the Stanislaus River;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 47—An act to amend Sections 337b, 337c, 337d and 337e of, and to add Section 337f to, the Penal Code, relating to crimes in connection with sporting events, contests and exhibitions, including horse racing, baseball, football, boxing and wrestling, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 176—An act to amend Section 15 of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal bankruptcy courts therein," approved June 5, 1933, as amended relating to credits in making the reassessment;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 177—An act to amend Section 17 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935, as amended, relating to credits in making the assessment;

Assembly Bill No. 230—An act to amend Section 14899 of the Health and Safety Code and to add two new sections, to be numbered Sections 14920 and 14921, to the Health and Safety Code, providing for the cancellation or refund of erroneous, mistaken, or illegal special assessments for abating weeds, and providing for cancellation of any such assessments when the property is acquired by the State or by any county, city, school district, or other political subdivision and which because of said public ownership is not subject to sale for delinquent taxes;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 262—An act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judges;

Assembly Bill No. 659—An act to amend Section 161a of the Civil Code, relating to interests in community property;

Assembly Bill No. 843—An act to amend Section 1.70 of the School Code, relating to transportation of pupils;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 844—An act to amend Section 6.210 of the School Code, relating to the sale of personal property belonging to one school district to another;

Assembly Bill No. 883—An act to amend School Code Section 5.654, relating to the dismissal of permanent employees of a school district;

Assembly Bill No. 1110—An act to add Section 395.2 to the Military and Veterans' Code, relating to employees of school districts performing military services;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1160—An act to amend School Code Section 5.460, relating to librarians in elementary and secondary schools;

Assembly Bill No. 1398—An act to amend Sections 760, 781 and 1706.8 of, and to add Section 760.5 to, the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1401—An act to amend Sections 981, 3016, 3035, 3036, 3039, 3040, 11715 and 12091, and to repeal Section 3017 of the Insurance Code, relating to insurance;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1476—An act adding Section 14593 to the Health and Safety Code, relating to dissolution of fire protection districts;

Assembly Bill No. 1495—An act to amend the Fish and Game Code by amending Section 612 thereof, relating to steelhead trout fishing;

Assembly Bill No. 2433—An act to amend Section 89 of the Agricultural Code, relating to moneys of district agricultural associations;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 43

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

CROWLEY, Chairman.

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Kepple:

House Resolution No. 117

WHEREAS, The Whittier State School in Los Angeles County, a State correctional institution for juvenile offenders, has recently been the subject of widespread attack as the result of administrative practices, which have been investigated by numerous persons and groups, including a Special Committee appointed by the Governor, and investigators for the State Personnel Board; and

WHEREAS, One result of the charges and the investigations of the charges is the introduction of proposed legislation to effect changes in the policy and practice of the school; and

WHEREAS, It is necessary for the morale and welfare of the school and the protection of the residents of the community where the school is situated that remedial legislation, if needed, be enacted expeditiously; and

WHEREAS, The evaluation and correlation of the findings of investigators is necessary for the Legislature to act advisedly, and for the proper consideration of proposed legislation; and this task can be most satisfactorily performed by a competent legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on the Whittier State School is hereby created, consisting of five members of the Assembly, appointed by the Speaker. The committee shall investigate, ascertain and report to the Assembly before final adjournment of this session those facts, problems, and practices concerning and carried on at the Whittier State School, which can be dealt with by legislation, and the committee shall recommend legislation to the Assembly.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of five hundred dollars ($500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairmen of the committee upon warrants drawn by the Controller upon the Treasurer.

House Resolution No. 117 referred to the Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 31, 1941

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Capitol, Sacramento, California

SUBJECT: Filing of State Engineer Reports pursuant to Chapter 1, Statutes 1940, Second Extra Session, as amended by Chapter 1, Statutes 1940, Fourth Extra Session

DEAR MR. OHNIMUS. Handed you herewith for filing is the following report of the State Engineer:

A-16a Reclamation District No. 1660 File No. Sut 40-7. Repair of wave wash of the Sacramento River levees and the rehabilitation of the drainage canals of the district

This report is upon work proposed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMUNSTON, Deputy State Engineer

MOTION TO SET SPECIAL ORDER

Mrs. Daley moved that Senate Bill No. 133 be made a special order of business for Wednesday, April 2, 1941, at 2.30 p.m.

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

AYES—Allen, Bashore, Bennett, Burns, Michael J. Cain, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER. Your Committee on Introduction of Bills, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Heisinger:

An act, to be known as the California Highway Safety Act of 1941, to add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

By Mr. McCollister:

An act making an additional appropriation to the State Park Commission for acquisition of land in Marin County as part of the State Park System.

By Mr. Crowley:

An act to establish a State Emergency Rent Commission and regional emergency rent boards, to prescribe the powers, duties and functions of such commission and such boards, to provide for regulation of rents, rental agreements, and certain other incidents of the landlord-tenant relationship within regions and with respect to classes of dwellings as defined, to provide penalties and other means of enforcement.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Pfaft, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 2343.
Assembly Bill No. 555.
Assembly Bill No. 1753.
Assembly Bill No. 885.
Assembly Constitutional Amendment No. 14.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 855 referred to Committee on Irrigation.

Assembly Bill No. 1816 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2137 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 518 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 101 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 801 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1635 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1982 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 850 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 187 re-referred to Committee on Judiciary General.

Assembly Bill No 1846 re-referred to Committee on Judiciary General.

Assembly Bill No. 2357 re-referred to Committee on Judiciary General.

Assembly Bill No. 2281 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1070 re-referred to Committee on Ways and Means.

Assembly Bill No. 1561 re-referred to Committee on Ways and Means.

Assembly Bill No. 1670 re-referred to Committee on Public Health and Quarantine.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2583: By Mr. Heisinger—An act, to be known as the California Highway Safety Act of 1941, to add Section 18.5 to

the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2584: By Mr. Crowley—An act to establish a State Emergency Rent Commission and regional emergency rent boards, to prescribe the powers, duties and functions of such commission and of such boards, to provide for regulation of rents, rental agreements, and certain other incidents of the landlord-tenant relationship within regions and with respect to classes of dwellings as defined, to provide penalties and other means of enforcement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2585: By Mr. McCollister—An act making an appropriation to the State Park Commission for the acquisition of land in Marin County as part of the State Park System.

Referred to Committee on State Grounds and Parks.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Burdette Briggs and Clare McCord of Long Beach.

On request of Mrs. Daley and the San Diego Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Larry N. Smith, secretary-treasurer of San Diego Local Union No. 683, and Mrs. Larry N. Smith.

On request of Mr. Hugh M. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. Hume of Fresno.

On request of Messrs. Tenney, Poulson, Bennett, Waters and Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. A. Daugherty of Santa Rosa, Redwood Empire School of Beauty Culture.

On request of Dr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. M. Byrne, secretary and jury commissioner of the Superior Court of Los Angeles

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alice Dodson and Vivian M. Bovel, both of Los Angeles.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. B. Carter, Judge Keller, Floyd Ward, Keith Tindall and Lee Warburton.

On request of Mr. Stream and Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to

Joseph Vurgason, editor and publisher of National City News, also the National City Reporter and the San Ysidro Border Press.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. C. Reimers of Livermore and John G. Rooks, Secretary, Livermore Chamber of Commerce.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to G. K. Anderson, Superintendent of Elementary Schools, Brawley.

On request of Messrs. O'Day and Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank H. Allen and Frank Helbing, both of San Francisco.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mirl Dennis and Miss Mary Nolan of Oakland.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. L. Stevenson, Director of Douglas Employees' Welfare, and N. G Collins, assistant director, both of Santa Monica.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John F Snedaker, M.D., of Hollywood.

ADJOURNMENT

At 5 35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Tuesday, April 1, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

EIGHTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 1, 1941

The Assembly met at 2 p.m.

Hon Gordon H Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Heisinger.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Andreas, on motion of Mr Dilworth

Mr. George D. Collins, on motion of Mr. O'Day.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported bill ordered to engrossment

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 375

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 627
Assembly Bill No. 628
Assembly Bill No. 629
Assembly Bill No. 630
Assembly Bill No. 632
Assembly Bill No. 633
Assembly Bill No. 634
Assembly Bill No. 635
Assembly Bill No. 636
Assembly Bill No. 641
Assembly Bill No. 800
Assembly Bill No. 880
Assembly Bill No. 928
Assembly Bill No. 1080
Assembly Bill No. 1219
Assembly Bill No. 1392
Assembly Bill No. 1824
Assembly Bill No. 1899
Assembly Bill No. 1922
Assembly Bill No. 1969
Assembly Bill No. 2015
Assembly Bill No 2146
Assembly Bill No 2151
Assembly Bill No. 2570

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No 304

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PELLETIER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 1754
Assembly Bill No. 237

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PELLETIER, Chairman

Above reported bills ordered to second reading.

Committee on Universities

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Universities, to which was referred:

Assembly Bill No. 1931

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KELLEMS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 268

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 31, 1941

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

Senate Bill No 40
Senate Bill No 109
Senate Bill No. 131
Senate Bill No. 423
Senate Bill No. 474
Senate Bill No. 502
Senate Bill No. 754
Senate Bill No. 838
Senate Bill No. 848
Senate Bill No. 917
Senate Bill No. 918
Senate Bill No. 1087
Senate Bill No. 1091
Senate Bill No 1092
Senate Bill No 1102
Senate Bill No 1107
Senate Bill No. 1303

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 40—An act to add Section 1132 to the Penal Code, relating to the use of means of identification.

Referred to Committee on Judiciary Codes.

Senate Bill No. 109—An act to amend Section 7 of The Personal Income Tax Act, relating to taxes on individuals, estates and trusts.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 131—An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 423—An act to add Article 2 5 (comprising Sections 90 to 90.6, inclusive) to Chapter 1, Division 1 of the Streets and Highways Code, relating to the budgeting of State highway funds, specifying the powers and duties of the California Highway Commission and the State Highway Engineer in connection therewith, and providing for the making and distribution of reports thereof.

Referred to Committee on Roads and Highways.

Senate Bill No. 474—An act to amend Section 458 of the Fish and Game Code, relating to export of deer or game birds.

Referred to Committee on Fish and Game.

Senate Bill No. 502—An act to amend Section 2953 of the Civil Code, relating to agreements waiving statutory rights.

Referred to Committee on Judiciary Codes.

Senate Bill No. 754—An act to amend the title and Section 1 of "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, relating to the acquisition, development, and disposal of electrical power by irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 838—An act to amend Section 695 of the Political Code, relating to services furnished State agencies other than those supported by the General Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 848—An act to amend the Building and Loan Association Act by adding to Article 7 thereof a new section to be numbered Section 7.09, relating to liability and assessments of stockholders.

Referred to Committee on Building and Loan Associations.

Senate Bill No. 917—An act to amend Section 144 of, and to add Sections 144.5 and 172.5 to, the State Civil Service Act, relating to the State civil service and the rights and duties of employees in the State civil service.

Referred to Committee on Civil Service.

Senate Bill No. 918—An act to amend Section 40 of the State Civil Service Act, relating to hearings and subpenas.

Referred to Committee on Civil Service.

Senate Bill No. 1087—An act to add Section 658a to the Political Code, relating to the powers and duties of the Department of Finance.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1091—An act to repeal Sections 4351, 4352 and 4353 of the Public Resources Code, relating to the State Nursery.

Referred to Committee on Natural Resources.

Senate Bill No. 1092—An act to repeal Section 511 of the Public Resources Code, relating to publications issued by the Department of Natural Resources

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1102—An act to abolish the State Planning Board

Referred to Committtee on Governmental Efficiency and Economy.

Senate Bill No. 1107—An act to add Section 67 to the State Civil Service Act, relating to the creation of new positions.

Referred to Committtee on Governmental Efficiency and Economy.

Senate Bill No. 1303—An act to approve, confirm, ratify and validate contracts made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city for repairs, alterations or construction of school buildings or equipment, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 1397

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No 26

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No 6

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding thereto Article XXV, relating to the organization, powers and duties of the Board of Forestry.

Referred to Committee on Natural Resources.

MESSAGES FROM THE GOVERNOR

The following message was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 1, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am pleased to inform you that I have received from the Clerk of the House of Representatives of the United States certification that pursuant to Section 22, Subdivision (B), of the Act of Congress of the United States of America entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress" approved June 18, 1929, as amended by public, numbered 481, Seventy-sixth Congress, approved April 25, 1940, that the State of California shall be entitled, in the Seventy-eighth Congress and in each Congress thereafter until the taking effect of a reapportionment under said act, as amended, or subsequent statute, to 23 Representatives in the House of Representatives of the Congress of the United States

I have caused to be filed with the office of the Secretary of State the original of this official document.

Respectfully yours,

CULBERT L. OLSON, Governor of California

The following communication was received and read, and on motion of Mr. Meehan, ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 31, 1941

To the Senate and Assembly
of the California Legislature

GREETINGS: I present herewith a copy of a resolution adopted by the Legislature of the State of Utah and approved by the Governor of that State on March 17, 1941, entitled "Memorializing Congress to initiate a movement to give silver a standing in the Monetary System of the United States of America as a basic money, at a given ratio of silver to gold."

It is in pursuance to and out of respect to the request made by the Legislature of Utah that I send you copy of this resolution.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

S. C. M. No. 1—By Mr. Williams

Memorializing Congress to initiate a movement to give silver a standing in the Monitary* System of the United States of America as a basic money, at a given ratio of silver to gold

Be it resolved by the Legislature of the State of Utah, the Governor concurring therein

WHEREAS, The people of this State and this Nation are interested in procuring some basic money which will freely pass current to help enlarge the trade of the United States with foreign countries; and

WHEREAS, Some foreign countries are depriving the United States of its rightful share of world trade by a system of controlled and managed money and by the use of exchange and barter of the products of such various nations instead of the use of money; and

WHEREAS, Previous to now, discoveries of gold and silver deposits have been made only where surface indications gave unquestionable evidence of their presence; and

WHEREAS, If a proper price for these metals is provided through the monitization* of silver, deposits of gold and silver now hidden beneath the surface of the earth will be opened; and

WHEREAS, All efforts heretofore made in the direction of currency stabilization have been based upon the theories which failed to provide for the remonetization of silver; and

WHEREAS, In order to relieve the present world-wide depression it is necessary, either to provide for extension of debt payments and moratorium on them, or, to provide for a managed currency, or, to provide coinage of gold and silver in some relation to each other; and

WHEREAS, The coinage of gold and silver is the best course; and

WHEREAS, It appears necessary for the purpose of acquiring or retaining trade with various countries by the United States that a system of money be adopted which is readily available to the various countries with whom the United States trades; and

WHEREAS, The United States of America, over a period of time has purchased domestically mined silver at a fixed price pursuant to act of Congress; and

WHEREAS, The Congress has treated silver as a commodity instead of a monetary basis of metallic money; and

WHEREAS, The Government of the United States has, through relief and welfare measures, attempted to alleviate the result of unemployment throughout the United States; and

WHEREAS, Because of the low price of silver, many mines in the United States have been unable to operate and consequently many thousands of miners have been thrown out of employment and their wives and children and themselves have become dependent on relief; and

WHEREAS, When the silver mines close down the smelter, which are the largest consumers of coal within the State, curtail production which in turn materially affects the railroads and their employees That the families of the coal, silver miners, and railroad employees become dependent upon relief. That local farmers who find a ready market among the miners, and the railroad men lose their markets so that the closing of silver mines, affects not only the silver miners, but also the

*Misspelled word

coal miners, railroad men, the farmers, and the Nation in general. All classes then become at least partially dependent upon relief and the burden thereby is upon the entire State or States; and

WHEREAS, The making of silver as a part of the Monetary System of the United States at a given ratio to gold would stabilize the mining industry and allow reemployment of miners, railroad men and lessen the relief load; now, therefore, be it

Resolved, by the Legislature of the State of Utah, the Governor concurring therein, That we earnestly recommend the enactment of legislation by Congress for the use of silver in our monetary systems as a basic money, thereby increasing the supply of metallic money for use as a circulating medium and as a base for currency and credit at a ratio to gold as hereinabove provided; and be it further

Resolved, That the Secretary of State forward copies of this memorial to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Congress of the United States, the United States Senators and Representatives from the State of Utah, and to the Governors of the various States, with the request that the said Governors submit it for action by the Legislators of their States.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 357—An act to amend Section 202 of the Welfare and Institutions Code, relating to contracts for care of indigents; emergency service authorized; nonemergency services authorized; hospitals with which agreements may be made.

Bill read second time, and ordered engrossed.

Assembly Bill No. 657—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1402—An act to amend Sections 1392 and 1401 of the Insurance Code, relating to reciprocal insurance.

Bill read second time, and ordered engrossed

Assembly Bill No. 1407—An act to amend Sections 701, 1191, 10970 and 12923 of, and to add Sections 706.7, 11532.1, 11532.2, 11532.3, 11532.4, 11532.5, 11532.6, 11532.7, 11532.8, 12921.5 and 12973.7 to, the Insurance Code, all relating to insurance and the Insurance Commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1513—An act to add Section 12977 to the Insurance Code, relating to fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1515—An act to amend Section 986 of the Insurance Code and to add Section 10486.9 thereto, all relating to insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1517—An act to amend Sections 10129 and 10172 of, and to add Sections 10173, 10174, 10175 and 10291.5 to, the Insurance Code, to amend and renumber the article heading of the second Article 5 of Chapter 4, Part 2, Division 2 of said code, and to add Article 5.5, comprising Sections 10370 to 10374, inclusive, to said Chapter 4, all relating to insurance.

Bill read second time, and ordered engrossed

Assembly Bill No. 1915—An act to amend Chapter 10 of Division 2 of the Business and Professions Code, relating to trained attendants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 3, line 33, insert "services", after "nursing".

Amendment No. 2

On page 3, line 20, of the printed bill, insert
"(g) Any services rendered in a licensed chiropractors office or under his direction shall be exempted from all provisions of this act".

Amendment No. 3

On page 9, line 19, of the printed bill, as amended, strike out " "practical nurse," ".

Amendment No. 4

On page 9, line 20, of the printed bill, as amended, strike out " "undergraduate nurse" ".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1845—An act to amend Section 12422 of the Insurance Code, relating to mortgage insurers.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, after the comma, insert "plus the amount of the lien of any public bonds, assessments, or taxes upon the property or properties loaned upon,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 12 to 15, inclusive, and insert "market value of the real estate."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Constitutional Amendment No. 43—Proposed amendment to Article XX of the Constitution, relative to an amendment to the Constitution of the State by adding Section 23 to Article XX thereof, creating a State Park Commission and prescribing the powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 10, of the printed measure, after "Governor", insert a comma and "with the advice and consent of the Senate,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 808—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25 1, 27, 29, 30, 32 and 35 of, and to add a new section to be numbered 24 1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "5" and "10", and after "16," insert "17," and in line 2, after "27," add "28".

Amendment No. 2

On page 3 of the printed bill, strike out all of lines 1 to 7, inclusive, and insert "(8) In the event that taxes, interest and penalties have been or shall be assessed against, paid by or collected from a corporation under this act, which assessment, payment or collection should have been made under the Corporation Income Tax Act, such taxes, interest and penalties shall be considered as having been assessed, paid or collected under the Corporation Income Tax Act as of the date or dates they were made."

Amendment No. 3

On page 3, line 42, of the printed bill, between "and" and "shall", insert ", within 30 days after his determination,".

Amendment No. 4

On page 3, lines 42 and 43, of the printed bill, strike out "within four years from the last day prescribed for filing the return"; in line 46, before the comma, insert "which are then classified on his records as banks or financial corporations", and in line 48, after the period, insert "If the commissioner proposes to classify or reclassify a corporation, liable to report under this act, as a bank or financial corporation, such proposal shall be considered a deficiency assessment within the meaning of Section 25 hereof."

Amendment No. 5

On page 4 of the printed bill, strike out all of lines 3 to 14, inclusive.

Amendment No. 6

On page 7 of the printed bill, between lines 24 and 25, insert "For the purposes of this subdivision, the words "law applicable to the year" shall be deemed to refer to this act or the United States Revenue Act in force for the year in which the sale or other disposition was made"

Amendment No. 7

On page 8 of the printed bill strike out all of lines 13 to 52, inclusive, and on page 9, strike out all of lines 1 to 18, inclusive

Amendment No. 8

On page 9 of the printed bill, lines 46 to 48, strike out "defense income taxes imposed under the First and Second Revenue Acts of 1940," and insert "taxes computed as an addition to, or as a percentage of taxes which are not deductible hereunder,".

Amendment No. 9

On page 11, line 25, of the printed bill, strike out "subsections (f) and (i) of"

Amendment No. 10

On page 13 of the printed bill, strike out all of lines 14 to 19, inclusive, following the "(h)", and insert "Dividends received from a bank or corporation during an income year from earnings or profits derived from sources within this State, and in the case of dividends received during an income year from a bank or corporation deriving earnings or profits from sources within and without this State, so much of such dividends as the amount of net income (computed under this act or the Corporation Income Tax Act without taking into account the deduction allowed for dividends) derived from sources within this State bears to the total net income (com-

puted under this act or the Corporation Income Tax Act without taking into account the deduction allowed for dividends) of the bank or corporation for the year or years out of the earnings or profits of which such dividends were declared. The burden shall be on the taxpayer to show that the amount of dividends claimed as a deduction has been received from earnings or profits derived from sources within this State.

"The provisions of this subsection shall not apply to dividends received from a bank or corporation not taxable under Article XIII of the Constitution of this State."

Amendment No. 11

On page 15, line 52, of the printed bill, strike out "at least 80 per centum of the voting stock", and insert "more than 50 per centum in value of the outstanding stock".

Amendment No. 12

On page 16 of the printed bill, strike out all of lines 4 to 40, inclusive.

Amendment No. 13

On page 18 of the printed bill, strike out all of lines 18 to 26, inclusive.

Amendment No. 14

On page 19, line 37, of the printed bill, strike out ", or returns"; in line 41, after the comma and before "if", insert "if the transfer occurs more than two months and 15 days after the close of the preceding taxable year and"; in line 43, strike out "or incomes"; and after line 43, insert

"The transferee shall also, within two months and 15 days after the close of the taxable year preceding the taxable year in which the transfer occurs, file a return for the transferor disclosing the net income of the transferor from the business or property transferred for such preceding taxable year, and shall pay the tax measured by such income, if the transfer occurs within two months and 15 days of the close of the preceding taxable year.

The transferee shall also, within the times provided herein, file a return for the transferor disclosing the net income of the transferor from the business or property transferred for a year preceding the taxable year in which the transfer occurred and shall pay the tax measured by such income, in cases where such income would, under Subsection 13 (*l*), be included in the measure of tax on the transferor if the transferor had resumed doing business."

Amendment No. 15

On page 22, lines 43 and 44, of the printed bill, strike out "or if any taxpayer files a false or fraudulent return with intent to evade tax,"; in line 45, strike out "or a"; in line 46, strike out "supplementary return"; and in line 49, strike out "which shall be immediately payable".

Amendment No. 16

On page 23 of the printed bill, between lines 3 and 4, insert

"SEC. 11.1. Section 17 of the Bank and Corporation Franchise Tax Act is hereby amended to read as follows:

Sec. 17. *(1)* Whenever, in the opinion of the commissioner, the use of inventories is necessary clearly to determine the income of any taxpayer, inventory shall be taken by such taxpayer upon such basis as the commissioner may prescribe, conforming as nearly as may be to the best accounting practice and most clearly reflecting the income.

(2) (A) A taxpayer may use the following method (whether or not such method has been prescribed under Subdivision (1)) in inventorying goods specified in the application required under Paragraph (B): (1) Inventory them at cost; (2) Treat those remaining on hand at the close of the income year as being: First, those included in the opening inventory of the income year (in the order of acquisition) to the extent thereof, and second, those acquired in the income year; and (3) Treat those included in the opening inventory of the income year in which such method is first used as having been acquired at the same time and determine their cost by the average cost method.

(B) The method described in Paragraph (A) may be used (1) only in inventorying goods (required under Subdivision (1) to be inventoried) specified in an application to use such method filed at such time and in such manner as the commissioner may prescribe; and (2) only if the taxpayer establishes to the satisfaction of the commissioner that the taxpayer has used no procedure other than that specified in (2) and (3) of paragraph (A) in inventorying (to ascertain income, profit, or loss, for credit purposes, or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries) such goods for any period beginning with or during the first income year for which the method described in Paragraph (A) is to be used.

(C) The change to, and the use of, such method shall be in accordance with such regulations as the commissioner may prescribe as necessary in order that the use of such method may clearly reflect income.

(D) In determining income for the income year preceding the income year for which such method is first used, the closing inventory of such preceding year of the goods specified in such application shall be at cost.

(E) If a taxpayer, having complied with Paragraph (B), uses the method described in Paragraph (A) for any income year, then such method shall be used in all subsequent income years unless with the approval of the commissioner a change to a different method is authorized; or the commissioner determines that the taxpayer has used for any period beginning with or during any subsequent income year some procedure other than that specified in (2) of Paragraph (A) in inventorying (for ascertaining income, profit, or loss, for credit purposes, or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries) the goods specified in the application, and requires a change to a method different from that prescribed in Paragraph (A) beginning with such subsequent income year or any income year thereafter. In either of the above cases, the change to, and the use of, the different method shall be in accordance with such regulations as the commissioner may prescribe as necessary in order that the use of such method may clearly reflect income."

Amendment No. 17

On page 23 of the printed bill, strike out all of line 9 after the period, and strike out all of lines 10 to 16, inclusive.

Amendment No. 18

On page 30, line 39, of the printed bill, after "receipt", and before "of", insert "after January 1, 1928, at a time when it was subject to a tax under this act measured by income,".

Amendment No. 19

On page 31, line 6, of the printed bill, after "1937", and before the comma, insert "(except as provided in Subparagraph (B))".

Amendment No. 20

On page 33, line 45, of the printed bill, strike out the period, and insert "; and further provided that interest on the deficiency assessment provided for in Section 4a of this act shall run only from the fifteenth day following the mailing of the first notice to established banks and financial corporations of the commissioner's determination of the bank rate for the year involved."

Amendment No. 21

On page 35 of the printed bill, strike out all of line 13, following the period, and strike out all of lines 14 to 16, inclusive.

Amendment No. 22

On page 38, line 28, of the printed bill, strike out "refunded", and substitute "refundable"; and in line 46, strike out the period, and insert ", or unless before the expiration of such period the commissioner has certified the overpayment to the State Board of Control for approval of the refunding or the crediting thereof."

Amendment No. 23

On page 39, line 35, of the printed bill, strike out "at any time"; in line 47, strike out "In the"; and in line 48, start a new paragraph with "In the".

Amendment No. 24

On page 40 of the printed bill, between lines 2 and 3, insert

"SEC. 18.1. Section 28 of the Bank and Corporation Franchise Tax Act is hereby amended to read as follows:

Sec. 28. [In the event that fraud or evasion on the part of a taxpayer is discovered by the commissioner, he shall have the power and it shall be his duty to determine the extent to which the State has been defrauded and to compute and charge against the taxpayer a tax in that amount which shall be immediately due and payable.] *If any taxpayer files a false or fraudulent return, or fails or neglects to file a return, with intent to evade tax, the commissioner, at any time, may require a return, or a supplementary return, under oath, or may make an estimate of the net income from any available information, and may compute and levy the amount of tax, interest and penalties due under this act. All the provisions of this act (not in conflict herewith) relative to delinquent taxes shall be applicable to the tax, interest and penalties computed hereunder. A proceeding in court for the collection of the tax, interest and penalties herein provided for may be begun without assessment at any time."*

Amendment No. 25

On page 40, line 5, of the printed bill, between "act" and "shall", insert "and disclosed on the return".

Amendment No. 26

On page 40, line 15, of the printed bill, after the period, insert

"The taxes imposed by this act and determined pursuant to Sections 16 or 25 shall constitute a lien upon all real property of the taxpayer located in any county

in which there is filed for record in the office of the county recorder a certificate executed by the commissioner stating that payments of a tax determined under the provisions of Sections 16 or 25 of this act has been demanded and has not been paid and specifying the amount thereof and the name of the taxpayer, and such lien shall attach at the time the certificate is recorded and shall have the same force, effect and priority as a judgment lien."

Amendment No. 27

On page 41, line 35, of the printed bill, strike out "two copies", and insert "a copy"; in line 37, after the period and before "At", insert "A second copy of the complaint and summons must be furnished to the commissioner, but this requirement shall not be considered jurisdictional"

Amendment No. 28

On page 42, line 41, of the printed bill, after "corporation" and before "its", insert "the right to exercise"; and after "privileges" and before "shall", insert "in this State"; in line 42, strike out everything after the first "be", and strike out all of line 43, and insert "forfeited.".

Amendment No. 29

On page 44, line 7, of the printed bill, strike out "Subsection (a) of"; in line 9, strike out "this section" and insert "subsection (a)"; in line 13, strike out "franchise"; and in line 25, after the period, insert

"The information furnished or secured pursuant to this subsection shall be used solely for the purposes of administering the tax acts administered by the person or agency obtaining it, and unwarranted disclosures or uses of such information by such person or agency, or the employees or officers thereof, shall be subject to the penalty provisions of this section."

Amendments read and adopted

Bill ordered printed, and engrossed.

Assembly Bill No. 809—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18 1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Corporations:

Amendment No. 1

On page 2 of the printed bill, strike out all of line 30 following the period; strike out all of lines 31 to 36, inclusive, and insert "In the event that taxes, interest and penalties have been or shall be assessed against, paid by or collected from a corporation under this act, which assessment, payment or collection should have been made under the Bank and Corporation Franchise Tax Act, such taxes, interest and penalties shall be considered as having been assessed, paid or collected under the Bank and Corporation Franchise Tax Act as of the date or dates they were made."

Amendment No. 2

On page 6, between lines 11 and 12, of the printed bill, insert

"For the purposes of this subdivision, the words "law applicable to the year" shall be deemed to refer to this act or the United States Revenue Act in force for the year in which the sale or other disposition was made"

Amendment No. 3

On page 7, line 28, of the printed bill, strike out "defense income"; strike out all of line 29; in line 30, strike out "1940", and insert "taxes imposed as an addition to, or as a percentage of taxes which are not deductible under this subsection".

Amendment No. 4

On page 9, line 6, of the printed bill, strike out "Subsections (f) and (i) of".

Amendment No. 5

On page 10 of the printed bill, strike out all of lines 47 to 52, after the "(h)", and insert "Dividends received from a bank or corporation during a taxable year from earnings or profits derived from sources within this State; and in the case of

dividends received during a taxable year from a bank or corporation deriving earnings or profits from sources within and without the State, so much of such dividends as the amount of net income (computed under this act or the Bank and Corporation Franchise Tax Act without taking into account the deduction allowed for dividends) derived from sources within this State, bears to total net income (computed under this act or the Bank and Corporation Franchise Tax Act without taking into account the deduction allowed for dividends) of the bank or corporation for the year or years out of the earnings or profits of which such dividends were declared. The burden shall be on the taxpayer to show that the amount of dividends claimed as a deduction has been received from earnings or profits derived from sources within this State.

The provisions of this subsection shall not apply to dividends received from a bank or corporation not taxable under Article XIII of the Constitution of this State."

Amendment No. 6

On page 12, line 13, of the printed bill, strike out the letter "l", and insert "1" (one).

Amendment No. 7

On page 13, line 11, of the printed bill, after "person", insert "or corporation"; and in line 20, strike out everything after the first "of", and insert "more than 50 per centum in value of the outstanding stock."

Amendment No. 8

On page 14 of the printed bill, strike out all of line 36 following the period, and strike out all of lines 37 to 43, inclusive.

Amendment No. 9

On page 22, line 30, of the printed bill, after "1937" and before the comma, insert "except as provided in subparagraph (B))"

Amendment No. 10

On page 23, line 34, of the printed bill, strike out "substitutive", and insert "substituted".

Amendment No. 11

On page 27 of the printed bill, strike out all of line 43 following the period, and strike out all of lines 44 to 46, inclusive.

Amendment No. 12

On page 29, line 48, of the printed bill, strike out the period following "payer", and insert ", or unless before the expiration of such period the commissioner has certified the overpayment to the State Board of Control for approval of the refunding or the crediting thereof."

Amendment No. 13

On page 30, line 37, of the printed bill, strike out "at any time".

Amendment No. 14

On page 31, line 17, of the printed bill, strike out "which shall be immediately payable".

Amendment No. 15

On page 32, line 6, of the printed bill, after "act" and before "shall", insert "and disclosed on the return".

Amendment No. 16

On page 32, line 9, of the printed bill, strike out the period, and insert "; provided that taxes imposed by this act and determined pursuant to the provisions of Sections 18(a), 19 or 21 shall constitute a lien on all real property of the taxpayer located in any county in which there is filed for records in the office of the county recorder a certificate executed by the commissioner stating that payment of a tax determined under the provisions of Sections 18(a), 19 or 21 of this act has been demanded and has not been paid, and specifying the amount thereof and the name of the taxpayer, and such lien shall attach at the time the certificate is recorded and shall have the same force, effect and priority as a judgment lien."

Amendment No. 17

On page 33, line 14, of the printed bill, strike out "two copies", and insert "a copy"; in line 16, after the period and before "At", insert "A second copy of the complaint and summons must be furnished to the commissioner, but this requirement shall not be considered jurisdictional."

Amendment No. 18

On page 35, line 39, of the printed bill, strike out all of that line following "(e)"; strike out all of lines 40 to 50, inclusive; and strike out all of line 51 before "the", and insert "If any tax, or any portion thereof, together with penalties, and interest thereon, which is due and payable either at the time the return is required to be filed on or before the fifteenth day of the ninth month following the close of the income year, is not paid on or before 6 o'clock p.m. on the last day of the twelfth

month after the close of the income year or if any tax due and payable upon notice and demand from the commissioner, together with penalties and interest thereon, is not paid on or before 6 o'clock p.m. on the last day of the eleventh month following the due date of such tax, except in case of jeopardy or fraud assessments, in which case, if such tax, interest and penalties are not paid within 40 days from the date such tax, penalties and interest are due and payable (unless the bond required by this act is filed to stay the collection of such tax, penalties and interest and such tax, interest and penalties are paid within 60 days after notice by the commissioner on taxpayer's petition for reassessment),".

Amendment No. 19

On page 37, line 16, of the printed bill, strike out "refunded", and insert "refundable".

Amendment No. 20

On page 38, line 8, of the printed bill, strike out "this section", and insert "Subsection (a)"; in line 12, strike out "franchise"; and in line 25, after the period, insert "The information furnished or secured pursuant to this subsection shall be used solely for the purposes of administering the tax acts administered by the person or agency obtaining it, and unwarranted disclosures or uses of such information by such person or agency, or the employees or officers thereof, shall be subject to the penalty provisions of this section."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Reapportionment:

Amendment No. 1

On page 38, line 32, of the printed bill, after "Sierra," insert "Inyo, Mono,".

Amendment No. 2

On page 39, lines 42 and 43, of the printed bill, strike out "all of the County of Inyo and all of the County of Mono,".

Amendment No. 3

On page 38 of the printed bill, strike out line 29, and insert "Sonoma, Marin, Lake, Colusa, Glenn, Sutter, Yuba, and Butte".

Amendment No. 4

On page 38, line 32, of the printed bill, strike out "Butte, Sutter", and insert "Tehama".

Amendment No. 5

On page 38, line 33, of the printed bill, strike out "Yuba,".

Amendment No. 6

On page 38, line 35, of the printed bill, after "San Joaquin", insert ", Napa, Yolo".

Amendment No. 7

On page 37 of the printed bill, strike out line 48, and insert "which was, on January 1, 1941, included within the boundaries of the following judicial townships: Chino, Ontario, Upland, Cucamonga, San Bernardino, and Etiwanda, saving and excepting the following described territory from Etiwanda Judicial Township:

Beginning at the intersection of the center line of San Bernardino Avenue with the center line of Mulberry Avenue, as said avenues are shown on Map of Tract No. 2102, recorded in Map Book 31, pages 11 to 15, inclusive, Records of San Bernardino County, State of California; thence southerly along the center line of said Mulberry Avenue to its intersection with the northerly line of the right of way of The Atchison, Topeka & Santa Fe Railway; thence westerly along said northerly right of way line of said railway to its intersection with the center line of Etiwanda Avenue; thence northerly along the center line of said Etiwanda

Avenue to its intersection with the center line of Arrow Highway, sometimes known as Perris Avenue, as shown on said map; thence east along the center line of said Arrow Highway to its intersection with the center line of Hickory Avenue, as shown on said map; thence northerly along the center line of said Hickory Avenue to its intersection with the center line of San Bernardino Avenue, as shown on said map; thence easterly along the center line of said San Bernardino Avenue to its intersection with the center line of Mulberry Avenue, the place of beginning,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2250—An act to add Section 7100.5 to the Health and Safety Code, relating to dead human bodies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7100.5", and insert "7056".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "7100.5", and insert "7056".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 and 4, and insert "7056. All dead human bodies shall be embalmed within 90 hours after death, except when in the lawful custody of a public officer."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 4, line 24, of the printed bill, as amended, strike out the quotation marks after "lethal", and insert "chemicals" ".

Amendment No. 2

On page 5, line 30, of the printed bill, as amended, after "board", insert ", providing the members remaining constitute a quorum".

Amendment No. 3

On page 6, line 43, of the printed bill, as amended, after the period, insert "Provided, however, that no information concerning the revocation or suspension of a license shall be disseminated until such suspension or revocation has been adjudicated by the courts or the time for appeal from said order of revocation has expired."

Amendment No. 4

On page 6 of the printed bill, as amended, strike out line 46, and insert "administer oaths".

Amendment No. 5

On page 7, line 24, of the printed bill, as amended, after "person", insert "to do pest control work for hire,".

Amendment No. 6

On page 8, line 7, of the printed bill, as amended, strike out "or", and insert "and".

Amendment No. 7

On page 8 of the printed bill, as amended, strike out lines 35 to 40, inclusive.

Amendment No. 8

On page 8, line 51, of the printed bill, as amended, strike out "either", and insert "an".

Amendment No. 9

On page 9, line 5, of the printed bill, as amended, strike out "either", and insert "an".

Amendment No. 10

On page 11, line 44, of the printed bill, as amended, after 'thereof", insert ", or any other officer designated by said corporation,".

Amendment No. 11

On page 11, line 45, of the printed bill, as amended, after "corporation', insert a comma

Amendment No. 12

On page 13, line 3, of the printed bill, as amended, strike out the comma after "solicitor", and insert "shall register as such with the said board prior to the first day of October, 1941, and".

Amendment No. 13

On page 13, line 4, of the printed bill, as amended, strike out "described', and insert "prescribed".

Amendment No. 14

On page 16, line 43, of the printed bill, as amended, strike out "automatically".

Amendment No. 15

On page 16, line 45, of the printed bill, as amended, strike out the period, and insert ", providing that no violation of any of the provisions of this chapter on the part of any licensee thereunder shall cause the revocation or suspension of the license of the employer of said licensee, whether such employer be an operator, copartnership or corporation, unless it shall appear upon a hearing to be had in accordance with the provisions of this chapter, that said employer, operator, copartnership or corporation had guilty knowledge of such violation "

Amendment No. 16

On page 18 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert

"In any investigation, proceeding or hearing which the board is empowered to institute, conduct or hold, the board, or any subordinate authorized by it to conduct any such investigation, proceeding, or hearing, may administer oaths, certify to official acts, issue subpenas for the attendance of witnesses and the production of books, papers, or records."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1346—An act to amend Sections 1.01, 8.01 and 12.10 of, and to add Sections 3.06, 8.12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations, articles, investments, certificates, voting rights and membership therein, and notices thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1 01, 8 01", and insert "5 02"

Amendment No. 2

In line 2 of the title of the printed bill, strike out ", 8 12 and 12 08", and insert "and 8.12".

Amendment No. 3

Strike out lines 4 and 5 of the title of the printed bill, and insert "investments, and certificates."

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 47, inclusive; and in line 48, strike out "Sec. 2", and insert "SECTION 1."

Amendment No. 5

On page 3, line 4, of the printed bill, strike out the period, and insert "and savings banks."

Amendment No. 6

On page 3, line 10, of the printed bill, strike out the period, and insert "and savings banks."

Amendment No. 7

On page 3 of the printed bill, strike out lines 11 to 31, inclusive, and insert

"SEC. 2. Section 5.02 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5.02. Investment Certificates to Be Legal Investments. All investment certificates issued by any association licensed by and under the direct supervision of the commissioner in accordance with the provisions of this act, shall be legal investments for the funds of executors, administrators, guardians, receivers, and trustees of every kind and nature, and for the funds of all insurance companies *and savings banks*. This section is intended to be, and shall be considered, the latest enactment upon the matters herein contained, and is supplemental to any and all other acts regulating, relating to and declaring what shall be, legal investments for the funds of executors, administrators, guardians, receivers or trustees or for the funds of insurance companies *and savings banks*"

Amendment No. 8

On page 3, line 32, of the printed bill, strike out "4", and insert "3".

Amendment No. 9

On page 3 of the printed bill, strike out lines 44 to 52, inclusive; and on page 4, strike out lines 1 to 38, inclusive.

Amendment No. 10

On page 4, line 39, of the printed bill, strike out "6", and insert "4".

Amendment No. 11

On page 4 of the printed bill, strike out lines 41 to 52, inclusive; and on page 5, strike out lines 1 to 7, inclusive, and insert

"Sec. 12.10. Forms. All associations at least 10 days before issuing any stock, shares or investment certificates and at least 10 days before making any loans evidenced or secured by notes, trust deeds or mortgages, shall file in the office of the commissioner copies of the forms of such instruments to be used; and in the event the commissioner within such period of 10 days shall notify such association in writing that, in his opinion, any such form is unauthorized and shall state the reason or reasons that such form is unauthorized, such association shall not thereafter use such form. Notwithstanding anything to the contrary contained in this section, any form of stock, shares, investment certificate, note, trust deed or mortgage may be used without delay if such form has been approved by the commissioner. All notes shall express the rate of interest to be paid thereon. No violation of any of the provisions of this section shall render invalid any stock, shares, investment certificate, note, trust deed or mortgage."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 2100—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of unpaid or unclaimed dividends of liquidated building and loan associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations:

Amendment No. 1

In line 3 of the title of the printed bill, after "of", insert "records and of".

Amendment No. 2

On page 1, line 3, of the printed bill, after "dividends", insert "and of records".

Amendment No. 3

On page 1, line 7, of the printed bill, after "claim", insert ", or the claim of any investor shown by the books of the association to exist in his favor against the association,".

Amendment No. 4

On page 1, line 9, of the printed bill, strike out "can not be found or because the claimant", and insert "or investor can not be found or because the claimant or investor".

Amendment No. 5

On page 1 of the printed bill, strike out lines 12, 13, 14 and 15, and insert "amount of the claim, or the balance thereof, to which such claimant or investor is entitled, and shall direct the commissioner to deposit that amount with a bank."

Amendment No. 6

On page 1 of the printed bill, after line 24, insert

"The order of the court also shall provide that the commissioner shall give 90 days notice to the stockholders, if any, and if within said 90-day period no request is made for the records of the association as provided in Section 13.16 of this act, may destroy any books or records of the association or pertaining to the liquidation of the association."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations:

Amendment No. 1

Strike out the entire title of the printed bill, and insert

"An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16b, relating to building and loan associations when the commissioner shall be in possession and whether or not he shall be liquid-

ating their affairs; relating to the rehabilitation, readjustment or reorganization of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16b, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 3, both inclusive, and insert "SECTION 1. The act cited in the title hereof is hereby amended by adding thereto a new section to be numbered 13.16b, to read as follows.:".

Amendment No. 3

On page 1 of the printed bill, strike out lines 5 to 9, both inclusive; and on page 2, strike out lines 1 to 21, both inclusive, and insert

"Sec. 13.16b. When the commissioner shall be in possession of the property, business and assets of an association pursuant to the provisions of Section 13.11 of this act, regardless of whether or not he shall be liquidating its affairs and regardless of whether or not liquidation shall have been ordered, a plan of reorganization of such association may be proposed (1) by such association through action of the board of directors of such association or (2) by the holders of 20 per cent in value of the aggregate outstanding free shares and investment certificates of such association."

Amendment No. 4

On page 2 of the printed bill, strike out lines 22 to 31, both inclusive, and insert "A. *Definitions of "plan" and "creditor."* The terms "plan" and "plan of reorganization" as used in this Section 13.16b are hereby defined to mean a plan for the rehabilitation, readjustment or reorganization, consolidation or merger of such association, or of all or of any part of the business, properties and assets of such association, or for the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association, or for any one or more of the foregoing pur-".

Amendment No. 5

On page 2, line 34, of the printed bill, strike out "or associations".

Amendment No. 6

On page 2, line 37, of the printed bill, strike out "or any of such associations".

Amendment No. 7

On page 2, line 46, of the printed bill, strike out "Section 17.08", and insert "Subsection G of this Section 13.16b".

Amendment No. 8

On page 2, line 48, of the printed bill, strike out "or associations".

Amendment No. 9

On page 2, line 49, of the printed bill, strike out "or one", and in line 50, strike out "or more of such associations".

Amendment No. 10

On page 3, line 6, of the printed bill, strike out "Article 17", and insert "Section 13.16b".

Amendment No. 11

On page 3, line 16, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 12

On page 3 of the printed bill, strike out lines 21 to 35, both inclusive, and insert "B. *Procedure.* Such plan shall be presented by the proposer or proposers to the superior court of the county in which such association maintained its principal office, with a petition that the court determine the fairness of such plan and that there are obtained the approvals requisite to such plan becoming operative, which petition shall set forth such plan and the fact that it is proposed by a person or persons authorized under this Section 13.16b to propose it and any other facts which".

Amendment No. 13

On page 3, line 43, of the printed bill, strike out "such"; and strike out lines 44 to 49, both inclusive, and insert "the commissioner to deliver to such proposer or proposers a list of the".

Amendment No. 14

On page 4 of the printed bill, strike out lines 1 to 21, both inclusive; and in line 22, strike out "extend such period", and insert 'association as shown by the records of such association, and such other information as the court may deem necessary or proper, whereupon the commissioner shall comply with such direction. Thereafter the proposer or proposers of such plan, not less than 30 days before the date fixed for such hearing, shall mail or cause to be mailed to each of the investors and creditors of such association (and to such association, if not the proposer or proposers of such plan) a notice of the time and place fixed by the court for such hearing and either a copy of such plan or a summary thereof, and a statement that all persons affected by such plan shall file with the court (or with a person or corporation approved by the court and named in such notice) either their consents or their dissents to such a plan, within such period (which shall not be less than 30 days from the date of such mailing) as the court shall have prescribed. The court may from time to time extend such period. The forms of such notice and statement, and if the plan is summarized, of the summary thereof, shall be approved by the court."

Amendment No. 15

On page 4 of the printed bill, strike out line 35, and insert "C. *Hearing* At the time and place fixed for such"

Amendment No. 16

On page 5 of the printed bill, strike out lines 12 to 26, both inclusive, and insert "association shall have stock outstanding, then by the holders of a majority in amount of the stock of such association, (b) if such association shall have shares outstanding, then by the holders of a majority in value of the shares of such association; (c) if such association shall have investment certificates outstanding, then by the holders of two-thirds in value of the investment certificates of such association; and (d) if such association shall have creditors, then by two-thirds in amount of each class of creditors of such association, provided, how-".

Amendment No. 17

On page 6, line 7, of the printed bill, strike out "Section 17.03", and insert "Subsection B of this Section 13.16b".

Amendment No. 18

On page 6 of the printed bill, strike out lines 10 to 24, both inclusive, and insert "by the court, pursuant to said Subsection B of this Section 13.16b, for filing consents or dissents having expired, and said statement having included the statement that persons who shall not file dissents to the plan within the period fixed by the court shall be deemed to have consented to the plan, (1) the holders of less than one-third in value of the investment certificates of such association having investment certificates outstanding shall have filed dissents to the plan and also (2) actual consents to the plan shall have been filed by or on behalf of the holders of a majority in value of the investment certificates of such association. For the purpose of this Section 13.16b, real property, contracts for the sale of real property, loans, and all other assets (whether like or unlike the foregoing) shall be valued at what may reasonably be expected to be realized therefrom in the orderly and proper conduct of a going business and under normal conditions. The consents required by this Subsection C may".

Amendment No. 19

On page 6 of the printed bill, strike out lines 34 to 37, both inclusive, and insert "have been given, a further order may be entered ex parte providing that such plan shall become operative, which further order shall be binding upon the commissioner, such association, and all its investors and creditors."

Amendment No. 20

On page 6 of the printed bill, strike out line 38, and insert

'During the pendency of a proceeding under this Section 13.16b hearing upon any application under Section 13.12 shall be stayed; and the court in which the petition under this Section 13.16b is pending is".

Amendment No. 21

On page 6, line 42 of the printed bill strike out "or associations'

Amendment No. 22

On page 6 of the printed bill, strike out lines 45 to 50, both inclusive, and insert 'formity with such plan), any property of such association, and to determine all questions required to be determined pursuant to this Section 13.16b including, *without limiting the generality of the foregoing*, the following Whether".

Amendment No. 23

On page 7 of the printed bill, strike out lines 5, 6 and 7, and in line 8, strike out "article", and insert "exchange of securities thereunder are fair and if so to approve or disapprove such terms and conditions, the liabilities of such association; the approvals requisite under this Section 13.16b".

Amendment No. 24

On page 7, line 15, of the printed bill, strike out "or associations"

Amendment No. 25

On page 7, line 29, of the printed bill, strike out "act", and insert "section".

Amendment No. 26

On page 7, line 38, of the printed bill, strike out "act", and insert "section".

Amendment No. 27

On page 7, line 42, of the printed bill, strike out "act", and insert "section No plan which provides for the issuance of securities to holders of stock shall be approved by the court unless such securities contain express provision that no interest, dividends or other distribution shall be paid or made thereon unless and until all securities issued in exchange for claims of investment certificate holders, claims of unsecured creditors and claims of shareholders, if any, have been retired."

Amendment No. 28

On page 7, line 49, of the printed bill, strike out "section", and insert "Subsection C".

Amendment No. 29

On page 8, line 4, of the printed bill, insert a period after "attorneys"; and in line 4, strike out "in the interest of the proceedings under this"; and in line 5, strike out "article".

Amendment No. 30

On page 8, line 9, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 31

On page 8 of the printed bill, strike out line 11, and insert "D. *Commissioner* The proposer or proposers of".

Amendment No. 32

On page 8, line 14, of the printed bill, strike out "Section 17.03", and insert "Subsection B of this Section 13.16b".

Amendment No. 33

On page 8, line 18, of the printed bill, strike out "or"; and in line 19 strike out "associations".

Amendment No. 34

On page 8, line 25, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 35

On page 8 of the printed bill, strike out lines 34 to 37, both inclusive, and insert "file any petition for appeal or review. There shall be paid by the association directly affected by a proposed plan, or from the assets of such association, the expenses of the commissioner under this Section 13.16b for any or".

Amendment No. 36

On page 8 of the printed bill, strike out lines 42 and 43, and insert "respect to any plan or plans proposed under this Section 13.16b; provided such expenses shall be approved by the court as".

Amendment No. 37

On page 8, line 45, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 38

On page 8, line 48, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 39

On page 8, line 50, of the printed bill, strike out "or associations".

Amendment No. 40

On page 9 of the printed bill, strike out lines 1 to 10, both inclusive, and insert "associations so affected, counsel other than the Attorney General or one or more of his deputies, or any appraisers or accountants other than appraisers or accountants who are subject to the Civil Service Laws of this State, nor employ, with respect to any such association, its business, property or assets, as additional employees in this State or to replace previous employees in this State, any person who is not subject

to the Civil Service Laws of this State for any position or work for which a person subject to the Civil Service Laws of this State is available, except that if the association has entered into an agreement with a labor organization for the employing of any class of employees through the labor organization, then the commissioner shall employ additional employees, or employees replacing previous employees, who fall within a classification covered by such an agreement through the labor organization."

Amendment No. 41

On page 9 of the printed bill, strike out line 11, and insert "E. *Effect of Approval and Consents.* When any".

Amendment No. 42

On page 9, line 12, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 43

On page 9, line 16, of the printed bill, strike out "or associations".

Amendment No. 44

On page 9 of the printed bill, strike out "or associations", and "or asso-" in line 17; and in line 18, strike out "ciations".

Amendment No. 45

On page 9, line 24, of the printed bill, strike out "or associations".

Amendment No. 46

On page 9, line 29, of the printed bill, strike out "or associations".

Amendment No. 47

On page 9 of the printed bill, strike out lines 30 and 31, and insert "son as the court shall appoint, shall supervise and direct the consummation of the plan subject to the orders of the court."

Amendment No. 48

On page 10 of the printed bill, strike out line 3, and insert "F *Appeals.* No appeal from an order of the".

Amendment No. 49

On page 10, line 17, of the printed bill, strike out "section", and insert "Subsection F".

Amendment No. 50

On page 10, line 20, of the printed bill, strike out "article", and insert "Section 13 16".

Amendment No. 51

On page 10 of the printed bill, strike out line 21, and insert "G. *Securities Issued Under Plan.* The terms".

Amendment No. 52

On page 10, line 22, of the printed bill, strike out "article", and insert "Section 13 16b".

Amendment No. 53

On page 10, line 30, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 54

On page 10, line 35, of the printed bill, strike out "article", and insert "Section 13.16b".

Amendment No. 55

On page 10 of the printed bill, strike out lines 36 to 39, both inclusive, and insert "tion, except that brokers, as defined in the Corporate Securities Act, shall be subject to the provisions of that act with respect to all transactions involving such securities. None of the provisions of an act entitled "An act requiring individuals," ".

Amendment No. 56

On page 10 of the printed bill, strike out lines 48 to 51, both inclusive, and insert "violation thereof" approved July 1, 1937, shall apply to the proposer or proposers of a plan which has been duly presented to the court pursuant to this Section 13 16b. H. *Authority of Fiduciaries.* Any executor,".

Amendment No. 57

On page 11, line 5, of the printed bill, strike out "Section 17 04", and insert "Subsection C of this Section 13.16b".

Amendment No. 58

On page 11, line 9, of the printed bill, strike out "may".

Amendment No. 59

On page 11 of the printed bill, strike out lines 12 to 41, both inclusive, and insert "SEC. 2. The Legislature hereby declares that this act is enacted in the exercise of the police powers of this State, for the following reasons: Approximately two hundred million dollars ($200,000,000) is invested in building and loan associations in this State and such investments are held by several hundred thousand people, a large percentage of whom are persons of only moderate means and many of whom are executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations. Many of the funds of such associations were invested in long-term loans secured by real property. By reason of the recent depression, with resulting widespread unemployment and decline in rental and sales values, many borrowers from such associations were unable to meet their obligations to such associations. By reason of defaults of such borrowers, many associations have suffered heavy losses, both in income and in net worth. In the absence of this act liquidation of assets of a value of many millions of dollars would be necessary. Such liquidation would impose severe hardships not only upon the borrowers and investors but also upon the public generally, by causing a marked decline in real estate values and a marked increase in tax delinquencies."

Amendment No. 60

On page 11 of the printed bill, strike out lines 42 to 51, both inclusive; and on page 12, strike out lines 1 to 13, both inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1399—An act to add Section 4.5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof and the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "such portion", and insert "not more than one third".

Amendment No. 2

On page 1, line 5, of the printed bill, after "for", insert "group life".

Amendment No. 3

On page 1, line 8, of the printed bill, after the period, insert "where the employer pays any portion of such life insurance premiums any dividends arising out of such insurance shall be the property of the employer".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, after "secured", insert ", plus the amount of the liens of any public bond, assessment, or tax upon the property loaned upon,".

Amendment No. 2

On page 1, line 16, of the printed bill, after the comma, insert "plus the amount of the lien of any public bond, assessment, or tax upon the property loaned upon,".

Amendment No. 3

On page 1 of the printed bill, strike out line 22, and insert "the lien of any public bond, assessment or tax, when no installment, call or payment of or under such bond, assessment, or tax is delinquent, (b) outstand-".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "5.5," and strike out lines 2 and 3 of said title, and insert "4, comprising Sections 11610 to 11613, inclusive to Chapter 1, Part 3, Division 2, of the Insurance Code,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert "SECTION 1 Article 4, comprising Sections 11610 to 11613, inclusive, is hereby added to Chapter 1, Part 3, Division 2, of the Insurance Code,"

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, strike out "5.5", and insert "4".

Amendment No. 4

On page 1, line 9, of the printed bill, as amended, strike out "770.", and insert "11610. As used in this article, "insurer" includes reciprocal or interinsurance exchanges.

As used in this article, "group" does not include a classification which is of general application.

11611."

Amendment No. 5

On page 2, line 1, of the printed bill, as amended, strike out "section", and insert "article".

Amendment No. 6

On page 2, line 3, of the printed bill, as amended, before "The", insert

"11612. The commissioner shall not pursuant to this article require any general filing in his office of the rate schedules, classifications, and rules applicable thereto, but each insurer subject to this article shall maintain on file in its principal place of business in this State a complete file of its rate schedules, classifications, and rules applicable thereto, in respect to insurance subject to this article

11613."

Amendment No. 7

On page 2, line 5, of the printed bill, as amended, strike out "section This section", and insert "article. This article".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 24—An act to amend Section 12902 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, strike out "as a policyholder", and insert "(a) as a policyholder, or, (b) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee".

Amendment read and adopted.

Bill ordered printed, and to third reading

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to establish an Emergency Reserve Fund in the State Treasury and to declare the purposes for which said fund is intended.

Respectfully submitted

T. A. MALONEY

Request referred to Committee on Introduction of Bills.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 555 WAIVED

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No 555 was passed.

Assembly Bill No. 555 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1753 WAIVED

Mr. Cronin waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1753 was passed.

Assembly Bill No 1753 ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received, read, and filed with the Secretary of State:

Report of the State Council of Education Planning and Coordination of the Legislature of the State of California

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2583

Mr Heisinger moved that Assembly Bill No. 2583 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Roads and Highways.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion lost

The names of the absentees were called and the motion to withdraw and re-refer Assembly Bill No. 2583 lost by the following vote:

AYES—Burkhalter, Burns, Hugh M., Cain, Collins, Sam L., Cooke, Cronin, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Kil-

patrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, O'Day, Poole, Robertson, Russell, Thurman, and Weber—27

NOES—Bashore, Bennett, Call, Carlson, Clarke, Crowley, Daley, Desmond, Dickey, Dills, Doyle, Hastain, Houser, Frederick F., Johnson, Kellems, Knight, John B., Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Sheridan, Tenney, Thomas, Thorp, Waters, Welch, Weybret, and Wollenberg—32

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1705

Mr. Weber moved that Assembly Bill No. 1705 be withdrawn from the file, and re-referred to the Committee on Judiciary General.

Motion carried.

RECONSIDERATION OF ASSEMBLY BILL NO. 2343

In compliance with a notice given on a previous day, Mr. Evans moved that the vote whereby Assembly Bill No. 2343 was passed be reconsidered.

Assembly Bill No. 2343 refused reconsideration by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, Sam L., Cooke, Dills, Donnelly, Evans, Gaffney, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thurman, Waters, Watson, Welch, and Weybret—35.

NOES—Allen, Burns, Hugh M., Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Field, Gallagher, Hastain, Johnson, Kepple, Maloney, McCollister, Middough, Millington, O'Day, Pfaff, Potter, Sheridan, Stream, Thomas, Thorp, Turner, Wollenberg, and Mr. Speaker—30.

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Assembly Constitutional Amendment No. 14 was withdrawn from the Committee on Constitutional Amendments and re-referred to the Committee on Public Morals be reconsidered

Reconsideration granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63

NOES—None.

RECESS

At 2.22 p.m., by order of the Speaker, the Assembly recessed until 2.27 p.m., to hear from Hon. Angelo J. Rossi, Mayor of San Francisco, and John J. O'Toole, Attorney for the City and County of San Francisco.

REASSEMBLED

At 2.27 p.m., the Assembly reconvened.

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 410 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Donnelly moved that Assembly Bill No. 410 be withdrawn from the Committee on Rules, and be placed upon the file.

Motion to Lay on the Table

Mr. Lyon moved that the motion by Mr. Donnelly to withdraw Assembly Bill No. 410 from committee be laid on the table.

Motion carried.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Assembly Bill No. 375 was taken up.

Assembly Bill No. 375—An act to add Section 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors.

Bill read third time.

Speaker Pro Tempore Presiding

At 2.39 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Hon. Melvyn I. Cronin Presiding

At 3.45 p.m., Hon. Melvyn I. Cronin, member of the Assembly from the Twenty-fifth District, presiding.

Bill read third time.

Speaker Pro Tempore Presiding

At 4.20 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Demand for Previous Question

Messrs Heisinger, McCollister, Pfaff, Lyon and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 375.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

Motion carried. Time, 4.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Commerce and Navigation, to which were referred:

Assembly Bill No. 1186
Senate Bill No. 297

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bills ordered to second reading.

Committee on Oil Industries

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER. Your Committee on Oil Industries, to which was referred.

Assembly Bill No 2483

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred.

Assembly Bill No. 83

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

MALONEY, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1469

And reports the same correctly re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1464

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No 780

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 2271

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

WEYBRET Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1467

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER. Your Committee on Exhibitions and Fairs, to which was referred

Assembly Bill No. 1465

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEONARD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER. Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No 1693

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

LEONARD, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER. Your Committee on Public Health and Quarantine, to which were referred.

Assembly Bill No. 1122
Assembly Bill No. 1071
Assembly Bill No 1073

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which were referred:

Senate Bill No. 619
Senate Bill No. 318

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

POULSON, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred·

Assembly Bill No. 1054
Assembly Bill No. 2374
Assembly Bill No 2404

Has had the same under consideration, and reports the same back with the recommendation. Do pass

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER. Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1268
Assembly Bill No. 2128
Assembly Bill No. 1282

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER. Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 690

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No 2326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 27: By Messrs. Howser, F. N., and Middough—Relative to approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1941.

Request for Unanimous Consent

Mr. F. N. Howser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 27, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 27

Assembly Concurrent Resolution No. 27—Relative to approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie,

Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 28: By Messrs. Doyle, Call and Kellems—Relative to the establishment of a memorial to the veterans of the United States who participated in the campaigns of the Union Army in the Civil War.

Referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 29: By Messrs. Kellems, Doyle, Allen and Cooke—Relative to veterans and educational qualifications in the State civil service.

Referred to Committee on Federal Relations.

RESOLUTIONS

The following resolution was offered:

By Mr. Dills:

House Resolution No. 118

WHEREAS, The first day of April is also the birthday of one of our most popular and entertaining members, who devotes part of his legislative efforts to harassing the radicals, and part to protecting the interests of the musicians of the State; and

WHEREAS, The genial Jack Tenney was an April fool baby but has developed into a Legislator who engages in no fooling when it comes to his legislative hobbies; and

WHEREAS, The members of this Assembly have frequently been pleasantly entertained by the music of its most distinguished composer, and have appreciated their opportunities and his courtesies in that respect; now, therefore, be it

Resolved by the Assembly, That the members of the Assembly hereby wish the Honorable Jack B. Tenney a very happy birthday and express a hope that he has many more of them; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Jack B. Tenney by the Chief Clerk of the Assembly.

Request for Unanimous Consent

Mr. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 118, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Joint Resolution No. 14—Relative to memorializing Congress to allocate funds in surplus marketing budget for 1942 to California Fruit Growers because of loss of normal export markets due to the war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie,

Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 375

At 4 27 p m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 375 passed by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Leonard, Lyon, McCollister, Middough, Millington, Pfaff, Phillips, Potter, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—42.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Cronin, Crowley, Dills, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Meehan, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Thomas, Voigt, and Wollenberg—33.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 18 FROM COMMITTEE CONTINUED

The notice of Mr. Thomas that on Tuesday, April 1, 1941, he would move to withdraw Assembly Bill No 18 from the Committee on Commerce and Navigation, and have it placed upon the file, was continued until April 3, 1941.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Bill read third time.

Motion to Amend

Mr. Pfaff moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 24, of the printed bill, as amended, strike out "The", and insert "If the applicant is not a citizen of the United States, the".

Amendment read and adopted

Bill ordered reprinted, and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 850

Mr. Leonard moved that Assembly Bill No. 850 be withdrawn from the Committee on Municipal Corporations, and re-referred to the Committee on Revenue and Taxation.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day,

Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3, to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service

Bill read second time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 37—Relative to memorializing Congress to designate December 15, 1941, as Bill of Rights Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO ADJOURN

At 4:58 p.m., Mr. Lyon moved that the Assembly do now adjourn until the hour of 2 p.m., Wednesday, April 2, 1941.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Call, Carlson, Collins, Sam L., Cronin, Desmond, Dickey, Dills, Dilworth, Field, Kellems, Leonard, Lyon, Middough, Millington, Phillips, Potter, Sheridan, Tenney, Thurman, Turner, Vogt, Weber, Welch, Weybret, and Wollenberg—26

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Cooke, Crowley, Donnelly, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, and Waters—36.

Motion to Expunge Record and Rescind Action

Mr. Cain moved to expunge the record and rescind the action whereby the motion to lay the motion to withdraw Assembly Bill No. 410 from the Committee on Rules was laid on the table.

Mr. Lyon moved that the motion by Mr. Cain be laid on the table.

Roll Call Demanded

Messrs. Heisinger, Howser, F. N., Cain and Lowrey demanded a roll call.

The question being on the motion by Mr. Lyon to lay the motion by Mr. Cain on the table.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 5 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2142

Mr. Johnson moved that Assembly Bill No. 2142 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on County Government.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED) (OUT OF ORDER)

Assembly Joint Resolution No. 10—Relative to memorializing the President and the Congress to provide for the submission to the several States for their ratification of an amendment to the United States Constitution to provide for the direct election of the President and Vice President of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—50.

NOES—Allen, Collins, Sam L., Dilworth, Howser, F. N., Knight, John B., Knight, T. Fenton; Pfaff, and Waters—8.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER)

Senate Joint Resolution No. 13—Relative to memorializing the President and Congress to enact legislation proposed by U. S. Senate Bill 710, providing a basis of recovery for claims of California Indians based on early treaty arrangement.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Voigt, Weber, Welch, and Wollenberg—50.

NOES—Collins, Sam L., Howser, F. N., Pfaff, and Waters—4.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Lyon and Bashore:

House Resolution No. 119

WHEREAS, The Assembly has learned with regret of the death of H. L Carnahan; and

WHEREAS, H L. Carnahan has been for many years a distinguished figure in the business and political life of this State, and as Lieutenant Governor, as Corporation Commissioner, as Building and Loan Commissioner and in other positions of trust, distinguished himself by his efficiency and devotion to duty; now, therefore, be it

Resolved, That the Assembly desires to make a lasting record of its regret for the loss that the State has suffered in the death of H. L. Carnahan and of our appreciation of the fact that throughout his public life he demonstrated his ardent support of all progressive and humane laws; and be it further,

Resolved, That the Chief Clerk be instructed to forward to the bereaved widow a properly engrossed copy of this resolution in token of our sympathy in her bereavement; and be it further,

Resolved, That when the Assembly adjourns this day it shall adjourn out of respect to the memory of H. L. Carnahan.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 119, at this time, without reference to committee.

Resolution read and adopted unanimously.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1705

Mr. Weber moved that Assembly Bill No. 1705 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Revenue and Taxation.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 3.90 and 3.101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof.

Respectfully submitted.

CHARLES W LYON

Request referred to Committee on Introduction of Bills

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 58	Assembly Bill No. 1058
Assembly Bill No 159	Assembly Bill No 1174
Assembly Bill No 395	Assembly Bill No. 1220
Assembly Bill No. 631	Assembly Bill No 1474
Assembly Bill No 848	Assembly Bill No 1859
Assembly Bill No 949	Assembly Bill No 2061
Assembly Bill No 951	Assembly Bill No. 2131
Assembly Bill No 952	Assembly Bill No 2568

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON THE MOTION TO LAY ON THE TABLE

At 5:30 p m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to lay the motion to reconsider Assembly Bill No 410 on the table carried by the following vote:

Motion to table motion made by Mr. Cain to expunge record.

AYES—Allen, Bashore, Burkhalter, Call, Carlson, Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Green, Hastain, Howser, F N, Kellems, Knight, John B, Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—45

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Cooke, Cronin, Crowley, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, T. Fenton; Lowrey, Maloney, Meehan, O'Day, Pelletier, Richie, Russell, Salsman, Sheridan, Thomas, and Wollenberg—30.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 885 WAIVED

Mr. Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No 885 was passed.

Assembly Bill No. 885 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No 2554

Has had the same under consideration, and reports the same back with the recommendation Be re-referred to Committee on County Government

PHILLIPS, Chairman

Above reported bill re-referred to Committee on County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 2133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

PHILLIPS, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1174 re-referred to Committee on Ways and Means.

Assembly Bill No. 949 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 951 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 952 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1058 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2061 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1474 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2131 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 58 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 159 re-referred to Committee on Fish and Game.

Assembly Bill No 848 re-referred to Committee on Fish and Game.

Assembly Bill No. 800 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1899 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1969 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2570 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2146 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1080 re-referred to Committee on Public Morals

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Cain and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to

Ruth Mecum, teacher, and the following students of Stanford Jr. High School of Sacramento: Aileen Alt, Albert Bayless, Barbara Bertolucci, Albert Burdick, Louis Cetinich, Robert Chadwick, Juanita Chase, Thomas Clemens, Nancy Compton, Marguerite De Vore, Bill Dickinson, Marian Dudley, John Evers, Bill Franklin, Phyllis Frey, James Gildersleeve, Richard Gillette, Edmund Gomes, Bill Greer, Barbara Harrison, Marcel Hart, Eleanor Hess, Myron King, Mardell Lepetit, Robert Lundy, Neil Mahoney, Mary McBain, Violet McCoombs, Cyril McKinty, Ralph Neiger, Bill Pearson, Janet Rodgers, Donald Sanders, Carolyn Storz, Jean Vandervoort and Jacqueline Weaver.

On request of Messrs. Desmond and Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the Senior Class 4A of the Christian Brothers School: Thomas Donovan, Robt. Cunningham, Jack Sheldon, Don Westover, William Kennedy, Timothy Braun, Robt. McFarland, Robt. Azevedo, Richard Desmond, Joseph McNett, Jack Lagomarsino, Frank Bento, Robt. McQuillan, Robt. Silva, John Babich, Thomas Kenny, Norman Samuelson, Jerome Keating, William Creegan, James Dunphy, Raymond Bambery, Mark Perich, Allen Stoutenburgh, Manuel Viera, Joseph Runge, James Dallosta, James Horgan, Lawrence Groth, Wm. Ryan, Robert Azevedo, Paul Dupzyk, Alfred Arcellano, John Di Stasio, Frederick Lindner, Florian Bauer, Wayne Varozza, Joseph Cordero, Anthony Rubio, Donald Westover, Jack Sheldon and Brother Robert.

On request of Messrs. Call and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John "Bogie" O'Connell, Secretary, San Francisco Labor Council.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mathew Oliviera of Chino, George Te Velde of Hynes and John Nettleman of Clearwater.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clarence Smith of Downey, Jack Denni of Cypress and E. A. Wakeham of Garden Grove.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Doris Miller Johnson of Berkeley.

On request of Mr. Cronin and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor Angelo J. Rossi and City Attorney John J. O'Toole of San Francisco.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James E. Rickets, Daniel F. Del Carlo, Reed Stoney, all of San Francisco.

On request of Messrs. Desmond and Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teachers of the Florin School of Sacramento County: Mrs. Annie Jenkins, Mrs. Isabelle Jackson, Mrs. H. N. Nick, Mrs. A. C. Butler, Mr. R. Kawamoto, Mrs. C. A. Tisdel, Mrs. Johnson, and Mrs. A. Jenkins, teacher, and the following seventh grade pupils: Shirley Johnson, Marion Laws, Edith Cassieri, Ida Ogden, Mary Kawa-

moto, Mary Seno, Dolly Hirohata, Eileen Uchida, Mae Blue, Robert Sasaki, Sam Cassieri, Glen Francisco, Herbert Scheuffele, Raymond Ogata, Bill Tamura, Delmer Uyemura, Ray Tanihara, Nancy Kozunn, John Jackson, George Kashiwagi, Gus Kanelos, and Mrs. I. Jackson, teacher, and the following eighth grade pupils: Melvin Butler, Nickie Nick, Buddy Tisdel, Stanley Harris, Adolph Flemmer, Edward Bound, Emery Penrose, Tomi Kawamoto, George Sekikawa, Leo Uchida, Ryoso Akiyama, Tsuyoshi Nishimura, Isamu Kashiwagi, Wataru Gorshi, Roy Kawamura, Roy Oda, June Stewart, Hazel Nishimura, Berniece Pohl, Beatrice Arismendez, Grace Nitta, Daisy Hamataki, Helen Toye, Teri Tanaka, Kay Kishaba, Joe Velaga, Charles Higdon, Charles Benedict, Norman Yasui, and Bill Taketa.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gloria Lucille Connor of Manhattan Beach, daughter of Dick Connor of the Mutual Broadcasting Co.

On request of Messrs. Middough, Howser, F. N., and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter J. Desmond, Jr., of Long Beach, attache of the Department of Corporations.

On request of Messrs. Allen and Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. L. Stevenson and daughter, Mrs. Jeanie Moeller, of Santa Monica; and Mr. N. G. Collins, assistant to the Director of Employees Welfare, Douglas Aircraft, of Santa Monica.

ADJOURNMENT

At 5.35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Wednesday, April 2, 1941, out of respect to the memory of the late H. L. Carnahan, former State official.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 2, 1941

The Assembly met at 2 p.m.

Hon. Chas. W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—62.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Andreas.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Voigt, on motion of Mr. Stream.

Speaker Presiding

At 2.08 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

EXPLANATIONS OF VOTES

At 2 o'clock I was in the Senate Chamber in conference on legislative matters, and so missed being recorded. I returned to the Chamber about 4 or 5 minutes after 2.

EDWARD F. O'DAY

When the 2 o'clock roll was called, I was attending a committee meeting upstairs and so failed to be present. I was in the Chamber at 5 minutes after 2.

LEE T. BASHORE

When the 2 o'clock roll was called, I was in the Assembly Chamber and answered "present" but the Clerk evidently did not hear my voice.

ALBERT C. WOLLENBERG

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 246
Assembly Bill No. 357
Assembly Bill No. 1407
Assembly Bill No. 1513
Assembly Bill No. 1517
Assembly Bill No. 1942
Assembly Bill No. 2130
Assembly Bill No. 2132
Assembly Bill No. 2156
Assembly Bill No. 2543

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1490
Assembly Bill No. 1491
Assembly Bill No. 1833

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

KEPPLE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 825
Assembly Bill No. 1832
Assembly Bill No. 2109
Assembly Bill No. 2490

Has had the same under consideration, and reports the same back with the recommendation: *Do pass.*

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Building and Construction

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Assembly Bill No. 2166

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SHERIDAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Assembly Bill No. 698

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERIDAN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1593
Assembly Bill No. 1594
Assembly Bill No. 1597

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Senate Bill No. 86

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DOYLE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Senate Bill No. 150

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DOYLE, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Joint Resolution No. 40
Assembly Bill No. 785

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1714
Assembly Bill No. 787
Assembly Bill No. 791
Assembly Bill No. 793
Assembly Bill No. 1893

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1498
Assembly Bill No. 1086
Assembly Bill No. 1088

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred.

Assembly Joint Resolution No. 39
House Resolution No. 117
Senate Concurrent Resolution No 14
Senate Concurrent Resolution No 20
Senate Concurrent Resolution No 21

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolutions ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No 728
Assembly Bill No 2063

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LYON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

LYON, Chairman

Above reported bill ordered to second reading

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Lyon:

An act to amend Sections 3 90 and 3 101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof

By Mr. Maloney.

An act to establish an Emergency Reserve Fund in the State Treasury and to declare the purposes for which said fund is intended.

(Signed out)

MIDDOUGH, Chairman
F. N. HOWSER
POOLE

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2586: By Mr. Maloney—An act to establish an Emergency Reserve Fund in the State Treasury and to declare the purposes for which said fund is intended.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2587: By Mr. Lyon—An act to amend Sections 3.90 and 3 101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 81
Senate Bill No 122
Senate Bill No 140
Senate Bill No 279
Senate Bill No 285
Senate Bill No 292
Senate Bill No 344
Senate Bill No 687
Senate Bill No. 697
Senate Bill No. 787
Senate Bill No. 862
Senate Bill No 1103
Senate Bill No 1138
Senate Bill No. 1154

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No 305
Senate Bill No. 540
Senate Bill No. 543
Senate Bill No 544
Senate Bill No 545
Senate Bill No 550
Senate Bill No. 690
Senate Bill No 692
Senate Bill No. 694
Senate Bill No. 919
Senate Bill No 627

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 11
Senate Constitutional Amendment No 3

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 81—An act to add Section 3930.5 to, and to amend Sections 3931, 3933, 3934 and 3935 of, the Elections Code, relating to the order of names on primary election ballots.

Referred to Committee on Elections.

Senate Bill No. 122—An act to add Section 4383 to the Public Resources Code, relating to State Forests that may be established in Santa Cruz County, and Santa Clara County including areas suitable for timber production, outdoor recreation, water protection, and fish and game production.

Referred to Committee on Natural Resources.

Senate Bill No. 140—An act to add Section 2326 to the Public Resources Code, relating to the records of dissolved mining districts.

Referred to Committee on Mines and Mining.

Senate Bill No. 279—An act to amend Section 5005 of the Public Resources Code, relating to the acceptance of lands for State park purposes.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 285—An act to amend Section 6062 of the Business and Professions Code, relating to admissions to the practice of law.

Referred to Committee on Judiciary Codes.

Senate Bill No. 292—An act to provide for the construction of a dam and appurtenant works, including conveyance and distribution facilities; said dam and appurtenant works to impound waters in Napa County, to provide a supply for State institutions which may feasibly receive water therefrom and to provide for the beneficial utilization of any surplus water which may be impounded; to authorize the Department of Finance to construct said dam and appurtenant works, to acquire the lands and other property necessary therefor, and to contract and otherwise cooperate with the Federal Government and any of its departments or agencies and with any department or agency of the State for the construction of said dam and appurtenant works, and for the acquisition of the lands or property necessary therefor; to make an appropriation therefor; and to declare the urgency thereof and to provide it take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 344—An act to amend Section 1200 of the Fish and Game Code, relating to doves.

Referred to Committee on Fish and Game.

Senate Bill No. 687—An act to amend Section 16f of the Bank Act, relating to adverse claims to bank deposits and the contents of safe deposit boxes standing in the name of one other than the claimant and to add two new sections, Sections 539a and 682a to the Code of Civil Procedure, relating to the attachment of and the levy of execution upon bank accounts and the contents of safe deposit boxes standing in the name of one other than the defendant or judgment debtor.

Referred to Committee on Banking.

Senate Bill No. 697—An act to amend Sections 2799, 2804, 2805, 2806, 2816, 2819 and 2820 of, to repeal Section 2798 of, and to add new Sections 2798, 2798 3 and 2798.5 to the Elections Code, relating to State party conventions, State central committee meetings and the memberships thereof.

Referred to Committee on Elections.

Senate Bill No. 787—An act to add Section 5.29 to the School Code, relating to the leasing of property of a State college.

Referred to Committee on State Colleges.

Senate Bill No. 862—An act to amend Section 4007 of the Public Resources Code, relating to forestry.

Referred to Committee on Natural Resources.

Senate Bill No. 1103—An act to amend Section 663 of the Political Code, relating to the State Board of Control.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1138—An act to amend Sections 93, 95 and 172 of, and to add Section 16.5 to, the State Civil Service Act, relating to lay-offs.

Referred to Committee on Civil Service.

Senate Bill No. 1154—An act to amend Sections 673 and 674 of the Penal Code, relating to civil rights of persons sentenced to State prisons.

Referred to Committee on Judiciary Codes.

Senate Bill No. 305—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, by reenacting Sections 68, 69 and 72; and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 74 relating to statutes codified in the Water Code, Section 75 authorizing the district to engage in the electrical power business, and Section 76 granting rights of way for electrical light and power lines; declaring the legislative intention as to unconstitutionality and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Irrigation.

Senate Bill No. 540—An act to amend Section 23 of and to add Section 23.5 to the California Irrigation District Act, relating to irrigation district elections.

Referred to Committee on Irrigation.

Senate Bill No. 543—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding thereto new Sections 21.1 and 21.2, relating to allocation of proceeds of contracts or other sources of payment to the payment of bonds and 21.3, relating to redemption of bonds and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Irrigation.

Senate Bill No. 544—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending Section 26, relating to annual estimate for taxes, and Section 28, relating to annual tax levy; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Irrigation.

Senate Bill No. 545—An act to provide for the acquisition, development, and disposal of electrical power by Palo Verde Irrigation District and granting to said district right of ways for electric light and power lines.

Referred to Committee on Irrigation.

Senate Bill No. 550—An act to amend Section 2 of an act entitled "An act to provide for drainage by irrigation districts," approved

March 18, 1907, relating to the duties of irrigation districts and their officers to drain land.

Referred to Committee on Irrigation.

Senate Bill No. 690—An act to amend Sections 4, 5 and 6 of the California Districts Securities Commission Act, relating to the procedure for certifying district bonds as legal investments, for use as security for the performance of any act, and the effect thereof.

Referred to Committee on Banking.

Senate Bill No. 692—An act to repeal an act entitled "An act to provide for the release of all claims and liens arising from irrigation district bonds and interest coupons voluntarily surrendered for cancellation, and to provide for the establishment of record of such release," approved May 1, 1911.

Referred to Committee on Irrigation.

Senate Bill No. 694—An act to amend Sections 1 and 5 of the California Irrigation District Act, relating to the formation and government of irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 919—An act to amend Section 41b of the California Irrigation District Act, relating to the segregation of land on irrigation district assessment rolls.

Referred to Committee on Irrigation.

Senate Bill No. 627—An act to amend Sections 1, 7, 9 and 11 of the Irrigation District Improvement Act, relating to formation of, government of, and assessments in irrigation district improvement districts.

Referred to Committee on Irrigation.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 22 3 to Article XX, relating to sales of alcoholic beverages.

Referred to Committee on Public Morals

Senate Concurrent Resolution No. 11—Providing for the appointment of a Joint Committee to Study and to Report Upon the Water Problems of the State.

Referred to Committee on Rules

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1931—An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and

pension systems, and to repeal all acts or parts of acts in conflict with this act.

Bill read second time, and ordered engrossed

Assembly Bill No. 304—An act to add Chapter 7 of Part 3 of Division 2 of the Labor Code, limiting and defining the jurisdiction of courts over matters arising out of or involving labor disputes

Bill read second time, and ordered engrossed

Assembly Bill No. 2574—An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2404—An act to add Article 8.5, comprising Sections 7406, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for persons licensed under the chapter on cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1186—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the Harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco, providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire.

Bill read second time, and ordered engrossed.

Assembly Bill No. 780—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1465—An act to amend Section 19621 of the Business and Professions Code, or Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions." approved June 5, 1933, relating to the distribution of moneys in the Fair and Exposition Fund.

Bill read second time, and ordered engrossed

Assembly Bill No. 1054—An act to amend Sections 2270 and 2274 of the Health and Safety Code, and to add Section 2292 thereto, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1268—An act to amend Sections 372, 704 and 705, and to repeal Sections 702 and 703 of the Vehicle Code, relating to weight limitations imposed upon vehicles and combinations of vehicles, and the registration thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2128—An act to amend Sections 39, 382 and 623 and to add a new Section 168 to the Motor Vehicle Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1282—An act to amend Section 24204 of the Health and Safety Code, relating to air pressure tanks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1855—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Bill read second time, and ordered engrossed.

Assembly Bill No. 83—An act to add Section 108 to the Harbors and Navigation Code, relating to obstructions in navigable waters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Commerce and Navigation:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out "or other structure".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1467—An act to amend Section 821 of the Agricultural Code, relating to apples.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 821 of", and insert "Sections 821, 822, 823, 826, and 827 of, and to add Sections 821.1, 821.15, 821.2, 821.25, 821.3, 821.35, 821.4, 821.45, 821.5, 821.55, 821.6, 821.65, 821.7, 821.75, 821.8, and 824.5 to,".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "one of".

Amendment No. 3

On page 1, lines 6 and 7, of the printed bill, strike out "hand picked,".

Amendment No. 4

On page 1 of the printed bill, strike out lines 15 to 20, inclusive.

Amendment No. 5

On page 1, line 22, of the printed bill, strike out "hand picked,".

Amendment No. 6

On page 2 of the printed bill, strike out lines 4 to 15, inclusive.

Amendment No. 7

On page 2, line 16, of the printed bill, strike out "(d)", and insert "(e)".

Amendment No. 8

On page 2, line 17, of the printed bill, strike out "hand picked,".

Amendment No. 9

On page 2 of the printed bill, strike out lines 25 to 52, inclusive; and on page 3, strike out lines 1 to 6, inclusive, and insert

"The grades established by this section are the standard grades for apples. The "extra fancy" is the highest, "fancy" the next highest, and "C" grade the lowest of such grades.

SEC. 2. Section 821.1 is hereby added to said code, to read as follows:

821.1. Apples may conform to any of the standard grades or to any combination of such grades. When apples are in a combination of grades, the grade markings shall be preceded by either "combination" or "comb.".

SEC. 3. Section 821.15 is hereby added to said code, to read as follows:

821.15. Apples of a standard grade or combination of such grades shall be well packed, place packed, loose in containers, or in bulk Grade terms used to designate apples which are place packed shall not be followed by the term "loose".

SEC. 4. Section 821.2 is hereby added to said code, to read as follows:

821.2. Apples of a standard grade or combination of such grades shall be of such size that the apple will not pass through a ring two and one-fourth inches in diameter. This size requirement does not apply to apples which are well packed, nor to apples of "C" grade when loose in the container or in bulk and not in combination with any other grade.

SEC. 5. Section 821 25 is hereby added to said code, to read as follows:

821 25. Apples which are well packed shall be uniform in size and shall be in clean, standard boxes Apples which are place packed shall be in clean boxes.

SEC. 6. Section 821.3 is hereby added to said code, to read as follows:

821 3. Apples shall be hand picked, except in the case of apples of "C" grade when loose in containers or in bulk, and except those apples of "C" grade in combination with any other grade or grades and when the combination is loose in containers or in bulk.

SEC. 7. Section 821.35 is hereby added to said code, to read as follows:

821.35. When apples are in combination of two grades all of the apples in the container or bulk lot shall meet the requirements of the lower grade and at least 50 per cent, by count, shall conform to the requirements of the higher grade.

SEC. 8. Section 821.4 is hereby added to said code, to read as follows:

821.4. When apples are in combination of three grades all of the apples in the container or bulk lot shall meet the requirements of the lowest grade, at least 25 per cent, by count, shall conform to the requirements of the highest grade, and at least an additional 25 per cent, by count, shall conform to the requirements of the next highest grade

SEC. 9 Section 821.45 is hereby added to said code, to read as follows:

821.45. Tolerances, where apples in a container or bulk lot are of one grade, shall be as follows:

At least 90 per cent of the apples in any container or bulk lot shall at least comply with the requirements of the grade; and not more than one-half of the tolerance shall be allowed for any one cause.

SEC. 10. Section 821 5 is hereby added to said code, to read as follows:

821 5. Tolerances, where apples are in a combination of two or more grades, shall be as follows:

At least 90 per cent of the apples in any container or bulk lot shall at least comply with the requirements of the lowest grade in the combination; and not more than one-half of the tolerance shall be allowed for any one cause.

When in a combination of any two grades, at least 50 per cent of the apples shall comply with the requirements of the higher grade. When in a combination of three grades, at least 25 per cent shall comply with the requirements of the highest and at least an additional 25 per cent shall comply with the requirements of the next highest grade.

SEC 11. Section 821 55 is hereby added to said code, to read as follows

821 55. When a lot of apples are in containers, the apples in each of such containers, not to exceed one-fourth, in number of containers, shall be permitted to exceed, by not more than 50 per cent, the tolerance therefor above provided, but the entire lot must average within the established tolerance, and the apples in no container shall have more insect pests or decay than the amount permitted by such established tolerance

SEC 12 Section 821 6 is hereby added to said code, to read as follows:

821 6. An emergency grade to be known as the "commercial" grade may be declared in effect by the director in conformity with the provisions of Sections 821 7, 821 75, and 821 8

The "commercial" grade shall apply only to Bellefleur apples and Newtown Pippin apples, or either, and shall conform to the standards required for a combination of fancy and "C" grade, except that Baldwin spot and internal browning shall be permitted without limitation as to tolerance.

SEC 13 Section 821 65 is hereby added to said code, to read as follows

821 65 The "commercial" grade shall be used only for apples which (a) have been held in cold storage for a period of at least 15 consecutive days, (b) have been removed from cold storage not earlier than December 15 of the current cold storage season, (c) and loose in containers or in bulk. Apples of the "commercial" grade shall not be in combination with apples of any of the standard grades.

SEC 14 Section 821 7 is hereby added to said code, to read as follows:

821 7 A petition for a declaration by the director that an emergency exists and that the "commercial" grade is in effect may be filed by either.

(a) Seventy-five per cent or more by number of the persons controlling the sale of the Bellefleur or Newtown Pippin apples, or the Bellefleur and Newtown Pippin apples, as the case may be, then held in cold storage, or

(b) The persons controlling the sale of 60 per cent or more of such apples then so held

SEC 15 Section 821 75 is hereby added to said code, to read as follows

821 75. The petition shall contain all of the following:

(a) A statement whether the declarations are sought as to Bellefleur apples, Newtown Pippin apples or both.

(b) A statement of the facts constituting the petitioners the persons or number of persons qualified under Section 821 7 to file the petition.

(c) A statement that an abnormal amount of Baldwin spot or internal browning has developed in the apples as to which the declarations are sought

(d) A statement that there is imminent danger of great loss to the owners of the apples as to which the declarations are sought unless the "commercial" grade is declared in effect as to such apples.

(e) A request that the director declare the existence of an emergency and the "commercial" grade in effect as to the apples for which the declarations are sought

SEC. 16 Section 821.8 is hereby added to said code, to read as follows:

821.8. If the director, by investigation or otherwise, determines that the petition has been signed by persons qualified to file it and that the matters stated in the petition are true, he shall, at a time not less than 15 days after the filing of the petition, declare that, as to the apples as to which the declarations are sought, an emergency exists and the "commercial" grade shall be in effect for a period designated by him but not to extend beyond the thirtieth day of June of the then current cold storage season.

SEC 17. Section 822 of said code is hereby amended to read as follows

822. All containers of apples shall bear upon them in plain sight and in plain letters on one outside end: The name of the person who first authorized the packing of the apples or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer; name of variety *of apples therein contained*, if known, and when not known the words "unknown variety", the grade of [the] *such* apples [therein contained] ; the date when such apples were first packed, or if repacked, the date of repacking, [and on each container of apples which has been held in cold storage for more than 30 days after being packed, a statement of the fact that the contents have been held in cold storage;] the minimum net weight of the apples contained therein, or the cubical contents of the package, and in the case of wrapped packed apples the numerical count. A variation of five apples, more or less, than the number stated, shall be allowed *Containers of apples which are place packed shall be required to show only the name and address of the person who first packed or authorized the packing of the apples, the variety of apples, the date of packing, and the designation of grade.* Open containers of apples which are not packed shall be required to show only the name and address of the person who first packed or authorized the packing of the apples, and the designation of grade

In lieu of the standard grade markings required by this section any container of apples may be marked with the name of the equivalent grade established for such apples in the United States standards for apples promulgated by the United States Department of Agriculture and approved by the director.

[When apples are offered or exposed for sale at retail and not in a container complying with the provisions of this section, the grade of such apples shall be plainly indicated by a sign or placard upon or immediately above such apples in letters not less than one inch in height.]

SEC. 18. Section 823 of said code is hereby amended to read as follows:

823. All wrapped apples shall be in one of the following containers. Standard wooden apple box, depth inside, 10½ inches, width inside, 11½ inches; length inside, 18 inches. Standard fibreboard apple box, depth inside, 11⅝ inches; width inside, 11½ inches; length inside, 18 inches, with a tolerance of ¼ inch in all dimensions. Half wooden apple box, depth inside, 5¼ inches, width inside, 11½ inches; length inside, 18 inches. Half fibreboard apple box, depth inside, 5 11/16 inches; width inside, 11½ inches; length inside, 18 inches, with a tolerance of ¼ inch in all dimensions. Apples which are not wrapped shall be in one of the standard containers defined in this section, or in one of the standard apple lugs of the following dimensions: (a) Depth inside, 7½ inches; width inside, 13½ inches; length inside, 21¼ inches. (b) Depth inside, 7¼ inches; width inside, 14 inches; length inside, 22⅝ inches *Containers designated as (a) or (b) shall be considered as standard when used with or without cleats.* Apples which are not wrapped may be in other size containers, and wrapped apples may be in containers smaller than the half apple box, if these are conspicuously marked, in letters not less than one-half inch in height, "irregular container." Such marking is not required on open containers of apples which are not *place packed or well* packed.

SEC. 19. Section 824.5 is hereby added to said code, to read as follows:

824.5. When any lot of apples of the Newtown Pippin or Bellefleur variety has been inspected and certified by an enforcing officer as conforming to a specified grade or combination of grades and the identity of the lot is established to the satisfaction of the enforcing officer then having jurisdiction of the lot, such lot shall not, at any time within 10 days after the date of such certification, be deemed to be in violation of the provisions of this chapter because of an excess of damage caused by Baldwin spot or by internal browning.

SEC. 20 Section 826 of said code is hereby amended to read as follows:

826. As to apples, "serious damage" means any injury or defect which seriously detracts from the appearance or quality of the apple. The following defects are not serious damage:

(a) Stem punctures, when affecting apples of the Newtown Pippin and Bellefleur varieties, if the punctures are slight and if such punctures affect less than 50 per cent, by count, of such apples in any one container or bulk lot. Stem punctures to any extent are serious when affecting any other variety of apples.

(b) Jonathan spot and/or Baldwin spot, when affecting apples of the Newtown Pippin and Bellefleur varieties if [less] *no more* than 25 per cent, by count, of such apples in any one container or bulk lot are affected by [less than four] *no more than three* spots *each* of either or both of such defects. Jonathan spot and/or *visible* Baldwin spot in any extent are serious in all other varieties of apples

(c) Sunscald and sprayburn, where there is no blistering or cracking of the skin or where the flesh is not seriously discolored or injured

(d) Hail marks or frost injury, where such defects do not cover more than an aggregate area of one-tenth of the surface of the apple or materially deform[s] or disfigure[s] the fruit.

(e) Internal browning, which can not be detected by external examination or pressure.

(f) Scab spots on any one apple which in the aggregate do not exceed one-half of one inch in diameter.

(g) Five well healed case bearer, codlin moth, or aphid stings on an apple, none of which may exceed one-eighth of an inch in diameter exclusive of any encircling green ring.

(h) Slight blossom end cracks

SEC 21 Section 827 of the Agricultural Code is hereby amended to read as follows:

827 As used with reference to apples in this chapter:

(a) "Hand picked" means apples which do not show evidence of having been on the ground

(b) "Clean" means free from dust or dirt and free from visible spray residue.

(c) "Well packed" means packed in regular, compact, diagonal arrangement of all of the fruit in any container, the fruit being compacted, at the time of packing, with sufficient solidity so that it will not move in the container when lidded, the top and bottom of the standard wooden box, when lidded, having a bulge of not less than one-half inch, and, where wrappers are used, all of the apples in the box being properly wrapped, with the exception of the bottom layer, which may be flagged

(d) "Place packed" means that the apples are not wrapped and are arranged compactly in layers throughout the container. Such apples need not be uniform in size or in count between the layers.

[(d)] *(e)* "Flagged" means incompletely covered by the use of wrappers which are not closed.

[(e)] *(f)* "Uniform in size" means in boxes containing 125 apples, or less, a variation of not more than one-half of one inch in diameter, when measured through the widest portion of the cross-section between the fruits in any one container; in boxes containing 138 apples, or more, a variation of not more than three-eighths of one inch when so measured.

[(f)] *(g)* "Cross-section" means that section of the apple taken at a right angle to a straight line drawn from the stem end to the blossom end thereof.

[(g)] *(h)* "Properly matured" means that the apples to which it refers, at the time they were taken or fell from the tree, had reached that stage of development necessary to insure the proper completion of the ripening process. Apples of the varieties Alexander, Red Astrachan, White Astrachan, Bertigheimer, White Winter Pearmain, Greening, and Fall Pippin need not be properly matured in order to meet the requirements of any grade except extra fancy. Apples of the Gravenstein variety, which are of a size that will not pass through a ring two and three-quarters inches in diameter, and of the Bellefleur variety, which are of a size that will not pass through a ring two and three-quarters inches in diameter, need not be properly matured to meet the requirements of C grade *when the apples are place packed or loose, but apples* [loose. Apples] of the Gravenstein and Bellefleur varieties shall be properly matured to meet the requirements of the C grade [loose] when in the combination [fancy and C grade loose.] *grades.*

[(h)] *(i)* "Insect pests" include San Jose scale, codlin moth and other insects or the larvae, nymphs or pupae thereof, and any apple which has been infested with codlin moth and bears evidence of such infestation, with the exception of superficial, well healed codlin moth stings."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Exhibitions and Fairs:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, strike out "Three thousand dollars ($3,000)", and insert "Six thousand dollars ($6,000)".

Amendment No. 2

On page 2, lines 13 and 14, of the printed bill, as amended, strike out "held. No", and insert "; provided, however, that as to fairs established after the effective date of this amendment, three thousand dollars ($3,000) shall be the maximum base of allocation for the first year of operation, and thereafter in each subsequent year in which such fair is held the maximum base of allocation of three thousand dollars ($3,000) shall increase by 10 per cent over the maximum base for the year in which a fair was last held.

No".

Amendment No. 3

On page 2, line 16, of the printed bill, as amended, after "fair", insert "under this section".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 51, insert

"SEC. 2. This act shall take effect on January 1, 1942."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1754—An act to add Chapter 3, comprising Sections 7325 to 7332, inclusive, to Part 3 of Division 5 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings, whether constructed heretofore or hereafter to be constructed, to safeguard and protect window washers and others employed upon said buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

Amendment No. 1

On page 1, line 14, of the printed bill, after "than", strike out "two", and insert "three"

Amendment No. 2

On page 2, line 14, of the printed bill, after "possession", insert ", under any lease, sublease, or agreement for a longer period than one year, or under any renewal lease, sublease, or agreement for a period of less than one year,".

Amendment No. 3

On page 1, line 16, of the printed bill, after "building", and before the period, insert "or from a sitting position on the window sill in the manner provided by safety orders issued, or which may be issued from time to time, by the Industrial Accident Commission"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 237—An act to amend Sections 2330, 2350 and 2351 of the Labor Code, relating to sanitary conditions of factories and other places of employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "mercantile or other establishment," and insert "or other place of employment".

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "or workshop", and insert ", workshop, or other place of employment".

Amendment No. 3

On page 1 of the printed bill, strike out lines 29 and 30, and insert "or other impurities affecting or liable to affect the persons employed"

Amendment No. 4

On page 1, lines 16 and 17 of the printed bill, strike out "Whenever the employees are", and insert "When there are five or more employees".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 690—An act to amend Section 454 of the Vehicle Code, to provide for the inclusion within the exemptions granted to authorized emergency vehicles of licensed physicians when traveling in response to emergency calls.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 8, and in line 9, strike out "577", and insert "the provisions of Section 511".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2483—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, and to give recognition to the rights of producers in common pools of oil and gas

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Oil Industries:

Amendment No. 1

On page 1, line 12, of the printed bill, after the comma, strike out "and".

Amendment No. 2

On page 1, line 14, of the printed bill, after "them," insert "and to permit producers to enter into voluntary production agreements".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "waste", and insert "production".

Amendment No. 4

On page 2, line 2, of the printed bill, after "the", strike out "formation of a committee, or for the use of any existing committee", and insert "present Conservation Committee of California Oil Producers or their duly elected successors".

Amendment No. 5

On page 2, line 6, of the printed bill, after the period, strike out the balance of the line, and lines 7 and 8.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2271—An act to amend Section 765 and to repeal Sections 761, 762, 763 and 764 of the Agricultural Code, relating to tomato canning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In the title of the printed bill, strike out "and to repeal Sections 761, 762, 763 and 764".

Amendment No. 2

On page 1 of the printed bill, strike out line 4, and insert "standards for".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "that", and insert "as established herein or as".

Amendment No. 4

Strike out lines 9, 10, 11, 12 and 13 of the printed bill, and insert "which prescribes other or different standards, or grades shall be ineffective, and in such contracts one or the other of the standards prescribed herein as agreed upon by parties thereto shall be implied by law."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1122—An act to amend Section 1 of, and to add Sections 1a, 2e, 2f and 2g, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of the persons by whom the mate-

rials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "vehicle, fishing boat,".

Amendment No. 2

On page 2 of the printed bill, as amended between lines 10 and 11, insert "This section shall not apply to a basement or cellar used for the storage or manufacture of wine."

Amendment No. 3

On page 2, line 31, of the printed bill, as amended, strike out "lamb," and insert "lamb or".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out line 32, and insert "mutton shall be delivered only in clean, and sani-".

Amendment No. 5

On page 2 of the printed bill, as amended, between lines 39 and 40, insert "Nothing in this section shall apply to establishments or vehicles operated under Federal, State, municipal, or approved county meat inspection service; provided, that whenever any vehicle used for the sale or distribution of food products has been inspected by any agency in the State or by any municipality or county, such vehicle shall not be subject to additional inspection by any other agency, municipality or county."

Amendment No. 6

On page 2, line 43, of the printed bill, as amended, after the period, insert "No shipper shall deliver to a carrier subject to the jurisdiction of the California Railroad Commission or the Interstate Commerce Commission any item covered by this section unless such item is properly wrapped or packed so as to protect such item from flies, insects, dust, dirt, or foreign material of any kind whatsoever."

Amendment No. 7

On page 2, line 45, of the printed bill, as amended, strike out the period, and insert ", nor shall this section apply to any carrier or the carrier's equipment when such carrier is subject to the jurisdiction of the California Railroad Commission or the Interstate Commerce Commission"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1071—An act to amend Sections 26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising and sale of foods and the powers of the State Department of Public Health in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In lines 1 and 2 in the title of the printed bill, strike out "26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of", and insert "26472, 26520 and 26541 of, and add Section 26540.2 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 26472 of the Health and Safety Code is hereby amended to".

Amendment No. 3

On page 2 of the printed bill, strike out lines 20 to 49, inclusive, and insert

"(g) Nothing in this article shall be deemed to prohibit the introduction into meat or adding to meat common salt, sugar, wood smoke, cider vinegar, wine vinegar, malt vinegar, sugar vinegar, glucose vinegar, spirit vinegar, pure spices, saltpeter, nitrate of soda and nitrate of soda in natural state or in form of brine or pickling solutions; provided, no such substances shall increase the green or original weight by more than 10 per cent of products which are not smoked or cooked and by not more than 1 per cent of the green or original weight of products which are cooked or smoked. In the case of meat food products such as sausage or sausage and loaves, 10 per cent added water shall be permitted and allowed in smoked or cooked products of such nature, and 3 per cent in said products which are not cooked or smoked.

(h) If it be alimentary paste or egg noodles, if it contains any artificial color derived from coal tar or vegetable substances."

Amendment No. 4

On page 3, line 1, of the printed bill, strike out "SEC. 4.", and insert "SEC. 2."

Amendment No. 5

On page 3 of the printed bill, strike out lines 25 to 50, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"SEC. 3. Section 26540.2 is hereby added to said code, to read as follows:".

Amendment No. 6

On page 4, line 6, of the printed bill, strike out "and regulations for label-"; and strike out line 7, and insert a period.

Amendment No. 7

On page 4, line 8, of the printed bill, strike out "SEC. 6", and insert "SEC. 4."

Amendment No. 8

On page 4 of the printed bill, strike out lines 26 to 38, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1073—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26201,".

Amendment No. 2

In line 2 of the title of the printed bill, after "of", insert ", and to add Section 26200.5 to,".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 26200.5 is hereby added to the Health and Safety Code, to read as follows:

26200 5. Any concentrated substance represented for use by man because of its vitamin content when medicinal claims are made, shall, on its label and in its advertising, bear the common or usual name of each vitamin on which such use is based. If such use is based on the content of vitamin A, vitamin B1 or thiamin, vitamin C or ascorbic acid, vitamin D, riboflavin or nicotinic acid, the label or advertising shall bear or contain a statement of the proportion of the minimum daily requirement for such vitamin expressed as international units, pharmacopoeia, or other accepted standard units, supplied by such substance when consumed in the quantity prescribed by the directions for use on the label."

Amendment No. 4

On page 2, line 23, of the printed bill, after "Prescriptions", insert ", other than prescriptions containing thyroid, or any of its preparations, compounds or derivatives,".

Amendment No. 5

On page 2, line 25, of the printed bill, strike out "same.", and insert "the same. Prescriptions containing thyroid, or any of its preparations, compounds or derivatives, may be refilled only for the person for whom originally prescribed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2326—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 17 to 20, inclusive, and insert "(c) The department shall prepare and from time to time disseminate information relating to prevention of traffic accidents."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2133—An act to amend Sections 376 and 377 of the Code of Civil Procedure, all relating to actions for wrongful injury and death.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 21, of the printed bill, strike out "in a proper case by publication", and insert "by sending a copy of the summons and complaint by registered mail with proper postage prepaid addressed to such parent's last known address".

Amendment No. 2

On page 2, line 37, of the printed bill, strike out "minor".

Amendment No. 3

On page 2 of the printed bill, strike out lines 38 to 41, inclusive, and insert "acknowledged or adopted children, grandchildren, and illegitimate children in case of the death of their mother or in case of the death of their father if such children were actually dependent upon such father, parents, including step-parents, grandparents, and mothers of illegitimate children, brothers, and sisters."

Amendment No. 4

On page 3 of the printed bill, strike out line 1, and insert "in which such deceased beneficiary was not the sole beneficiary. A defense".

Amendment No. 5

On page 3, line 35, of the printed bill, after "be", insert "determined among themselves or may be".

Amendment No. 6

On page 3, line 36, of the printed bill, strike out "after verdict or in a subsequent action".

Amendment No. 7

On page 3, line 38, of the printed bill, strike out "If any such action be separately brought", and strike out lines 39 and 42, inclusive.

Amendment No. 8

On page 4, line 12, of the printed bill, strike out "action", and insert "section"

Amendment No. 9

On page 4 of the printed bill, after line 21, insert

"If an action to recover damages for personal injuries has been brought, and the injured person dies before verdict or decision, and his death is due to the injury, his personal representative may enlarge the complaint in such action to include a cause of action for wrongful death.

If an action to recover damages for personal injuries sustained before the death of the injured person and a separate action for wrongful death are pending against the same defendant, they may be consolidated upon motion of any interested party."

Amendments read and adopted.

Bill ordered reprinted and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 297—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats.

Bill read second time, and ordered to third reading.

Senate Bill No. 619—An act to amend Sections 7302, 7321, 7324, 7330, 7331, 7332, 7334, 7351, 7360, 7372, 7373, 7376, 7382, 7383, 7391, 7393, 7394.5, 7396, 7399, 7412, 7431, 7436 and 7437 of, to repeal Article 13, comprising Sections 7450 to 7457, inclusive, of, and to add Section 7329 to Article 3 of Chapter 10 of Division 3 of said code, relating to the practice, the training for and government of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 5, of the printed bill, after "a", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 2

On page 2, line 5, of the printed bill, after "waving," insert "machineless permanent waving,".

Amendment No. 3

On page 3, line 13, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 4

On page 3, line 44, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 5

On page 5, line 2, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 6

On page 5, line 6, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist"

Amendment No. 7

On page 5, line 33, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 8

On page 6, line 9, of the printed bill, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 318—An act to amend Sections 7332, 7376, 7400, 7420 and 7442 of, and to repeal Section 7351 and Article 13, comprising Sections 7450 to 7457, inclusive, of Chapter 10 of Division 3 of, and to add Section 7351 to, the Business and Professions Code, relating to the practice of and the training for cosmetology and manicuring

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended, strike out "Courses in cosmetol-", and strike out all of lines 20 to 24, inclusive.

Amendment No. 2

On page 3, line 44, of the printed bill, as amended, strike out ", approved by the board,".

Amendment No. 3

On page 4 line 30, of the printed bill, as amended, after "hair", and before "sterilization", insert "coloring, manicuring and facial and scalp massage with the hands They shall also include written and oral tests in antisepsis,".

Amendment No. 4

On page 6, lines 26 and 27, of the printed bill, as amended, strike out "effective date of this amendatory act", and insert "ninety-first day after the final adjournment of the Fifty-fourth Legislature".

Amendment No. 5

On page 6, lines 30 and 31, of the printed bill, as amended, strike out "Chapter 10 of Division 3 of the Business and Professions Code", and insert "the laws regulating cosmetology (Chapter 10 of Division 3 of the Business and Professions Code and an act entitled "An act relating to persons receiving training in cosmetology through the public school system, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 7, 1941),".

Amendment No. 6

On page 6, line 32, of the printed bill, as amended, after "act", insert "on any other act of the Fifty-fourth Legislature enacted subsequent to March 7, 1941,".

Amendment No. 7

On page 6 of the printed bill, as amended, strike out line 37, and insert "said laws as they finally exist on and after the ninety-first day after final adjournment of the Fifty-fourth Legislature"

Amendments read and adopted.

Bill ordered printed, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No 23

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 23—Mourning the death of Chris Merchant, Member of the State Board of Prison Directors.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 23

Senate Concurrent Resolution No. 23—Mourning the death of Chris Merchant, Member of the State Board of Prison Directors

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 603

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 603—An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 603?

Amendment No. 1

On page 11, line 50, of the printed bill, before "It is", insert
"In the application of this section to deliveries to the fuel tank of any aircraft.".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 603 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None

Assembly Bill No. 603 ordered enrolled.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1175

Mr Bennett moved that Assembly Bill No 1175 be withdrawn from the Commitee on Judiciary Codes, and re-referred to the Committee on Social Service and Welfare.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—68.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 810

Mr. Waters moved that Assembly Bill No. 810 be withdrawn from the Committee on Building and Construction, and re-referred to the Committee on Public Health and Quarantine.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 169

Mr. McCollister moved that Assembly Bill No. 169 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Roads and Highways

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Hon. Chas. W. Lyon Presiding

At 2.25 p m., Hon. Chas. W. Lyon, member of the Assembly from the Fifty-ninth District, presiding

RESOLUTIONS

The following resolution was offered:

By Messrs. Field, Potter, Desmond, Lyon and Call·

House Resolution No. 120

WHEREAS, March 28, 1941, marks the twenty-fourth wedding anniversary of Speaker Gordon H. Garland and his wife Opal, and

WHEREAS, During their married life they have not only accumulated the respect and admiration of their numerous friends and of the members of this Assembly but also four charming daughters; and

WHEREAS, The members of this Assembly are desirous of expressing their most earnest and heartfelt good wishes to their colleague and his helpmate on this auspicious occasion; now, therefore, be it

Resolved, by the Assembly of the State of California, That they extend to Speaker Gordon H Garland and his wife Opal their sincerest congratulations upon this happy anniversary; and be it further

Resolved, That the best wishes of this Assembly be also extended to their four daughters; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Speaker Gordon H Garland and his wife Opal on this, their twenty-fourth wedding anniversary

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No 120, at this time, without reference to committee.

Resolution read and adopted unanimously.

Speaker Presiding

At 2 28 p m., Hon. Gordon H Garland, Speaker of the Assembly, presiding.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 268—An act to amend the chapter heading of Chapter 8 of Division 9 and to amend Sections 10600, 10601, 10602, 10603, 10607, 10625 and 10626 of the Health and Safety Code, relating to vital statistics, including proceedings to establish the fact of birth, death or marriage, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 268?

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "petition the"; and on page 2, strike out line 1; and in line 2, strike out "occurred", and insert "file a petition".

Amendment No. 2

On page 2, line 3, of the printed bill, as amended, strike out the period, and insert "in either of the following courts

(1) The superior court of the county in which the birth, death or marriage is alleged to have occurred.

(2) The superior court of the county in which the person whose birth or marriage it is sought to establish is residing; or, if such person has died, the superior court of the county in which such person was domiciled at the date of death."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 15 to 20, inclusive, and insert "Chapter 2 of this division".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 268 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None

Assembly Bill No. 268 ordered enrolled.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 902

Mr. Carlson moved that Assembly Bill No. 902 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

COMMUNICATIONS

The following communication was received and read, and ordered filed with the Secretary of State:

DEPARTMENT OF SOCIAL WELFARE, SACRAMENTO, April 2, 1941

Mr. Arthur Ohnimus, Chief Clerk of the Assembly
California State Capitol, Sacramento, California

MY DEAR MR. OHNIMUS: Enclosed is a copy of the report made by the State Department of Social Welfare in accordance with House Resolution No. 69.

Very sincerely yours,

MARTHA A. CHICKERING
Director State Department of Social Welfare

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bill No. 133 was taken up.

Senate Bill No. 133—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 10, line 47, of the printed bill, as amended, after "county.", insert "No county shall levy any tax for the purposes of relief under this chapter beyond a rate necessary to produce the amount for which it is liable under the provisions of this chapter."

Amendment read.

Roll Call Demanded

Messrs. Bashore, Heisinger and Green demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Crowley, Dills, Donnelly, Howser, F. N., Kilpatrick, Maloney, Middough, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, and Welch—19.

NOES—Andreas, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—52

Bill read third time.

Demand for Previous Question

Messrs. Desmond, Collins, Sam L., Kellems, Kepple and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 133.

The roll was called, and Senate Bill No. 133 passed by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Howser,

F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—42

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Tenney, Thomas, and Welch—32

Notice of Motion to Reconsider Senate Bill No. 133

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 133 was this day passed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 289—An act to amend Sections 7055, 7057 and 7058 and the article heading of Article 2, Chapter 2, Part 6 of the Water Code, and Section 4 of the Central Valley Project Act of 1933, relating to the changing of the name of Kennett Dam to Shasta Dam.

Bill read third time.

Motion to Amend

Mr. Gunlock moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, strike out line 51, and insert "only if Division 6 of the Water Code is enacted by the Legislature at its Fifty-fourth Session, and in such case, at the same time said Division 6 takes effect, at which time Section 4 of the Central Valley Project Act of 1933 is hereby repealed."

Amendment No. 2

On page 4 of the printed bill, strike out lines 1 to 6, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, April 2, 1941

Gordon Garland, Speaker of the Assembly
Capitol, Sacramento, California

Last week a communication from the undersigned was read on the Assembly floor and published in the Journal opposing Senate Bill No 1033 This was an error. Should have been in opposition to Assembly Bill No. 1033 We heartily endorse Senate Bill No 1033. Please give this communication as much publicity as previous one so as to repair damage done to the Volunteer Firemen and their just cause.

RUTHE G. GRAVES
Fifty-ninth Assembly District Democratic Club

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS FROM COMMITTEE

Mr Cronin gave notice that on Friday, April 4, 1941, he would move to withdraw Assembly Bills Nos 530, 531 and 532 from the Committee on Roads and Highways, and have them placed upon the file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Tenney:

House Resolution No. 121

WHEREAS, The second day of April is the anniversary of the birth of the wife of our genial, cow-punching, rough-riding educator colleague from Compton, the gateway to the dairyland of Los Angeles County; and

WHEREAS, The very charming and lovely Effie Dills is a most welcome addition to these legislative halls; and

WHEREAS, It is fitting and proper that this Assembly pause in its solemn deliberations to do honor to the wife of our colleague; now, therefore, be it

Resolved by the Assembly, That each and every one of the members of the Assembly hereby wish Mrs. Ralph C. Dills a very, very happy birthday and it is our sincere hope that she will have many more of them; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Mrs Ralph C. Dills by the Chief Clerk.

Request for Unanimous Consent

Mr Tenney asked for, and was granted, unanimous consent to take up House Resolution No. 121, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Dilworth:

House Resolution No. 122

WHEREAS, The President and Congress of the United States of America have recognized the menace to our Nation in the wars raging in other continents and have undertaken extraordinary preparations for Military and Naval armament of this Country; and

WHEREAS, The Assistant Sergeant-at-Arms of this Assembly, our good friend, Richard Del Mutolo, brother of our esteemed member from Santa Clara County, Honorable M. G. Del Mutolo, will enter the United States Army on April 7th to serve in the defense of our Government with military arms; and

WHEREAS, Richard Del Mutolo has served this Assembly faithfully and well and with courtesy and consideration; and

WHEREAS, Every Member of this Assembly holds Richard Del Mutolo in the highest personal esteem; now, therefore, be it

Resolved by the Assembly of the State of California, That it extend its best wishes to Richard Del Mutolo for a successful Military career and a safe return to his home and family; and, be it further

Resolved, That a suitable copy of this resolution be engrossed and presented by the Chief Clerk of the Assembly to Richard Del Mutolo.

Request for Unanimous Consent

Mr Dilworth asked for, and was granted, unanimous consent to take up House Resolution No. 122, at this time, without reference to committee

Resolution read, and upon order of the Speaker, was adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

On motion of Mr. Field, the following remarks were ordered printed in the Journal:

Remarks of Assemblyman Dilworth

One can not consider the momentous events of present days without realizing that they portend historic events in the history of our great Nation.

Our President has asked for the greatest Army and Navy that the World has ever seen

Congress has granted Military authority to the President to engage in certain acts of war

Today is a solemn hour for one of our young men employed by this Assembly. He is giving up private employment tomorrow. He is leaving home and family for the rigors of Military life in defense of our Country.

His going is typical of that of hundreds of thousands of young American men today. It is typical of the going to war of millions of young men of my generation in 1917 and 1918

Let us consider a moment what his going means.

No longer will he arise and lay down to sleep at a time of his own choosing No longer will he eat food of his choice No longer will his life remain his own. He is laying his all on the altar of his Native Land

He will obey the Military orders of our Country's Chieftains morning, noon and night, in Summer's heat, in Winter's icy wind, on desert sands or on the ocean's stormy waves

Who is so daring as to say that our Country will not be actively engaged in Naval war and the great Military movements on land within the year?

Our Country's defense demands the life and bodies of our young men standing bravely under the fire of the destructive modern machines of warfare.

Be it submarines in a lonely, icy sea, or bombs on roaring battlefields, we know this young man will bravely defend that Glorious Flag with his very life's blood

Richard Del Mutolo, you are bidding us good-by. Tomorrow you will bid good-by to your home.

We wish you well. We bid you Godspeed We wish you an illustrious Military career and a safe and happy return to your Native California home.

Should Providence in His infinite Wisdom permit otherwise, no name will more honor a Post of Veterans of this War than Richard Del Mutolo, one of California's most loved native sons.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 1622
Assembly Bill No 1163
Assembly Bill No 1410
Senate Bill No. 1018
Senate Bill No. 1303

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER. Your Committee on Education, to which were referred:

Assembly Bill No. 1052
Assembly Bill No 1204

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER Your Committee on Crime Problems, to which was referred:

Assembly Bill No 369

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POOLE, Chairman

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR SPEAKER. Your Committee on Elections, to which was referred:

Assembly Bill No. 1930

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

(Signed out) CARLSON, Chairman
ROBERTSON
SHERIDAN
DILLS
CASSIDY
FREDERICK F. HOUSER
F. N. HOWSER
MALONEY

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Elections, to which were referred:

Assembly Bill No. 1501
Assembly Bill No 1033
Assembly Bill No. 2106

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Elections, to which were referred:

Assembly Bill No 385
Assembly Bill No. 1005

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

CARLSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR SPEAKER: Your Committee on Elections, to which were referred.

Assembly Bill No. 53
Assembly Bill No 1762
Assembly Bill No. 1210

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1475

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2332

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1011
Assembly Bill No. 1037
Assembly Bill No. 1151
Assembly Bill No. 1399
Assembly Bill No. 1514
Assembly Bill No 1845
Assembly Bill No 2100
Assembly Bill No. 2250
Assembly Constitutional Amendment No 16
Assembly Constitutional Amendment No. 43

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1125—An act to add Division 4, comprising Sections 2800 to 3012, Division 5, comprising Sections 3200 to 3554, Division 6, comprising Sections 4000 to 4677, Division 7, comprising Sections 5000 to 6794, Division 8, comprising Sections 7000 to 7476, Division 9, comprising Sections 8000 to 8062, Division 10, comprising Sections 8500 to 8851, Division 14, comprising Sections 18000 to 19291, Division 15, comprising Sections 22000 to 22202, and Division 50, comprising Section 50000, to repeal the division heading of Division 20, and to amend by renumbering Sections 10000, 10001, 10002 and 10003 to be Sections 50001, 50002, 50003 and 50004 respectively of, the Streets and Highways Code, thereby consolidating and revising the law relating to public ways, works and improvements, and including but not limited to procedures for making, maintaining and financing the same, and to repeal certain acts or parts of acts specified herein;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1941, at 4.45 p m.

JOHN B. KNIGHT, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2028

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be referred to Committee on Ways and Means.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No 895

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 559

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

THORP, Chairman

Above reported bill ordered to second reading

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1276

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 2070
Assembly Bill No. 2190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1288
Assembly Bill No. 2191
Assembly Bill No. 1238
Assembly Bill No. 1290
Assembly Bill No. 1291
Assembly Bill No. 2072
Assembly Bill No. 1275
Assembly Bill No. 1292
Senate Bill No. 590

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1579

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 823
Senate Bill No 46

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1378
Assembly Bill No. 1768

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1080
Senate Bill No. 108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

MOTION BY MR. LYON

Mr. Lyon moved that the members present the names of their guests at the desk, rather than introduce them from the floor of the Assembly.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2250 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2100 re-referred to Committee on Building and Loan Associations.

Assembly Bill No. 1399 re-referred to Committee on Insurance.

Assembly Bill No. 1514 re-referred to Committee on Insurance.

Assembly Bill No. 2332 re-referred to Committee on Insurance.

Assembly Bill No. 246 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 2130 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2132 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1545 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1151 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1011 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1037 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2156 re-referred to Committee on Public Utilities.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher, and the following students of the social studies class, H. 7, Stanford Junior High School, Sacramento: Barbara Abolt, Elaine Ballard, Dale Bleucher, Juanita Cowan, Rita Colard, Harold Cremers, Angelina Del Ponte, Frank Delavan, Douglas Dupen, Margaret Haas, Albert Hanley, Ronald Harris, Adolph Kamil, Clara Kamil, John Latino, Jack Lewis, Chester Martin, Phillip Long, Jack Miller, Patsy Moseley, Morris McClung, Thomas McCullough, Georgia McMaster, LaVonne Peterson, Gloria Purcell, Jack Richards, Belva Rule, Gertrude Russell, Louise Shay, Margaret Smith, Dick Stocker, Mary Tipton, Lawrence Williams, Herbert Yoskikawa, Lorraine Zberg, Dona Colcough, Joseph Cardoza and Darleen Bailey.

On request of Messrs. Middough and Howser, F. N., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James K. Reid, Long Beach, Superintendent of Recreation, Los Angeles County, and former member of this body, Forty-ninth Session.

On request of Messrs. Middough and Howser, F. N., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Col. Wayne Allen, County Manager of Los Angeles; Phil Cote, Secretary to Supervisors, and William A. Smith.

On request of Mr Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Hogoboom of Sacramento, and Mr. and Mrs. J. T Lowrey, parents of Assemblyman Lowrey, and Mrs H A McDonald of Rumsey.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Clara Smith of Fairfield and Mrs. Florence Warfield of Vallejo

On request of Mr Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following civic students of Miss Mary Wallace School of Piedmont: Mrs. H. Hagan, Mrs. S. Davis, Grace Moodey, Jean Sofio, Pat Dwyer and Jacqueline Davis.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Anthony Pratt, Secretary, Municipal League of Los Angeles, and to Mrs. Anthony Pratt.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wiley C. Dorris of Bakersfield and James Comunez of Delano.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George H. Page, Agency Manager of California-Western States Life Insurance Company of Los Angeles.

ADJOURNMENT

At 5.40 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Thursday, April 3, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 3, 1941

The Assembly met at 2 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Thomas, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker —56.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Gallagher.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Stream, on motion of Mr. Watson.

EXPLANATIONS OF ABSENCE

I was attending a committee meeting when the 2 o'clock roll was called, so was not marked present. I returned to the Assembly Chamber about 7 minutes after 2

FRED N. HOWSER
JOHN B. KNIGHT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 304
Assembly Bill No. 780
Assembly Bill No. 808
Assembly Bill No. 809
Assembly Bill No. 1054
Assembly Bill No 1346
Assembly Joint Resolution No. 39
Assembly Joint Resolution No. 40

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1057
Assembly Bill No. 1545
Assembly Bill No. 1915

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2498

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2585

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Civil Service, to which were referred:

Assembly Bill No. 147
Assembly Bill No. 1769
Assembly Bill No. 1424

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 720

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BASHORE, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 221
Assembly Bill No. 345
Assembly Bill No. 499
Assembly Bill No. 562
Assembly Bill No. 455
Assembly Bill No. 962
Assembly Bill No. 963
Assembly Bill No. 964
Assembly Bill No. 968
Assembly Bill No. 969
Assembly Bill No. 1115
Assembly Bill No. 1118
Assembly Bill No. 1798

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 285
Assembly Bill No. 300
Assembly Bill No 1111

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Assembly Bill No. 300 ordered to unfinished business file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 285—An act to add Section 395.4 to the Military and Veterans Code, relating to leaves of absence of public employees for military service, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 285?

Amendment No. 1

On page 1, line 17, of the printed bill, after "Constitution", insert ", and as such shall take effect immediately".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 285 by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F, Howser, F N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 285 ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1111—An act to amend Section 1600 of Chapter 13 of the Probate Code, relating to request for special notice after the issuance of letters of guardianship.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1111?

Amendment No. 1

On page 1, line 3, of the printed bill, after "1600.", strike out "Request for special notice."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1111 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1111 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 3
Senate Bill No. 55
Senate Bill No. 562
Senate Bill No 669
Senate Bill No. 670
Senate Bill No. 830
Senate Bill No. 1260

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 55—An act to amend Section 661 of the Political Code, relating to the creation of deficiencies in appropriation

Referred to Committee on Judiciary Codes.

Senate Bill No. 562—An act to amend Section 49 of the Alcoholic Beverage Control Act, relating to the importation of alcoholic beverages and consignment thereof.

Referred to Committee on Public Morals.

Senate Bill No. 669—An act to add Sections 3220.5 and 3240.5 to the Streets and Highways Code, relating to the closing or abandonment of city streets and providing for the reservation of certain easements therein.

Referred to Committee on Municipal Corporations.

Senate Bill No. 670—An act to amend Sections 956 and 960 of, and to add Section 960.5 to, the Streets and Highways Code, relating to the abandonment of county highways.

Referred to Committee on Roads and Highways.

Senate Bill No. 830—An act to repeal Section 981 and to amend Sections 980 and 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1260—An act to add Article 5, comprising Sections 2780 to 2792, inclusive, to Chapter 5, Title 1, Part 3, and to amend Section 3040, of the Penal Code, relating to prisons and prisoners and their employment in parks, forests and fish and game camps.

Referred to Committee on Prisons and Reformatories.

Senate Concurrent Resolution No. 22—Relative to amending the Joint Rules of the Senate and Assembly by adding Joint Rule No. 36, creating a Joint Legislative Budget Committee, defining its powers and duties, and making an appropriation out of the contingent funds therefor.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 823—An act to add Section 69.1 to the Alcoholic Beverage Control Act, relating to the repeal of Chapter 132 of 1915 Statutes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 369—An act to add Section 1619 to the Penal Code, relating to discharge of prisoners from the county jail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 895—An act to amend Section 305 of the Agricultural Code, relative to meat inspection.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1210—An act to add Section 5567 to the Elections Code, relating to the conduct of elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1762—An act to amend Section 3812 of the Elections Code, relating to election ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 53—An act to amend Section 7962 of the Elections Code, relating to the canvass and return of results at primary elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1622—An act to amend School Code Section 5.410, relating to the public school system.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1163—An act to amend School Code Sections 3.122 and 3.172, relating to the admission of pupils to public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1410—An act to amend School Code Section 1.33, relating to property of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1292—An act to add a new section, to be numbered 604.2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1291—An act to amend Sections 623.5, 625, 627 and 694 of the Vehicle Code, relating to lights, other equipment, and loading of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1275—An act to add Section 164.7 to the Vehicle Code, relating to stolen or embezzled vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2072—An act to add Section 444 to the Vehicle Code, relating to persons operating parking lots for motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1290—An act to add a new section, to be numbered 660, to the Vehicle Code, relating to the sale of used vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1238—An act relating to marking retreaded, recapped and recut vehicle tires.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight and equipment upon vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1288—An act to add a new section to be numbered 641 to, and to amend Section 679 of, the Vehicle Code, relating to the condition of vehicle and its equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 825—An act to add Sections 1266 to 1266.4, both inclusive, to the Code of Civil Procedure, relating to eminent domain, including the taking of land by the State, cities, and counties for streets and highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1832—An act to amend Section 9918 of the Elections Code, and Sections 852 and 858 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the time of

canvassing of votes in municipal elections, and providing for the meeting of municipal legislative bodies for that purpose.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2109—An act to add Section 140.1 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to police officers of municipal corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2490—An act to amend Section 12 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to a county peace officers' retirement system.

Bill read second time, and ordered engrossed.

Assembly Bill No. 698—An act to add Section 19123 to the Health and Safety Code, to add Article 2a to Chapter 2, Part 3, Division 3 of said code, consisting of Sections 19130 to 19138, inclusive, and to amend Section 19170 of said code, relating to requirements for earthquake protection in the design and construction of buildings, including the enforcement thereof, and securing of building permits, and the violation thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 728—An act to amend Sections 541 and 542 of the Political Code, relating to State printing and the preparation of copy therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 785—An act to amend Section 12209 of the Business and Professions Code, relating to the duties of sealers of weights and measures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2063—An act providing for the publication and distribution of a State Blue Book.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1490—An act to amend Section 19 of the "Assessment Bond Refunding Act of 1933."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on *Municipal Corporations*:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "It", and insert "During the period of four (4) years immediately following the due date of the last installment upon any bond issued by the city treasurer under this act, it".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "and for a period prior", and strike out line 12; and in line 13, strike out "last installments".

Amendment No. 3

On page 2, line 4, of the printed bill, before "shall", insert "during the period of four (4) years immediately following the due date of the last installment upon any such bond,".

Amendment No. 4

On page 2, line 10, of the printed bill, after "certify", insert ", during the four (4) year period hereinbefore mentioned,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1491—An act to amend Sections 27 and 76 of the "Improvement Act of 1911," and to amend Sections 5398 and 6590 of the Streets and Highways Code, relating to certification of delinquencies to tax collector.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "It", and insert "During the period of four (4) years immediately following the recording date of the assessment referred to under Section 23 of this act, it".

Amendment No. 2

On page 1 of the printed bill, strike out lines 7 and 8, and in line 9, strike out "of this act,".

Amendment No. 3

On page 4, line 5, of the printed bill, strike out "It", and insert "During the period of four (4) years immediately following the due date of the last installment upon any bond issued by the city treasurer under this act, it".

Amendment No. 4

On page 4, line 13, of the printed bill, strike out "and for a period", and strike out line 14; and in line 15, strike out "of the last installments,".

Amendment No. 5

On page 4, line 17, of the printed bill, strike out "on the map books of the"; and in line 18, strike out "county assessor", and insert "reported shall be the descriptions".

Amendment No. 6

On page 4, line 40, of the printed bill, after "year" insert ", during the period of four (4) years immediately following the recording date of the assessment referred to under Section 5372 of this code,".

Amendment No. 7

On page 4, line 41, of the printed bill, strike out ", for a period", and strike out line 42; and in line 43, strike out "of the assessment under Section 5372 of this code,".

Amendment No. 8

On page 4, line 52, of the printed bill, strike out "and for a period prior to the"; and on page 5, strike out line 1; and in line 2, strike out "ments," and insert ", but only during the period of four (4) years immediately following the due date of the last installment upon any bond issued by the city treasurer under this act.".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1833—An act to amend Sections 1771, 11060, 11103 and 11121 of the Elections Code, relating to municipal elections, including procedure in the referendum and recall.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "1771," insert "9700,"; and after "of", insert ", and to add Section 9482 to.".

Amendment No. 2

On page 2 of the printed bill, after line 15, insert

"SEC. 5. Section 9482 is hereby added to the Elections Code, to read as follows:

Sec. 9482. The provisions of this part shall apply to all municipal elections except where otherwise provided for in the Constitution of the State or in a charter duly adopted or amended pursuant to the Constitution of this State.

SEC. 6 Section 9700 of said code is hereby amended to read as follows

9700. Whenever the term "municipal election" is used in this chapter, it refers to elections in cities of the fifth and sixth class [only.] *and where applicable in charter cities.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2166—An act to amend Section 5536 and to repeal Section 5537 of the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Construction:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5536 and to repeal Section", and insert "Sections 5536 and".

Amendment No. 2

On page 1 of the printed bill, strike out line 15, and insert "is hereby amended to read as follows:

5537. This chapter does not prevent any person from making plans or drawings for his own buildings or from furnishing to other persons plans, drawings, specifications, instruments of service, or other data for buildings [, if, prior to accepting employment or commencing work on such plans, drawings, specifications, instruments of service, or other data, the person, so furnishing such plans, drawings, specifications, instruments of service, or data, fully informs such other person or persons, in writing, that he, the person proposing to furnish such plans, drawings, specifications, instruments of service, or data, is not an architect.

This information is deemed to have been given by] A structural engineer [when he uses the title "structural engineer" on all instruments of service.] *is hereby expressly authorized to render architectural services.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 787—An act to amend Section 12107 of the Business and Professions Code, relating to tolerances and specifications for commercial weighing and measuring apparatus.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "or container,".

Amendment No. 2

On page 1, line 12, of the printed bill, immediately following the period, insert "The department may establish a tare or tares for each of the several types of containers used in making deliveries of edible agricultural commodities to shippers, processors or other handlers and prescribe such tolerances as may be necessary for the proper protection of persons engaging in transactions wherein the computation of tares affects the purchase price."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 791—An act to amend Section 12507 of the Business and Professions Code, relating to testing, correcting and repairing weighing or measuring instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the comma and the balance of said line, and all of lines 9 to 13, inclusive, and insert a period.

Amendment No. 2

On page 1 of the printed bill, after line 13, insert

"In the event that the owner or user of any weights or measures or weighing or measuring instruments marked "Out of Order" shall have refused or neglected to have them repaired or corrected within thirty (30) days they shall be subject to seizure by the sealer. Any weights or measures or weighing or measuring instruments which have been seized by the sealer under the provisions of this section shall be subject to such disposition as shall be ordered by a court of competent jurisdiction upon petition for a disposition order by the sealer. The sealer shall petition the court for such disposition order periodically, but not more often than once in each calendar year.

A notice of such petition shall be given to the owner or user from whom the equipment was seized in the same manner as a summons in a civil action."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 793—An act to amend Sections 12021 and 12022 of the Business and Professions Code, relating to falsity in weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, immediately preceding "marks", insert "knowingly".

Amendment No. 2

On page 1, line 4, of the printed bill, immediately preceding "takes", insert "knowingly".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1714—An act to amend Section 785 of the Agricultural Code, relating to the disposal of fruits, nuts, and vegetables not conforming to standardization requirements.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, strike out all of line 9, and insert "to insure that the nuisance will be abated.

In actions arising under the provisions of this section, municipal courts shall have original jurisdiction where the value of the property seized amounts to two thousand dollars ($2,000) or less; justices' courts of Class A shall have original jurisdiction where the value amounts to one thousand dollars ($1,000) or less; and justices' courts of Class B shall have jurisdiction where the value amounts to three hundred dollars ($300) or less.

It is unlawful".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1893—An act to amend Sections 2, 6, 6a, 14 and 18 of the California Agricultural Products Marketing Act of 1937, relating to definitions contained in such act, terms and conditions of agreements and orders issued under such act, powers of committees appointed under such agreements and orders, and enforcement of such agreements and orders, and continuing existence of agreements and orders executed or issued prior to effective date of Chapter 910, Statutes of 1937, and declaring this act to be an urgency measure, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out the last three lines of the title, and insert "be an urgency measure, to take effect immediately."

Amendment No. 2

On page 5 of the printed bill, strike out lines 21 to 26, inclusive, and insert "application to the administrative committee selected pursuant to this act and approval of such application, removes trees or vines as specified in the program and otherwise conforms with the provisions thereof. Each application shall be considered and approved or disapproved in whole or in part, within the limits of the funds available, so as most effectively to accomplish the purpose of the program. No program of production".

Amendment No. 3

On page 5 of the printed bill, at the end of line 33, and continued at the beginning of line 34, strike out "director", and insert "administrative committee".

Amendment No. 4

On page 5, line 35, of the printed bill, strike out "him", and insert "it".

Amendment No. 5

On page 5, line 36, of the printed bill, after "reliable.", insert "All actions of the administrative committee under such program shall be subject to review and approval or disapproval of the director."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 559—An act to amend Section 501 of the Agricultural Code, relating to modified milk

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In the title of the printed bill, strike out "501", and insert "560".

Amendment No. 2

In line 2 of the title of the printed bill, after "milk", strike out the period, and insert ", by adding Section 560 1 to the Agricultural Code, relating to vitamized milk."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "501", and insert "560".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3, 4, 5, 6 and 7, and insert

"560. Modified milk is milk which has been altered in composition to conform to special nutritional requirements. Modified milk may be sold only upon prescription of a regularly licensed physician.

SEC. 2. Section 560 1 is hereby added to the Agricultural Code to read as follows:

560.1. Nothing in this division shall be deemed to prohibit the addition of vitamins to market milk and the sale of said milk when vitamins are added, provided, that such milk is labeled with such additions and the amounts thereof. A statement of the method and manner of adding vitamins shall be filed with and approved by the director, and when offered for sale such vitamin milk shall not be of a standard below the legal requirements of market milk.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall therefore go into effect immediately. A statement of the facts constituting such necessity is as follows:

Milk distributors throughout the State of California are selling and distributing vitamin milk containing certain vitamins which under the present law can not be sold except upon prescription of a regularly licensed physician Public demand requires the continued distribution of vitamin milk and the securing of prescriptions is impractical. Unless the law is changed to permit the sale of vitamin milk with the approval of the Director of Agriculture, the proper and legal distribution of this type of milk would be prohibited."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1276—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees on vehicles.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 22 to 26, inclusive, and insert

"An official representative of a foreign government, within the meaning of this section, is a person holding an exequatur issued by the Department of State of the United States of America."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1080—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, between the comma following "State", and the word "except", insert "and the dealing in warehouse receipts for the alcoholic beverage specified in the license".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of line 9.

Amendment No. 3

On page 2, lines 14, 15 and 16, of the printed bill, as amended, insert "(b) A still license authorizes the person to whom issued to own or possess the number of stills indicated in the license upon the premises for which issued."

Amendment No. 4

On page 2, line 35, of the printed bill, as amended, strike out "turers' ", and insert "turer's".

Amendment No. 5

On page 3, line 36, of the printed bill, as amended, following "business", strike out the comma.

Amendment No. 6

On page 4, line 35, of the printed bill, as amended, strike out "sale of", and insert "dealing in".

Amendment No. 7

On page 5, line 11, of the printed bill, as amended, following "manufacturer's", strike out "manufacturers' agents", and insert "manufacturer's agents' "; and in line 12, strike out "ers", and insert "er's"; and in line 14, following "manufacturers", strike out "manufacturers' ", and insert "manufacturer's".

Amendment No. 8

On page 6, line 42, of the printed bill, as amended, between "payment", and "for", insert "by a wine manufacturer".

Amendment No. 9

On page 6, line 44, of the printed bill, as amended, after "license", strike out the period, and dash, and insert "and".

Amendment No. 10

On page 6, line 44, of the printed bill, as amended, strike out "wine" following "a", and insert "brandy".

Amendment No. 11

On page 6, line 45, of the printed bill, as amended, after "manufacturer", strike out "and", and insert a comma.

Amendment No. 12

On page 2, line 46, of the printed bill, as amended, strike out "or a person who holds no other license".

Amendment No. 13

On page 5, line 21, of the printed bill, as amended, after "who", insert ", under such procedure as shall be established by the board.".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1005—An act to amend Sections 5900, 5901, 5902 and 5904 of the Elections Code, relating to absent voting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", to add Section 5930.5 to, and to repeal Section 5882 of,".

Amendment No. 2

On page 1, line 4, of the printed bill, after "or", insert "who will be".

Amendment No. 3

On page 1, line 17, of the printed bill, after "file", insert ", either in person or by mail,".

Amendment No. 4

On page 2 of the printed bill, after line 15, insert

"SEC. 5. Section 5882 of said code is hereby repealed.

SEC. 6. Section 5930.5 is hereby added to said code, to read as follows:

5930.5. In any county in which voting machines are used the clerk may provide in his office one voting machine for each Assembly district in the county on which a voter desiring to vote an absent voter's ballot may record his vote. An absent voter's board of three persons shall be appointed by the clerk to conduct the voting. One member of the board shall act as inspector for the period during which an absent voter's ballot may be voted. The inspector shall record on the absent voter's application the voter's public counter number and the date on which the vote was cast and shall sign his name thereon. He shall also keep a daily record of the numbers of the seals used in sealing the voting machines and the total readings of the public counter.

The provisions of Chapter 6 of Division 8 of this code in so far as applicable shall govern voting by absent voters and the certification of the results, except that the voting compartments of the voting machines shall be sealed against scrutiny from the time that the voting commences until after the day of election."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 385—An act to add Section 2671.5 to the Elections Code, relating to fees for filing declaration of candidacy.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert

"The county clerk shall not accept any papers unless the fees are paid at the time."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1052—An act to amend School Code Section 2.85, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2.85", and insert "Sections 2.85 and 2.112".

Amendment No. 2

On page 2 of the printed bill, following line 11, insert

"SEC. 2. School Code Section 2.112 is hereby amended to read as follows:

2.112. The board of supervisors either when the district is formed or subsequently may include more territory than the remainder of the district or districts

from which the city or incorporated town was organized, whenever a petition for such purpose is presented to them, signed by a majority of the heads of families residing in such additional territory.

The territory annexed may be in either the same or a different county than that of the school district to which it is annexed. *If the territory annexed lies in a county other than the county in which the school district to which the territory is annexed lies, such school district shall not become a joint school district by reason of the annexation of such territory thereto.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1204—An act to add Article 7 to Chapter 1 of Part 5 of Division 3 of the School Code, relating to the establishment of courses in Military science and tactics in the public secondary schools

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "R O. T. C", and insert "Reserve Officers Training Corps"

Amendment No. 2

On page 1 of the printed bill, following line 10, insert

"No student enrolled in any such school shall be required to enroll in any course in Military science and tactics"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Concurrent Resolution No. 24—Relative to the duty of the Joint Legislative Committee on State Buildings at Sacramento created by Assembly Concurrent Resolution No. 17 of the Fifty-fourth Session of the Legislature, to study the State Building Program at other places in California.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out line 8, and insert "to this Legislature; and

WHEREAS, No satisfactory Coordinated Building Program can be submitted to the Legislature without an investigation in other places in the State where the State owns buildings or rents space for offices; now, therefore, be it".

Amendment No. 2

On page 1, line 15, of the printed measure, strike out the comma.

Amendment No. 3

On page 1, line 19, of the printed measure, after "buildings", insert "and as to space rented by the State".

Amendment No. 4

On page 1 of the printed measure, between lines 23 and 24, insert

"*Resolved*, That the said committee is hereby authorized to meet and pursue its investigations at places in California other than Sacramento as it may decide to be necessary to the satisfactory performance of its duties; and be it further".

Amendment No. 5

On page 1, line 28, of the printed measure, strike out the period, and insert "; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile

each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available, in addition to any money now available, from the Contingent Funds of the Senate and of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution or under said Assembly Concurrent Resolution No. 17, to be paid equally from the Contingent Funds of the Senate and of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1086—An act to amend Sections 1260, 1260.15 and 1260.25 of, and to add two new sections, to be numbered 1260.16 and 1260.17, to, the Agricultural Code, pertaining to grain warehouse inspection

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 1260.25", and insert ", 1260.25 and 1260.75".

Amendment No. 2

On page 2, line 4, of the printed bill, immediately following "under", insert "this".

Amendment No. 3

On page 2 of the printed bill, between lines 5 and 6, insert

"The provisions of Section 1260.15 of said code as herein amended shall become effective July 1, 1942."

Amendment No. 4

On page 2, line 21, of the printed bill, strike out "five cents ($0.05)", and insert "three cents ($0.03)".

Amendment No. 5

On page 2, line 26, of the printed bill, strike out "stored", and insert "received for storage during the previous quarter".

Amendment No. 6

On page 2 of the printed bill, strike out all of line 35, and insert

"Payment of this inspection tax of three cents ($0.03) for each ton is not required when the grain on which the inspection tax has already been paid has been shipped from one public grain warehouse to another, provided the warehouse receiving such grain for storage files with the department with the required quarterly report a certification from the warehouse shipping the grain certifying that the inspection tax has been paid on the lot giving the lot number, warehouse receipt number, if any, number of bags, gross weight and other marks of identification.

This inspection fee of three cents ($0.03) on each ton of".

Amendment No. 7

On page 2 of the printed bill, strike out lines 36 and 37, and insert "grain received in storage shall be a legal charge against the grain, in addition to the legal published tariffs, and must be indicated".

Amendment No. 8

On page 2, line 39, of the printed bill, strike out "five", and insert in lieu thereof "three".

Amendment No. 9

On page 2 of the printed bill, immediately following line 49, insert

"SEC. 6. Section 1260.75 of the Agricultural Code is hereby amended to read as follows:

1260.75. The director [and the commissioner of each county of the State,] his deputies and [inspectors,] *duly authorized agents* [under the supervision and control of the director,] shall enforce this chapter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1088—An act to add a new section, to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning and threshing equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and threshing".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "threshing or".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "thresher", and insert "portable seed".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 6 to 13, inclusive, and insert "cleaner being used for the first time in the county. Upon application by the owner and whenever the commissioner deems it necessary, the commissioner may cause an inspection to be made of the cleaner of each permittee. Such permit may be suspended".

Amendment No. 5

On page 1, line 17, of the printed bill, strike out the period, and insert "relative to preventing the dissemination of the seed of any pest."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1498—An act to amend Section 830 of, and to add Sections 830.1 and 830.2 to the Agricultural Code, relating to by-products disposal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out all of line 4; and in line 5, strike out "and", and insert "specified in this chapter".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 7 to 11, inclusive, and insert "resale, and all such fruits, nuts and vegetables, including dates, which are being delivered to any person in the State for grading, packing or reconditioning for disposal to a dumping ground or waste disposal plant or for live stock feeding purposes, are exempt from the standards established in this chapter if not wrapped or packed, and no person shall use or dispose of such".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 9 to 18, inclusive, and insert "830.1. The enforcing officer may, and when requested by an enforcing officer of the county of destination shall, affix a warning notice to any vehicle or other means of transportation, or to any load or lot, of fruits, nuts, or vegetables exempt from the standards established by this chapter, and serve a disposal order upon the owner or person having custody or possession of any such load or lot."

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 22 and 23, and insert "ing such disposition shall be in the form specified by and provided by the director."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1593—An act to amend the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert "An act to amend the Streets and Highways Code by adding Section 2808 thereto, relating to the exemption of sanitary districts from the Special Assessment Investigation, Limitation and Majority Protest Act of 1931."

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "15a", and insert "2808".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "15a", and insert "2808".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1594—An act to amend Sections 13 and 14 and to add Section 13b to the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to waiver of report, limitation of sections, and costs on abandonment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert "An act to amend Sections 2951, 2954, 2955, 2956, 3010 and 3012, and to add Section 2996, to the Streets and Highways Code, relating to waiver of report, limitation of actions, and costs on abandonment under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 22, inclusive

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2951 of the act cited in the title hereof is hereby amended to read as follows:

2951. The notice of proposed assessment shall be substantially in the following form (filling in the blanks) .".

Amendment No. 4

On page 2 of the printed bill, strike out lines 48 to 52, inclusive.

Amendment No. 5

On page 3 of the printed bill, strike out lines 1 to 29, inclusive, and insert

"SEC. 2. Sections 2954, 2955 and 2956 of said act are hereby amended to read as follows:

2954. The return postcards shall be filed in the clerk's office and after the expiration of the 30-day period specified in the notice of proposed assessment all demands for the investigation made to the legislative body shall be computed and it shall by order entered on its minutes determine whether or not the owners of [15] *20* per cent of the area of the proposed assessment district have demanded such investigation. Such determination shall be final and conclusive in the absence of actual fraud.

2955. If the owners (as defined in the law under which it is proposed to proceed) of [15] *20* per cent of the area of the proposed assessment district do not so demand the making of the investigation provided by this division, the legislative body shall be at full liberty to proceed under the statute under which it has declared its intention to carry through the contemplated proceedings without any further restrictions whatsoever by reason of the terms or provisions of this division except that the majority protest provisions of this division shall apply.

2956 If the owners of [15] *20* per cent or more of the area of the proposed district so demand the making of such investigation, all provisions of this division shall apply to the proposed proceeding, if any further steps are taken therein by the legislative body."

Amendment No. 6

On page 3 of the printed bill, strike out lines 30 to 52, inclusive, and insert

"SEC. 3. A new section is added to said act, numbered and to read as follows:

2996. *In the event that any proceedings are abandoned by reason of protest filed pursuant to the provisions of Section 2930 hereof, or for any other reason, the cost and expense of such proceedings to the date of such abandonment shall be a charge against the treasurer of the city, county, or city and county instituting such proceedings.*"

Amendment No. 7

On page 4 of the printed bill, strike out lines 1 to 24, inclusive, and insert

"SEC 4. Section 3012 of the act cited in the title hereof is hereby amended to read as follows:

3012. Any action, suit or proceeding of any kind or nature in which the validity of any of the proceedings taken under the provisions of this act is questioned *or attacked [must] shall be commenced within [sixty] 30 days after the date of the* adoption *and publications* of the resolution or ordinance [finally ordering] *of intention to order* the acquisition and/or improvement, and in case such action is not brought within said [sixty] *30* days, then thereafter all persons whatsoever shall be barred in any action, suit or proceeding from pleading, asserting or claiming that any of the proceedings under this act were defective, faulty or invalid in any respect."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1597—An act to provide the date on which general obligation or voted bonds may be made payable.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out the period, and insert " ; provided, however, that the last maturity thereof shall be within 40 years from the time of contracting such bonded debt. In such event, interest shall be payable on

the second days of January and July, the first installment of which shall be for interest to the second day of January next preceding the first maturity of said bonds."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2028—An act to add a new article to the School Code, to be numbered Article 5 of Chapter 2 of Part 4 of Division 3 of the School Code, embracing School Code Sections 3.625 to 3.636, inclusive, and to add six new sections to the School Code, to be numbered Sections 4 1-1, 4 20-1, 4.783-1, 4 795-1, 4 874-2 and 4.886-2, relating to the education of mentally handicapped children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, line 41, of the printed bill, strike out "one".

Amendment No. 2

On page 3, line 42, of the printed bill, strike out "hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 3

On page 3, line 52, of the printed bill, strike out "one".

Amendment No. 4

On page 4, line 1, of the printed bill, strike out "hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 5

On page 4, line 10, of the printed bill, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 6

On page 4, line 18, of the printed bill, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 7

On page 4, line 26, of the printed bill, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 8

On page 4, line 34, of the printed bill, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2106—An act to amend Section 1003 of the Elections Code, relating to elections, including the publication and posting of election proclamations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1003", and insert "Sections 1003 and 1005".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "may", and insert "shall".

Amendment No. 3

On page 1, line 5, of the printed bill, after "and", insert "may cause a copy".

Amendment No. 4

On page 1, line 9, of the printed bill, strike out "may", and insert "shall".

Amendment No. 5

On page 1, line 10, of the printed bill, strike out "either".

Amendment No. 6

On page 1, line 10, of the printed bill, strike out "or", and insert "and may cause a copy to be".

Amendment No. 7

On page 1 of the printed bill, after line 12, insert

"SEC. 2. Section 1005 of the Elections Code is hereby amended to read as follows:

1005. Whenever a special election is ordered by the board of supervisors it shall issue an election proclamation, containing a statement of the time of the election and of the offices to be filled and shall publish and *may* post it in the same manner as election proclamations issued by the Governor."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1033—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 2746, 2831, 2832, 2834, 2840 and ", and insert "add Article 11, consisting of Sections 5450 to 5459 inclusive to Chapter 1 of Division 5 of, to add Chapter 5 consisting of Sections 5300 to 5302 inclusive, to Division 7 of, and to amend Sections 2831, 2832, 2840".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "of, and to add Sections 2841.1 and 2841.2 to," and insert ", 2842 and 2843 of,

Amendment No. 3

In line 3 of the title of the printed bill, after "committees", insert "and campaign funds".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "Section 2746 of the Elections Code is hereby", and strike out lines 2 to 10, inclusive, and insert "Article 11 is hereby added to Chapter 1 of Division 5 of the Elections Code, to read as follows:

Article 11 Election of County Central Committees In Counties Containing More Than 20 Assembly Districts

2450. The provisions of this article shall only apply to counties containing 20 or more Assembly districts and shall not apply to county central committees in any other county or city and county.

2451. At each presidential primary election commencing with the election to be held in May, 1944, there shall be elected in each county containing 20 or more Assembly districts, a county central committee for each political party.

2452. In counties containing 20 or more Assembly districts all members of all county central committees elected at the direct primaries held on August 27, 1940, shall continue to hold office until their successors are elected and qualified.

2453. The name of a candidate for election to the county central committee in a county containing 20 or more Assembly districts shall be printed on the ballot only upon the filing of a nomination paper signed in his behalf by the voters of the Assembly district in which he is a candidate pursuant to Articles 4 and 5 of Chapter 2 of Division 5, except that time limitations specified therein shall refer to such times before the presidential primary.

2454. The number of candidates for membership in the county central committee to which each party is entitled in each Assembly district to receive the highest number of votes shall be declared elected; but a candidate for county committeeman shall not be declared elected unless he has received votes equal in number to the minimum number of signatures to the nomination paper which would have been required to place his name on the county central committee election ballot.

2455. All voting for members of county central committees in counties containing 20 or more Assembly districts shall be by a separate ballot to be known as a "county central committee election ballot"

2456. A separate county central committee election ballot for each political party shall be printed and provided for use at each voting precinct in the county. The county central committee election ballot shall have a different tint or color for each political party.

2457. At the same time that he is given a presidential primary ballot every voter who is affiliated with any party shall also be given a county central committee election ballot of that party.

2458. Across the top of each county central committee election ballot shall be printed in capitals, not smaller than 48-point the words "Official County Central Committee Election Ballot" Beneath this heading shall be printed in capital type, not smaller than 24-point, the party designation.

2459. Except as otherwise provided the form of the ballot shall be the same as other election ballots.

County central committee election ballots shall be in substantially the following form:

(This number to be torn off by Inspector)	Perforated Line	Mark Crosses (+) on Ballot Only With Rubber Stamp;
3347		Never with Pen or Pencil
		(Fold Ballot to this Perforated Line, leaving Top Margin exposed)
		Perforated Line

3347

OFFICIAL COUNTY CENTRAL COMMITTEE ELECTION BALLOT

Republican Party
48th Assembly District

To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.

COUNTY COMMITTEE

Member of County Central Committee	Vote for Seven
John T. Hunt School Teacher	
Joseph T. Johnson Paving Contractor	
H. L Maynard Broker	
E S. Minor Real Estate Agent	
H. D. Robinson Doctor	
Edward F. Stevens Dentist	
N. Mallard Lawyer	
D. G. Elton Baker	

Perforated Line

Amendment No. 5

On page 1 of the printed bill, strike out lines 13 and 14; and in line 15, strike out "appointed a", and insert "2831. A".

Amendment No. 6

On page 1, line 17, of the printed bill, after "districts", insert "shall be elected at every presidential primary in accordance with the provisions of Article 11 of Chapter 1 of Division 5 of this code".

Amendment No. 7

On page 2, line 3, of the printed bill, strike out "or the appointment", and insert "or presidential primary".

Amendment No. 8

On page 2 of the printed bill, strike out lines 6 to 13, inclusive

Amendment No. 9

On page 2 of the printed bill, strike out lines 38 to 50, inclusive; and on page 3, strike out lines 1 to 31, inclusive, and insert

"SEC 8. Section 2842 of the Elections Code is hereby amended to read as follows:

2842 *Each county central committee in a county containing 20 or more Assembly districts shall meet in the courthouse at its county seat on the third Tuesday in May following the presidential primary, and shall organize by selecting a chairman, a secretary, and such other officers and committees as it deems necessary for carrying on the campaign of the party Every other county central committee* shall meet in the courthouse at its county seat on the second Tuesday in September following the direct primary, and shall organize by selecting a chairman, a secretary and such other officers and committees as it deems necessary for carrying on the campaign of the party

SEC 9. Section 2843 of the Elections Code is hereby amended to read as follows

2843 *Not later than 10 days after the third Tuesday in May following the presidential primary, the county clerk shall mail or otherwise deliver to the Secretary of State a certificate showing the chairman of each county central committee in each county containing 20 or more Assembly districts*

The county clerk shall within 10 days after the second Tuesday in September following the direct primary, ascertain who is the newly elected chairman of each county central committee *in all other counties* and shall mail a certificate to that effect to the Secretary of State

SEC 10 Chapter 5, consisting of Sections 5300 to 5302, inclusive, is hereby added to Division 7 of the Elections Code, to read as follows:

Chapter 5. Campaign Funds

Article 1 Solicitation

5300 As used in this article "person" includes a firm, association, corporation, campaign committee or organization

5301. It is unlawful for any person which includes in any part of its name the name of any political party which was qualified to participate in the last preceding primary election, to directly or indirectly solicit funds for any purpose whatsoever, upon the representation either express or implied that such funds are being solicited for the use of that political party unless such person shall have previously obtained the written consent of the executive committee of the county central committee of the party whose name is being used in the county in which such solicitation is to be made, or if the county central committee of the party in that county does not have an executive committee, unless the written consent of the chairman and secretary of that county central committee is first obtained

5302 Any person who violates any provision of Section 5301 is guilty of a misdemeanor"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1501—An act to add Sections 31.5 and 34.5 to, to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3946, 7966, 8720, 8721 and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "31.5 and 34.5 to, to amend Sections", and strike out the balance of the title, and insert "3994, 3995 and 3996 to the Elections Code, relating to nominations and filing of nomination papers"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "31.5", and insert "3994".

Amendment No. 3

On page 1, line 3, of the printed bill, insert

"3994. Whenever nomination papers for a State office or the office of State Senator or member of the Assembly are filed with the Secretary of State, he shall immediately examine the papers to determine if any candidates have identical or similar names which may be confused by the voters. Within two days after the discovery of any such names, he shall notify the candidates bearing the names of the similarity of their names

SEC. 2. Section 3995 is hereby added to the Elections Code, to read as follows:

3995. Within four days after the date of mailing of the notice, each candidate notified, if he so desires, shall furnish the Secretary of State a statement in not over 50 words of his principal occupation or occupations during the preceding five years

SEC. 3. Section 3996 is hereby added to the Elections Code, to read as follows:

3996. Upon receipt of the statements, the Secretary of State shall send a copy thereof together with the name of the candidate and the name of the office for which he is running and the names of the other candidates having a similar or identical name, whether they have filed statements or not, and the offices for which they are running, to each county clerk. The copies shall be sent in time so that the county clerks will have time to print and distribute identical copies thereof with the sample ballots for the election. The county clerk shall enclose a copy of the statement with each sample ballot to be distributed to the voters."

Amendment No. 4

On page 1 of the printed bill, strike out lines 4 to 24, inclusive, and strike out pages 2 to 16, inclusive.

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1579—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Municipal Improvement Act of 1913, relating to the construction of public improvements, the levy of assessments and the issuance of bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In line 3 of the title of the printed bill, after "1913,", insert "and to add Section 14a thereto,".

Amendment No. 2

On page 3 of the printed bill, strike out lines 48 and 49, and insert "which subdivisions shall be given a separate number upon said diagram"

Amendment No. 3

On page 5, line 14, of the printed bill, strike out "or for failure to publish notice".

Amendment No. 4

On page 6 of the printed bill, strike out line 51, and insert "recorded with the county surveyor if the improvement district or any part thereof is in unincorporated territory and with the superintendent of streets of the city or cities if the improvement district or any part thereof is in incorporated territory for the purpose of giving".

Amendment No. 5

On page 7 of the printed bill, strike out line 12, and insert "ation of a certified copy with the county surveyor or the superintendent of streets of the city or both as provided".

Amendment No. 6

On page 7 of the printed bill, strike out line 15, and insert "thereafter shall become delinquent and thereupon, for all assessments unpaid for which bonds are not to be issued 5 per cent".

Amendment No. 7

On page 11 of the printed bill, strike out line 24, and insert "improvement or as an alternative method of disposition of such excess there shall be applied as a credit to each assessment, or installment thereof, a pro rata share of such excess as each assessment, or installment thereof, bears to all the assessments. Where the assessment or any installment thereof has been paid in cash such credit shall be returned in cash to the person paying the corresponding assessment or installment, upon his furnishing satisfactory evidence of such payment. Where the assessment or any installment thereof is unpaid the credit shall be applied upon such assessment or the earliest unpaid installment, or installments of principal and interest The resolution of intention shall state whether said excess shall be used for maintenance or shall be credited and/or refunded as herein provided."

Amendment No. 8

On page 11 of the printed bill, strike out line 29, and insert "city tax collector, county surveyor or superintendent of streets, be a lien upon".

Amendment No. 9

On page 12, line 7, of the printed bill, strike out the period, and insert "if the improvement district or any part thereof is in unincorporated territory and with the superintendent of streets of the city or cities if the improvement district or any part thereof is in incorporated territory."

Amendment No. 10

On page 12 of the printed bill, strike out line 14, and insert "in the Street Opening Act of 1903."

Amendment No. 11

On page 7 of the printed bill, strike out lines 29, 30, 31 and 32, and insert "paid, which publication must be made by two insertions in a daily or weekly newspaper, published and circulated in the city. The description of the various parcels of land".

Amendment No. 12

On page 11 of the printed bill, between lines 6 and 7, insert

"SEC. 14 5. Section 14a is hereby added to the Municipal Improvement Act of 1913, to read as follows:

Sec. 14a The provisions of an act entitled "An act to secure the payment of claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain officers with respect thereto," approved May 10, 1919, as now or hereafter amended, are hereby expressly made applicable to the construction of works and improvements under this act."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1768—An act to amend Sections 3, 4, 5, 6, 6.6, 6.9, 7, 8, 10, 11, 12, 14, 17, 20, 22, 22b, 22c, 22d, 23b, 24, 24 3, 24.5, 24.7, 30, 31f, 32, 33, 34, 39, 45, 46, 47, 49, 51, 51a, 51c, 51g, 52, 54.3, 55, 66, 67, 67.1, and to repeal Sections 6.4 and 54.1 of the Alcoholic Beverage Control Act, and to add thereto Sections 53.4 and 53 7, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 4 of the title of the printed bill, preceding "54.3", insert "53 6,".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out the last two words; and strike out all of line 14; and strike out line 15 up to "unless".

Amendment No. 3

On page 2 of the printed bill, strike out lines 28 and 29; and strike out all of that portion of line 30 preceding "such", and insert

"In accordance with rules and regulations to be prescribed by the board, a warehouseman may sell alcoholic beverages to enforce the lien provided for by the Warehouse Receipts Act"

Amendment No. 4

On page 4, line 28, of the printed bill, after "to", insert "deal in warehouse receipts and to".

Amendment No. 5

On page 6, line 20, of the printed bill, after "except", insert "that nothing in this act shall be deemed to prevent the purchase and possession of distilled spirits in packages of less than one-half pint capacity by railroad, sleeping car or steamship companies and the sale thereof on trains or boats, and".

Amendment No. 6

On page 10, line 40, of the printed bill, strike out the period, and insert "; and provided, that the board may refuse to renew any license when the applicant is delinquent in the payment of any taxes owing under this act, the Retail Sales Tax Act of 1933, as amended, or the Use Tax Act of 1935, as amended"

Amendment No. 7

On page 10, line 43, of the printed bill, strike out "30", and insert "31".

Amendment No. 8

On page 10, line 47, of the printed bill, strike out "30", and insert "31"

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1378—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 22, of the printed bill, after "same", strike out the balance of the line; and strike out line 23, and insert "without a license in violation of the provisions of this act."

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2190—An act to amend Section 2 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2 of an act entitled", and insert "Section 10752 of, and to add Section 10752.5 to, the Revenue and Taxation Code and to amend Section 2 of, and to add Section 2.1 to,".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "a percentage of", and insert "a sum computed by multiplying".

Amendment No. 3

On page 1, line 8, of the printed bill, after "by the department", insert "by a percentage to be determined by the State Board of Equalization, as provided in Section 2.1".

Amendment No. 4

On page 1, line 15, of the printed bill, strike out "The State Board of Equali-", and strike out lines 16 to 20, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Amendment No. 5

On page 2 of the printed bill, after line 11, insert

"SEC. 2. Section 2.1 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 2.1. The State Board of Equalization shall certify to the Department on or before August 1 of each year the percentage to be used in computing the license fee for the second calendar year after the certification. The percentage shall be one-half of a percentage carried to a hundredth of 1 per cent determined by adding the county, city, school district, or other general or special taxes, not including special assessments or taxes on intangibles, and dividing the amount so obtained by the total assessed valuation of tangible property in the State as shown by the county tax rolls for the same year.

The method provided for in this section for computing the percentage shall be used only in determining the license fee due in 1943 and in subsequent years. For computing the fee due in 1942, the percentage shall be 1.75 per cent.

If the method of computation provided for in this section is declared unconstitutional, the amount of the license fee shall be a sum equal to 2.5 per cent of the actual market value of the vehicle.

SEC. 3. Section 10752 of the Revenue and Taxation Code is hereby amended to read as follows:

10752. The annual amount of the license fee shall be a sum [equal to 1¾ per cent of the] *computed by multiplying* the actual market value of the vehicle as determined by the department *by a percentage to be determined by the State Board of Equalization as provided in Section 10752.5.*

SEC. 4. Section 10752.5 is hereby added to the Revenue and Taxation Code, to read as follows:

10752.5. The State Board of Equalization shall certify to the department on or before August 1 of each year the percentage to be used in computing the license fee for the second calendar year after the certification. The percentage shall be one-half of a percentage carried to a hundredth of 1 per cent determined by adding the county, city, school district, or other general or special taxes, not including special assessments or taxes on intangibles, and dividing the amount so obtained by the total assessed valuation of tangible property in the State as shown by the county tax rolls for the same year.

If the method of computation provided for in this section is declared unconstitutional, the amount of the license fee shall be a sum equal to 2.5 per cent of the actual market value of the vehicle.

SEC. 5. Sections 3 and 4 of this act take effect only if Part 5 of Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time as said Part 5 takes effect; at which time the provisions of the act cited in the title hereof amended and added by this act are hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2070—An act to amend Sections 694 and 697 of the Vehicle Code, relating to height, length and width of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "or interurban", and after "service", insert "as defined by the Railroad Commission of the State of California in general orders pertaining to safety rules and regulations."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1930—An act to repeal Section 3802 of, and to amend Sections 3803, 3806, 3808 and 3809, of the Elections Code, relating to the order of names of candidates on ballots at general elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In the title of the printed bill, strike out line 1; and in line 2, strike out "3806, 3808 and 3809, of", and insert "An act to amend Section 3802 of, and to add Section 3808.5 to,".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "repealed.", and insert "amended to read as follows:

3802. *Except as otherwise provided,* the name of the incumbent shall appear first upon a list of all candidates for any office and if two or more positions are to be filled at the same time and more than one incumbent is running, the name of each of the incumbents shall appear in alphabetical order for that Assembly district which is lowest in numerical order of any Assembly districts in which such candidates are to be voted on. Thereafter, for each succeeding Assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

SEC. 2 Section 3808.5 is hereby added to said code, to read as follows:

3808.5. If the office is an office to be voted on wholly within a city and county, except the office of Representative in Congress or State Senator or Assemblyman, and there is more than one Assembly district in the city and county, the names of all candidates for the office, including incumbents, shall be arranged on the ballot as follows:

The county clerk shall write the name of each candidate on a separate and identical slip of paper and deposit all slips in a box

(a) If the number of candidates exceeds the number of Assembly districts, he shall then designate on a table or other space a number of spots equal to the number of Assembly districts in the city and county. He shall next draw the slips individually from the box, placing the first slip on the first spot, and the second slip on the second spot, and so forth until all the spots are covered, whereupon the same procedure shall be repeated commencing with the first spot until all slips have been placed.

Each group of two or more slips shall then be taken, deposited in the box, and drawn to determine the order of names in each group Finally, the groups shall be arranged in order The order in which the names are thus arranged shall be the order in which the names shall appear for that Assembly district in the city and county which is lowest in numerical order Thereafter, for each succeeding Assembly district in the city and county, the group of names appearing first in the last preceding Assembly district shall be placed last, the order of the other groups of names remaining unchanged.

(b) If the number of candidates equals or is less than the number of Assembly districts, the order in which the slips are drawn from the box shall determine the order in which the names shall appear for the lowest numbered Assembly district

Thereafter, for each succeeding Assembly district, the name appearing first in the last preceding district shall be placed last, the order of the other names remaining unchanged."

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 26, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 86—An act to amend Section 205 of the Revenue and Taxation Code, relating to exemption of property of veterans from taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 590—An act to amend Section 465 of the Vehicle Code, relating to signs, signals and traffic control devices.

Bill read second time, and ordered to third reading.

Senate Bill No. 1018—An act to amend School Code Sections 2.981 and 6.190, relating to the powers of governing boards of school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 46—An act to amend Sections 43, 44 and 46 of the Alcoholic Beverage Control Act

Bill read second time, and ordered to third reading.

Senate Bill No. 1303—An act to approve, confirm, ratify and validate contracts made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city for repairs, alterations or construction of school buildings or equipment

Bill read second time, and ordered to third reading.

Senate Bill No. 150—An act to amend Sections 500, 502, 503 and 505 of, to add Sections 502.1, 502.2 and 516.1 to the Military and Veterans Code, all relating to high school cadets

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Soldiers and Sailors Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and", and insert a comma

Amendment No. 2

In line 1 of the title of the printed bill, as amended, after "505", insert "and 513".

Amendment No. 3

On page one, line 14, of the printed bill, as amended, strike out "commandants", and insert "Commandants, Assistant Commandants, and Assistant Commandants (Junior Grade)".

Amendment No. 4

On page 1, lines 16 to 18, of the printed bill, as amended, strike out "Commandants of cadets shall be of three grades; namely, Assistant Commandant,

(Junior Grade), Assistant Commandant and Commandant", and insert "Commandant corresponds to the rank of major of the National Guard; Assistant Commandant corresponds to the rank of captain of the National Guard; and Assistant Commandant (Junior Grade) corresponds to the rank of first lieutenant of the National Guard."

Amendment No. 5

On page 1, line 18, of the printed bill, as amended, strike out "commandants" and insert "officers".

Amendment No. 6

On page 1, lines 20 and 21, of the printed bill, as amended, strike out "and shall rank respectfully with and after Second Lieutenant, First Lieutenant, and Captain."

Amendment No. 7

On page 1, line 22, of the printed bill, as amended, strike out "Commandant", and insert "officer".

Amendment No. 8

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "commandants", and insert "officers".

Amendment No. 9

On page 2, line 3, of the printed bill, as amended, after "officers", insert "of corresponding rank, as above stated".

Amendment No. 10

On page 2, line 16, of the printed bill, as amended, strike out "Commandant of Cadets herein provided for", and insert "ranking officer at the school, Commandant, Assistant Commandant, or Assistant Commandant (Junior Grade)".

Amendment No. 11

On page 2, line 18, of the printed bill, as amended, strike out "Commandant of Cadets", and insert "ranking officer at the school, Commandant, Assistant Commandant, or Assistant Commandant (Junior Grade).".

Amendment No. 12

On page 2, line 32, of the printed bill, as amended, after "of", insert "and honorably discharged from".

Amendment No. 13

On page 2, lines 33 and 34, of the printed bill, as amended, strike out "grade of First Lieutenant", and insert "rank of captain".

Amendment No. 14

On page 2, line 35, of the printed bill, as amended, strike out "grade of Captain", and insert "rank of major"

Amendment No. 15

On page 2, line 39, of the printed bill, as amended, strike out "in the lower grade", and insert "as Assistant Commandant (Junior Grade)".

Amendment No. 16

On page 2, line 41, of the printed bill, as amended, strike out "in the lower grade", and insert "as Assistant Commandant. Every officer having served as Commandant for one year or more immediately prior to the effective date of this act shall continue to hold the rank of Commandant regardless of any other provision of this section."

Amendment No. 17

On page 2 of the printed bill, as amended, strike out lines 44 to 51, inclusive, and on page 3 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert

"502.2. An Assistant Commandant (Junior Grade) shall wear the same uniform and shoulder straps as a first lieutenant of infantry in the National Guard; an Assistant Commandant shall wear the same uniform and shoulder straps as a captain of infantry in the National Guard; and a Commandant shall wear the same uniform and shoulder straps as a major of infantry in the National Guard. All such officers shall wear cap and collar ornaments designating the California High School Cadets."

Amendment No. 18

On page 3, line 7, of the printed bill, as amended, after "SEC. 7.", insert "Section 513 of the Military and Veterans Code is hereby amended to read as follows:

513. The Adjutant General may detail from the organizations of the National Guard or Naval Militia some competent member thereof having the rank of major in the National Guard, or corresponding rank in the Naval Militia, or higher, who shall act as drill and rifle practice instructor for high school cadets. The Adjutant

General may provide for compensating the persons detailed by him to instruct the cadets in drill and target practice
Sec. 8."

Amendments read and adopted.
Bill ordered printed, and to third reading.

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, as amended, after "business", strike out the balance of the title, and insert "and transfer of licenses by an executor, administrator, guardian, trustee, receiver, assignee for the benefit of creditors and others."

Amendment read and adopted
Bill ordered printed, and to third reading.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 133 WAIVED

Mr. Hawkins waived his notice of motion to reconsider the vote whereby Senate Bill No 133 was passed.

Senate Bill No. 133 ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 485—An act to add Sections 4926, 4026 1, 4026 2 and 4026 3 to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately;

And appointed Senators Myhand, Quinn and Kuchel as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

*Motor Land*_____Edwin S. Moore
*Anaheim Gazette*_____Chas. Bowen

ARTHUR A. OHNIMUS, Chief Clerk

MOTION TO WITHDRAW ASSEMBLY BILL NO. 18 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Thomas moved that Assembly Bill No. 18 be withdrawn from the Committee on Commerce and Navigation, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heis-

inger, Houser, Frederick F., Kilpatrick, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Tenney, Thomas, Turner, Waters, and Wollenberg—33.

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Daley, Dickey, Dills, Field, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, Phillips, Poole, Potter, Salsman, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Mr. Speaker—32.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 39—Relative to memorializing the President and the Secretary of State of the United States in regard to reciprocal border rights of American citizens and Mexican citizens.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 88—An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Collins, George D., Donnelly, and Gaffney—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1510—An act to provide for the taking of an oath by State employees not in the State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1327

Mr. Voigt asked for, and was granted, unanimous consent to have Assembly Bill No. 1327 withdrawn from the Committee on Ways and Means, and re-referred to the Committee on State Grounds and Parks.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1781—An act to add Section 4154a to the Political Code, relating to the defense of county officers and employees.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 19, insert

"In any county that has a county counsel the board of supervisors may direct him to perform the duties imposed by this section upon district attorneys"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Alfred W. Robertson Presiding

At 3.02 p.m., Hon. Alfred W. Robertson, member of the Assembly from the Thirty-ninth District, presiding.

Assembly Bill No. 1698—An act to describe, define and officially adopt a system of coordinates for designating and stating positions of points on the surface of the earth within the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 339—An act to add a new section to the Penal Code of the State of California to be known as Section 1309, relating to the escheat of certain money deposited as bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 1250—An act to repeal Part 3, except Section 1595, to repeal certain other sections of the Penal Code, to amend Sections 107, 109, 110, 171, 171a, 171b, 273b, 606, 644, 667, 681, 1168, 1202a, to repeal other acts and parts of acts specified herein, and to add Part 3 to the Penal Code, relating to prisons, jails, prisoners, terms and conditions of imprisonment, the death penalty, parole, reprieves, commutations, pardons, and convict-made goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1190—An act to add Section 2056 to the Penal Code and to repeal Section 1595 of the Penal Code as added in 1907, relating to the rebuilding of buildings destroyed by fire.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1190:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 1190

"An act to add Section 2056 to the Penal Code and to repeal Section 1595 of the Penal Code as added in 1907, relating to the rebuilding of buildings destroyed by fire",

in my opinion constitutes an emergency bill within the meaning of that term as

used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1190 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1189—An act to add Sections 2745 and 2746 to the Penal Code and to repeal Sections 6 and 7 of an act entitled "An act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work," approved March 28, 1895, making an appropriation for the operation by prison labor of rock-crushing plants.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1189:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 1189

"An act to add Sections 2745 and 2746 to the Penal Code and to repeal Sections 6 and 7 of an act entitled 'An act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work,' approved March 28, 1895, making an appropriation for the operation by prison labor of rock-crushing plants,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1189 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard,

Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1188—An act to add Section 2722 to the Penal Code and to repeal Section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1188:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL No. 1188

"An act to add Section 2722 to the Penal Code and to repeal Section 1 of an act entitled 'An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same,' approved May 19, 1927, relating to the sale of jute goods",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1188 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1192—An act to add Sections 2004 and 2006 to the Penal Code and to repeal an act entitled "An act relating to the first unit of the Southern California Prison and making an appropriation therefor," approved May 28, 1937, relating to an appropriation for the Southern California Prison.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1192.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 1192

"An act to add Sections 2004 and 2006 to the Penal Code and to repeal an act entitled 'An act relating to the first unit of the Southern California Prison and making an appropriation therefor,' approved May 28, 1937, relating to an appropriation for the Southern California Prison",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1192 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N. Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1193—An act to amend Section 1 of an act entitled "An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto," approved May 14, 1927, relating to highways leading to State prisons or the Preston School of Industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N. Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1194—An act to amend Section 1 of an act entitled "An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use," approved July 1, 1937, relating to the purchase of meat from the Napa State Farm.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N. Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1195—An act to add Section 2710 to the Penal Code and to repeal an act entitled "An act to create a Revolving Fund for the Manufacturing Departments at the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, appropriating a Revolving Fund for the Maintenance of the Manufacturing Departments of the State Prison at San Quentin.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1195:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 1195

"An act to add Section 2710 to the Penal Code and to repeal an act entitled 'An act to create a Revolving Fund for the Manufacturing Departments at the State Prison at San Quentin and to appropriate money therefor,' approved June 12, 1915, appropriating a Revolving Fund for the Maintenance of the Manufacturing Departments of the State Prison at San Quentin",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1195 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1196—An act to add Section 2720 to the Penal Code and to repeal an act entitled "An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute,

to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to a Revolving Fund for the Purchase of Jute.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1196.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 1196

"An act to add Section 2720 to the Penal Code and to repeal an act entitled 'An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute, to be manufactured at the State Prison at San Quentin,' approved March 9, 1885, relating to a Revolving Fund for the Purchase of Jute",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No 1196 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N. Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1197—An act to amend Section 4174a of the Political Code, relating to the duties of sheriff

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1191—An act to add Section 2765 to the Penal Code and to repeal Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the

dependents of such convicts; providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, relating to forfeiture by prisoners of moneys earned by them.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No 1191:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL No 1191

"An act to add Section 2765 to the Penal Code and to repeal Section 1 of an act entitled 'An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the dependents of such convicts, providing for a forfeiture of such compensation; providing for creation of Prisoners Recreation and Educational Fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor, providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith,' approved June 9, 1923, relating to forfeiture by prisoners of moneys earned by them".

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No 1191 as an emergency measure.

Respectfully submitted

GILBERT L. OLSON, Governor of California

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 625—An act to amend Section 1946 of the Civil Code, relating to hiring of real property.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Seth Millington Presiding

At 3.30 p.m., Hon. Seth Millington, member of the Assembly from the Fourth District, presiding.

Assembly Constitutional Amendment No. 2—Proposed amendment to Article IV, Section 23, of the Constitution, relative to the compensation of members of the Legislature.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Salsman moved a call of the Assembly.

Motion carried. Time, 3.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 5—Proposed amendment to Section 3 of Article IV of the Constitution, relative to the term of office of members of the Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—Dilworth, Donnelly, Field, and Potter—4.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 91—An act to amend Section 1530 of the Water Code or Section 23b of the Water Commission Act, relating to fees for applications or permits to appropriate water.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out "the", and strike out all of lines 21 to 26, inclusive, and insert

"Division 2 of the Water Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time said Division 2 takes effect, at which time Section 23b of the Water Commission Act is hereby repealed"

Amendment read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 9—Proposed amendment to Article IV of the Constitution, by adding a new section to be numbered 25½, relating to fish and game and funds received in connection therewith.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Collins, George D., and Houser, Frederick F.—2.

Resolution ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1814

Mr. Heisinger moved that Assembly Bill No. 1814 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Revenue and Taxation

The roll was called, and the motion carried by the following vote.

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2

At 3:57 p.m., on motion of Mr. Salsman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple,

Kilpatrick, King, Knight, John B. Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Turner, Voigt, Watson, Weber, and Welch—59

NOES—Call, Cronin, Daley, Dilworth, Donnelly, Field, Houser, Frederick F., Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Pfaff, Phillips, Thurman, Waters, Weybret, and Wollenberg—18.

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 2 was this day adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 15—Proposed amendment to Article IV, Section 18, of the Constitution, relative to eligibility of justices and judges to other office.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Call, Carlson, Cooke, Del Mutolo, Dilworth, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Miller, Pelletier, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Thurman, Waters, Watson, and Weybret—24

NOES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Heisinger, Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Poole, Richie, Robertson, Tenney, Thomas, Thorp, Turner, Voigt, Welch, and Wollenberg—41.

Assembly Constitutional Amendment No. 19—Proposed amendment to Section 31c of Article IV of the Constitution, relative to ownership of stock by school districts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—64

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 21—Proposed amendment to Section 5 of Article XI of the Constitution, relative to fixing salaries of township officers.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Burns, Hugh M., Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Doyle, Meehan, Thomas, and Waters—11.

NOES—Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Dickey, Dilworth, Field, Green, Gunlock, Heisinger, Houser,

Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Thurman, Voigt, Watson, Welch, Weybret, and Wollenberg—43

Leave of Absence

Mr. F. N. Howser was granted leave of absence for the balance of the legislative day, on motion of Mr. Robertson.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 955
Assembly Bill No. 1347
Assembly Bill No. 2078

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred

Assembly Bill No. 2192

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 2582
Senate Bill No. 41
Senate Bill No. 187
Senate Bill No. 1294

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 465
Senate Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 671
Assembly Bill No. 677
Assembly Bill No. 1318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 83 — Assembly Bill No. 1122
Assembly Bill No. 690 — Assembly Bill No. 1693

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 25—Mourning the death of Hugh Lovett Spears, member of the State Board of Prison Directors;

Assembly Concurrent Resolution No. 26—Expressing wishes for the speedy recovery of Christopher Thomas Merchant, member of the State Board of Prison Directors;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of April, 1941, at 3 30 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 268—An act to amend the chapter heading of Chapter 8 of Division 9 and to amend Sections 10600, 10601, 10602, 10603, 10607, 10625 and 10626 of the Health and Safety Code, relating to vital statistics, including proceedings to establish the fact of birth, death or marriage, to take effect immediately;

Assembly Bill No. 555—An act to add a new section to be numbered 109 5, to the Streets and Highways Code, relating to cooperative agreements as to highways and bridges required in connection with the construction of the Central Valley Project by the United States, to take effect immediately;

Assembly Bill No. 1397—An act to amend Sections 1703 5, 1704, 1708, 1709 and 1713 of, to repeal Section 1713 8 of the Insurance Code and to add Sections 1708.5, 1708.6 and 1709 2 thereto, relating to the transaction of life and disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of April, 1941, at 3.30 p.m.

JOHN B KNIGHT, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 391

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1800

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 950

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER Your Committee on Governmental Effciency and Economy, to which was referred:

Assembly Bill No 390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Governmental Effciency and Economy, to which were referred:

Assembly Bill No. 56
Assembly Bill No. 1058

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 162
Assembly Bill No 1536
Senate Bill No 98
Senate Bill No. 406
Senate Bill No. 447

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER. Your Committee on County Government, to which was referred:

Assembly Bill No. 1544

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER. Your Committee on County Government, to which were referred:

Assembly Bill No. 1598
Assembly Bill No 2142

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2323

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No. 1020
Assembly Bill No. 2154

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2218
Assembly Bill No. 1688
Assembly Bill No. 1311
Senate Bill No 117

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER. Your Committee on Education, to which were referred:

Assembly Bill No. 2576
Assembly Bill No. 1478
Assembly Bill No. 727

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 2204

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on State Grounds and Parks

DILWORTH, Chairman

Above reported bill re-referred to Committee on State Grounds and Parks

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 123

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bill ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred.

Assembly Bill No. 957

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Assembly Bill No. 855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Irrigation, to which were referred

Senate Bill No. 776
Senate Bill No. 754

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 58
Assembly Bill No. 588

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which were referred

Assembly Bill No. 1928
Assembly Bill No 1633

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1306
Assembly Bill No. 1479

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 237
Assembly Bill No. 1073
Assembly Bill No 1186
Assembly Bill No. 1268
Assembly Bill No. 1282
Assembly Bill No. 1325
Assembly Bill No. 1465
Assembly Bill No. 1754
Assembly Bill No. 2128
Assembly Bill No. 2271
Assembly Bill No 2326
Assembly Bill No. 2404
Assembly Bill No. 2483
Assembly Bill No. 2574

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 67—An act to add Article 4, 5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 14 to 17, inclusive, and insert "commerce."

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 45 and 46, insert
"6552.7. This article and Section 6594 of this code shall not apply to barber services performed by barbers on railroad passenger trains, or to barber services performed by students in barber schools."

Amendments read and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 311—An act to amend Section 44.1 of the Vehicle Code, relating to authorized emergency vehicles, including those operated by constables and deputy constables.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 26, 1941, between lines 11 and 12, insert
"(h) A motor vehicle, owned by the State, and operated by a regularly employed special agent or investigator of the Attorney General's Office in the performance of his duties under Section 476 of the Political Code"

Amendment read and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 97—An act to amend Section 1012 of the Code of Civil Procedure, relating to service by mail.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 and 11, and insert "of service is specified by order of court, or unless some other method of service is made mandatory by any other applicable provision of law."

Amendment read and adopted.
Bill ordered reprinted, and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Andreas:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2 of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 763 of the Agricultural Code, relating to unreasonable delay in inspection and compensation to the grower therefor, and the acceptance or rejection of canning tomatoes.

Respectfully submitted.

GODFREY A. ANDREAS

Request referred to Committee on Introduction of Bills.

MOTION TO PRINT COPIES OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Mr. Frederick F. Houser moved that 500 copies of the proposed amendments to Assembly Bill No. 1800 be printed.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 16, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 16

Senate Joint Resolution No. 16—Relative to memorializing Congress to appropriate thirty-eight million seven hundred fifty thousand dollars ($38,750,000) for the Central Valley Project as recommended by President Roosevelt.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—54.

NOES—Knight, John B—1

Resolution ordered transmitted to the Senate.

MOTION BY MR. LYON

Mr. Lyon moved that the members present the names of their guests at the desk where they will be entered in the Journal without being read, and shall not be introduced from the floor.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2483 re-referred to Committee on Oil Industries.

Assembly Bill No. 2271 re-referred to Committee on Agriculture.

Assembly Bill No. 1122 re-referred to Committee on Public Health and Quarantine

Assembly Bill No 1073 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2326 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 808 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 809 re-referred to Committee on Revenue and Taxation

Assembly Bill No. 1057 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1346 re-referred to Committee on Building and Loan Associations.

Assembly Bill No. 1325 re-referred to Committee on Building and Loan Associations.

Assembly Bill No. 1545 re-referred to Committee on Judiciary Codes.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rt. Rev Thomas J. O'Dwyer, director of Catholic Welfare Bureau, Los Angeles.

On request of Dr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. P. Francis, president, California School Employees' Association

On request of Dr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ed. A Haire, editor, California School Employees' Association.

On request of Dr Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Deane Wallace, legislative chairman, California School Employees' Association

On request of Mr Hugh M Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Jerry Nettleton of Fresno

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mahlon Turner of Ventura.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Arthur Bubb, instructor, Mrs. Arthur Bubb, Mrs Clark Parlier and Mrs. John Borba, and the following pupils of Bonita School, Crows Landing, Stanislaus County: Lorraine Chaves, Elvera Pereira, Budy Borba, Tony Lopes, George Mattos, Joe Enos, Fernando Brazil, Jimmy James, Fred Mehrtens, Lindy Bates, Lola Miner, Dorothy Lucas, Velma De Shane, Margaret Ferreira, Beverly Quick, Kelly Smith, Mary Rocha, Henry Rocha and Barbara Parlier.

On request of Mr. Massion, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to King O. Talles, Burnell H. Blanchard, Bert O. Culbertson, Samuel H Laub, and William True, all of Oakland, and A. Crumpton, J. H. Kane of San Francisco.

On request of Mr. George D. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Grace Mead of San Francisco.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Maude Prince, teacher of Social Service of Dominican College, and the following pupils: the Misses Eileen McAuliffe, Genevieve Ward, Mary Frances Degnan, Mary Anne Gallagher, Kathleen Maloy, and Margaret Moore.

On request of Mr. Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marina Boosters, Inc., as follows: Mr and Mrs. Marvin E. Lewis, Mr and Mrs F. Ellis Pierce, Mr. and Mrs. Phil Kaufman, Mr and Mrs Mike Tufo, Mme. Loretta Whiteford, Henry F. Budde, Mr. and Mrs.

John Dito, Miss Gorman, Mr. Gorman, Mrs. Margeret Pordon, John Pordon, Mr. and Mrs. Jay Jacobus, Annie Scanlon, and Mrs. Hertzka.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. F. Sims, principal, and Clarksburg High School Class of 1941, as follows: Louis Baliel, Walter Bloom, Ronald Curran, Yasuko Imagawa, Ruth Imoto, George Ishimoto, Bob Kirtlan, Kiyoko Koyasako, Yoshio Koyasako, Francis MacFarlane, Lois Merwin, Donald Nevis, Norma Oliver, Anna Palamidessi, Jeannette Pilz, Helen Rudkin, Clara Fay Ruhe, Isabelle Sheldon, Laurenda Silva, Therman Sprock, Chiyeko Tsukiji, Rosemary Turner, Virginia Updegraff, Helen Waltermire, Allan Zacharias, and Gean Zacharias.

On request of Messrs. Leonard and Sheridan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy Recht, teacher; the following students of the Fremont High, Oakland: Margie Amner, Cassie Morris, Jean Willman, Jack Pearson, Bob Jones and Warren Bingham.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. M. Malone, State Chairman, Democratic Central Committee.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Chas. Wagner of Alameda, former member of the Assembly.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Cecil King of Los Angeles.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Raynar E. Anderson of Oakland.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. C. Stetler of Hynes.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elmer Dowdy, County Clerk, San Benito County.

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to P. J. McQuillian and Harold Runswold of Upland.

On request of Mr. Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Anna Scanlon of San Francisco and Henry F. Budde, member Agricultural District 1A of San Francisco.

ADJOURNMENT

At 5.25 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Friday, April 4, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 4, 1941

The Assembly met at 2 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Muddough, Miller, Millington, Pelletier, Pfaft, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—65.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Welch.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr F. N. Howser, on motion of Mr. Robertson.
Mr. Sam L. Collins, on motion of Mr. Waters.
Mr. Stream, on motion of Mrs Daley.
Mr. Cassidy, on motion of Mr. Carlson

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 53
Assembly Bill No. 369
Assembly Bill No. 698
Assembly Bill No. 728
Assembly Bill No. 823
Assembly Bill No. 825
Assembly Bill No. 895
Assembly Bill No. 1071
Assembly Bill No. 1210
Assembly Bill No. 1238
Assembly Bill No. 1275
Assembly Bill No. 1288
Assembly Bill No. 1290
Assembly Bill No. 1291
Assembly Bill No. 1292
Assembly Bill No. 1467
Assembly Bill No. 1762
Assembly Bill No. 1832
Assembly Bill No. 2063
Assembly Bill No. 2072
Assembly Bill No. 2109
Assembly Bill No. 2133
Assembly Bill No. 2191
Assembly Bill No. 2490
Assembly Bill No. 2575

And reports the same correctly engrossed.

JOHN B. KNIGHT, *Chairman*

Above reported bills ordered to third reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred

Assembly Bill No. 263
Assembly Bill No. 1175

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DALEY, *Chairman*

Above reported bills ordered to second reading.

Committee on Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred

Assembly Bill No. 563

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WOLLENBERG, *Chairman*

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 793

And reports the same correctly re-engrossed

JOHN B. KNIGHT, *Chairman*

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1033
Assembly Bill No. 1833
Assembly Bill No. 2070

And reports the same correctly engrossed.

JOHN B. KNIGHT, *Chairman*

The above reported bills ordered to third reading.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Andreas:
An act to amend Section 763 of the Agricultural Code, relating to unreasonable delay in inspection and compensation to the grower therefor, and the acceptance or rejection of canning tomatoes.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2588: By Mr. Andreas—An act to amend Section 763 of the Agricultural Code, relating to unreasonable delay in inspection and compensation to the grower therefor, and the acceptance or rejection of canning tomatoes.

Referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 1191
Senate Bill No. 1250

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1404
Assembly Bill No. 784

And *respectfully requests your honorable body to concur in said amendments.*

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Bill No. 784 ordered to unfinished business file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1404—An act to amend Sections 5050.5, 5057, 5058, 5090, 7031, 7088 and 9031 of, and to add Section 5090.2 to, the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1404?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended, strike out "third", and insert "second".

Amendment No. 2

On page 2, line 7, of the printed bill, as amended, strike out "the second"; and in line 8, strike out "Monday in February or".

Amendment No. 3

On page 3, lines 7 and 8, of the printed bill, as amended, strike out "a fixed salary and such share of the net profits as it".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1404 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 1404 ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 4, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1100
Assembly Bill No 1459
Assembly Bill No. 1648
Assembly Bill No. 1788

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 241
Assembly Bill No. 725
Assembly Bill No. 2144
Assembly Bill No. 2145
Assembly Bill No. 1199
Assembly Bill No. 1202
Assembly Bill No. 1403
Assembly Bill No. 2298

J A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 235
Senate Bill No. 360
Senate Bill No. 538
Senate Bill No. 563
Senate Bill No. 668
Senate Bill No. 679
Senate Bill No 760
Senate Bill No. 761
Senate Bill No. 1009
Senate Bill No. 1098
Senate Bill No 1212
Senate Bill No. 1253

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 54
Senate Bill No 299
Senate Bill No. 363
Senate Bill No. 364
Senate Bill No. 366
Senate Bill No. 504
Senate Bill No. 1297

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 235—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers

Referred to Committee on Judiciary General.

Senate Bill No. 360—An act to add Part 2, comprising Chapters 1 to 4, inclusive, Sections 16600 to 17101, inclusive, to Division 7, and to add Section 30028 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the preservation and regulation of competition, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary Codes.

Senate Bill No. 538—An act to amend School Code Section 6.320, relating to the ordering of State textbooks by heads of State institutions.

Referred to Committee on Education.

Senate Bill No. 563—An act to amend Section 67.1 of the Alcoholic Beverage Control Act, relating to the tax on wine used for industrial purposes.

Referred to Committee on Public Morals.

Senate Bill No. 668—An act to amend Section 587 and Section 1515 of the Probate Code, relating to the powers and duties of guardians, executors and administrators.

Referred to Committee on Judiciary Codes.

Senate Bill No. 679—An act to amend Sections 820, 822 and 823 of, and to add Section 820.5 to, the Streets and Highways Code, relating to cooperation with the United States, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 760—An act to amend Section 7110 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 761—An act to add Sections 7028.5, 7065.5, 7074, 7106.5, 7121 and 7137, and Article 9, consisting of Sections 7140 to 7145, inclusive, to Chapter 9 of Division 3 of, and to amend Sections 7002, 7026, 7059, 7068, 7069 and 7090 of, and to repeal Sections 7055, 7056, 7057, 7058, 7074, 7137, 7138 and 7139 of, the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1009—An act to validate the organization and existence of municipal utility districts organized pursuant to an act of the Legislature approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon."

Referred to Committee on Municipal Corporations.

Senate Bill No. 1098—An act to amend Sections 103, 112 and 113 and to repeal Sections 109 and 114 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 1212—An act to amend Sections 1, 2 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to farm debt adjustment, including extension of the period of existence of the California Farm Debt Adjustment Commission, membership upon and appointment to the commission, and further definition of the powers and duties of the commission, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1253—An act to amend Section 10551 of the Health and Safety Code, relating to evidentiary effect of copies of birth, marriage or death records.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 54—An act to amend Sections 271 and 290, and to repeal Section 168, of the Fish and Game Code, relating to Silver Lake Game Refuge.

Referred to Committee on Fish and Game.

Senate Bill No. 299—An act to amend Section 125 of the Code of Civil Procedure, relating to secrecy of proceedings in certain actions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

Referred to Committee on Judiciary Codes

Senate Bill No. 364—An act to add Chapter 5 to Division 3 of the Business and Professions Code, consisting of Sections 6300 to 6365, inclusive, and to repeal Sections 4190 to 4204, inclusive, of the Political Code, relating to boards of law library trustees and law libraries.

Referred to Committee on Judiciary Codes.

Senate Bill No. 366—An act to add Section 4300 1c to the Political Code, relating to municipal court fees and costs.

Referred to Committee on Judiciary Codes.

Senate Bill No. 504—An act to amend Section 83 of the Fish and Game Code, relating to Fish and Game District 15.

Referred to Committee on Fish and Game.

Senate Bill No. 1297—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No 27

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above reported bill ordered enrolled.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 56—An act to add Section 305 to the Political Code, relating to disqualification for State compensation and employment.

Bill read second time

Motion to Amend

Consideration of Amendments

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, after "ments", insert "in his possession or under his control"

Amendment No. 2

On page 1 of the printed bill, strike out lines 25 to 27, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 58—An act to amend Section 6067 of, and to add Section 6103.5 to, the Business and Professions Code, relating to attorneys at law, specifying the contents of the oath on admission, and providing additional causes for suspension and disbarment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 162—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 588—An act to amend Sections 581 and 582, and to amend and renumber Sections 581a, 581b and 583 of, and to add Sections 581a, 581e and 581f to, the Code of Civil Procedure, relating to the dismissal and rendition of judgment in civil actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 727—An act to add Section 1.92 to the School Code, relating to school buses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1058—An act relating to National and local defense and public emergencies, authorizing extraterritorial activities by public agencies and providing that privileges, immunities and benefits applicable to the activity of employees of such public agencies when acting within their territorial limits shall apply to them while engaged in any such work extraterritorially; declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1478—An act to add a section to the School Code, to be numbered 5.798b, Division 5, Part 3, Chapter 9, relating to the procedure for lay-off of classified employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1536—An act to amend Sections 43.6 and 45 of the County Employees Retirement Act of 1935, relating to retirement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1633—An act to add Section 222 to the Welfare and Institutions Code, relating to the payment of county warrants issued for aid to indigents, needy children, to the needy blind and the needy aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1928—An act to add Section 12.5 to the California Unemployment Relief Act of 1935, relating to the relief camps established by the State Relief Administration, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2323—An act to amend Section 2.81 of the School Code, relating to school districts situated partly in two counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2576—An act to amend Sections 1.125, 1.126 and 1.127 of the School Code, relating to dental hygienists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2582—An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto, and providing that the act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 147—An act to amend Section 55 of the County Employees Retirement Act of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

Amendment No. 1

On page 1, line 3, of the printed bill, following "members", insert ", one of whom shall be the county treasurer".

Amendment No. 2

On page 1, lines 3, 4 and 5, of the printed bill, strike out "The first member shall be a member of the board of supervisors selected by that body."

Amendment No. 3

On page 1, line 13, of the printed bill, after "supervisors", and before the period, insert ", provided, that one of such members may but need not be a member of that body."

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "The first"; and strike out all of lines 14 and 15; and in line 16, strike out "operative".

Amendment No. 5

On page 1, line 21, of the printed bill, strike out "each member", and insert "the four elected members".

Amendment No. 6

On page 1, line 25, of the printed bill, strike out "the treasurer"; and in line 26, strike out "and".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 465—An act to amend Sections 755, 760, 780, 788 and 1200 of the Probate Code, and to add Sections 757a, 794, 795, 796, 797, 798 and 799 thereto, relating to sales of real property of estates in probate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2, line 22, of the printed bill, after "the", insert "city in which the land or some portion thereof lies, if any part thereof lies in a city, if not, then in a newspaper published in the township in which the land or some portion thereof lies, or in case no newspaper be published in the city or township, as the case may be, in a newspaper published in the".

Amendment No. 2

On page 3, line 44, of the printed bill, strike out "480", and insert "780".

Amendment No. 3

On page 3, line 45, of the printed bill, after "Section 1200", insert "of said code".

Amendment No. 4

On page 4, line 11, of the printed bill, after "may direct", insert "subject, however, to the provisions of Section 787 of said code"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 855—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Irrigation:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended, strike out "20", and insert "60".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1020—An act to amend Sections 5 792, 5.793, 5.794, 5.795, 5 796, 5 798 and 5 799a of the School Code and adding a new section thereto, to be numbered 5 792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5 794,".

Amendment No. 2

On page 4 of the printed bill, strike out lines 9 to 23, inclusive.

Amendment No. 3

On page 4, line 43, of the printed bill, strike out "by the governing board", and insert "both by the governing board and the commission."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1306—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 32, of the printed bill, after "possession;" insert "provided, that nothing contained in this subdivision shall be deemed to affect any angler going upon the lands of another for the purpose of legally fishing thereon,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1424—An act to amend Sections 230 to 244, inclusive, of the State Civil Service Act, relating to general provisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 230 to 244, inclusive," and insert "Section 243".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "general provisions", and insert "the State Personnel Board and the executive officer thereof".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 243 of the State Civil Service Act is hereby amended to read as follows:

Sec. 243. [In declaring herein that the State Personnel Board shall administer, enforce, perform and discharge various powers, duties, purposes and jurisdiction, it is not the purpose or intent of the Legislature (1) to add to or take from the Personnel Board or its executive officer any power, duty, purpose or jurisdiction vested in or allocated to either thereof by the provisions of subdivision (e) of Section 2 of Article XXIV of the State Constitution, nor (2) to place any construction upon or to undertake or make any interpretation of the provisions of said subdivision (e) in respect to allocation of powers, duties, purposes and jurisdiction as between the Personnel Board and its executive officer. It is the belief of the Legislature that such are judicial questions to be determined by the Judicial Department, not by the Legislative Department, of the Government of the State of California.]

The intention of the Legislature in enacting this act is hereby declared to be that the Executive Officer of the State Personnel Board shall perform and discharge under the direction and control of the board the powers, duties, purposes, functions and jurisdiction vested in the board and delegated to him by it."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1479—An act to add Section 259 to the Labor Code, relating to security for payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "performers are used", and insert "individuals are used or employed".

Amendment No. 2

On page 1, lines 14 and 15, of the printed bill, strike out "person", and insert "individual used or".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1544—An act to amend Sections 4242, 4242.1 and 4242.2 and to add Section 4242 1a to the Political Code, relating to the compensation for public services in counties of thirteenth class

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4242, 4242.1, and 4242.2 and to add", and insert "Sections 4242 and 4242.2 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section 4242.1a to".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "two thousand four hundred dollars ($2,400)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 4

On page 1 of the printed bill, strike out lines 18 to 27, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert "In lieu of the mileage allowed members of the board of supervisors pursuant to Section 4242 3 of this code, each and every member of the board of supervisors shall be supplied by the county with an automobile for use in performance of official duties. All expenses for fuel, oil, supplies, upkeep and maintenance of such automobiles shall be paid from county funds."

Amendment No. 5

On page 2, line 16, of the printed bill, strike out "SEC. 4", and insert "SEC 2".

Amendment No. 6

On page 2 of the printed bill, strike out lines 19 and 20, and insert "five thousand dollars ($5,000) per annum."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1769—An act to add a new section to the State Civil Service Act, to be numbered 57 5, relating to the officers and employees of the State engaged in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 13, inclusive, and insert "appointed or employed by or under the State Board of Prison Directors or any warden of a State prison or the State Board of Prison Terms and Paroles, and who are engaged exclusively in the administration or enforcement, or the performance or discharge, of the laws, rules or regulations, or the powers or duties thereunder, governing persons paroled or on parole from a State prison.

SEC. 2 The provisions of this act shall apply to all officers and employees who were engaged in the work described in Section 1 hereof on and before November 9, 1940."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2154—An act to repeal Part 2 of Division 5 of the School Code, to repeal Article 7 of Chapter 2 of Part 3 of Division 5 of said code, to repeal Section 5.440 of said code, and to add a new part of Division 5 of the School Code, to be known as Part 2, all relating to authorization of service in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 3 of the title of the printed bill, after "5.440", insert a comma and "5.560, 5.561, and 5.562".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 4

On page 1, line 5, of the printed bill, after "5.440", insert a comma and "5.560, 5.561, and 5.562".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 9 to 24, both inclusive; and strike out all of pages 2 to 13, both inclusive, and insert

"PART 2 CREDENTIALS, LIFE DIPLOMAS, AND CERTIFICATES

CHAPTER 1. ISSUING OF CREDENTIALS AND LIFE DIPLOMAS

Article 1. Commission of Credentials: Creation, Duties, and Powers

5.120. There is hereby created a Commission of Credentials to consist of five persons appointed by the Superintendent of Public Instruction from the professional staff of the State Department of Education. All members of the Commission of Credentials shall be appointed for four-year terms. The terms of the members of the Commission of Credentials appointed when this amendment takes effect shall expire as follows: One in one year, one in two years, one in three years, two in four years. When a vacancy on the Commission of Credentials occurs, the Superintendent of Public Instruction shall appoint a member to serve for the remainder of the unexpired term. The Chief of the Division of Credentials shall act as the Secretary of the Commission of Credentials.

5.121. The Commission of Credentials is, in accordance with provisions of law and regulations of the State Board of Education, authorized to appraise applications for credentials and life diplomas. It shall be the duty of the Commission of Credentials to issue credentials and life diplomas when the commission is satisfied that an applicant fully meets the standard prescribed by law and authorized by the State Board of Education.

The State Board of Education, after receiving the recommendations of the Commission of Credentials, shall accredit teacher education institutions to recommend for credentials.

5.122. The State Board of Education is hereby authorized to adopt all rules and regulations necessary for the administration of the provisions of this code

relating to credentials, except that no regulation affecting credentials shall be adopted until the State Board of Education has received the recommendations of the Commission of Credentials.

5.123. Only credentials authorized by law and by the regulations of the State Board of Education shall be issued by the Commission of Credentials.

5.124. Each credential and life diploma issued must clearly state the kind of services it authorizes, the grades or classes, or the types of schools in which it authorizes such services; and if a teacher's credential or life diploma, the subjects or fields it authorizes the holder to teach; and no holder of a credential or life diploma is authorized to perform in any public school any service beyond that authorized in the credential or life diploma.

5.125. Except as otherwise provided in this code, each credential must contain a date of expiration. Each credential and life diploma must be issued on a form prescribed by the Commission of Credentials and must bear the signatures of the Superintendent of Public Instruction and the President of the State Board of Education, or the facsimile signatures of these officials and the signature of the Secretary of the Commission of Credentials.

5.126. Each credential may be renewed by the Commission of Credentials prior to its expiration subject to law and such conditions as the State Board of Education shall prescribe pursuant to law.

5.127. Each application for a life diploma or for a credential or for the renewal of a credential shall be submitted to the Commission of Credentials and shall be accompanied by (1) the prescribed fee, (2) a health certificate as prescribed by the State Board of Education, (3) verification of successful educational experience, if any, showing inclusive dates, types of educational experience, the verification of experience to attest the degree of success of the educational experience, such attestation to be made by the county superintendent of schools or the chief executive officer of the governing board of the school district or agency in which the experience was secured; and, if the application is submitted directly by the applicant or through a teacher education institution not on the list of California institutions approved for teacher education by the State Board of Education, (4) an official transcript of record of all college or university training completed.

CHAPTER 2 PERSONAL QUALIFICATIONS OF APPLICANTS FOR CREDENTIALS AND LIFE DIPLOMAS

5.130. Except as otherwise provided in this section, no credential or life diploma shall be issued to any person unless and until such person has subscribed to the following oath or affirmation: "I solemnly swear (or affirm) that I will support the Constitution of the United States of America, the Constitution of the State of California, and the laws of the United States and the State of California, and will by precept and example, promote respect for the Flag and the Statutes of the United States and of the State of California, reverence for law and order, and undivided allegiance to the Government of the United States of America." Such oath or affirmation shall be subscribed before any person authorized to administer oaths or before any member of a board of trustees or any member of a board of education of the State of California. Any person who is a citizen or subject of any country other than of the United States, and who is employed in any capacity in any of the public schools of the State, shall, before entering upon the discharge of his duties, subscribe to an oath to support the institutions and policies of the United States during the period of his sojourn within the State. Upon the violation of any of the terms of the oath or affirmation, it shall be the duty of the State Board of Education to suspend or revoke the credential which has been issued.

5.131. In order to secure a credential authorizing service in any school in California, a person must have attained the age of 18 years.

5.132. An applicant for a credential must be a citizen of the United States or must present official evidence showing that he has declared his intention to become a citizen of this country. An applicant who has declared his intention to become a citizen of this country may be granted a credential valid for a period which terminates six months subsequent to the court term during which he is eligible to apply for his final citizenship papers; except that this provision shall not apply to persons to be employed as exchange teachers in accordance with Section 5.408 of this code.

CHAPTER 3 MINIMUM GENERAL STANDARDS FOR CREDENTIALS

Article 1. Minimum General Standards

5.140. All applicants for credentials or life diplomas authorizing instructional, supervisory, or administrative service in the regular day public schools of the State, shall, as a part of the requirements for securing a credential or life diploma, be required to pass an examination given in accordance with regulations of the State Board of Education upon the provisions and principles of the Constitution of the United States, or be required to complete a course at least two semester hours in length therein in a California junior college, college, or university subsequent to graduation from high school. A credential valid for one year or until the annual credential renewal date following the year period for which the credential was

originally valid may be granted without the passing of such examination or the completion of such course. The holder of a credential valid for one year may not secure renewal of this credential or secure upon new application another credential without verifying the completion of the requirement in the Constitution of the United States.

5 141. The minimum general standard for each type of credential shall be as prescribed in this article and, in addition thereto, such general, special, and professional training and such scholastic standards as may be prescribed by the State Board of Education, or equivalent qualifications as determined by the Commission of Credentials

5 142 For a general secondary school credential authorizing instruction in secondary schools, the completion of a standard four-year university or college course leading to a standard baccalaureate degree and one full year of postgraduate work taken in an institution approved for graduate study by the State Board of Education.

Such credential shall authorize service as a teacher in any secondary school or in the seventh and eighth grades of any elementary school, except that all general secondary credentials granted prior to December 31, 1936, and still valid, shall be valid for teaching in all grades of the elementary schools

5.143 For a junior college credential authorizing instruction in grades 13 and 14 of a junior college, the holding of a master's degree in a subject taught in the junior college or completion of the preliminary examinations for the doctor's degree in a subject taught in the junior college, or verification of two years of graduate work and a major in a subject or field taught in the junior college, including a minimum of 12 semester hours of graduate work in the field

5.144. For a junior high school credential authorizing instruction in junior high schools and in seventh and eighth grades of elementary schools, and in the ninth grade of four-year high schools, the completion of a four-year college or university course leading to a standard baccalaureate degree

5 145. For an elementary credential authorizing instruction in all subjects in elementary schools, and in the seventh and eighth grades of junior high schools, the completion of a four-year college or university course leading to a standard baccalaureate degree

5 146 For a kindergarten-primary credential authorizing instruction in kindergartens and in grades one, two, and three of elementary schools, the completion of a four-year college or university course leading to a standard baccalaureate degree

5 147. For a special subject credential authorizing instruction in the public schools in subjects or fields of learning designated by the State Board of Education, and including credentials for the teacher of correction of speech defects, the teacher of the blind, the teacher of sight saving, the teacher of the deaf, the teacher of lip reading to the hard-of-hearing, as high a general standard for each of the different subjects as conditions at the time will warrant.

5.148 For a vocational credential authorizing instruction in vocational classes approved by the State Department of Education, as high a general standard for each of the different subjects as conditions at the time will warrant; provided, that the State Board of Education shall for each credential authorizing teaching in any vocational subject in any school grade or level require as a minimum that the applicant for a vocational credential shall have completed three years of experience as a journeyman or equivalent training and experience

5.149 For a special day and evening class credential, including credentials for the teaching of the blind adult, the deaf adult, and lip reading to the hard-of-hearing adult, authorizing instruction in special day and evening classes, a minimum of five years of appropriate experience or its equivalent in training and experience in the vocation or subject covered by the credential

5 150 For supervisory service credentials authorizing work in supervision as designated by the State Board of Education, the holding of a valid credential authorizing the applicant to teach in the subjects or fields in the school level or levels to be named on the supervisory service credential, verification of two years of successful educational experience

5 151 For an administrative service credential authorizing service in elementary school administration as designated by the State Board of Education, the holding of a valid elementary credential, verification of two years of successful educational experience, the completion of one full year of college or university training beyond that required for the basic teaching credential

5 152 For an administrative service credential authorizing service in secondary school administration as designated by the State Board of Education, the holding of a valid credential authorizing instruction in subjects or fields of learning in all grades of the secondary schools, verification of two years of successful educational experience, the completion of a minimum of one and one-half years of college or university training beyond a four-year college or university course, or its equivalent

5 153. For a general school administration credential authorizing service in general school administration as designated by the State Board of Education, the holding of a valid elementary credential or a valid general secondary credential, the completion of 12 semester hours of training in secondary education, the

completion of 12 semester hours of training in elementary education, the completion of two full years of college or university training beyond the baccalaureate degree.

5.154. For a special professional service credential authorizing special professional services in the public schools as school physician and surgeon, school public health nurse, school nurse, school dentist, school dental hygienist, school oculist, school optometrist, supervisor or assistant supervisor of attendance and child welfare, coordinator or assistant coordinator for physically handicapped minors; director or assistant director of audio-visual education; director or assistant director of educational research, including counseling; director or assistant director of junior placement service, as high a general standard for each special professional service credential as conditions at the time will warrant.

5.155. For a substitute teacher credential authorizing service as a substitute teacher for not to exceed eight weeks in any one semester the applicant must have held a credential issued under the authority of one or more of the School Code Sections 5.142-5.147 or corresponding credentials previously granted. A substitute teacher credential shall be valid for five years, and shall authorize only those services authorized by the regular teacher credential upon which it is based.

5.156. The governing board of any secondary school district may employ special lecturers, artists, and demonstrators well qualified in their subjects to speak before classes or school assemblies of regular day schools and evening schools and before special day and evening classes without such lecturers, artists, or demonstrators being required to hold teachers' credentials. Permission for the employment of such lecturer, artist, or demonstrator shall be previously obtained from the Commission of Credentials. Such lecturer, artist, or demonstrator shall not be employed in any school for more than four lectures in any one semester.

5.157. For an exchange teacher credential authorizing services as an exchange teacher in the public schools of California, the holding of a credential or certificate, or the equivalent, in his or her State or country of origin, and verification of teaching experience during the preceding school year in the grade for which exchange is sought.

5.158. These standards shall become effective as of December 31, 1941, except that students now preparing for teaching in accredited California teacher education institutions on the basis of requirements existing on January 1, 1941, will be allowed until September 15, 1943, to meet requirements in effect on January 1, 1941.

CHAPTER 4. PROVISIONS RELATING TO ISSUING OF COUNTY CERTIFICATES

Article 1. Qualifications and Validity

5.160. The State Board of Education shall have the power and it shall be its duty to prescribe by general regulations established in accordance with law and the qualifications upon which county, and city and county, boards of education may grant certificates. Certificates shall correspond in grade, kind, and term to credentials established by the State Board of Education.

5.161. Each county, or city and county, board of education shall cause to be registered without fee the credential or life diploma of each teacher, supervisor, or administrator employed in the public schools of the county. Such registration shall be deemed to be the issuance of a certificate to the holder of such life diploma or credential by the county, or city and county, board of education. Such registration shall authorize the service of the holder in the county in the capacity specified in the credential or life diploma, provided that in the registration of a credential the registration shall not authorize the period of its authorization service beyond the period for which the credential is valid.

5.162. It is the duty of the superintendent of schools of each county to issue to persons training for the teaching service a "preliminary certificate" of a temporary character.

5.163. A preliminary certificate shall be issued without fee to the holder of a recommendation from a California institution authorized by the State Board of Education to train teachers and shall authorize the holder thereof to do student teaching without salary.

5.164. Student teaching shall be of the same kind, in the same grades, classes, or types of schools as specified in the recommendation.

5.165. No such preliminary certificate shall be valid for a period exceeding two years.

CHAPTER 5. LIFE DIPLOMAS

Article 1. Qualifications and Issuance

5.170. The Commission of Credentials shall, upon recommendation of the county board of education, in accordance with regulations of the State Board of Education, issue life diplomas to applicants who fulfill requirements fixed in law and in regulations of the State Board of Education. A life diploma shall authorize the holder to serve in the public schools in the capacity specified in said diploma for life unless the diploma is revoked or suspended for cause.

5.171. The service authorized by a life diploma shall be only that which is specified in a legal and valid certificate or credential held by the applicant for at least two years prior to the granting of the life diploma.

5.172. Each applicant for a life diploma must verify the completion of at least five school years of experience in California in a school position or positions requiring certification or credential qualifications. Two school years of this experience shall be secured in the capacity authorized by the credential or certificate used as a basis for life diploma application.

In the case of an applicant serving under the jurisdiction of the Director of Education and Superintendent of Public Instruction, the experience gained shall be deemed equivalent to that secured in comparable positions in the public schools in the capacity of teacher, supervisor, or administrator

5.173. The application for a life diploma must be submitted over the oath of the applicant and must be accompanied by a recommendation from a county, or city and county, board of education based upon a resolution approved by at least three-fourths of its members to the effect that the candidate has rendered successful teaching, supervisory, or administrative service in the schools of the county for a period of not less than one school year, and that the candidate is a fit person to possess a life diploma. In the case of an applicant serving in a position under the administrative jurisdiction of the Director of Education and Superintendent of Public Instruction, the recommendation for the diploma must be submitted by the president, superintendent, or administrator in immediate charge of the school or agency in which the educational service has been rendered.

CHAPTER 6. VALIDATION OF CERTIFICATES AND CREDENTIALS

Article 1. Validation

5.180. All teachers', administrative service, and supervisory service credentials, life diplomas, California normal school diplomas, recommendations for high school certificates, university documents, normal documents, State teachers college and State college credentials; city, city and county, and county certificates of all grades, granted in accordance with State Board of Education regulations previous to the first day of October, 1941, shall be continued in full force and effect for the full time for which they were granted, and shall be deemed valid for all purposes and to the full extent of time that the same were intended respectively to be, unless suspended or revoked for cause

CHAPTER 7. RENEWALS

Article 1. Renewal of Credentials

5.200. Except as otherwise provided for in this code, no credential may be renewed after its date of expiration

5.201. The entire responsibility for submitting an application for the renewal of a credential rests upon the holder. An application for the renewal of a credential must be submitted to the Commission of Credentials prior to the date of expiration

5.202 The Commission of Credentials shall renew credentials valid for the terms and under the conditions specified in regulations adopted by the State Board of Education.

5.203. A new credential may be secured at any time by meeting all requirements then in force for the credential in question.

Article 2. Renewal of Certificates

5.210. *County boards of education have power to renew certificates granted in* accordance with law, provided renewal shall not be valid for longer than two years unless the applicant verifies one school year of successful experience in teaching, in which case a five year renewal may be granted, except that certificates based upon limited credentials granted by the Commission of Credentials shall be renewed valid for the term of the credential

5.211 Unexpired certificates may be renewed at any meeting of the county board of education.

5.212. No certificate shall be renewed after the same has expired.

5.213 County boards of education may renew any certificate legally issued by them prior to October 1, 1941 and now in force.

5.214 No certificate granted upon a credential issued by the Commission of Credentials for a limited period shall be renewed or extended unless the credential upon which such certificate was issued has been renewed or extended, and then only for the period of such renewal or extension of the credential

CHAPTER 8. FEES FOR CREDENTIALS, LIFE DIPLOMAS AND CERTIFICATES

Article 1. Fees for Credentials and Life Diplomas

5.230. Each application to the State Board of Education for any credential or document other than a life diploma, if made by a person who has resided in the State of California for the 12 months next preceding the date of application, shall be accompanied by a fee of three dollars ($3), and each such application from a person other than one have resided within the State of California for the 12 months next preceding the date of application shall be accompanied by a fee of five dollars ($5)

5.231 The application of each person for a life diploma must be accompanied by a fee of five dollars ($5).

5.232 All of the above fees must be paid into the State Treasury at least once a month to the credit of the General Fund The State Controller is authorized to require financial reports to be made to him at such time and in such form as he may require.

5.233 The Director of Education is hereby authorized to refund excessive or erroneous payment of fees, or fees of applicants whose applications are denied

Article 2 Fees for County Certificates

5.240. Except as otherwise herein provided, every applicant for a teacher's certificate, upon presenting his application, shall pay to the county superintendent of schools a fee of two dollars ($2) except that no fee shall be charged an applicant presenting a credential or life diploma for registration.

5.241 All money received by the county superintendent of schools as fees for the issuance of kindergarten and elementary school certificates shall be paid by him into the county treasury to the credit of the unapportioned county elementary school fund, and all fees received by him for the issuance of high school, junior high school, and junior college certificates shall be paid by him into the county treasury to the credit of the unapportioned county high school fund

CHAPTER 9 LOST OR DESTROYED CERTIFICATES OR CREDENTIALS

5.250. Whenever satisfactory proof is presented to a county, or city and county, board of education or to the State Board of Education by a teacher to whom such board has heretofore granted a certificate, credential, or life diploma in accordance with law, that such certificate, credential, or life diploma has been lost or destroyed, such

5.251. Such proof shall consist of a notaried affidavit by said teacher certifying to the damage, loss, or destruction of such certificate, credential, or life diploma.

CHAPTER 10 REVOCATION AND SUSPENSION OF CERTIFICATES, CREDENTIALS AND DIPLOMAS

Article 1 Revocation and Suspension of Life Diplomas, Credentials, and Documents by the State Board of Education

5.260 Should any person who is the holder of a credential or life diploma and is employed by the board of school trustees for a specified time, leave the school before the expiration of such time, without the consent of the trustees, in writing, said teacher shall be deemed guilty of unprofessional conduct. The Superintendent of Schools shall report the delinquency of the teacher to the State Board of Education which is thereupon authorized to suspend said credential or life diploma for a period of one year.

5.261. The State Board of Education shall have power and it shall be its duty to revoke or suspend for immoral or unprofessional conduct, or for persistent defiance of, and refusal to obey, the laws regulating the duties of persons serving in the public school system, or for evident unfitness for service, life diplomas, documents, or credentials issued in accordance with the provisions of this code, and to adopt such rules for said revocation or suspension as it may deem expedient or necessary.

5.262 Whenever the holder of any life diploma or other credential or document issued by the State Board of Education in accordance with law is charged with immoral or unprofessional conduct or evident unfitness for service or persistent defiance of, and refusal to obey, the laws regulating the duties of his position, the State Board of Education in its discretion after notifying the person so charged of its intention to do so, shall dismiss the charges or require the county board of education of the county in which such person is serving or has last served to give notice of, and conduct, a hearing of such charges in the manner prescribed by law for the hearing of charges for the revocation or suspension of a certificate by a county board of education

The county board of education, after such hearing, shall report to the State Board of Education its findings, and a summary of the evidence, and shall make a definite recommendation concerning the revocation or suspension of such life diploma or other credential or document.

Upon receipt of a copy of such findings, summary of evidence, and recommendation, the State Board of Education may suspend or revoke such life diploma or other credential or document for the causes hereinbefore stated, or order the charges dismissed

5.263 Whenever the holder of any life diploma or other teacher's credential or document issued by the State Board of Education in accordance with law requests in writing that any such diploma, credential, or document held by him be revoked, the State Board of Education shall proceed in accordance with general rules and regulations which it has adopted; provided, however, that any such request shall be acted upon at a subsequent meeting, provided, further, that no such request shall be granted except after an investigation by a committee of the board or its duly authorized agents and the filing with the board by such committee or agents of a report in writing that the best interests of the State warrant the granting of the request without public hearing

5.264. Upon the conviction of the holder of any credential, life diploma, or document issued by the State Board of Education of a violation, or attempted violation, of any one or more of Penal Code Sections 285, 286, 288, 288a, 424, 425, 484 and 504 becoming final, the State Board of Education shall forthwith revoke such credential, life diploma, or document

5.265. The State Board of Education may appoint a referee to hear any charges involving the suspension or revocation of a life diploma, credential, or document. Such referee shall report his findings of fact to the board The board shall fix the compensation of the referee.

Article 2 Revocation or Suspension of Certificates by County Boards of Education

5.270 County boards of education have power to revoke or suspend, for immoral or unprofessional evident unfitness for teaching, or persistent defiance of, and refusal to obey the laws regulating the duties of teachers, the certificates granted by them.

5.271. But no certificate shall be revoked or suspended except upon the written request of its holder, until after a hearing before the county board of education, and then only upon affirmative vote of at least four members of the board

5.272 All charges of immoral or unprofessional conduct, or evident unfitness for teaching, or persistent defiance of, and refusal to obey the laws regulating the duties of teachers, shall be presented to the board in writing and shall be verified under oath.

5.273. Notice of the time of hearing and a full and complete copy of the charges shall be furnished to the accused at least 10 days before the hearing.

5.274. The accused shall be given a fair and impartial hearing and shall have the right to be represented by counsel.

5.275. The hearing shall be governed by and conducted under the rules of the board.

5.276 Should any teacher employed by a board of school trustees for a specified time, leave the school before the expiration of such time, without the consent of the trustees, in writing, said teacher shall be deemed guilty of unprofessional conduct, and the board of education of the county is authorized, upon receiving notice of such fact, to suspend the certificate of such teacher for the period of one year.

5.277. Upon the conviction of the holder of a certificate issued by a county board of education of a violation, or attempted violation, of any one or more of Penal Code Sections 285, 286, 288, 288a, 424, 425, 484 and 504 becoming final, the county board of education shall forthwith revoke such certificate

5.278. The county superintendent of schools shall notify the Commission of Credentials in writing within 10 days following revocation of a certificate under provisions of School Code Section 5.277"

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 123—An act to provide aid to the counties in addition to the aid otherwise provided, for maintaining and supporting aged persons under the provisions of the Old Age Security Law, and to provide for the payment of such aid to the counties, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "seven million dollars ($7,000,000)", and insert "three million dollars ($3,000,000)".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "the ninety-third", and insert "May and June of the ninety-third and the first quarter of the".

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "one twenty-fourth (1/24)", and insert "one-fifth (⅕)"

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "one twenty-fourth (1/24)", and insert "one-fifth (1/5)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 390—An act to amend Section 13105 of the Health and Safety Code, and to add Chapter 1.5 (embracing Sections 13150 to 13156, inclusive) to Part 2 of Division 12 thereof, relating to duties of the State Fire Marshal in encouraging, sponsoring and cooperating in the adoption of fire protection measures, including methods for protecting against sabotage effected through arson or explosion, and to his duties in preparing and disseminating information relative to methods of protecting against sabotage effected through arson or explosion; authorizing investigations by the State Fire Marshal and his subordinates of buildings and premises where fires and explosions have occurred, of persons guilty of having knowledge thereof, and of arson and other crime committed in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy

Amendment No. 1

In line 3 of the title of the printed bill, strike out "13156", and insert "13157".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "13156", and insert "13157".

Amendment No. 3

On page 2 of the printed bill, after line 48, insert

"13157. The State Fire Marshal shall not make any examination, inquiry or investigation pursuant to this chapter in any county or city which maintains a fire prevention or arson bureau, unless he is requested to make such examination, inquiry or investigation by:

(a) The chief of the fire department of any such county or city, or upon the request of the legislative body of such county or city

(b) Any State officer having the authority to request the assistance of the State Fire Marshal."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 671—An act to add Section 755.7 to the Vehicle Code, relating to violations of the code by persons under the influence of intoxicating liquor, and the admissibility of evidence in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "at", and insert "immediately subsequent to".

Amendment No. 2

On page 2, line 2, of the printed bill, after "prima", insert "facie".

Amendment No. 3

On page 2, line 4, of the printed bill, strike out "more than".

Amendment No. 4

On page 2, line 5, of the printed bill, after "cent", insert "or more".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 677—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be brought upon a promissory note.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 337 of", and insert "add a new section, to be numbered 318.1, to".

Amendment No. 2

Strike out line 3 of the title of the printed bill, and insert "brought to enforce a reversion, forfeiture of title or right of reentry."

Amendment No. 3

On page 1, lines 1 and 2, of the printed bill, strike out "SECTION 1. Section 337 of the Code of Civil Procedure is hereby amended", and insert "SECTION 1. Section 318.1 is hereby added to the Code of Civil Procedure,".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 23, inclusive, and insert "318.1. No action to enforce a reversion, forfeiture of title or right of reentry for a breach of a condition subsequent contained in a grant of real property can be maintained unless such breach occurred within two years before the commencement of the action."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 720—An act to add Section 154.5 to the State Civil Service Act, relating to medical examinations of State employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "an employee or".

Amendment No. 2

On page 1, line 5, of the printed bill, after "employment", insert "or any employee".

Amendment No. 3

On page 1, line 7, of the printed bill, following the period after "condition", insert "The appointing power may require such examination only where there is reason to believe that the employee or person certified is afflicted with a communicable disease, heart or mental disease, or impairment of eyesight or hearing."

Amendment No. 4

On page 1 of the printed bill, following line 15, insert "Nothing in this section shall impair an employee's right to hearing before the State Personnel Board as provided in Section 173 of this act nor shall anything in this section be construed to impair any employee's rights under the provisions of the State Employees' Retirement Act."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 950—An act to repeal Section 3788 of the Political Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Government Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," approved May 15, 1915, relating to State lands."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1 Section 1 of the act cited in the title hereof is hereby amended to read as follows.

Section 1 The unsold and unreserved portions of the sixteenth and thirty-sixth sections of school lands, and unsold portions of the 500,000 acres granted to the State for school purposes, and the unsold portions of the listed lands selected of the United States in lieu of the sixteenth and thirty-sixth sections and losses to the school grant which are not suitable for cultivation shall be sold to citizens of the United States, or to a municipal corporation, public corporation, quasi public corporation, *private corporation*, or to the State Highway Commission, State Park Commission, or other State bodies authorized to purchase and hold land, by the Surveyor General under rules and regulations prescribed by him, at a price fixed by the Department of Finance, payment to be made in cash to the Department of Finance, State Capitol, Sacramento Every occupant of a sixteenth or thirty-sixth section is protected in his occupancy for three months after the township has been sectionized *Lands which are suitable for cultivation shall be sold only to actual settlers and in quantities not to exceed 320 acres to each settler at a price per acre fixed by the State Lands Commission and in accordance with rules and regulations adopted by the State Lands Commission*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 955—An act to amend Section 20 of the Inheritance Tax Act of 1935, relating to the collection of the inheritance tax, including fees therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20", and insert "Sections 6, 8, 11, 13, 17, 18, 20 and 22".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the collection of the inheritance tax," and strike out all of line 3, and insert "inheritance taxation, to take effect immediately."

Amendment No. 3

On page 1, line 1, of the printed bill, after "SECTION 1", insert. "Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6 The following exemptions from the tax are hereby allowed

(1) (a) All proceeds of any Federal war risk insurance policy of any veteran of the World War which is payable or which may become payable to the estate of such veteran shall be exempt

(b) All property transferred to societies, corporations and institutions now or hereafter exempted by law from taxation, or to any public corporation, or to any

society, corporation, institution, or association of persons *exclusively* engaged in or devoted to any charitable, [benevolent,] educational, public, or other like work (pecuniary profit not being its object or purpose); or to any person, society, corporation, institution, or association of persons *exclusively in trust for* or to be devoted to any charitable, [benevolent,] educational, or public purpose, by reason whereof any such person or corporation shall become beneficially entitled in possession or expectancy to any such property or to the income thereof, shall be exempt; provided, however, that such society, corporation, institution or association be organized or existing under the laws of this State or *that it is organized solely for charitable, educational, public or other like work under the laws* of the United States, or that the property transferred be limited for use within this State; provided further, that if such society, corporation, institution or association be organized or existing under the laws of a Territory or State of the United States (other than California) or of a foreign state or country, all property transferred to such society, corporation, institution or association shall be exempt if at the date of decedent's death the said State or Territory or foreign state or country under the laws of which such society, corporation, institution or association was organized or existing did not impose a legacy or succession tax or a death tax of any character in respect of property transferred to such a society, corporation, institution or association organized or existing under the laws of this State, or if at the date of decedent's death the laws of the State or Territory or foreign state or country under which such society, corporation, institution or association was organized or existing contained a reciprocal provision under which transfers to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country were exempted from legacy or succession taxes or death taxes of every character; providing, said other State or Territory or foreign state or country allowed a similar exemption to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country.

(2) [(a)] Property of the clear value of twenty-four thousand dollars ($24,000), transferred to the wife, and of twelve thousand dollars ($12,000) transferred to a minor child of the decedent, and of five thousand dollars ($5,000) transferred to each of the other persons described in the first subdivision of Section 4 shall be exempt.

[(b) All property transferred by a decedent to any person described in the first subdivision of Section 4, providing the same was transferred to such decedent not more than five years prior to his death by another decedent of the class described in the first subdivision of Section 4 and a tax paid thereon to the State of California, shall be exempt; provided, that the value of said property shall be taken as of the date of death of the first decedent, and provided further, that this subdivision shall not apply to a tax paid under the provisions of Subdivision 12 of Section 2 hereof.]

(3) (a) "Prior distributed estate" means that portion of the gross estate of a prior decedent transferred not more than five years before the present decedent's death to a present decedent by a prior decedent in relation to whom the present decedent was in the class described in Subdivision (1) of Section 4, if an inheritance tax was paid in full on such transfer.

"Prior decedent's property" means property, or the proceeds thereof, transferred from a present decedent to any person described in Subdivision (1) of Section 4 if the property was part of a prior distributed estate and was not entitled to exemption in the prior distributed estate under this subdivision or any similar subdivision allowing exemption from tax for property transferred to a decedent within five years before his death

In determining the amount of prior decedent's property in a present decedent's estate, due allowance shall be made under rules prescribed by the Controller for the proper proportion of deductions chargeable against the prior decedent's property in the prior estate.

"Prior exemption" means the amount which bears the same proportion to the inheritance tax exemptions allowed in the prior distributed estate as the value of the prior decedent's property at the date of the prior decedent's death or the date of the present decedent's death, whichever is lower, bears to the value of the prior distributed estate at the date of the prior decedent's death.

"Previously taxed property" means the value of the prior decedent's property at the date of the prior decedent's death or the date of the present decedent's death, whichever is lower, less the prior exemption.

(b) "Present distributed estate" means all the property transferred by the present decedent to the person to whom the prior decedent's property is being transferred

"Proportionate exemptions" means the amount which bears the same proportion to all exemptions and the proper proportion of deductions allowed in the present distributed estate, other than the exemption allowed in this section, as the value of the previously taxed property bears to the value of the present distributed estate The "proper proportion of deductions" shall be determined under rules prescribed by the Controller, giving due consideration to whether the previously taxed property is chargeable with all or any of the deductions.

(c) Previously taxed property, less the amount of proportionate exemptions, is exempt from the tax, except any tax levied under Subdivision (12) of Section 2.

[(3)] *(4)* Property of the clear value of two thousand dollars ($2,000) transferred to each of the persons described in the second subdivision of Section 4 shall be exempt

[(4)] *(5)* Property of the clear value of five hundred dollars ($500), transferred to each of the persons described in the third subdivision of Section 4 shall be exempt

[(5)] *(6)* Property of the clear value of fifty dollars ($50) transferred to each of the persons and corporations described in the fourth subdivision of Section 4 shall be exempt.

[(6)] *(7)* In computing the tax upon transfers subject to tax under the provisions of this act, the exemptions [in this section] allowed *in Subdivisions (2), (3), (4), (5) and (6) of this section* shall be deducted from the aggregate amount of property transferred, and the transfer of the remainder of the property after making such deduction shall be taxed at the rates at which it would have been taxed had no exemption whatever been allowed

[(7)] *(8)* The tax imposed by this act in respect of intangible personal property shall not be payable if the decedent is a resident of a State or Territory of the United States or a foreign state or country which at the time of his death imposed a legacy, succession or death tax in respect of intangible personal property [within the State or Territory or foreign state or country] of residents of the State or Territory or foreign state or country, but did not impose a legacy or succession tax or a death tax of any character in respect of intangible personal property [within the State or Territory or foreign state or country] of residents of this State, or if the laws of the State or Territory or foreign state or country of residence of the decedent at the time of his death contained a reciprocal provision under which nonresidents were exempted from legacy or succession taxes or death taxes of every character in respect of intangible personal property providing the State or Territory or foreign state or country of residence of such nonresidents allowed a similar exemption to residents of the State or Territory or foreign state or country of residence of such decedent.

For the purposes of this act, the District of Columbia is a Territory of the United States.

SEC. 2. Section 8 of said act is hereby amended to read as follows:

SEC. 8 (1) When any grant, gift, legacy, devise or succession upon which a tax is imposed by Section 2 of this act shall be an estate, income, or interest for a term of years, or for life, or determinable upon any future or contingent event, or shall be a remainder, reversion, or other expectancy, real or personal, the entire property or fund by which such estate, income, or interest is supported, or of which it is a part, shall be appraised immediately after the death of the decedent, and the market value thereof determined, in the manner provided in Section 16 or 17 of this act, and the tax prescribed by this act shall be immediately due and payable to the treasurer of the proper county, and together with the interest thereon, shall be and remain a lien on said property until the same is paid.

(2) In estimating the value of any estate or interest in property, to the beneficial enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made on account of any contingent incumbrance thereon, nor on account of any contingency upon the happening of which the estate or property or some part thereof or interest therein might be abridged, defeated or diminished; provided, however, that in the event of such incumbrance taking effect as an actual burden upon the interest of the beneficiary, or in the event of the abridgment, defeat or diminution of said estate or property or interest therein as aforesaid, a return shall be made to the person properly entitled thereto of a proportionate amount of such tax on account of the incumbrance when taking effect, or so much as will reduce the same to the amount which would have been assessed on account of the actual duration or extent of the estate or interest enjoyed Such return of tax shall be made in the manner provided by Subdivision 4 of Section 11 hereof upon order of the court having jurisdiction. Said application for return of tax must be made within six months of the happening of said contingency

(3) When property is transferred in trust or otherwise, whereby any person becomes entitled to an estate or interest for life or years therein and any other person to the remainder over, the executor or trustee shall pay the entire tax on all interests therein out of the corpus of the property transferred, and no part thereof shall be charged against the interest of or collected from the beneficiaries thereof.

(4) When property is transferred in trust or otherwise, and the rights, interest or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated extended, or abridged, a tax shall be imposed upon said transfer at the highest rate which, on the happening of any of the said contingencies or conditions, would be possible under the provisions of this act, and such tax so imposed shall be due and payable forthwith by the executors or trustees out of the corpus of the property transferred and shall not be charged against the interest of or collected from the beneficiaries thereof; provided, however, that on the happening of any contingency whereby the said property, or any part thereof, is transferred to a person or corporation exempt from taxation under the

provisions of this act, or to any person taxable at a rate less than the rate imposed and paid, the executors or trustees shall be entitled to a return of that part of the tax imposed and paid represented by the difference between the amount paid and the amount actually payable under the provisions of this act, and the amount returned shall go into and form a part of the corpus of the property transferred; such return of overpayment shall be made in the manner provided by Subdivision 4 of Section 11 of this act, upon motion made in the court having jurisdiction within six months after the happening of said contingency; provided, that the person or persons or body politic or corporate beneficially interested in the property chargeable with said tax or the trustees thereof may elect not to pay the same until such person or persons, or body politic or corporate beneficially interested in such property shall come into the actual possession or enjoyment thereof, and in that case such person or persons or body politic or corporate or trustees shall execute a bond to the people of the State of California in a penalty of the amount of said tax plus interest thereon for five years at the rate of 7 per cent per annum with such sureties as the said superior court may approve, conditioned for the payment of said tax or any lesser tax which may become payable on the happening of said contingency, and interest thereon at the rate of 7 per cent per annum commencing at the expiration of two years from the death of the decedent at such time or period as they or their representatives may come into the actual possession or enjoyment of such property, and conditioned further, that if said bond be not renewed and the returns made as herein provided, the amount of said tax and interest thereon shall immediately become due and payable. Said bond shall be filed in the office of the county clerk of the proper county and a certified copy thereof shall be immediately transmitted to the State Controller; provided further, that such person or persons or body politic or corporate, or trustees, shall enter into such security within a period of 90 days after the entry of the order or the decree fixing the inheritance tax charged against such transfer, or within such period thereafter as the court may in its discretion permit, and shall make a full and verified return of such property to said court and file the same in the office of the county clerk within one year from the date of such order or decree fixing tax, and at such times thereafter as the court on the application of the State Controller may require, and renew such security every five years after the date of the approval thereof by filing a new bond with such sureties as said superior court may approve, and transmitting a certified copy of said renewal bond to the State Controller. The penalty of each renewal bond shall be increased by five years interest at the rate of 7 per cent per annum on the unpaid tax. Upon the approval of said bond as herein provided, said tax shall cease to be a lien upon the property so transferred. If such security shall not be renewed before the expiration of each five years period, said bond shall immediately become due and payable and if the same be not paid forthwith, the State Controller may file an action on the bond to recover the amount of said inheritance taxes on high contingency and the penalties provided in said bond, and no demand for payment shall be necessary before the institution of such suit. Whenever it shall be made to appear to the satisfaction of the court that any surety on such bond or undertaking has for any reason become insufficient, the court may on motion of the State Controller, after such notice to such person or persons, body politic or corporate, or trustees as the court may require, order the giving of a new undertaking with sufficient sureties in lieu of such insufficient undertaking. In case such new undertaking so required shall not be given within the time required by such order, or in case the sureties thereon fail to justify thereon when required, all rights obtained by the filing of such original undertaking, or subsequent undertaking, shall cease and the amount of said tax and interest thereon shall immediately become due and payable.

(5) Notwithstanding any provisions hereof whereby final determination of taxability of the transfer of property or interests therein or income therefrom, is or may be deferred until the happening of certain contingencies or conditions, the State Controller may compromise, adjust and settle with the administrator, executor or trustee having charge of the estate or property in question, the taxability of the transfer of such property and of each and every interest therein, including the income therefrom, whether such interests be absolute or qualified, perpetual or limited, present or future, vested or contingent, or otherwise.

The inheritance tax appraiser, determining the inheritance tax payable, shall prepare a report in accordance with such settlement and if and when said report is confirmed by an order of the superior court having jurisdiction said order shall be a final determination of the matters covered thereby and the payment of said tax as fixed by said order shall be a complete discharge to such administrator, executor, or trustee with respect to such taxes.

[(6) Estates in expectancy which are contingent or defeasible and in which proceedings for the determination of the tax have not been taken or where the taxation thereof has been held in abeyance, shall be appraised at their full, undiminished value when the persons entitled thereto shall come into the beneficial enjoyment or possession thereof, without diminution for or on account of any valuation theretofore made of the particular estates for purposes of taxation, upon which said estates in expectancy may have been limited.]

(7) Where an estate or interest can be divested by the act or omission of the legatee or devisee it shall be taxed as if there were no possibility of such divesting.

(8) The value of every future, or contingent or limited estate, income or interest, shall, for the purposes of this act be determined by the rule, methods and standards of mortality and of value that are set forth in the actuaries combined experience tables of mortality for ascertaining the value of policies of life insurance and annuities and for the determination of the liabilities of life insurance companies, save that the rate of interest to be assessed in computing the present value of all future interests and contingencies shall be five (5) per cent per annum. For the purposes of this act, in determining the present value of such estate, income or interest, other than an annuity in a fixed amount, the yearly income or the annual value of the use or income of such estate or interest shall be 5 per cent of the appraised value of the property upon which said estate or interest is based When an annuity or a life estate is terminated by the death of the annuitant or life tenant, and the tax upon such interest has not been fixed and determined, the value of said interest for the purpose of taxation under this act shall be the *present value at date of death of the* amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which such annuitant or life tenant was entitled to the annuity or was in possession of the life estate

(9) In all estates where a claim is made that the decedent was not domiciled in California at the time of his death the State Controller may, in his discretion, compromise the inheritance taxes payable in said estates, subject to the approval of the court

The procedure shall conform to that set out in Subdivision (5) of this section.

SEC 3 Section 11 of said act is hereby amended to read as follows

Sec 11 (1) If any debts shall be proved against the estate of a decedent after the payment of any legacy or distributive share thereof, from which any such tax has been deducted or upon which it has been paid by the person entitled to such legacy or distributive share and such person is required by order of the superior court having jurisdiction on notice to the State Controller, to refund the amount of such debts or any part thereof, an equitable proportion of the tax shall be repaid to him by the executor, administrator or trustee, if the tax has not been paid to the county treasurer; or if such tax has been paid to such county treasurer, such officer shall refund out of any inheritance tax moneys in his hands or custody such equitable proportion of the tax and credit himself with the same in the account required to be rendered by him under this act

For the purposes of the inheritance tax, there is no limitation governing the time within which debts may be proved against the estate of a decedent after the payment of any legacy or distributive share thereof, but the application for refund shall be made within one year after such debt is allowed by the court

(2) Where it shall be proved to the satisfaction of the superior court that deductions for debts were allowed upon the appraisal since proved to have been erroneously allowed, it shall be lawful for such superior court to enter an order assessing the tax upon the amount wrongfully and erroneously deducted and if debts are established against the estate after the order fixing inheritance tax is made the order may on petition after notice to the State Controller be modified equitably.

For the purposes of the inheritance tax there is no limitation governing the time within which it may be proved that deductions for debts were erroneously allowed nor the time within which the order assessing the tax on the amount erroneously deducted may be made, nor the time within which debts may be established against the estate after the order fixing the inheritance tax is made but the petition to have the order modified after establishment of such debts shall be made within a year after such debts are established

(3) If, after the payment of any tax in pursuance of an order fixing such tax, made by the superior court having jurisdiction, such order be modified or reversed by the superior court having jurisdiction by any of the methods provided in the Code of Civil Procedure and commenced within the time allowed by law, or be modified or reversed on an appeal taken therefrom within the time allowed by law, on due notice to the State Controller the county treasurer shall refund to the executor, administrator, trustee, person or persons by whom such tax was paid, the amount of any moneys paid or deposited on account of such tax in excess of the amount of tax fixed by the order modified or reversed, out of any inheritance tax moneys in his hands or custody, and credit himself with the same in the account required to be rendered by him to the Controller on his semiannual settlement; but no application for such refund shall be made after one year from such reversal or modification, unless an appeal shall be taken therefrom, in which case no such application shall be made after one year from the final determination on such appeal and the representatives of the estate, legatees, devisees, or distributees entitled to any refund under this section shall not be entitled to any interest upon such refund, and no judgment for such refund shall bear interest until said judgment shall have become final in the highest court to which the matter is carried and until refund is refused upon demand after such final judgment and then only from the date of such refusal. The State Controller shall deduct from the fees allowed

by this act to the county treasurer the amount theretofore allowed him upon such overpayment, *as if the amount refunded were the last payment made to the county treasurer in the year in which such overpayment was made.*

(4) When any amount of said tax shall have been erroneously paid, the superior court having jurisdiction, on application after notice to the State Controller, and on satisfactory proof to it, shall by order, direct the county auditor to draw his warrant upon the county treasurer in favor of the executor, administrator, trustee, person or persons who have paid any such tax in error in the amount of such tax so erroneously paid; provided, that all applications for such repayment of such tax so erroneously paid shall be made within one year of the date of the entry of the order fixing tax or of the decree of final distribution of the estate. Such refund shall be made by said treasurer out of any inheritance tax moneys in his hands or custody and he shall credit himself with the same in the account required to be rendered by him to the Controller on semiannual settlement; and the State Controller shall deduct from the fees allowed by this act to the county treasurer the amount theretofore allowed him upon such erroneous payment, *as if the amount refunded were the last payment made to the county treasurer in the year in which such overpayment was made.*

SEC. 4 Section 13 of said act is hereby amended to read as follows:

Sec. 13. (1) No corporation organized or existing under the laws of this State, shall transfer on its books or issue a new certificate for any share or shares of its capital stock belonging to or standing in the name of a decedent or in trust for a decedent or belonging to or standing in the joint names of a decedent and one or more persons, without the written consent of the State Controller or person by him in writing authorized to issue such consent

(2) No safe deposit company, trust company, corporation, bank, or other institution, person or persons engaged in the business of renting safe deposit boxes or other receptacles of similar character shall rent any such box or receptacle without first requiring all persons given access thereto to agree in writing to notify such safe depositary, bailee, or lessor, from whom such box or receptacle is rented of the death of any person having the right of access thereto, before seeking access to such box or receptacle after the death of such person; and all persons having the right of access to any such safe deposit box or receptacle upon the death of any other person having access thereto, before seeking access to such box or receptacle must notify such safe depositary, bailee, or lessor, from whom such box or receptacle is rented, of the death of such person; and it shall be unlawful for any safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control, custody or partial custody any safe deposit box or similar receptacle, to permit access thereto by any one after the death of any person who at the time of his death had the right or privilege of access thereto either as principal, deputy, agent or cotenant without the consent of the State Controller or such person by him in writing authorized to issue such consent.

(3) No safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control or custody or under partial control or partial custody securities, deposits, assets or property belonging to or standing in the name of a decedent who was a resident or nonresident, or belonging to, or standing in the joint names of such a decedent and one or more persons, including the shares of the capital stock of, or other interest in, the safe deposit company, trust company, corporation, bank, or other institution making the delivery or transfer herein provided, shall deliver or transfer the same to the executors, administrators or legal representatives, agents, deputies, attorneys, trustees, legatees, heirs, successors in interest of said decedent or to any other person or persons, or to the survivor or survivors when held in the joint names of a decedent and one or more persons, or upon their order or request, without retaining a sufficient portion or amount thereof to pay any tax and interest which may thereafter be assessed thereon under this act and unless notice of the time and place of such delivery or transfer be served upon the State Controller and county treasurer at least 10 days prior to said delivery or transfer; provided, that the State Controller, or person by him in writing authorized so to do, may consent in writing to said delivery or transfer, and such consent shall relieve said safe deposit company, trust company, corporation, bank or other institution, person or persons from the obligation hereunder to give such notice or to retain any portion of said securities, deposits or other assets in their possession or control. And it shall be lawful for the State Controller or county treasurer, personally or by representatives, to examine said securities, deposits or assets at the time of said delivery or otherwise

Upon the payment of a fee not to exceed the sum of one dollar ($1), any executor of the will of a decedent, the administrator of a decedent's estate, the attorney for such executor or administrator, or a surviving joint tenant or cotenant of a decedent, and no other, is entitled to a copy of any list of the contents of any safe deposit box of the decedent's prepared by the State Controller or county treasurer. A surviving joint tenant or cotenant is not, however, entitled to any

such list, unless he and the decedent were joint tenants or cotenants in the property, or any portion thereof, contained in the safe deposit box.

(4) Failure to comply with the provisions of this section shall render such safe deposit company, trust company, corporation, bank or other institution, person or persons, liable to a penalty of not more than twenty thousand dollars ($20,000), and in addition thereto said safe deposit company, trust company, corporation, bank or other institution, person or persons shall be liable for the amount of the taxes, interest and penalties due under this act on said securities, deposits or other assets above mentioned, and said penalties and liabilities of said safe deposit company, corporation, bank or other institution, person or persons for the violation of this section may be enforced in an action brought by the State Controller in any court of competent jurisdiction.

SEC. 5. Section 17 of said act is hereby amended to read as follows:

Sec. 17. (1) If it shall appear to the superior court upon petition of the State Controller that any transfer has been made within the meaning of this act, and the taxability thereof, and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor, and the amount thereof may be determined, said court shall issue a citation ordering and directing the persons who may appear liable therefor or be known to own the property transferred or any part thereof or any interest therein, to appear before said court or before an inheritance tax appraiser to be designated by said order at a time and place in said order named, not less than 10 days nor more than one year from the date of such order, to be examined, under oath by said court, or by said appraiser as the case may be, concerning said transfer and all facts connected therewith, and concerning the property transferred and the character and value thereof. If said person or persons shall be directed to appear before said appraiser said appraiser shall, at the time and place in said order named, or at such time and place to which *said appraiser may adjourn said hearing, proceed to examine said person or persons* and such witnesses as said appraiser may subpena before him, and for the purpose of said hearing, and for the purpose of ascertaining any facts concerning the taxability of said transfer or any taxes due on account of such transfer, said appraiser shall have the powers of a referee of said court, and is hereby authorized to issue subpenas compelling the attendance of witnesses before him, and to administer oaths, and to take the evidence of such witnesses under oath concerning such property and the value thereof and concerning such transfer. Said appraiser shall report to said court his findings and conclusions in relation to said transfer and said tax, and may return to said court any depositions, exhibits or other testimony or information taken before him or exhibited to him. The procedure subsequent to the filing of said report shall conform to Subdivision (2) of Section 16 of this act.

Except as herein otherwise provided, the service of such citation and the time, manner and proof thereof, and the hearing and determination thereon, and the hearing and determination upon the facts returned in such report, and the enforcement of the determination or decree shall conform to the provisions of Chapter 22, Division 3 of the Probate Code, and the clerk of the court shall, upon the request of the State Controller, furnish, without fee, one or more transcripts of such decree, and the same shall be docketed and filed by the county clerk of any county in the State, without fee, in the same manner and with the same effect as provided by Section 674 of the Code of Civil Procedure for filing a transcript of an original docket.

The superior court may hear the said cause upon the relation of the parties and the testimony of witnesses, and evidence produced in open court, and, if the court shall find that said property is not subject to any tax, as herein provided, the court shall by order, so determine; but if it shall appear that said property, or any part thereof, is subject to any such tax the same shall be appraised and taxed as in other cases.

(2) Verified petitions may be filed by any interested party with the superior court alleging and admitting that a transfer within the meaning of this act has been made and the taxability thereof and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor and the amount thereof, may be determined, and that the petitioner desires such determination and desires to pay said tax, if any be due. Upon the filing of such petition the superior court or a judge thereof shall by order designate and appoint an inheritance tax appraiser to ascertain and report to said court the amount of the inheritance tax, if any, due by said petitioner on account of such transfer, and shall fix a time and place, not less than 10 days thereafter, for the hearing of said matter before said inheritance tax appraiser, a copy of which petition and order shall be forthwith mailed to the State Controller, and shall refer said petition and said matter to said inheritance tax appraiser who shall have all the powers of a referee of said court, including the powers prescribed in Subdivision (1) of Section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of Subdivisions (1) and (2) of Section 16 of this act

[In the event that final judgment is rendered in said proceeding, ascertaining and determining that no inheritance tax is due on account of said transfer or that the amount of the tax to which said transfer is liable, is less than twenty dollars the court shall, in addition to the amount of the tax, if any, include in such judgment and assess against the petitioner reasonable compensation for said inheritance tax appraiser not exceeding the sum of ten dollars, and the necessary traveling and incidental expenses of said appraisers.]

(3) Actions may be brought against the State by an interested person for the purpose of quieting the title to any property against the lien or claim of lien of any tax or taxes under this act, or for the purpose of having it determined that any property is not subject to any lien for taxes nor chargeable with any tax under this act. No such action shall be maintained where any proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor and the amount thereof may be determined. All parties interested in said transfer and in the taxability thereof shall be made parties thereto and any interested person who refuses to join as plaintiff therein may be made a defendant. Summons for the State in said action shall be served upon the State Controller.

At any time after issue is joined in such action the court, on its own motion, or upon the motion of any interested party, may by order appoint and designate an inheritance tax appraiser to hear said matter and report to the court thereon and shall in such order fix a time and place for the hearing of said matter before said inheritance tax appraiser, and direct notice of such time and place to be given in such manner as the court shall deem proper and shall refer said matter to said inheritance tax appraiser who shall have all of the power of a referee of said court, including the powers prescribed in Subdivision (1) of Section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of Subdivision (1) and (2) of Section 16 of this act.

Should the court determine that the property described in the complaint is subject to the lien of said tax and that said property has been transferred within the meaning of this act, the court shall award affirmative relief to the State in said action, and judgment shall be rendered therein in favor of the State, ascertaining and determining the amount of said tax, and the person or persons liable therefor, and the property chargeable therewith or subject to lien therefor [, and shall assess against such person or persons reasonable compensation for said inheritance tax appraiser and his necessary traveling and incidental expenses].

(4) Actions under this section shall be commenced in the superior court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien, but if in said action no lien against real property is sought to be enforced, the action shall be brought in the superior court of the county which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

(5) No fee shall be charged said State Controller by any public officer in this State for the filing or recording *or certification* of any petition, lis pendens, decree or order, or for the taking of oaths or acknowledgments in any proceeding taken under this act, nor shall any undertaking be required from or costs charged against the State Controller or the State of California in any such proceeding.

(6) In the appraisal of any property for which appraisal he receives no compensation or expenses under Section 609 of the Probate Code, the inheritance tax appraiser appointed in any proceeding shall receive out of the property transferred or from the transferee the same commissions and expenses, to be allowed by the court, as provided under Section 609 of the Probate Code, in addition to any other fees allowed by this act and in lieu of any amounts allowed by Section 1174 of the Probate Code. The commissions and expenses paid under this subdivision shall be considered as ordinary expenses of administration for the purposes of Subdivision (11) of Section 2.

SEC. 6. Section 18 of said act is hereby amended to read as follows:

Sec. 18. The orders, decrees and judgments fixing tax or determining that no tax is due, mentioned in this act, shall have the force and effect of judgments in civil actions. Except as otherwise herein provided, the provisions of the Code of Civil Procedure relative to judgments, new trials, appeals, attachments and execution of judgments so far as applicable, shall govern all proceedings taken under this act. Nothing in this section shall preclude the State from relief herein provided for, which may be inconsistent with the provisions of the Code of Civil Procedure. The State Controller may, at any time after two years from the date of decedent's death, have a writ of execution issued for the enforcement of said judgment. [The writ must be executed against the property of the decedent's estate, but in the execution of said writ resort must be had to the assets of the estate in the same order as for the payment of decedent's debts.]

The writ may be executed against any property of the decedent's estate, including any property transferred within the meaning of this act and against any property belonging to a transferee liable for inheritance tax. The writ shall be levied and the property sold or otherwise subjected to execution in accordance with the provisions of the Code of Civil Procedure relating to execution and sales on execution.

The proceeds of the execution shall be paid by the officer levying the writ to the proper county treasurer. The enforcement of any judgment under this section against the property of decedent's estate shall not in any way affect the duties of the administrator or executor under Section 9 of this act. No fees shall be exacted from the State Controller for the issuance or execution of said writ, *or for any sale pursuant to the writ.*

SEC. 7."

Amendment No. 4

On page 2 of the printed bill, following line 15, insert

"SEC. 8. Section 22 of said act is hereby amended to read as follows:

SEC. 22. *The name of the Gift Tax Fund provided for in the Gift Tax Act of 1939 is hereby changed to Inheritance and Gift Tax Fund.* All taxes levied and collected under this act shall be paid into the State Treasury to the credit of the [General] *Inheritance and Gift Tax* Fund.

SEC. 9. The amendment made by this act to Section 22 of the Inheritance Tax Act of 1935 shall take effect only in the event that the Fifty-fourth Session of the Legislature enacts an act providing for or allowing an appropriation from the Gift Tax Fund or the Inheritance and Gift Tax Fund for the administration of the Inheritance Tax Act of 1935 or the support of the inheritance and gift tax *department, State Controller.*

If such act providing for or allowing an appropriation from the Gift Tax Fund or Inheritance and Gift Tax Fund takes effect before the effective date of this act then the amendment to Section 22 of the Inheritance Tax Act of 1935 shall take effect on the effective date of this act; if the act providing for or allowing an appropriation from the Gift Tax Fund or the Inheritance and Gift Tax Fund takes effect at the same time as or after the effective date of this act, then the amendment to Section 22 of the Inheritance Tax Act of 1935 made by this act shall take effect on the effective date of the act providing for or allowing an appropriation from the Inheritance and Gift Tax Fund.

SEC. 10. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 957—An act to amend Section 105 of the Water Code, relating to storage of water underground.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Irrigation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "and to amend Section 1 of an act entitled "An act to promote the utilization of the water of streams in this State and for that purpose authorizing the storage of the same underground and the damming of streams and the flowage of lands in effecting such storage for beneficial use," approved May 23, 1919."

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 18, inclusive, and insert "so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made.

SEC. 2. Section 1 of act cited in the title hereof (Chapter 423, Statutes of 1919) is hereby amended to read as follows.

Section 1. The storage of water underground [by the owner of the right to the use thereof, and the damming] *including the diversion* of streams and the flowing of water on lands necessary to the accomplishment of such storage, *is hereby declared to constitute a beneficial use of such water* if the water [is to be later withdrawn by pumps, tunnels, or other suitable means for] *so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made.* [irrigation, domestic or other beneficial uses within the territory served by the owners of the water right, with water for irrigation, domestic or other beneficial uses are hereby declared to be reasonable, economic, and beneficial methods of

taking and applying such water, if the water so taken is from time to time being put to the beneficial uses for which it was appropriated.]

SEC. 3. Section 1 of this act takes effect only if Division 1 of the Water Code is enacted by the Legislature at its Fifty-fourth Session, and in such case at the same time said division takes effect; at which time Section 1 of the act cited in the title hereof (Chapter 423, Statutes of 1919) is hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1311—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out line 1 of the title of the printed bill and insert

"An act to add Section 1.182, Section 1.183 and Section 1.184 to the".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert

"1.182. In order that children may be disciplined and trained in habits of work and industry by their parents, guardians or other persons standing in the place of parents, nothing in this chapter or in Chapter 2 hereof shall require a permit to work to be issued to any minor or require a permit to employ to be issued to the parent, guardian or person standing in the place of a parent having control of such minor, when the work or intended work to be performed by such minor is for or under the control of his parent, guardian or any person standing in the place of a parent and is performed upon or in connection with the premises owned, operated or controlled by such parent, guardian or person standing in the place of his parent, provided, however, that nothing in this section shall be held to affect existing provisions of law which may require permits to work to be issued to minors employed in manufacturing, mercantile or similar nonagricultural commercial enterprises by their parents, guardians or other persons standing in the place of parents. All"

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 10 to 28, inclusive, and insert

"SEC. 2. Section 1.183 is hereby added to the School Code and shall read as follows:

1.183 Every owner, tenant or operator of a farm employing thereon as agricultural labor any parents or other persons standing in lieu of parents having minor children in their immediate care and custody shall post at a conspicuous place on such property or place of employment where it may be easily read by those employed, a notice stating that minor children are not allowed to work upon said premises unless legally permitted to do so by law and unless permits to work have been secured by such minor children from duly constituted authorities. No such owner, tenant or operator so posting the notice required by this section shall be held to have violated the provisions of this code because work has been performed upon said premises by minor children without permits to work unless minors are directly employed by him or unless such owner, tenant or operator has knowledge of the employment of minors on premises owned, leased or operated by him and fails to ascertain if permits to work have been secured by such minors."

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 1 to 18, inclusive, and insert

"SEC. 3. Section 1.184 is hereby added to the School Code and shall read as follows:

1.184. For the purpose of issuing vacation permits to minors under 16 years of age during regular Summer vacation periods in such school districts, the governing board of each school district is hereby empowered to grant to a minor child a vacation permit or to designate the superintendent of schools so to do upon the submission of records showing the age of said minor as required in Section 1.174 of this article; provided, said permits shall be issued upon forms provided by and under instructions issued by the State Superintendent of Public Instruction."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1318—An act to add Section 18 to the Unfair Practices Act, relating to exempting certain institutions from the provisions thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 18 to the Uniform Practices Act, relating", and insert "amend Section 16905 of the Business and Professions Code, or Section 2 of the Fair Trade Act, relating"

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 16905 of the Business and Professions Code is hereby amended to read as follows.

16905. This chapter does not apply to any contract or agreement between producers or between wholesalers or between retailers as to sale or resale prices.

No contract entered into pursuant to this chapter is violated by a sale below the price stipulated by the vendor in the contract to any public library in this State, and no provision of this chapter shall apply to such a sale

SEC. 2. Section 2 of the Fair Trade Act is hereby amended to read as follows:

SEC. 2 This act shall not apply to any contract or agreement between producers or between wholesalers or between retailers as to sale or resale prices.

No contract entered into pursuant to this chapter is violated by a sale below the price stipulated by the vendor in the contract to any public library in this State, and no provision of this act shall apply to such a sale

SEC. 3 Section 1 of this act shall take effect only if the Fair Trade Act is repealed and its provisions incorporated into the Business and Professions Code by the Fifty-fourth Legislature at its regular session; at which time Section 2 of the Fair Trade Act is hereby repealed."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 11, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1347—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "quiet", and insert "contest the validity of tax deeds to the State and quieting".

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, strike out "Quiet Title Against", and insert "Contest the Validity of".

Amendment No. 3

On page 1 of the printed bill, strike out lines 8 to 11, inclusive, and insert

"3618 As used in this chapter, "taxes" means

(a) All taxes and assessments which were a lien on the real property at the time of the sale of the property to the State for taxes.

(b) All other unpaid taxes of every description which were a lien on the property for the year of sale and for each year since the sale, as shown on the delinquent

lists for which the time of sale to the State is passed, or, if the property was not assessed for any year, which would be shown on such delinquent list if it had been assessed in that year. The amount of taxes for any year not assessed shall be based on the valuation required to be made by the assessor on redemption of unassessed property.

"Taxes" does not include any penalties, interest or costs."

Amendment No. 4

On page 1 of the printed bill, strike out lines 15 to 20, inclusive, and insert

"3620. The owner of any real property deeded to the State for taxes, or any other person who may redeem such property, may bring an action in the superior court of the county wherein the real property is located to contest the validity of the tax deed to the State."

Amendment No. 5

On page 2 of the printed bill, strike out line 1, and insert "3621. The".

Amendment No. 6

On page 2 of the printed bill, strike out lines 4 and 5, and insert "or a Deputy State Controller All other taxing agen-".

Amendment No. 7

On page 2, line 25, of the printed bill, strike out "penalties, interest, or costs,".

Amendment No. 8

On page 2 of the printed bill, strike out lines 27 to 35, inclusive, and insert "affected"

Amendment No. 9

On page 3 of the printed bill, strike out lines 2 to 5, inclusive, and insert "whether the tax deed or any taxes are for any reason invalid in whole or in part.

3627. If the tax deed and the taxes are determined to be valid in all respects, the court"

Amendment No. 10

On page 3, line 17, of the printed bill, strike out "for any year since the sale".

Amendment No. 11

On page 3 of the printed bill, strike out lines 19 to 21, inclusive, and insert "essary steps taken to correct any cause of invalidity. The same".

Amendment No. 12

On page 3, lines 32 and 33, of the printed bill, strike out "due for the year of sale or any year since the sale"

Amendment No. 13

On page 3, lines 34 and 35, of the printed bill, strike out "due for the year of sale and each year since the sale".

Amendment No. 14

On page 3, line 41, of the printed bill, strike out "sold".

Amendment No. 15

On page 3 of the printed bill, strike out lines 43 and 44, and insert "the payment of current taxes. The interlocutory".

Amendment No. 16

On page 3, line 50, of the printed bill, strike out "on an appeal thereon", and insert "in any action under this chapter".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1598—An act to amend Section 2 of the "County Improvement Act of 1921," relating to the levy of a maintenance tax.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert

"An act to amend Sections 5821 and 5830 of the Streets and Highways Code, relating to the levy of a maintenance tax"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2", and insert "5821".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2", and insert "5821".

Amendment No. 4

On page 1 of the printed bill, strike out lines 20 to 28, inclusive, and insert "collected".

Amendment No. 5

On page 2 of the printed bill, strike out lines 1 to 52, inclusive.

Amendment No. 6

On page 3 of the printed bill, strike out lines 1 to 3, inclusive, and insert
"SEC. 2 Section 5830 of the act cited in the title is amended to read as follows
SEC. 5830. The board of supervisors"

Amendment No. 7

On page 3, line 11, of the printed bill, strike out "lands", and insert "real property".

Amendment No. 8

On page 3 of the printed bill, strike out lines 17 to 38, inclusive, and insert "property in such district sufficient to pay such expense or the portion thereof which must be paid by the district."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1688—An act to amend School Code Sections 5.850, 5.853, 5 854, 5.871 and 5.873, relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, after the first comma, insert "5.851,".

Amendment No. 2

In line 2 of the title of the printed bill, after "5.871", insert a comma and "5 872".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 16, both inclusive, and insert
"5 850 Each member of the Retirement System shall contribute to the permanent fund, twelve dollars ($12) for each year of service credited to such person as rendered between December 31, 1913, and July 1, 1935, twenty-four dollars ($24) for each year of such service rendered between June 30, 1935, and July 1, 1941, and sixty dollars ($60), for each year of such service rendered after June 30, 1941. Contributions for service for less than one year, shall bear the same ratio to the respective contributions required for one year, that the fractional year bears to one year."

Amendment No. 4

On page 1, line 18, of the printed bill, after the first comma, insert "on account of service rendered after June 30, 1941."

Amendment No. 5

On page 1, line 21, of the printed bill, strike out "_____ dollars", and insert "sixty dollars ($60)".

Amendment No. 6

On page 1 of the printed bill, following line 27, insert

"Because of payment of salary installments during the school year beginning July 1, 1941, before the effective date hereof, adjustments shall be made as necessary to complete the contributions required for that year."

Amendment No. 7

On page 2, line 8, of the printed bill, strike out "twenty-four dollars ($24)", and insert "contributions in the amounts per year required by this section,".

Amendment No. 8

On page 2, line 16, of the printed bill, strike out the semicolon, and "provided, that contribu-", and strike out all of lines 17 and 18, and insert a period.

Amendment No. 9

On page 2, line 19, of the printed bill, strike out "heretofore or hereafter".

Amendment No. 10

On page 2, line 19, of the printed bill, after "retired", insert "after the effective date hereof,".

Amendment No. 11

On page 2, line 20, of the printed bill, strike out "was not or", and insert "and every person retired prior to the effective date hereof, who at said date,".

Amendment No. 12

On page 2 of the printed bill, beginning in line 20, strike out "twenty-four dollars ($24) as a contribution", and insert "contributions".

Amendment No. 13

On page 2, line 22, of the printed bill, strike out "as rendered prior", and strike out all of lines 23 to 25, both inclusive, and in line 26, strike out "1941," and insert "as required by this section,".

Amendment No. 14

On page 2, line 28, of the printed bill, strike out "twenty-four dollars ($24) for each year of", and strike out all of line 29, and in line 30, strike out "ice rendered prior to July 1, 1935,", and insert "the amounts required by this section."

Amendment No. 15

On page 2, line 33, of the printed bill, strike out "five dollars ($5)", and insert "fifteen dollars ($15)"

Amendment No. 16

On page 2, line 35, of the printed bill, strike out "four dollars ($4)", and insert "fourteen dollars ($14)".

Amendment No. 17

On page 2, line 37, of the printed bill, strike out the semicolon and "provided that until that part of the contributions", and strike out all of lines 38 to 42, both inclusive, and insert a period and

"SEC. 1a School Code Section 5851 is hereby amended to read as follows.

5851 [Each person who has or shall become a member of the Retirement System on or after July 1, 1935, and who shall not be required as a condition of employment, to contribute to a local fund, shall be required to contribute to the Annuity Deposit Fund, 4 per cent of each salary payment received by him, less the contribution required as a deduction from said salary payment for the permanent fund

Each person who was required to contribute, even though no contributions were made, to the Public School Teachers' Permanent Fund, now existing, on or before June 30, 1935, and any member who is required as a condition of employment to contribute to a local fund.] *Each member* may at his option elect to contribute *to the Annuity Deposit Fund, not less than* [4] *2* per cent of each salary payment received by him, *and from time to time, but not more frequently than once during any school year*, [less the contribution required as a deduction from said salary payment for the Permanent Fund Likewise any member who contributes to the Annuity Deposit Fund at the rate heretofore provided in this section, may at his option elect to contribute to such fund, an additional percentage of each salary payment received by him, his total annuity deposit then being said additional percentage plus said 4 per cent of said salary payment, less the contribution required as a deduction therefrom for the Permanent Fund. A] *such* member may at his option elect to cease contributing [said additional percentage] *to said fund*

Any member who *heretofore has made* [shall make] contributions *to the Annuity Deposit Fund*, [under this section, and who now or hereafter is employed by a local district which, as a condition of employment, requires contributions to a local fund,] may elect to cease [contributing under this section, even though said member is excluded from said local fund,] *such contributions*, and accumulated annuity deposits standing to the credit of his individual account, [because of service upon the basis of which he will receive a benefit from said local funds,] shall be refunded to him;

upon his request filed with the retirement board within two years after [he becomes a member of said local fund, or two years after] September 1, *1941*, [1939, whichever shall be the later date,] but, otherwise, accumulated annuity deposits standing to the credit of [his] *an* individual account shall remain so credited and shall not be refunded except as provided elsewhere herein.

Any election under this section shall be by written notice to the retirement board, consenting and agreeing to the deduction *if the election be to contribute*, and stating the month with which said deduction shall commence, *or cease, as the case may be*. [and an election to contribute 4 per cent shall be irrevocable.] Said month shall be any month from September, 1935, to June, 1937, inclusive, with which the deduction began, but otherwise it shall not be earlier than the month next following the month in which the written notice is executed, and if no month be entered in said notice, or if the month entered be earlier than the month next following said month of execution, the member shall be considered as having stated that the deduction shall commence with the month next following said execution.

Contributions required of a person to the Annuity Deposit Fund shall be deducted from each salary payment in the manner prescribed in Section 5 852 hereof Notwithstanding the provisions of the two paragraphs immediately preceding, annuity deposit contributions shall not be deducted from salary payments to any member employed as a part time or substitute employee, from which permanent fund contributions are not deducted by provisions of this chapter or by rule of the board Every person accepting employment who is required to contribute under this section, shall be deemed to consent and agree to the deduction of the annuity deposits from his salary payments as provided herein.

Notwithstanding any other law, rule or regulation affecting the salary, pay, compensation, other prerequisites or tenure of any person to whom this chapter applies or shall apply and notwithstanding that the minimum salary, pay, compensation or other prerequisites, provided by law for such person shall be reduced thereby, payment less the contributions required by this section and by Section 5.850 shall be in full and complete discharge and acquittance of all claims and demands whatsoever for service rendered by such teacher during the period covered by such payment except his claim to benefits to which he may be entitled under the provisions hereof."

Amendment No. 18

On page 3, line 6, of the printed bill, strike out "_____ dollars", and insert "thirty dollars ($30)".

Amendment No. 19

On page 3 of the printed bill, beginning in line 21, strike out "_____ fund", and insert "taxes collected during the fiscal year under the Inheritance or Transfer Tax Laws of this State".

Amendment No. 20

On page 3, line 27, of the printed bill, strike out "_____ dollars", and insert "fifteen dollars ($15)"

Amendment No. 21

On page 3, line 39, of the printed bill, strike out "_____ dollars", and insert "fifteen dollars ($15)".

Amendment No. 22

On page 3 of the printed bill, beginning in line 42, strike out "_____ dollars", and insert "fifteen dollars ($15)".

Amendment No. 23

On page 4, line 4, of the printed bill, strike out "_____ dollars", and insert "fifteen dollars ($15)".

Amendment No. 24

On page 4, line 30, of the printed bill, strike out "_____ dollars", and insert "fifteen dollars ($15)".

Amendment No. 25

On page 5, line 1, of the printed bill, strike out "_____ dollars", and insert "sixty dollars ($60)".

Amendment No. 26

On page 5 of the printed bill, following line 4, insert

"Retirement salaries granted under this section and hereafter payable to persons retired prior to the effective date hereof, shall be adjusted to conform to the increased retirement salary provided in this section, said adjustment to be effective on the first of the month in which this section becomes effective."

Amendment No. 27

On page 5 of the printed bill, following line 9, insert

"SEC 4a School Code Section 5 872 is hereby amended to read as follows:

5 872 Any member who shall be credited with 15 but less than 30 years of service computed as provided in Section 5 822 hereof, at least 15 of which shall have been served in this State, including the last 10 years of service immediately pre-

ceding retirement, and who shall, by reason of bodily or mental infirmity become incapacitated for further service, may be retired by the retirement board upon the application of the person himself stating what time not more than 90 days subsequent to the execution thereof, he desires to retire, or upon the application of the employer of such person; provided that retirement shall not be made except upon the basis of competent medical opinion secured by the retirement board.

"Any member [who is a permanent employee of a school district and] who applies for retirement after attaining [an] age 65 [at which the classification of such person as a permanent employee of such district ceases] and who at the time shall be credited with 10 or more years of service computed as provided in Section 5.822 hereof but not qualifying for retirement under Section 5 870, shall, for the purposes of this chapter, be deemed to be incapacitated for further service and shall be retired under this section upon his application stating what time, not more than 90 days subsequent to the execution thereof, he desires to retire.

Failure of a member to complete the documents required for retirement, within 90 days after receipt of the application for retirement in the office of the retirement board in Sacramento, California, shall make said application null and void

The last 10 years of service in this State immediately preceding retirement may be broken by periods of absence from service or by periods of service in universities, colleges, or private schools within this State, or by service outside of this State during a year in which the member has met the minimum requirement for a year's service in this State, or a year's service outside of this State if 10 of the final 11 years of service have been in this State

Application for retirement, must be made within two years after the last day of service, or at any time during a leave of absence or renewal thereof if the person left service on such leave of absence duly granted by a governing board of a school district or other authority employing such person, or within six months after the appointment of a guardian of a member whose right to apply for retirement has otherwise lapsed under this paragraph, or who is determined to the satisfaction of the retirement board to have been mentally incompetent at the time of such lapsing. After the right to apply for retirement has lapsed as provided in this paragraph, said right may be reestablished only by service in a status requisite for membership herein, of not less than two months."

Amendment No. 28

On page 5 of the printed bill, beginning in line 16, strike out "_____ dollars _____", and insert "sixty dollars ($60)".

Amendment No. 29

On page 5 of the printed bill, following line 20, insert

"Retirement salaries granted under this section and hereafter payable to persons retired prior to the effective date hereof, shall be adjusted to conform to the increased retirement salary provided in this section, said adjustment to be effective on the first of the month in which this section becomes effective"

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 2078—An act to repeal Section 4 of Chapter 788 of the General Laws of the State of California, approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to repeal Section 4".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "and".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 and 2

Amendment No. 4

On page 2, line 1, of the printed bill, as amended, strike out "SEC 2", and insert "SECTION 1".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2142—An act to amend Section 3391 of the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to repeal Sections 3396, 3397, 3399, 3400 and 3401 of, to add Sections 3392.5, 3392.7, 3395.4 and 3395.6 to, and to amend Sections 3356, 3391, 3392, 3393, 3394, 3398 and 3403 of, and to amend the heading of Article 2 of".

Amendment No. 2

On page 1, line 1, of the printed bill, after "1.", insert "Section 3356 of the Revenue and Taxation Code is hereby amended to read as follows:

3356 [The] *Except as provided in Article 2, the* publication shall be made once a week for three successive weeks in a newspaper of general circulation published in the county. If no newspaper of general circulation is published in the county, the publication shall be made by posting in three public places in the county.

The cost of publication shall be at no more than the rate fixed by the board of supervisors for other county advertising.

SEC. 2"

Amendment No. 3

On page 1 of the printed bill, strike out lines 5 to 13, inclusive, and insert "ties where Alternative Method Designated.

SEC. 3. Section 3391 of the Revenue and Taxation Code is hereby amended to read as follows:

3391 In each county [of the first class and no other,] *where the board of supervisors by ordinance or resolution determines that the public interest, convenience and necessity require the local publication of the delinquent list in order to afford adequate notice,* the published delinquent list and all items required to be published with the published delinquent list shall be published as provided in this article. Except as provided in this article, the publication shall be in the same manner as *provided* in [other counties] *Article 1.*

The publication provided for in this article shall be made once a week for three successive weeks in a newspaper or newspapers of general circulation. Such publication shall be made in a newspaper or newspapers published not less frequently than once a week.

SEC. 4. Section 3392 of the Revenue and Taxation Code is hereby amended to read as follows:

3392. As used in this article:

(a) "County [publication] *publications*" means the [publication] *publications* required in this article to be made in the county seat.

(b) "City publication" means the publication required in this article to be made in a city other than the county seat.

(c) "Unincorporated publications" means the publications required in this article to be made for unincorporated areas of the county.

(d) "Publication rate" means the price fixed by the board of supervisors for publication of the delinquent list, or portions thereof.

SEC. 5. Section 3392.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3392.5. The price to be paid for the publication of the delinquent list, or any portion thereof, authorized to be published as provided in this article shall be deter-

mined by the board of supervisors and shall be based upon a "legal square" as fixed by the board of supervisors. The price shall be graduated according to the newspaper in which such notice is printed, with a minimum rate for newspapers of 2,000 circulation or less.

SEC. 5. Section 3392.7 is hereby added to the Revenue and Taxation Code, to read as follows:

3392.7. Along with the portion of the published delinquent list published in a newspaper, there shall be published an index giving in alphabetical order the names of all persons appearing in such portion of the delinquent list.

SEC. 6. Section 3393 of the Revenue and Taxation Code is hereby amended to read as follows:

3393. There shall be published in a [daily] newspaper *or newspapers* of general circulation published in the county seat the portion of the published delinquent list containing property located in [:

(a) Unincorporated territory of the county.

(b) The] *the* county seat.

[(c) Any city in which there is no newspaper of general circulation published at least once each week.

(d) Any city in which there is a newspaper of general circulation published at least once a week when no such newspaper will publish the portion of the published delinquent list containing property in the city at a rate not in excess of the rate for official publications for the city.]

The board of supervisors shall determine the newspaper or newspapers in the county seat in which such portion, or parts of such portion, shall be published, which determination shall be made with the aim of giving to owners whose property is within the territory served by such newspapers adequate notice of the published delinquent list.

SEC. 7. Section 3394 of the Revenue and Taxation Code is hereby amended to read as follows:

3394. There shall be published in a newspaper of general circulation published in the city the portion of the published delinquent list containing property located in a city, other than the county seat, in which there is a newspaper of general circulation published at least once a week which will make the publication at [a] *the publication* rate [net], *and if such rate is* in excess of the rate for official publications for the city, *then at the rate for official publications for the city.*

If there is any city in which there is no newspaper of general circulation published at least once each week, or if in a city in which there is a newspaper of general circulation published at least once each week no such newspaper will publish the portion of the published delinquent list containing property located in the city at the publication rate, or the rate for official publications for the city, whichever is the lower, then the board of supervisors may provide for the publishing of such portion of the published delinquent list in a newspaper of general circulation published in an adjacent city or unincorporated territory, or in the county seat.

SEC. 8. Section 3395.4 is hereby added to the Revenue and Taxation Code, to read as follows:

3395.4. The portion of the published delinquent list containing property located in the unincorporated territory of the county shall be published in a newspaper or newspapers of general circulation published in the unincorporated territory. The board of supervisors shall determine the newspaper or newspapers in the unincorporated territory in which such portion, or parts of such portion, shall be published, which determination shall be made with the aim of giving to owners of property in the unincorporated territory adequate notice of the published delinquent list.

SEC. 9. Section 3395.6 is hereby added to the Revenue and Taxation Code, to read as follows:

3395.6. If in any portion of the unincorporated territory there is no newspaper of general circulation published at least once each week, that part of the published delinquent list containing property located in that territory shall be published in a newspaper of general circulation published in an adjacent city or territory, or in the county seat, which newspaper or newspapers shall be determined by the board of supervisors with the aim of giving to owners of property in the territory adequate notice of the published delinquent list.

SEC. 10. Sections 3396, 3397, 3399, 3400 and 3401 of the Revenue and Taxation Code are hereby repealed.

SEC. 11. Section 3398 of the Revenue and Taxation Code is hereby amended to read as follows:

3398. [The] *Every* contract for [the] county [publication and the contract for each] *publication*, city publication, *and unincorporated publications* shall include the publication of the proper portion of the published delinquent list and all other items relating to that portion of the published delinquent list and required by law to be published with the published delinquent list.

SEC. 12. Section 3403 of the Revenue and Taxation Code is hereby amended to read as follows:

3403 In ordering mailing of a copy of items delinquent, the board of supervisors may do either of the following

(a) Authorize the tax collector to perform the mailing

(b) Include, or authorize [the purchasing agent to include] *the inclusion of*, the mailing as an item in the [call for bids] *contract* for publication of the published delinquent list. [In this event, the contracts for the county publication and for the city publication shall include the mailing of the copies of items delinquent contained in the respective publications.]"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2218—An act to amend Sections 4.871 and 4.884 of, and to add Sections 4.871a and 4.884a to the School Code, relating to evening schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4.871 and 4.884", and insert "3.362, 4.871, 4.873, 4.884 and 4.885"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Section 3.362 of the School Code is hereby amended to read as follows.

3.362. Junior colleges may be maintained as separate [institutions] *day or evening junior colleges* or in conjunction with any day *or evening* high school

SEC. 2. Section 4.871 of the School Code is hereby".

Amendment No. 3

On page 1 of the printed bill, as amended, following line 7, insert

"SEC. 3. Section 4.873 of the School Code is hereby amended to read as follows

4.873. He shall apportion to each high school district on account of each *separate* high school [or], *each combined junior high school and senior high school, each separate junior college, and each combined high school and* junior college maintained therein eighty dollars ($80) for each unit or major fraction of a unit of the first 10 units of average daily attendance in special day classes, special evening classes [and], evening high school classes *and evening junior college classes*, including compulsory continuation classes for persons under 18 years of age, maintained in connection with each such [high] school [or junior college] during the preceding school year; sixty dollars ($60) for each unit or major fraction of a unit of the second 10 units of such *average daily* attendance; and forty dollars ($40) for each unit or major fraction of a unit of the third 10 units of such *average daily* attendance."

Amendment No. 4

On page 1, line 8, of the printed bill, as amended, strike out "SEC. 2", and insert "SEC. 4."

Amendment No. 5

On page 1 of the printed bill, as amended, following line 14, insert

"SEC. 5. Section 4.885 of the School Code is hereby amended to read as follows

4.885. He shall allow to each high school district on account of each *separate* high school [or], *each combined junior high school and senior high school each separate junior college, and each combined high school and* junior college maintained *therein* forty dollars ($40) for each unit or major fraction of a unit of the first 10 units of average daily attendance in special day classes, special evening classes [and], evening high school classes *and evening junior college classes*, including compulsory continuation classes for persons under 18 years of age, maintained in connection with each such [high] school [or junior college] during the preceding school year; thirty dollars ($30) for each unit or major fraction of a unit for the second 10 units of such *average daily* attendance; and twenty dollars ($20) for each unit or major fraction of a unit of the third 10 units of such *average daily* attendance."

Amendment No. 6

On page 1, line 15, of the printed bill, as amended, strike out "SEC. 3.", and insert "SEC. 6."

Amendment No. 7

On page 2, line 3, of the printed bill, as amended, strike out "SEC. 4.", and insert "SEC. 7."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2498—An act making an appropriation for the improvement and rehabilitation of Sea Cliff State Park in Santa Cruz County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and"; and strike out lines 2 and 3 of the title, and insert ", maintenance and rehabilitation of a portion of the State Park System".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Out of any money in the State Park Maintenance and Acquisition Fund not otherwise appropriated the sum of twelve thousand dollars ($12,000) or so".

Amendment No. 3

On page 1 of the printed bill, strike out lines 6, 7, and 8, and insert "improvement, maintenance and rehabilitation of a portion of the State Park System, comprising Sea Cliff Beach, Doheney Beach, San Clemente Beach, Pio Pico Mansion Historical Monument, and San Juan Bautista Historical Monument, including repair of damage caused by storms and floods".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 41—An act to add to the Code of Civil Procedure new Section 1110b, relating to stay of execution.

Bill read second time, and ordered to third reading.

Senate Bill No. 98—An act to amend the County Water District Act, as amended, by amending Section 12, relating to powers of districts, amending Section 18, relating to rights of way, Section 19, relating to water rates, and Section 25, relating to additions to districts; repealing Sections 12.1 and 22a; repealing and reenacting Section 52; and by adding Section 1.1 declaring districts public agencies, 10.1, relating to contracts between districts and their officers or directors, 12.1 to 12.15, inclusive, relating to powers of districts, 14.1, relating to oaths, 14.2, relating to investment of funds, 16b, relating to callable bonds, 28.1, relating to findings on additions and exclusions of land and 66 to 71, inclusive, relating to dissolution of districts, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 187—An act to amend Section 162 of the Probate Code, relating to interest on deferred legacies.

Bill read second time, and ordered to third reading.

Senate Bill No. 406—An act to amend Section 4247 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighteenth class

Bill read second time, and ordered to third reading

Senate Bill No. 447—An act to amend Section 4265 of the Political Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time, and ordered to third reading

Senate Bill No. 754—An act to amend the title and Section 1 of "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, relating to the acquisition, development, and disposal of electrical power by irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 776—An act to amend Sections 4380, 4381, 4382, 4400, 4101, 4113 of, and to add Section 4101 5 to, the Water Code, or to amend Sections 4, 8 and 12 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Bill read second time, and ordered to third reading.

Senate Bill No. 1294—An act to amend Section 737s of the Political Code, relating to superior court judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 49—An act to add to the Code of Civil Procedure Section 117*ll*, relating to the deposit of cash in lieu of bond on appeal in small claims courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 6, of the printed bill, after "undertaking", insert ", and such deposit shall be equivalent to such undertaking".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 117—An act to repeal Sections 2 464, 2 465, 6.383 and 6.384 of, to amend Sections 2 505, 3 301 and 4.250 of, and to add Sections 3 321, 3 322, 3 323, 3 324 and 3 325 to, the School Code, all relating to the payment of the costs of providing for the education of high school pupils not residing in a high school or unified school district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and 3 325", and insert "3 325 and 3 326"

Amendment No. 2

On page 2, line 23, of the printed bill, strike out "or persons"

Amendment No. 3

On page 2, line 28, of the printed bill, after "certify", insert a comma and "separately,".

Amendment No. 4

On page 2, line 31, of the printed bill, after "trict", insert "and to the unapportioned county high school fund under the jurisdiction of the county superintendent of schools, as hereinafter provided."

Amendment No. 5

On page 2, line 31, of the printed bill, after "of", insert "any".

Amendment No. 6

On page 2, line 31, of the printed bill, strike out "or persons"

Amendment No. 7

On page 2, line 35, of the printed bill, after "tuition", insert "for the education of any such person".

Amendment No. 8

On page 2, line 46, of the printed bill, strike out the comma and "and the resulting", and insert "The total tuition chargeable to any elementary school district shall be computed by multiplying"

Amendment No. 9

On page 2, line 47, of the printed bill, strike out "shall be multiplied"

Amendment No. 10

On page 2, line 49, of the printed bill, after "district", insert a comma and "and not residing on a Military Reservation of the United States of America,".

Amendment No. 11

On page 2 of the printed bill, following line 50, insert

"The total amount chargeable against the unapportioned county high school fund of any county shall be determined by multiplying such quotient by the units of average daily attendance during the preceding school year of persons residing in the elementary school district, and on a Military Reservation of the United States of America, and attending the high schools of the high school district or unified school district"

Amendment No. 12

On page 3, line 4, of the printed bill, after "certificate", insert "certifying the amount chargeable against any elementary school district under his jurisdiction".

Amendment No. 13

On page 3 of the printed bill, strike out all of line 35, and insert

"SEC. 9. Section 3 326 is hereby added to said code, to read as follows:

3 326. The county superintendent of schools shall pay to each high school district and unified school district from the unapportioned county high school fund under his jurisdiction, the amount chargeable to such fund as shown by the certificate of the governing board of the high school district or unified school district

SEC. 10 Section 4 250 of said code is hereby amended to".

Amendments read and adopted.

Bill ordered printed, and to third reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922,

declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

MOTION TO SET SPECIAL ORDER

Mr. Millington moved that Assembly Bill No. 1800, with the proposed amendments, be made a special order of business for Monday, April 7, 1941, at 2 p.m.

Substitute Motion

Mr. Bennett moved, as a substitute motion, that Assembly Bill No. 1800, with the proposed amendments, be made a special order of business for Monday, April 14, 1941, at 2 p m.

Point of Order

Mr. Field arose to the following point of order: That the substitute motion was out of order.

The Speaker ruled the point of order well taken.

The question being on the original motion by Mr. Millington.

Motion to Amend

Mr. Lyon moved as an amendment to the motion by Mr. Millington, that April 9, 1941, at 2 p.m., be set as the time for consideration of Assembly Bill No. 1800.

Amendment adopted.

Motion by Mr. Millington, as amended by Mr. Lyon, carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—Bennett, and Thomas—2.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Evans, ordered printed in the Journal:

Mr. Speaker and Members of the Assembly

GENTLEMEN: I regret the circumstances that seem to make it important that I impose on your time and the courtesy of the House to make public my attitude regarding all forms of dictatorships.

I wish to publicly state that I hate and believe disgusting those forms of government as represented by Hitler, Stalin, etc. Their forms of government are repulsive in the extreme and contrary to all things so dearly loved by a free people.

In explanation of this statement I wish you gentlemen to know that I have been receiving in my mail Nazi propaganda which I do not want and in which I do not believe, and if it is the belief of the Nazi propaganda agents that I am sympathetic to their cause I want to take this means of publicly informing them that I am not and they might as well save their postage.

JOHN W. EVANS, Sixty-fifth Assembly District
JEANETTE E. DALEY, Seventy-eighth Assembly District
JACK MASSION, Sixty-sixth Assembly District
S. L. HEISINGER, Thirty-seventh Assembly District

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 300—An act to add Section 86.2 to the State Civil Service Act, relating to an oath for civil service employees, and declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 300?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 12 to 19, inclusive, and insert

"Every person appointed to a permanent position in the State civil service, prior to the effective date hereof and who is performing the duties of such position, shall within 30 days of said date take and subscribe the oath hereinabove provided. All such persons who take, subscribe and file such oath within the time herein provided shall be conclusively presumed to have been and to be legally holding their positions as far as this or any other law is concerned requiring that such person take and/or subscribe and/or file an oath."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 24 and 25, and insert

"Every appointing power shall immediately, after the effective date of this act, notify all the employees under his jurisdiction of the provisions of this act, and shall also notify every new employee immediately following his appointment of said provisions."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and insert

"The oath herein required shall be filed with the board within 30 days of the date when such oath is taken and subscribed. The board shall prepare and furnish printed forms of said oath.

The oath herein required may be taken by any employee before his appointing power or before any person authorized in writing by such appointing power, which authorization shall be filed with the board, or may be taken before any other person authorized by law to administer oaths. No fee shall be".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 300 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Ptaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 300 ordered enrolled.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1469—An act to amend Section 20 of the "Personal Property Brokers Act," Statutes 1939, Chapter 952, relating to the regulation of loans of three hundred dollars ($300) or less

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Salsman, Sheridan, Thomas and Cooke demanded the previous question.

The roll was called, and the demand for previous question lost by the following vote:

AYES—Andreas, Burns, Michael J., Cain, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gallagher, Lowrey, McCollister, Middough, Poole, Robertson, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Welch, and Mr. Speaker—24.

NOES—Allen, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Dills, Donnelly, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Maloney, Massion, Meehan, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Thurman, Turner, Waters, and Weybret—35.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Evans, Allen, Waters and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1469.

The roll was called, and Assembly Bill No. 1469 refused passage by the following vote:

AYES—Andreas, Burns, Michael J., Call, Crowley, Dickey, Dilworth, Field, Lyon, Maloney, McCollister, Middough, Salsman, Sawallisch, Sheridan, Thorp, Watson, Weybret, and Mr. Speaker—18.

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Tenney, Thomas, Thurman, Turner, Voigt, Waters, and Wollenberg—48.

Notice of Motion to Reconsider Assembly Bill No. 1469

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1469 was this day refused passage.

Assembly Bill No. 1644—An act to amend Section 81 of the State Civil Service Act, relating to eligible lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, and Wollenberg—60.

NOES—Dilworth, Field, Pfaff, and Mr. Speaker—4.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 318—An act to amend Sections 7332, 7376, 7400, 7420 and 7442 of, and to repeal Section 7351 and Article 13, comprising Sections 7450 to 7457, inclusive, of Chapter 10 of Division 3 of, and to add Section 7351 to, the Business and Professions Code, relating to the practice of and the training for cosmetology and manicuring.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out ", 7374, 7394 and 7442", and insert "and 7394".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, after "cosmetologist", insert "manager-operator".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, strike out ", or was so connected while previously", and strike out all of line 9, and insert a period.

Amendment No. 4

On page 1, line 12, of the printed bill, as amended, strike out "a branch", and insert "the practice".

Amendment No. 5

On page 2, line 13, of the printed bill, as amended, after "person", insert ", a resident of this State,".

Amendment No. 6

On page 3, line 23, of the printed bill, as amended, after "hair," and before "hair-", insert "hair cutting,".

Amendment No. 7

On page 3, line 24, of the printed bill, as amended, after "waving," and before "machineless", insert "machine and".

Amendment No. 8

On page 3, line 25, of the printed bill, as amended, after "waving," insert "wet hairdressing,".

Amendment No. 9

On page 3, line 47, of the printed bill, as amended, after "cosmetologist", insert "manager-operator".

Amendment No. 10

On page 3, line 52, of the printed bill, as amended, after "tologist", insert "manager-operator".

Amendment No. 11

On page 4, of the printed bill, as amended, strike out all of lines 27 to 51, inclusive; and on page 5, strike out all of lines 1 to 7, inclusive.

Amendment No. 12

On page 5, line 24, of the printed bill, as amended, strike out "on", and insert "or".

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 340—An act to amend School Code Sections 2.90 and 2.92, relating to superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2568—An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets.

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "Roberts' residence at Seaside".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "to", and following "Breakwater", insert "due east to the shore line".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "Roberts' residence at Seaside".

Amendment No. 4

On page 1, line 18, of the printed bill, strike out "to", and following "Breakwater", insert "due east to the shore line".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Hon. Harold F. Sawallisch Presiding

At 4.30 p.m., Hon. Harold F. Sawallisch, member of the Assembly from the Tenth District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1018—An act to amend School Code Sections 2.981 and 6.190, relating to the powers of governing boards of school districts.

Bill read third time.

Urgency Clause Adopted

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Muller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Miss Miller moved a call of the Assembly.

Motion carried. Time, 4.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight and equipment upon vehicles.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, between lines 9 and 10, insert

"(g) Motor coaches or buses operated by common carriers of passengers, for hire, in urban or suburban service outside of city limits may have a maximum outside width not exceeding 104 inches when operated on streets or highways having a clear width equal to four or more lanes of 11 feet each in width available for vehicular traffic. Urban and suburban service referred to herein means such service as has not less than two regular stops for loading or unloading passengers in each mile covered by such service."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 503—An act to amend Section 2286 of the Business and Professions Code, relating to medical examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—60.

NOES—Collins, George D., Dills, Richie, and Wollenberg—4.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1249

Mr. Tenney moved that Assembly Bill No. 1249 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on State Grounds and Parks.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 736, 737, 739, 740, 743, 746, 763, 764 AND 770

Mr. Potter moved that Assembly Bills Nos. 736, 737, 739, 740, 743, 746, 763, 764 and 770 be withdrawn from the Committee on Hospitals and Asylums, and re-referred to the Committee on Judiciary Codes.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1598

Mr. Salsman moved that Assembly Bill No. 1598 be withdrawn from the Committee on County Government, and re-referred to the Committee on Municipal Corporations.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1812

Mr. Heisinger moved that Assembly Bill No. 1812 be withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Revenue and Taxation.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Speaker Presiding

At 5 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION TO ADJOURN BY MR. CARLSON

Mr. Carlson moved that when the Assembly adjourn this day, that it do so adjourn until Monday, and until the committees have finished their business, that the Assembly hold no Saturday meetings.

Mr. Allen seconded the motion.

Demand for Previous Question

Messrs. Burns, Lyon, Bennett, Watson and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Carlson to adjourn until Monday.

Motion lost.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1207—An act to provide for the formation of districts within municipalities, for the providing of parking space for automobiles; for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, lanes, alleys, public auto parks, and public right of ways within such districts necessary or convenient therefor; for the condemnation of property or of any interest therein necessary

or convenient therefor; for work in or upon any such places including property over which possession and right of use has been obtained under the provisions of Section 14, of Article I, of the Constitution in such districts; for the acquisition and construction of public improvements, works, equipment necessary or convenient therefor; for the maintenance of such districts and the public improvements, works, and equipment thereof; for the issuance, sale, and payment of bonds of such districts to meet the cost thereof; for the levy of assessments; and providing for aid from any county, municipality, State, or the Federal Government, or any department thereof.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended, strike out "right of ways", and insert "rights of way".

Amendment No. 2

On page 2 of the printed bill, as amended, at the end of line 5, and the beginning of line 6, strike out "right of ways", and insert "rights of way".

Amendment No. 3

On page 2, line 10, of the printed bill, as amended, strike out "right of ways", and insert "rights of way".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 928—An act to add Section 5.5 to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," relating to computation of gross receipts.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, after "diately," insert "approved May 15, 1933, and to add Section 9652.5 to the Revenue and Taxation Code,".

Amendment No. 2

On page 1 of the printed bill, after line 12, insert

"SEC. 2. Section 9652.5 is hereby added to the Revenue and Taxation Code, to read as follows:

9652.5. Before computing the tax payable, an operator shall be allowed to deduct from his gross receipts from operations subject to the tax, the amount which he has paid for the use of public or privately operated ferries or toll bridges in operations in which the gross receipts were produced. All amounts paid to the operator in reimbursement of such bridge tolls and ferry fares shall be included in such gross receipts before the deduction permitted in this section is allowed.

SEC. 3. The provision of this act amending the Revenue and Taxation Code shall take effect only if Part 4 of Division 2 of said code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time as said Part 4 takes effect; at which time the provisions of the act cited in the title hereof amended by this act are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 819
Assembly Bill No. 1138
Assembly Bill No. 1899
Assembly Bill No. 1969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1151
Assembly Bill No. 1411
Assembly Bill No. 1456
Assembly Bill No. 1512
Assembly Bill No. 2570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1502
Assembly Bill No. 2091
Senate Bill No. 841

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1731

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 143

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2365
Senate Bill No. 508

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 2299

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CRONIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred.

Assembly Bill No. 1625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

CRONIN, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which were referred.

Assembly Bill No. 1452
Assembly Bill No. 1453
Assembly Bill No 1987
Assembly Bill No 2457

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

CRONIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No 1497
Assembly Bill No. 2088

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No 164

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TENNEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No 2485
Assembly Bill No. 656

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 320

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 533
Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which were referred:

Assembly Bill No. 1879
Assembly Bill No. 1120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

ALLEN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 778

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 1436

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 799
Assembly Bill No. 1242
Assembly Bill No. 1775
Senate Bill No. 905

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 640
Assembly Bill No. 934
Assembly Bill No. 2349

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Hospitals and Asylums

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which were referred:

Assembly Bill No. 643
Assembly Bill No. 647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 848
Assembly Bill No. 912
Assembly Bill No. 913
Assembly Bill No. 959
Senate Constitutional Amendment No. 1

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1434
Assembly Bill No. 1438
Assembly Bill No. 1635
Assembly Bill No. 1876

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, BUREAU OF PRINTING
SACRAMENTO, April 3, 1941

Mr. Arthur Ohnimus, Chief Clerk
State Assembly, Sacramento, California

DEAR MR. OHNIMUS: The Bureau of Printing has an interesting report to make concerning prompt execution of all legislative printed matter for the first part of the 1941 session. Here is a comparison of completion of printed matter and dates of delivery for the 1939 and 1941 first sessions:

BILLS—In 1939, delivery was made on February 16th; 1941, February 8th.
SEMI-FINAL HISTORY—In 1939, delivery was made on March 2d; 1941, February 7th.
LEGISLATIVE DIGEST—In 1939, delivery was made on March 6th; 1941, February 21st.

In addition to speeding up service on printed matter, we also set a new record in cost of operations. The January, 1939, pay roll was $83,188.68. The January,

1941, pay roll was $81,676 41—a saving of $1,512 27 despite the fact that we were compelled to work two 12-hour shifts and pay overtime eight hours every day. Both sessions presented about the same number of documents to be printed.

The Legislative Bill Room, under the management of Ewing Hass, also showed a reduction in operating expenses. The pay roll for the first part of the session reflected a saving of $435 21 over the previous first session.

I know your committees will be glad to know that we have been able to accomplish these records. One item that tends to increase costs, which may be more pronounced for the last part of the session, is that the Defense Program and the Draft are calling a large number of workers who would otherwise be available for the Printing Plant. In previous sessions we employed three shifts. Because of shortage of printers and pressmen, we are compelled to use two 12-hour shifts and pay each shift four hours' overtime.

Very truly yours,

GEORGE H. MOORE, State Printer

STATE OF CALIFORNIA, BUREAU OF PRINTING
SACRAMENTO, April 2, 1941

Hon. Arthur A. Ohnimus, Chief Clerk, Fifty-fourth California Assembly
State Assembly, Sacramento, California

DEAR MR OHNIMUS: In accordance with provisions of Section 695 of the Political Code, the State Printer, on February 7, 1940, transmitted with his accounts, a deposit of $6,109 15 in the State Treasury for credit to the Legislative Printing Fund appropriation for the Ninetieth Fiscal Year. We are pleased to attach hereto Summary No. 1, from our accounts to show disposition of documents or publications published from funds of the Fifty-third California Legislature.

The issuance by us in 1939 and 1940 of the Daily Legislative Bill Service derived sufficient funds to meet all expenses of labor, inclosure and shipment.

We attach Summary No. 2, from our accounts in connection with our report for activities in the Ninety-first Fiscal Year. We are making a deposit of $5,113.52 in the State Treasury and conveying instructions to the State Controller that the amount is to be credited to the appropriation for legislative printing for the Ninety-first Fiscal Year.

Sales of publications or documents are being continued for the account of the Fifty-fourth California Legislature and we will duly submit our accounting when our balances are determined for the Ninety-second Fiscal Year.

Trusting that you will find this in order and extending our appreciation for your cooperation and assistance, together with our high esteem, we are

Very truly yours,

GEORGE H. MOORE, State Printer
By ROBERT A. GARDINER, Supervisor of Documents

SUPERVISOR OF DOCUMENTS, SACRAMENTO, CALIFORNIA

Statement of Consignment Liability at June 30, 1939

Legislature

Gross Sales—July 1, 1938, to June 30, 1939.

Budget, 1935-1937	2 at	$0 50	$1 00
Budget, 1937-1939	70	1 00	70 00
Budget, 1939-1941	457	1 00	457 00
Report on Revenue and Taxation	3	5 00	15 00
Constitution, Annotated—1933	7	3 50	24 50
Handbook of Information, 52d Session	25	1 00	25 00
Handbook of Information, 53d Session	19	1 00	19 00
Chaptered Law Service	139	6 00	834 00
Assembly and Senate Journals, 1935 (set)	7	22 50	157 50
Assembly Journals, 1937	2	7 50	15 00
Senate Journals, 1937	2	7 50	15 00
Statutes and Amendments, 1933	3	7 50	22 50
Statutes and Amendments, 1935	5	9 00	45 00
Statutes and Amendments, 1937	24	9 50	228 00
Statutes of 1938, Extra Session	369	2 50	922 50
Manual of Legislative Procedure	17	1 50	25 50
Legislative Material			676 07
California Blue Book	956	3 00	2,868 00
Legislative Bill Service	282	45 00	12,690 00
Total gross sales			$19,110 57

Deductions:		
Discounts, returns and allowances	$739 85	
Express	391 00	
Postage	3,906 00	
Extra salaries—Handling legislative bill service	466 13	
Expense—Blue Books—Printing Plant	14 85	
Printing Plant—Assembling library bill service	746 93	
Senate and Assembly publication charges	2,129 70	
Pro rata of administrative expenses	7,606 96	
	$16,001 42	
Less: Check to apply on postage	3,000 00	
Total deductions		13,001 42
Consignment payable current		$6,109 15

Summary No. 1

SUPERVISOR OF DOCUMENTS, SACRAMENTO, CALIFORNIA

Statement of Consignment Liability—June 30, 1940

Legislature

Gross Sales—July 1, 1939, through June 30, 1940.			
Assembly and Senate Journals, 1939	1 at		$15 00
History and Journals, 1939	4	$5 00	20 00
Legislative Bill Service, 1940	167	10 00	1,670 00
Budget, 1937-1939	4	1 00	4 00
Budget, 1939-1941	91	1 00	91 00
Constitution, Annotated, 1933	11	3 50	38 50
Handbook of 53d Session	32	1 00	32 00
1933-1935 Budget	1	50	50
1935-1937 Budget	1	50	50
Chaptered Law Service, 1939	39	6 00	234 00
Statute Chapters, 1940	146	50	73 00
Assembly and Senate Journals, 1935 (set)	1		22 50
Assembly Journals, 1937	2	7 50	15 00
Senate Journals, 1937	2	7 50	15 00
Statutes and Amendments, 1935	3	9 00	27 00
Statutes and Amendments, 1937	13	9 50	123 50
Statutes and Amendments, 1939	721	10 50	7,570 50
Statutes of 1938, Extra Session	267	2 50	667 50
Manual of Legislative Procedure	15	1 50	22 50
Miscellaneous Legislative Material			260 65
Revenue and Taxation Committee Report	1		5 00
Blue Book, 1938	193	3 00	579 00
Old Age Security Chapter	19	05	95
1933-1935 Budget	2	1 00	2 00
1935-1937 Budget	1		1 00
			$11,490 60
Deductions:			
Discounts, returns, allowances		$230 50	
Assembly and Senate invoices		1,364 40	
Postage and express advances		830 90	
Pro rata administrative expenditures		3,951 28	6,377 08
Consignment liability current			$5,113 52

Summary No. 2

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1018

At 5.25 p.m., on motion of Miss Miller, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1018 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard,

Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—Bashore, Carlson, Cooke, Desmond, Evans, Heisinger, Kilpatrick, Pfaff, Phillips, Potter, Voigt, and Waters—12.

Bill ordered transmitted to the Senate

Explanation of Vote

I voted "no" on Senate Bill No. 1018 due to a misunderstanding of the purposes of the bill. Had I an opportunity to change my vote I would vote "yes." Therefore, I wish to be recorded as voting "yes."

VERNON KILPATRICK

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Constitutional Amendment No. 2.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 485

The Speaker announced the appointment of Messrs. Robertson, Bashore and Turner as a Committee on Conference concerning Senate Bill No. 485.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1033 re-referred to Committee on Elections.

Assembly Bill No. 2070 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1071 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2133 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2575 re-referred to Committee on Reapportionment

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Steve W. Sodel of Los Angeles.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge G. B. Hjelm of Modesto, Judge Dan E. Kilroy of Turlock, Councilman Henry McCue of Turlock, Sheriff Grat M. Hogan of Modesto, and Mrs. Grat M. Hogan of Modesto.

On request of Messrs. Garland, Lyon and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Oscar Reichow, Business Manager, and William (Bill) Sweeney, Team Manager, both of the Hollywood Baseball Club.

On request of Mr. Garland and members of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George T. Davis, Sports Editor, Los Angeles

Herald-Express, Al Santoro, Sports Editor of Los Angeles Examiner, and Al Wolf, featured sports writer, Los Angeles Times.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur E. White of Montrose, Vice Chairman, Los Angeles County Democratic Central Committee.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Enary Gay Hoffman, Secretary-Manager, Kern County Chamber of Commerce, Bakersfield.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. B. Du Bain, publicity, of Los Angeles.

ADJOURNMENT

At 5.30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 9 a.m., Saturday, April 5, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY
NINETIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, April 5, 1941

The Assembly met at 9 a m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Bennett, Burkhalter, Carlson, Clarke, Cooke, Cronin, Crowley, Desmond, Doyle, Evans, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—42.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Turner.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Cassidy, on motion of Mr. Carlson.
Mr. Phillips, on motion of Mr. Carlson.
Mr. Sam L. Collins, on motion of Mr. Waters.
Mr. Kellems, on motion of Mr. Waters.
Mr. Dickey, on motion of Mr. Salsman.
Mr. John B. Knight, on motion of Mr. Hastain.
Mr. Hugh M. Burns, on motion of Mr. Gunlock.
Mr. Sawallisch, on motion of Mr. Gunlock.
Mr. F. N. Howser, on motion of Mr. Robertson.
Mr. Gallagher, on motion of Mr. George D. Collins.
Mr. O'Day, on motion of Mr. George D. Collins.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1080
Assembly Bill No. 1781
Assembly Bill No. 1893
Assembly Bill No. 67
Assembly Bill No. 97
Assembly Bill No. 311

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 162
Assembly Bill No. 385
Assembly Bill No. 559
Assembly Bill No. 727
Assembly Bill No. 787
Assembly Bill No. 791
Assembly Bill No. 1005
Assembly Bill No. 1088
Assembly Bill No. 1204
Assembly Bill No. 1276
Assembly Bill No. 1490
Assembly Bill No. 1498
Assembly Bill No. 1536
Assembly Bill No. 1593
Assembly Bill No. 1597
Assembly Bill No 1633
Assembly Bill No. 1714
Assembly Bill No. 2106
Assembly Bill No. 2166
Assembly Bill No. 2323
Assembly Bill No. 2576
Assembly Bill No. 2582
Assembly Concurrent Resolution No. 24

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

EXPLANATIONS OF ABSENCE

April 5, 1941

At the time the Assembly convened at 9 a.m. we were in conference in the Governor's Office and so missed being recorded as present.

We arrived at 9.15 a.m.

J. EDWARD CAIN
WM. I. GUNLOCK

Call of the Assembly

Mr. Watson moved a call of the Assembly.

Motion carried. Time, 9.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 913—An act to amend Section 1270 and to repeal Section 1270.5 of the Fish and Game Code, relating to deer seasons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 959—An act to add Section 845.5 to the Fish and Game Code, relating to nets seized or violations of law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 640—An act to add Section 132a to the Labor Code, relating to the Industrial Accident Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 934—An act to amend Section 690.7 of the Code of Civil Procedure, relating to property exempt from execution and attachment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2349—An act to add Section 6.752 to the School Code, relating to the use of school buildings by members of the Communist Party or any organization advocating the overthrow of the government by force and violence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1497—An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2088—An act to add Section 2380.5 to the Business and Professions Code, relating to the advertising of medical business.

Bill read second time, and ordered engrossed.

Assembly Bill No. 778—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act."

Bill read second time, and ordered engrossed.

Assembly Bill No. 848—An act to amend Section 730 of the Fish and Game Code, relating to halibut.

Bill read second time, and ordered engrossed.

Assembly Bill No. 912—An act to amend Section 159 of the Fish and Game Code, relating to Fish and Game District 3H.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1502—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees

Bill read second time, and ordered engrossed.

Assembly Bill No. 2091—An act to amend Section 542.1 of the Political Code, relating to charges for State printing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 819—An act to amend Section 11005 of the Revenue and Taxation Code, and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and

enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the expenditure by cities and cities and counties of motor vehicle license fee money distributed to them.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1138—An act to amend Sections 3696, 3699, 3705 and 3706 of, and to add Section 3707 to, the Revenue and Taxation Code, relating to property taxation, including sales at public auction of tax-deeded property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1696—An act to amend Sections 3803 and 3804 of, and to add Sections 3793.5, 3793.6 and 3807.1 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 643—An act to amend and renumber the title of Chapter 4, Part 4, of Division 6, of the Welfare and Institutions Code, as added by Chapter 994 of the Statutes of 1939, relating to State inebriate colonies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 647—An act to amend and renumber the title of Chapter 5, Part 4, of Division 6, of the Welfare and Institutions Code, relating to State Narcotic Hospital.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1151—An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3594, 3616, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, and to repeal Chapter 4.6, consisting of Sections 3571 to 3578, inclusive, of Part 6, Division 1 of, to add Sections 124, 127, 3511.5, 3521, 3543, 3546.5, 3550, 3552, 3594, 3602.5, 3614.5, 3616, 3651, 3661, 3691, 3707.5, 3774, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to, and to amend the title of Chapter 5, Part 6, Division 1 of the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785.6, 3833.3, 3857.2, 3859.20 and 3860.20 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits

to quiet title to tax-delinquent property, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 6, lines 46 and 47, of the printed bill, as amended, strike out "tax-deeded property", and insert "property deeded to the State for taxes before January 1, 1947".

Amendment No. 2

On page 8, lines 33 and 34, of the printed bill, as amended, strike out "classified for private use,".

Amendment No. 3

On page 10, line 19, of the printed bill, as amended, strike out "and".

Amendment No. 4

On page 11, line 3, of the printed bill, as amended, strike out "Section 4.5", and insert "Sections 4.5 and 4.6".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1411—An act to add Section 3842 to the Revenue and Taxation Code, relating to actions to quiet title against the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, after "agency", insert a comma and "other than those hereinafter mentioned,".

Amendment No. 2

On page 1, line 7, of the printed bill, after "any tax", strike out the remainder of the line, and all of lines 8 and 9; and in line 10, strike out "chise Tax Act", and insert "or assessment levied or assessed by any taxing agency, commissioner, person, board, or commission of the State of California,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1456—An act to amend Section 2605 of the Revenue and Taxation Code, relating to property taxation, including assessments, equalization of taxes, the levy of taxes, the collection of taxes, tax sales, the redemption of delinquent property, distribution of taxes, corrections, cancellations and refunds, and suits for taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 4, line 39, of the printed bill, as amended, after "property", insert "as a result of such taxes or assessments".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1512—An act to amend Section 1020 of the Insurance Code, relating to sale or deed to the State for nonpayment of taxes of property of insolvent or delinquent insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "or".

Amendment No. 2

On page 2, line 8, of the printed bill, as amended, after "property", insert ", or any person beneficially interested in the property".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2570—An act to amend Sections 2 and 9, to repeal Section 2.5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2.5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 4 of the printed bill, as amended, strike out line 21, and insert "receipts from the sale of tangible personal property which becomes an ingredient or component part of any publication regularly".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out lines 23 and 24, and insert "the gross receipts from the sale of any such publication"

Amendment No. 3

On page 7, line 7, of the printed bill, as amended, after "period", strike out "of", and insert "or".

Amendment No. 4

On page 7, line 21, of the printed bill, as amended, strike out "of", and insert "or".

Amendment No. 5

On page 12, line 24, of the printed bill, as amended, after "provisions", strike out "of Section 690".

Amendment No. 6

On page 15, line 29, of the printed bill, as amended, before "16", insert "Sec."

Amendment No. 7

On page 16 of the printed bill, as amended, strike out lines 33 to 36, inclusive, and insert

"(h) Tangible personal property which becomes an ingredient or component part of any publication regularly issued at average intervals not exceeding one month and any such publication."

Amendment No. 8

On page 18, line 15, of the printed bill, as amended, after "purchaser", insert a comma.

Amendment No. 9

On page 19, line 51, of the printed bill, as amended, strike out "forth in Sections 8 and 17 hereof".

Amendment No. 10

On page 23, line 52, of the printed bill, as amended, strike out "sum", and insert "same".

Amendment No. 11

On page 25, line 41, of the printed bill, as amended, after "provisions", strike out "of Section 690".

Amendment No. 12

On page 27, line 19, of the printed bill, as amended, strike out "8", and insert "25 5".

Amendment No. 13

On page 28, line 32, of the printed bill, as amended, strike out "publications which are", and insert ", tangible personal property which becomes an ingredient or component part of any publication".

Amendment No. 14

On page 28 of the printed bill, as amended, strike out lines 34 and 35, and insert "and any such publication."

Amendment No. 15

On page 30, line 27, of the printed bill, as amended, before "If", insert "6702."

Amendment No. 16

On page 31, line 18, of the printed bill, as amended, strike out "sum", and insert "same".

Amendment No. 17

On page 32, line 9, of the printed bill, as amended, strike out "money", and insert "price".

Amendment No. 18

On page 32, line 16, of the printed bill, as amended, strike out "money", and insert "price".

Amendment No. 19

On page 32, line 26, of the printed bill, as amended, strike out "money", and insert "price".

Amendment No. 20

On page 33, line 13, of the printed bill, as amended, strike out "course", and insert "source".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2365—An act to add Section 3a-1 to the California Real Estate Act, relating to the Real Estate Commissioner, including the appointment and qualification of such officer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3a-1", and insert "Sections 10c and 10d".

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "relating to persons licensed as real estate brokers entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 10c is hereby added to the California Real Estate Act, to read as follows:

10c. Any person who while licensed under this act has heretofore entered or enters the Military Service of the United States and who notifies the Real Estate Commissioner of that fact within two months of the effective date of this act or within two months of such entry, shall not be required for the period of military service to renew his license under this act, and said license shall remain in full force

and effect for the period of military service and until the termination of the license period during which his period of military service terminates. If his period of military service terminates during the last two months of the license period, no penalty shall attach for failure to file renewal application within the time required by law, and the time for filing such applications shall be extended for two months after termination of the license period.

SEC 2. Section 10d is hereby added to the California Real Estate Act, to read as follows:

10d. As used in this act, the terms "military service", "period of military service" and "person in the Military Service of the United States" have the meanings ascribed to them by Section 101 of the "Soldiers' and Sailors' Civil Relief Act of 1940."

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

Under the present provisions of California Real Estate Act persons licensed to engage in the business, act in the capacity of, advertise or assume to act as real estate brokers or real estate salesmen, who have been or will be called into the Military Service of the United States in the present emergency, will forfeit their licenses and suffer loss of their business. By providing for the preservation of the licenses of such persons during such military service, this act will contribute to the public peace, health and safety It is essential that a change be made before the renewal license period begins in order to avoid such harsh results which appear to be inevitable under the present law."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1452—An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 1, line 20, of the printed bill, after "Examiners", insert ", in addition to other salary allowed by law,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1453—An act to amend Section 2551 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2551", and insert "Sections 2551 and 2553."

Amendment No. 2

After line 17 of the printed bill, insert

"SEC. 2. Section 2553 of the Business and Professions Code is hereby amended to read as follows:

2553. If the board, after investigation, approves such application and finds the applicant to be competent and qualified to engage in the business of dispensing

optician it shall register such applicant and issue to the applicant a certificate of dispensing optician. If the board does not so determine it shall deny the application A separate certificate of registration shall be required for each address where the business is to be conducted. Such certificate authorizes the applicant, its agents and employees acting therefor without further license, to engage in the business defined in Section 2550 of this code. Such certificate of registered dispensing optician shall be at all times displayed in a conspicuous place at the place of business licensed Such certificate shall not be transferable, *but on application to the Board of Medical Examiners and the payment of a fee of fifteen dollars ($15) there may be registered a change of address of such certificate.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1987—An act to amend Section 11160 of the Health and Safety Code, relating to narcotics and the use, prescribing, possession, or transporting thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "Any hospital which does not", and insert

"In order to provide a supply of narcotics as may be necessary to handle emergency cases, any hospital which does not employ a resident pharmacist and which is under the supervision of a licensed physician, may purchase narcotics on Federal order forms for said institution, under the name of said licensed physician, said supply to be made available to a registered nurse for administration to patients in emergency cases, upon direction of a licensed physician.

A report showing the kind and amount of narcotics purchased on the Federal order form shall be forwarded, by registered mail, to the Division of Narcotic Enforcement, at the time such narcotics are purchased.

Any hospital which does not".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2457—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "the University of California or a certificate from".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "accredited to the", and strike out all of lines 10 and 11; and in line 12, strike out "In", and insert "whose work meets the requirements of such universities, certifying that the applicant has completed two years of collegiate work and showing at least 60 semester units of credit of not less than C grade average.

After June, 1943, in".

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "(iii)".

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "(iv) Chemistry or", and insert "(iii) Chemistry, (iv)".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 164—An act to amend Section 159a of the Code of Civil Procedure, relating to the qualifications of justices of the peace.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, after "Procedure," insert "and repealing Section 4185a of the Political Code,".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "or", and insert "of".

Amendment No. 3

On page 1 of the printed bill, after line 10, insert

"In the event that two townships having one department each, shall be combined to form one Class A township having two departments, the justices of the peace of such combined townships shall be justices of the peace of the departments of such combined township, and incumbent, as used in this section, shall include such justices of the peace.

SEC 2 Section 4185a of the Political Code is hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 533—An act to amend Section 1007 of the Civil Code, relating to prescription; exemption.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", and to add Section 1008 to,".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, after "all", insert "but no possession by any person, firm or corporation no matter how long continued of any land, easement, or other property whatsoever, other than water or water rights, dedicated to or owned by any county, city and county, city, irrigation district, public or municipal corporation or any department or agency thereof, shall ever ripen into any title, interest or right against such county, city and county, city, irrigation district, public or municipal corporation or any department or agency thereof or any agency created or authorized by the Constitution or any law of this State for the administration of any State school, college or university. The exemption of certain classes of governmental property is intended as a limitation and shall not be deemed to subject to the operation of this section any classes of governmental property which would not otherwise be subject thereto.

SEC 2. Section 1008 is hereby added to the Civil Code, to read as follows:

1008. No possession of any water or water right, no matter how long continued, dedicated to or owned by any county, city and county, city, irrigation district, public or municipal corporation or any department or agency thereof, or any mutual water company or public utility water company, shall ever ripen into any title, interest or right against such county, city and county, city, irrigation district, public or municipal corporation or any department or agency thereof, or any mutual water company or public utility water company, or any agency created or authorized by the Constitution or any law of this State for the administration of any State school, college or university."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1683—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of hospitals in this State upon all causes of action for damages accruing

to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, following "favor of", insert "private".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 and 6, and insert "poration, trust or institution maintaining and operating a private hos-".

Amendment No. 3

On page 1, line 12, of the printed bill, following "demands", insert "for damages".

Amendment No. 4

On page 1, line 21, of the printed bill, strike out "within ten (10) days", and strike out all of line 22, and insert "on or before the day such person is discharged therefrom shall".

Amendment No. 5

On page 2, line 3, of the printed bill, strike out "to".

Amendment No. 6

On page 2, line 14, of the printed bill, following "statement", insert "and to any insurance carrier which is known by the claimant to have insured such person, firm or corporation against such liability".

Amendment No. 7

On page 2 of the printed bill, strike out lines 22 to 28, inclusive, and insert "3066b. The county recorder must upon the payment of the fee therefor record and index the claim as deeds and other conveyances are required by law to be recorded and indexed. Prior to the entry of judgment in any action arising out of such injuries, a certified copy of the recorded lien, unless sooner released or otherwise discharged, must be filed with the clerk, or justice if there be no clerk, of the court in which the action is pending and the clerk or justice must indorse upon the judgment, at the time of entry, a notice of such claim."

Amendment No. 8

On page 2 of the printed bill, strike out lines 29 to 33, inclusive, and insert "3066c. The claimant or assignee of such lien may".

Amendment No. 9

On page 2, lines 42 and 43, of the printed bill, strike out "two (2) years", and insert "one (1) year".

Amendment No. 10

On page 2, line 4, of the printed bill, preceding "total", insert "nature of and the".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1879—An act to add Section 170 of the Vehicle Code, relating to registration of and issuance of license plates for vehicles of passenger stage corporations, highway common carriers, and highway carriers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "common"; and in line 4, strike out "and highway carriers", and the period, and insert "of passengers for compensation."

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "a highway common".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "carrier" at the beginning of the line, and after "carrier" at the end of the line, strike out the comma and insert "of passengers for compensation".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1120—An act to add Section 219.1 to the Penal Code of the State of California, relating to vehicles of common carriers, when wrecked, punishment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of the State", and strike out lines 2 and 3 of the title and insert ", relating to the unlawful wrecking of motor vehicles operated by a common carrier and prescribing the punishment therefore."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "Common carrier vehicles, when wrecked, punish-", and strike out line 4.

Amendment No. 3

On page 1 of the printed bill, strike out line 6, and insert "at a vehicle operated by a common carrier, while such vehicle is either in motion or stationary, any rock, stone, brick, bottle, piece of wood or metal or any other missile of any kind or character, which is capable of being hurled, thrown or projected,".

Amendment No. 4

On page 1, line 7, of the printed bill, after "act", insert a comma.

Amendment No. 5

On page 1, line 9, of the printed bill, strike out "with", and insert "by".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 799—An act to amend Section 1179 of the Fish and Game Code, relating to nongame birds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "non-native, game", and insert "native, non-game".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1775—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "31st", and insert "1st".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1242—An act to amend Section 453 of the Fish and Game Code, relating to the possession of game birds and animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, strike out "during such times as such possession as otherwise regulated by this code", and insert ", and deer meat tagged in conformity with Section 1275.5 may be possessed at any time".

Amendment No. 2

On page 1, line 21, of the printed bill, after the period, insert
"Nothing in this section authorizes the possession of game birds or carcasses or parts thereof contrary to regulations pursuant to the Migratory Bird Treaty Act"

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 563—An act to amend Section 593 of the Civil Code, relating to the formation and purposes of nonprofit corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Corporations:

Amendment No. 1

In line 8 of the printed bill, after the comma after "Code", insert "except Chapter 4 of Division 3 of said code,".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2299—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on medicine on optometry.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "on medicine".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 and 4, and insert
"3131. It is unlawful for any person to advertise the use of or to use any means or method of training, exercising or relaxing the eyes of another person, without having at the time of so doing a valid unrevoked certificate of registration as an optometrist under this chapter, or without having at the time of so doing a valid

unrevoked certificate of registration as a physician and surgeon under Chapter 5 of this code.

Nothing contained in this section shall be construed as repealing or modifying any other provision of this chapter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1625—An act to establish a medical and dental program for persons receiving public assistance from the public moneys of this State; establishing a bureau for the administration thereof and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "establish a medical and dental", and insert "add Chapter 3, comprising Sections 2900 to 2957, inclusive, to Division 4 of the Welfare and Institutions Code, establishing a medical, dental and hospitalization".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 1, and insert

"SECTION 1. Chapter 3, comprising Sections 2900 to 2957, inclusive, is hereby added to Division 4 of the Welfare and Institutions Code to read as follows.

CHAPTER 3. PUBLIC HEALTH ASSISTANCE

Article 1. General Provisions

2900. The low health standards among those receiving public assistance in this State due to the inadequate provisions heretofore made for medical and dental services, threatens to undermine the public health of the general population.

It is the purpose of this chapter to provide some means whereby basic medical and dental services may be rendered to such persons for their protection and the protection of the public health of the general population of the State, and it is further the purpose of this chapter to eliminate unnecessary duplication of facilities.

2901. This chapter is cumulative to any other provision of law for medical and dental care and hospitalization. Nothing in this chapter affects, either by limitation or addition, the powers of the counties to grant medical and dental care and hospitalization under other provisions of law.

2902. Unless the context otherwise requires, the general provisions hereinafter set forth shall govern the construction of this chapter.

2903. "Medical care" includes, but is not limited to, medical and surgical treatment, laboratory, X-ray, nursing, drugs, appliances, and other necessary adjunct to diagnosis and treatment.

2904. "Dental care" consists of any of the recognized procedures in the practice of dentistry provided in Chapter 4 of Division 2 of the Business and Professions Code. The commission may determine the extent of dental care which may be provided under this chapter.

2905. "Hospitalization" includes bed care, food and sustenance, drugs, supplies, nursing, and any other care or service generally furnished in recognized hospitals.

2906. "Physicians" includes persons holding an unrevoked license to practice medicine and surgery in this State.

2907. "Dentists" includes persons holding an unrevoked license to practice dentistry in this State.

2908. "Department" refers to_____.

2909. "Bureau" refers to the Bureau of Medical Assistance.

2910. "State Relief Administration" refers to the Relief Administrator and Relief Commission.

Article 2. Administration

2915. There is established in the Department_____ a Bureau of Medical Assistance.

2916. The governing board of the bureau shall be a commission of five members appointed by the Governor.

One of the members shall be appointed from a list submitted by the California Medical Association, one from either the list submitted by the California State Dental Association or the list submitted by the Southern California State Dental Association, and one from a list submitted by the California Conference of Social Work.

All lists shall contain not less than three names. If a list from which the representative of a particular group is to be selected is not submitted within 15 days after the effective date of this chapter or within 15 days of the expiration of the term of office of such representative, the Governor may select a representative of such a group without regard to any list.

Of the other two members, one shall represent labor, and one, farming.

2917. All members appointed to the commission shall serve for a term of four years, except that the members first appointed shall serve as follows: Two for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. The members of the commission first appointed shall determine by lot the length of their respective terms.

2918. Members of the commission shall serve without compensation, other than reimbursement for their necessary expenses incurred in the performance of their duties.

2919. The commission shall be the policy determining body of the bureau. It shall establish qualifications and standards for services rendered under this chapter, methods of determining costs and the reimbursement thereof, general procedures for extending care and treatment and shall exercise any other power reasonable or necessary for the carrying out of the purposes of this chapter.

2920. There shall be a medical director who shall be the chief administrative officer of the bureau. He shall execute the policies of the commission. He may employ necessary personnel.

2921. The medical director shall be appointed by the Governor from a list of not less than three names submitted by the commission.

The medical director shall serve at the pleasure of the commission.

The medical director shall be a graduate in medicine from a school of medicine approved by the Board of Medical Examiners of the State of California, shall hold an unrevoked license to practice medicine in this State and shall have engaged in the licensed practice of medicine in this State for at least five years preceding his appointment. The commission shall determine the conditions of employment of the medical director and fix his salary.

2922. For purposes of assisting in the administration of the policies of the commission and adapting it to local needs, the department, with the approval of the commission, may appoint local committees in each county all of which shall serve without reimbursement.

Article 3. Scope of Service

2930. The bureau may provide directly or through the counties or otherwise as provided in this chapter for medical and dental care for persons receiving public assistance from the State Relief Administration and for persons receiving public assistance from the counties under Chapter 2 of Division 4 of this code and may provide hospitalization for persons receiving public assistance from the State Relief Administration who are not eligible for such hospitalization under the provisions of Chapter 3 of Division 1 of Chapter 2 of Division 4 of this code.

No medical and dental care may be provided under this chapter to inmates of institutions or for the treatment of mental illnesses otherwise provided for by law.

No money available for expenditure under this chapter shall be expended for the medical or dental care of persons receiving public assistance under Chapter 1 of Part 2 of Division 2, Chapter 1 of Division 3 of Chapter 1 of Part 1 of Division 5, but the bureau may render care to such persons if reimbursed for the costs thereof by the county authorized or required to render such care.

2931. The bureau may:

(a) Coordinate medical and dental care programs and hospitalization for public assistance recipients in this State.

(b) Secure data and make such reports as may be necessary for the administration and operation of this chapter.

(c) Secure data and make such reports to the Governor and the Legislature concerning the conditions under which medical and dental care and hospitalization are being provided to the various public assistance groups in this State, with such recommendations as the bureau deems advisable.

2932. The Legislature hereby directs, but does not require, that monies made available under this chapter for medical and dental services and hospitalization shall not be expended at an average rate in excess of eighty-six cents ($0.86) per person per month receiving public assistance from the State Relief Administration and from the counties under Chapter 2 of Division 4 of this code as said case loads per month are averaged annually.

Article 4. Facilities

2940. The bureau may render any of the services authorized under this chapter through existing county owned, medical, dental and hospital facilities or through agencies with which or persons with whom the counties may contract with approval of the bureau.

When county facilities are selected for utilization by the bureau, the county shall become the agent of the State in carrying out the purposes of this chapter

and shall supply and maintain all physical facilities and equipment necessary therefor without cost to the bureau.

2941. The bureau shall pay or reimburse the county for all costs sustained by the county in rendering medical, dental and hospital services to the persons eligible for care and services under this chapter in accordance with schedules and rates established by the bureau.

The bureau may, but need not, limit its expenditure of funds in or through a county to the amounts which the county and the State Relief Administration expended for the same purposes during a comparable period in the fiscal year 1940-1941.

2942. In instances where counties are administering the services for the bureau under this chapter, the bureau shall require proper standards of service, treatment and administration.

Article 5. Scope of Operation

2950. The bureau may provide directly or arrange for the provision of medical and dental services and treatment in the home, in physicians' or dentists' offices or in local or regional centers.

2951. The bureau may maintain mobile and relief camp medical and dental units where required.

2952. The bureau may construct, improve, extend, repair, purchase, and rent its property, facilities and equipment.

2953. The bureau may make agreements with any other public agency or hospital operating in this State for the provision of medical and dental care or hospitalization to the persons whom the bureau is authorized to aid, and may contract with private hospitals and facilities for such purposes where adequate public hospitals and facilities are not otherwise available.

2954. The bureau may make agreements with any other public agency operating in this State for the provision by the bureau of medical and dental services to the relief clients of such agency.

2955. In addition to the powers set forth in Sections 2953 and 2954, the bureau may contract with any State-wide, nonprofit medical or health service corporation organized under the laws of this State, for the rendition of medical and dental services to clients of the bureau. Such contract may cover a portion or all of the services required of the bureau for any section or sections of the State. A sum not exceeding 25 per cent of the moneys appropriated to the bureau may be expended under this section.

2956. The bureau may act as an agent or instrumentality for the expenditure or disbursement of Federal funds made available for medical care, dental care or hospitalization for any public assistance or needy groups in the State, which funds shall be expended or disbursed in accordance with the authorized rules and regulations of the Federal Government.

2957. The bureau may expend the moneys appropriated for the purposes of this chapter and for any rental, purchase, construction, equipment or repair of necessary property, facilities and equipment used or to be used incidental thereto.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of $2,827,350 is hereby appropriated to the Bureau of Medical Assistance for expenditure under Chapter 3 of Division 4 of the Welfare and Institutions Code.

SEC. 3. Notwithstanding any provision of law added to the Welfare and Institutions Code by this act, no medical or dental care or hospitalization shall be provided to any person prior to January 1, 1942 under this act."

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 2 to 25, inclusive, and strike out all of pages 2, 3 and 4.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 656—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustees affecting real property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2, line 28, of the printed bill, following the period, insert "Nothing herein contained shall affect any presumption which shall have become conclusive under this section as originally enacted."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2485—An act to amend Section 1203.7 of the Penal Code, relating to probation officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2 of the printed bill, strike out lines 6 and 7, and insert "In any county or counties with a population of 172,000 and of not more than 177,000 as determined by the last preceding Federal Census,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 11 to 22, inclusive, and insert "as follows: The adult probation officer two hundred twenty-five dollars ($225) per month, and one chief deputy adult probation officer one hundred fifty dollars ($150) per month and the assistant probation officer one hundred forty dollars ($140) per month."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1436—An act to amend Section 20 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the deposit of license fees paid under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20 of", and insert "Sections 2, 5, 7, 8, 11, 13 and 20 of and to add Sections 8 5 and 10 5 to".

Amendment No. 2

In lines 6 and 7 of the title of the printed bill, strike out "deposit of license fees paid under said act", and insert "taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "20", and insert "2".

Amendment No. 4

Between lines 2 and 3 of the printed bill, insert

"Sec 2 Each operator of a motor vehicle within this State who transports or desires to transport for compensation or hire persons or property upon any public highway within this State shall apply to the board, on such forms as the board may prescribe, for a license to operate motor vehicles for the transportation of persons or property for hire or compensation upon public highways in this State.

Each application for a license must be accompanied by a fee of five dollars ($5) payable to the board. Upon the receipt of the application of any such operator, accompanied by such fee, the board shall issue to the applicant a license to transport for compensation or hire persons or property upon any public highway within this State; provided, however, the board may refuse to issue a license to any person to whom a license was previously issued hereunder and subsequently revoked for a violation of the provisions hereof. No license issued hereunder shall be construed to authorize the operation of any vehicle upon the public highways of this State contrary to the laws now or hereafter in effect regulating the operation of motor vehicles. No license issued hereunder shall be assignable by operation of law or otherwise

A license issued hereunder shall be valid until canceled or revoked by the board A fee of five dollars ($5) shall be paid to the board for the issuance of a license to any person to whom a license was previously issued hereunder and subsequently canceled

[All licenses issued under the provisions of this act shall expire on the thirty-first day of December next succeeding the date upon which they are issued If any person shall become an operator and shall fail to apply for the license and pay the fee required hereunder within 30 days thereafter or shall fail to apply for the renewal of a license previously held and pay the license fee of five dollars ($5) prior to the first day of January of the succeeding year and shall continue to act as an operator taxable hereunder, there shall be added to the license fee to be charged to such person an amount of five dollars ($5).]

SEC. 2. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. The tax imposed hereunder shall be due and payable monthly on or before the twentieth day of the month following each calendar month, the first of such calendar months being the month of June, 1937. Each operator shall on or before the twentieth day of July, 1937, and on or before the twentieth day of each month thereafter prepare a return for the preceding calendar month in such form as the board may prescribe, showing the gross receipts of the operator, the amount of tax due for the month covered by the return and such other information as the board may deem necessary for the proper administration of this act. The operator shall deliver the return together with a remittance payable to the Controller for the amount of tax due to the office of the board. Returns shall be signed by the operator or his duly authorized agent, but need not be verified by oath

The board for good cause may extend for not to exceed [10] *twenty* days the time for making any return [and] *or* payment required hereunder. *Any person to whom an extension is granted and who pays the tax within the period for which the extension is granted shall pay, in addition to the tax, interest at the rate of 6 per cent per annum from the date the tax would have been due without such extension to the date of payment.*

SEC 3 Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7. If the board is not satisfied with the return [and payment] *filed or amount* of tax [made] *paid* by any operator, it is hereby authorized to make an additional assessment of tax due from any such operator based upon the information contained in the return or upon any information in its possession *One or more additional assessments may be made of the amount of tax due for one or for more than one month.* All additional assessments shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the twentieth day after the close of the month or months, as the case may be, for which the additional assessment is imposed until the date of payment. *In making an assessment hereunder the board may offset overpayments for a month or months against underpayments for another month or months, against penalties, and against the interest on such underpayments* If any part of the deficiency for which the additional assessment is imposed is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of 10 per cent of the amount of the additional assessment shall be added, plus interest as above provided. If any part of the deficiency for which the additional assessment is imposed is due to fraud or an intent to evade the tax, a penalty of 25 per cent of the amount of the additional assessment shall be added, plus interest as above provided. The board shall give to the operator written notice of such additional assessment. Such notice may be served upon the operator personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the operator at his address as the same appears in the records of the board.

For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed, it shall be presumed that the gross receipts from all oper-

ations of operators are subject to the tax hereby imposed until the contrary is established.

SEC. 4. Section 8 of the act cited in the title hereof is hereby amended to read as follows:

Sec 8. If any operator shall fail, neglect or refuse to file a return within the time required herein, the board shall make an estimate of the amount of the taxable gross receipts of such operator for the month or months for which such operator failed to make a return and upon the basis of such estimated amount shall compute and assess the tax payable by such operator, adding to the amount of tax so determined a penalty equal to 10 per cent thereof. *One or more assessments may be made of the amount of tax due for one or for more than one month.* All such assessments shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the twentieth day after the close of the month or months, as the case may be, for which such assessments are imposed until the date of payment. *In making an assessment hereunder the board may offset overpayments for a month or months against underpayments for another month or months, against the penalties, and against the interest on such underpayments.* If the neglect or refusal of an operator to file a return as required by this act was due to fraud or an intent to evade the tax, there shall be added to the tax a penalty equal to 25 per cent thereof in addition to the 10 per cent penalty as above provided. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 7 hereof

SEC. 5. A new section is hereby added to the act cited in the title hereof, to be numbered Section 8.5, and to read as follows:

Sec. 8.5 If the board believes that the collection of any amount of tax imposed hereunder will be jeopardized by delay, it shall thereupon make an assessment of the amount of tax due, noting that fact upon such assessment and the amount of such tax shall be immediately due and payable. If the amount of the tax, interest and penalty specified in the jeopardy assessment is not paid within 10 days after the service upon the operator of notice of the assessment, such assessment becomes final, unless a petition for reassessment is filed within such 10 days, and the delinquency penalty and interest provided in Section 6 hereof shall attach to the amount of tax specified therein. The operator against whom a jeopardy assessment is made hereunder may petition for the reassessment thereof pursuant to Section 9 hereof; provided, however, that such petition for reassessment must be filed with the board within 10 days after the service upon the operator of notice of the assessment; and provided further, that the operator must within said 10-day period deposit with the board such security as it may deem necessary to insure compliance with the provisions of this act Such security may be sold by the board in the manner prescribed by Section 10.5 hereof

SEC. 6. A new section is hereby added to the act cited in the title hereof to be numbered Section 10.5 and to read as follows.

Sec. 10.5. The board, whenever it deems it necessary to insure compliance with any provision of this act or any rule or regulation prescribed and adopted under this act, may require any person subject to the tax imposed hereunder to deposit with it such security as it may determine. Such security may be sold by the board at public sale if it becomes necessary so to do in order to recover any amount due hereunder. Notice of such sale may be served upon the person who deposited such security personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 7 hereof Upon any such sale, the surplus, if any, above the amount due hereunder shall be returned to the person who deposited the security.

SEC. 7. Section 11 of the act cited in the title hereof is hereby amended to read as follows:

Sec 11. Whenever any operator licensed hereunder fails to comply with any provision of this act or any rule or regulation of the board prescribed and adopted under this act, the board, upon hearing after giving 10 days' notice in writing of the time and place of the hearing to show cause why the license of such operator should not be revoked, may revoke such license The Department of Motor Vehicles upon receiving written notice from the board that the license of an operator has been revoked by the board or that an operator has failed, neglected or refused to obtain the license provided in Section 2 hereof shall suspend forthwith the registration of the motor vehicles specified in such notice of such operator and shall cause to be removed from such motor vehicles all number plates or emblems issued by said department for display upon such motor vehicles. Thereafter it shall be unlawful to operate such motor vehicles upon the public highways of this State until the operator has fully complied with the provisions of this act and a certificate to that effect has been issued by the board to the Department of Motor Vehicles and the registration of the motor vehicles of such operator has been restored by said department.

The board or its duly authorized representatives may impound the vehicles of an operator whose license has been revoked and who shall continue to engage in the transportation of persons or property for hire or compensation after having been

duly notified by the board of such revocation and may retain possession of such vehicles until all taxes, interest and penalties due from such operator and all costs incurred in connection with the impounding or storage of such vehicles have been paid.

The license of an operator shall be reinstated by the board following the revocation of such license when the amount of license tax assessed hereunder and interest thereon together with all penalties have been paid and the provisions of this act have been fully complied with by such operator and a fee of five dollars ($5) has been paid to the board for such reinstatement. The registration of the motor vehicles of such operator and the number plates and emblems removed therefrom shall be restored by the Department of Motor Vehicles upon the issuance by the board to said department of a certificate to the effect that the operator has fully complied with the provisions of this act and the payment to said department of a fee of five dollars ($5) for the restoration of the registration of each motor vehicle.

If the registration of any motor vehicle has been suspended as provided herein, the Department of Motor Vehicles shall not thereafter reregister such motor vehicle or transfer the registration of ownership thereof upon the records of the department until such time as the board has issued to said department a certificate to the effect that the operator has fully complied with the provisions of this act.

Transfer by the Department of Motor Vehicles of the registered ownership of any motor vehicle licensed hereunder may be effected only after a certificate of license tax clearance has been issued therefor by the board. Such certificate of license tax clearance *may be issued after the payment of all amounts due hereunder or after the payment of such amounts is secured to the satisfaction of the board and* shall completely extinguish the lien herein provided in the motor vehicle described therein.

If the operator of any motor vehicle is merely the registered owner thereof, and the legal owner of record repossesses such motor vehicle and pays the full amount of the license tax assessed hereunder, together with all interest thereon and penalties, such legal owner shall not be required to pay the fees herein required for reinstatement of license and restoration of registration, nor shall any of the other provisions of this section be applicable.

SEC. 8. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection under this act of any license tax *or other amounts* sought to be collected by the board *or to prevent or enjoin the revocation of any license issued hereunder or any other action whereby it is sought to enforce the payment of any license tax or other amounts herein required to be paid*; but after payment of any such license tax under protest duly verified and setting forth the grounds of objection to the legality of such license tax, the operator paying such license tax may bring an action against the [State Treasurer] *board* in the Superior Court of the County of Sacramento for the recovery of license tax so paid under protest. No such action may be instituted more than 60 days after the last day prescribed for the payment of such license tax without penalty, and failure to bring suit within said 60 days shall constitute waiver of any and all demands against this State on account of alleged overpayment of license taxes hereunder. No grounds of illegality of the license tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the license tax.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any license taxes, interest or penalties due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of 6 per cent per annum upon the amount of license tax found to have been illegally collected from the date of payment of such license tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the [State Treasurer] *board* to recover any license tax paid hereunder, when such action [as] *is* brought by or in the name of an assignee of the operator paying said license tax, or by any person, company or corporation other than the person, company or corporation that has paid such license tax.

SEC. 9. Section 20 of the act cited in the title hereof is hereby amended to read as follows:"

Amendment No. 5

After line 24 of the printed bill, insert

"*SEC. 10. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of the act cited in the title hereof as they existed on January 1, 1941, are hereby*

continued in force until July 1, 1941, and that the provisions hereof shall become operative on July 1, 1941."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1434—An act to amend Sections 5, 9 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the filing of reports, the revocation of licenses and the conduct of activities without a license.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 2, 5, 6, 7, 8, 9, 10, 12 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the taxation of distributors of motor vehicle fuel and the administration of the tax and providing that this act shall take effect immediately"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "5", and insert "2".

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"SEC. 2. Every [distributor before April 1, 1931, and after this act becomes effective every] person, firm, association or corporation before becoming a distributor shall make an application to the State Board of Equalization for a license authorizing such distributor, person, firm, association or corporation to engage in business as a distributor. Applications for such licenses must be made to the State Board of Equalization on forms to be prescribed, prepared and furnished by said board. It shall be unlawful [from and after April 1, 1931,] for any person, firm, association or corporation to be a distributor without first securing from the State Board of Equalization a license for which provision is made in this section. Before granting any license authorizing any person, firm, association or corporation to engage in business as a distributor, the State Board of Equalization must require such person, firm, association or corporation to file with said board, in such form as shall be prescribed by said board, a bond duly executed by such person, firm, association or corporation as principal and a corporation such as is mentioned in Section 1056 of the Code of Civil Procedure of this State, as surety, payable to the people of the State of California, conditioned upon faithful performance of all the requirements of this act and expressly providing for the payment of all license taxes, penalties and other obligations of such person, firm, association or corporation arising out of this act.

The total amount of the bond or bonds required of any distributor shall be fixed by the State Board of Equalization and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any distributor, the State Board of Equalization must require a bond or bonds equivalent in total amount to twice his estimated monthly license tax determined in such manner as said board may deem proper; provided however, that, subject to such terms and conditions as the State Board of Equalization may prescribe, any distributor may undertake to pay on each Tuesday the license tax accruing on all of his distributions of motor vehicle fuel during the week ending the Saturday next preceding, and, if any distributor shall so bind himself, said board shall fix his bond or bonds in a total amount equivalent to twice the license tax accruing on account of his estimated weekly distributions determined in such manner as said board may deem proper; and further provided, that the total amount of the bond or bonds required of any distributor shall never be less than one thousand dollars ($1,000) nor more than one hundred thousand dollars ($100,000). No recoveries on any bond or any execution of any new bond shall invalidate any bond and no revocation of any license shall affect the validity of any bond.

In lieu of any such bond or bonds in total amount as fixed hereunder, any distributor may deposit with the State Treasurer, under such terms and conditions as said board may prescribe, a like amount of lawful money of the United States, or bonds or other obligations of the United States, the State of California, or any county or city and county of this State, of an actual market value not less than the amount so fixed by said board. All licenses issued to distributors under this section shall be valid until revoked by the State Board of Equalization.

Nothing in this section shall be construed as relieving any distributor of the duty of filing the sworn monthly statement required by Section 6 of this act. The assessment of any distributor who makes weekly payments shall be shown on the assessment roll prepared under said Section 6 in the same manner as the assessments of other distributors are shown thereon, and the Controller shall apply such payments to the credit of such distributor on the assessment roll for the month during which the distributions covered by such payments were made. Whenever any distributor undertaking to pay his license tax in weekly installments, as provided in this section, shall fail to pay the full amount thereof in accordance with the terms and conditions prescribed by the State Board of Equalization, his license may be revoked forthwith, unless he complies immediately with the requirement of this section relating to the filing of a bond or bonds equivalent in total amount to twice the estimated monthly license tax. In the event of nonpayment of any weekly installment of the license tax, or any part thereof, pursuant to the undertaking of any distributor, the full amount of the license tax accrued against such distributor shall become immediately due and payable and the Controller and the Attorney General shall proceed forthwith to collect the license tax due from such distributor in the manner prescribed by Section 4 of this act with reference to delinquency in the payment of the monthly license tax. All provisions of said Section 4 shall apply with full force and effect to collections required to be made under this section; provided, however, that the 10 per cent penalty for delinquency for which provision is made under Section 4 hereof shall accrue only as provided in said section, and there shall be added to any weekly installment of license tax remaining unpaid at 5 o'clock in the afternoon of the Tuesday following the close of such week, a penalty of 5 per cent on account of such delinquency; the accrual of any such penalty of 5 per cent shall not in anywise affect the 10 per cent penalty for delinquency imposed under Section 4 hereof, but such 10 per cent penalty shall not be computed upon any amount added to such weekly license tax as a penalty under this section.

The license issued hereunder to any distributor shall not be transferable. Whenever a distributor ceases to engage in business as a distributor within the State of California by reason of the discontinuance, sale or transfer of such business, he shall give notice in writing thereof to the State Board of Equalization on or before the date of such discontinuance, sale or transfer. Such notice shall give the date of discontinuance and, in the event of a sale or transfer of the business, the date thereof and the name and address of the purchaser or transferee. All taxes and penalties under this act, not yet due and payable under other provisions hereof, shall become due and payable concurrently with such discontinuance, sale or transfer, and the distributor shall forthwith make a report and pay all such taxes and penalties, and shall surrender to the State Board of Equalization the license theretofore issued. Unless such notice shall have been given as hereinbefore provided, such purchaser or transferee shall be liable for all taxes and penalties under this act accrued against the vendor or transferor to the date of such sale or transfer, but only to the extent of the value of the property and business thereby acquired.

Every [producer and every broker before April 1, 1931, and thereafter every] person, firm, association or corporation before becoming a producer or broker shall [register as such with the State Board of Equalization and make application] *apply* for a license on forms [to be prepared and furnished] *prescribed* by the State Board of Equalization. Each such application shall be accompanied by a [registration] *license* fee of ten dollars ($10) *payable to the State Board of Equalization.*

Upon the receipt of [the] *such* application [of any such producer or broker], accompanied by such license fee, the State Board of Equalization shall issue to every such applicant, *except as otherwise provided herein,* a license to engage in such business from the date of the issuance thereof, until and including the following December 31st, [and on or before] *unless sooner canceled or revoked. Before* January 1st [,] of each [and every] year [and before any such producer or broker shall engage in business,] an application shall be filed and a license obtained *by each such producer or broker* for the *succeeding* calendar year. If any producer or broker shall fail to apply for the license hereby required and to pay the fee hereby specified prior to January 1st of each year, then there shall be added to the amount of such fee a penalty of 25 per cent on account of such delinquency. Any license so issued shall not be transferable and may be revoked by the State Board of Equalization as hereinafter provided. All [registration] *license* fees collected under the provisions of this section shall be credited to the "Motor Vehicle Fuel Fund" hereinafter created.

In the event that an application for a distributor's, producer's or broker's license shall be filed hereunder by an applicant formerly holding under this act any license

which, prior to the time of filing such application, shall have been revoked for cause by said board, or in the event that said board shall determine that such application is not filed in good faith or not made by the real person in interest, then, and in any of said events, said board may refuse to issue a license to the applicant. Before such refusal, however, said board shall grant the applicant a hearing and shall give the applicant at least 10 days' written notice of the time and place thereof. Such notice may be served personally or by mail. If by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the applicant at his address as the same appears in the records of said board.

SEC. 2. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "on the first day of every calendar month", and insert "at least once each month as prescribed by said board".

Amendment No. 5

On page 1, line 17, of the printed bill, after "representatives.", insert "If said board or its representatives are dissatisfied with the accuracy of said physical inventory, they are hereby authorized and empowered to take a physical inventory of the petroleum products"

Amendment No. 6

On page 2, line 13, of the printed bill, strike out "tenth", and insert "fifteenth".

Amendment No. 7

On page 2 of the printed bill, between lines 17 and 18, insert

"*SEC. 3. Section 6 of the act cited in the title hereof is hereby amended to read as follows:*

SEC. 6. Each distributor shall [on or before the fifteenth day of May, 1931, and] on or before the fifteenth day of each and every month [thereafter], file *with the State Board of Equalization* on form prescribed [, prepared and furnished] by *said board* [the State Board of Equalization], a sworn statement showing the total number of gallons of motor vehicle fuel produced, refined, manufactured or compounded by such distributor within this State and sold during the preceding calendar month, *or monthly period ended during that calendar month as prescribed by said board*, by such distributor within this State; the total number of gallons of motor vehicle fuel imported into this State by such distributor and sold or distributed within this State by such distributor during such month, *or monthly period*, when sold or distributed otherwise than in the original packages or containers in which imported into this State or used by such importer, also the number of gallons of such fuel acquired by him in the original package or container in which the same was imported into this State and thereafter sold, distributed or used by him; and such other information as the State Board of Equalization may require. If any distributor shall fail, neglect or refuse to file said report within the time prescribed by this section, the State Board of Equalization must note such failure, neglect, or refusal upon the tax roll hereinafter described, and must estimate the motor vehicle fuel distributions of said distributor, assessing the license tax thereon, adding to said license tax a penalty of 15 per cent thereof for failure, neglect or refusal to report, and said distributor shall be estopped from complaining of the amount of said estimate. Said penalty for failure to report shall not be in lieu of the penalty for delinquency prescribed by Section 4 of this act, but the penalty for delinquency shall not apply to or be charged against the penalty for failure to report. The State Board of Equalization shall[, on or before the twenty-second day of May, 1931, and] on or before the twenty-second day of each calendar month [thereafter,] assess the license tax due hereunder, and prepare and complete an assessment roll showing the amount of the license tax assessed against each distributor, and immediately deliver said assessment roll to the State Controller.

SEC. 4. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 7. For the purposes of this act all motor vehicle fuel sold, donated, consigned for sale, bartered or used shall be deemed to be distributed, and to insure the proper administration of this act and to prevent evasion of the license tax hereby imposed it shall be presumed that all motor vehicle fuel refined, manufactured, produced, blended or compounded in this State, or imported into this State, and no longer in the possession of the distributor, has been distributed unless the contrary is established; provided, however, that the exchange of motor vehicle fuel for motor vehicle fuel, gallon for gallon, *with another duly licensed distributor of motor vehicle fuel* shall not be considered a taxable distribution; and provided that in lieu of the collection and refund of the tax on motor vehicle fuel used by a distributor in such a manner as would entitle a purchaser to claim refund under the provisions of Section 11 hereof, credit may be given such distributor upon his tax return and assessment; and provided further, that under such regulations as the State Board of Equalization may prescribe, sales and other deliveries of natural gasoline may be made to a duly licensed distributor free of tax

Nothing in this act shall be construed as requiring the payment of the license tax herein specified upon more than one sale, distribution or transfer of the same motor vehicle fuel.

SEC. 5. Section 8 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 8. It shall be unlawful for any distributor, *producer or broker* to fail, neglect or refuse to make and file any statement required by this act in the manner or within the time therein provided, or to make any such statement false in any particular."

Amendment No. 8

On page 2, line 18, of the printed bill, strike out "2", and insert "6".

Amendment No. 9

On page 2 of the printed bill, between lines 27 and 28, insert

"*SEC. 7. Section 10 of the act cited in the title hereof is hereby amended to read as follows:*

Sec. 10. The provisions of this act requiring the payment of license taxes shall not be held or construed to apply to motor vehicle fuel imported into this State in interstate or foreign commerce and intended to be sold in the original and unbroken tank cars or other original receptacles, containers or packages and so sold while the same are in interstate or foreign commerce, nor to any motor vehicle fuel exported from this State by the distributor or delivered by the distributor to any vessel clearing from a port of this State for a port outside of this State and actually exported from this State in such vessel, nor to any motor vehicle fuel sold to the Government of the United States or any department thereof for official use of said Government, but every distributor shall be required to report such exports and sales to the State Board of Equalization in such detail as that board may require, otherwise the exemption herein granted shall be null and void and all such fuel shall be considered distributed in this State subject fully to the provisions of this act.

In support of any exemption from license taxes claimed under this section on account of the exportation of motor vehicle fuel, every distributor must execute an export certificate in such form as shall be prescribed [, prepared and furnished] by the State Board of Equalization, containing a sworn statement, made by some person having actual knowledge of the fact of such exportation, that the motor vehicle fuel has been exported from the State of California, and giving such details with reference to such shipment as said board may require. All export certificates must be completed and on file in the office of the State Board of Equalization within 60 days after the close of the calendar month in which the shipments to which they relate are made, and no certificate not completed and filed within such period shall be recognized for any purpose by the State of California or any agency thereof. The State Board of Equalization may demand of any distributor such additional data as are deemed necessary by said board in support of any such certificate, and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of such certificate

Any claim for exemption based on a sale to the United States Government or any department thereof may be made by the distributor at any time within six months from the date of sale by filing such claim in the office of the State Board of Equalization, but no claim made after the expiration of said period of six months shall be recognized for any purpose by the State or any agency thereof.

SEC. 8. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. The State Board of Equalization shall have the power, and it is hereby authorized to make any and all such examinations of the records of distributors and such other investigations as it may deem necessary in carrying out the provisions of this act. *As this State is the source of petroleum products for other States, if such examination or investigation necessitates collaboration or conference with motor vehicle fuel tax officials of other States, at places either inside or outside this State, such collaboration or conference is hereby declared to be a necessary function in the administration of this act* If such examinations or investigations made by said board shall disclose that any reports of distributors of motor vehicle fuel theretofore filed with said board by said distributors pursuant to the requirements of this act, have shown incorrectly the amount of gallonage of motor vehicle fuel distributed or the tax accruing thereon, said board shall have the power, and is hereby authorized, to make such changes in subsequent assessments of said distributors under this act as it may deem necessary to correct the errors disclosed by its examination of the records of said distributors or its investigations as hereinbefore authorized.

The State Board of Equalization may appoint attorneys, accountants, auditors, investigators and such other expert and clerical assistance as it may from time to time deem necessary to enforce its powers and perform its duties under this act."

Amendment No. 10

On page 2, line 28, of the printed bill, strike out "3", and insert "9".

Amendment No. 11

On page 2, line 45, of the printed bill, strike out "the provisions of this act", and insert "any provision of this act or any rule or regulation of said board prescribed and adopted under this act".

Amendment No. 12

On page 3 of the printed bill, after line 9, insert

"*SEC. 10. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of the act cited in the title hereof as they existed on January 1, 1941, are hereby continued in force until July 1, 1941, and that the provisions hereof shall become operative on July 1, 1941.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1438—An act to amend Sections 5 and 10 of the Use Fuel Tax Act of 1937, relating to the issuance of permits and the lien of the tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 5, 5.1, 10, 12, 14, 19, 20, 23, 27 and 29 of the Use Fuel Tax Act of 1937, relating to the taxation of the use of motor vehicle fuel in this State and providing that this act shall take effect immediately."

Amendment No. 2

On page 1 of the printed bill, between lines 8 and 9, insert

"*SEC. 2. Section 5.1 of the act cited in the title hereof is hereby amended to read as follows:*

Sec. 5.1. Whenever any person fails to comply with any provision of this act or any rule or regulation of the board prescribed and adopted under this act, the board, upon hearing, after giving to such person 10 days' notice in writing specifying the time and place of such hearing and requiring him to show cause why his permit should not be revoked, may revoke the permit held by such person. Such notice may be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 19 hereof. A new permit shall not be issued to a person whose permit has been revoked, unless it appears to the satisfaction of the board that such person will comply with the provisions of the act and rules and regulations. *It shall be unlawful for any person whose permit has been revoked to operate as a user of fuel in this State until such person has fully complied with the provisions of this act and a new permit has been issued hereunder to such person.*"

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "2", and insert "3".

Amendment No. 4

On page 1, after line 22, of the printed bill, insert

"*SEC. 4. Section 12 of the act cited in the title hereof is hereby amended to read as follows:*

Sec. 12. Transfer by the Department of Motor Vehicles of the registered ownership of any motor vehicle [subject to the lien of the excise tax imposed] *using fuel taxable* hereunder may be effected only after a certificate of excise tax clearance has been issued by the board. *Such certificate may be issued after the payment of all amounts due hereunder or after the payment of such amounts is secured to the satisfaction of the board.*

SEC. 5. *Section 14 of the act cited in the title hereof is hereby amended to read as follows:*

Sec. 14. Whenever any user shall be delinquent in the payment of the obligations imposed hereunder, the board or a duly authorized representative thereof

[shall] *may* proceed to collect the amount due from such user in the following manner: The board [shall] *may* seize any motor vehicle, subject to the lien [of said excise tax] *imposed hereunder,* and thereafter sell at public auction the property so seized *to pay* the [excise tax] *amount* due hereunder [, together with any penalties or interest imposed for such delinquency,] and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent user and to all persons appearing of record to have an interest in such property, in writing at least 10 days before the date set for such sale by inclosing such notice in an envelope addressed to said user at his last known residence or place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at his last known residence or place of business in this State if any, and depositing the same in the United States Mail, postage prepaid, and by publication of at least 10 days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold. If there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said period of 10 days. Such notice shall contain a description of the property to be sold, together with a statement of the amount due hereunder, the name of the user and the further statement that, unless such amount is paid on or before the time fixed in said notice of sale, said property will be sold in accordance with law and said notice.

SEC. 6. Section 19 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 19. If the board is dissatisfied with the report filed or amount of excise tax paid to the State by any user, it is hereby authorized and empowered to compute and determine the amount to be paid based upon any information available to it. [An] *One or more* additional determinations may be made hereunder of the amount of excise tax due for *one or for* more than one month. The amount of excise tax so determined shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount of such excise tax, or any portion thereof, should have been reported until the date of payment. In making a determination hereunder, the board may offset overpayments for a month or months against underpayments for another month or months and against the interest and penalties on such underpayments. If any part of the deficiency for which a determination of an additional amount due is made is found to have been occasioned by negligence or intentional disregard of the act or rules and regulations thereunder, a penalty of 25 per cent of such amount shall be added, plus interest as above provided. If any part of the deficiency for which a determination of an additional amount due is made is found to be occasioned by fraud or an intent to evade the act or the rules and regulations thereunder, a penalty of 50 per cent of such amount shall be added, plus interest as above provided. The board shall give to the user written notice of its determination. Such notice may be served personally or by mail; if by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the user at his address as the same appears in the records of the board.

SEC. 7. Section 20 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 20. If any user [neglects or refuses] *fails* to make a report required to be made by this act, the board shall make an estimate, based upon any information available to it, for the month or months in respect to which such user failed to make a report, of the amount of fuel used by such user subject to the excise tax imposed hereunder and upon the basis of said estimate, compute and determine the amount required to be paid to the State, adding to the sum thus fixed a penalty equal to 25 per cent thereof. [A] *One or more* determinations may be made hereunder of the amount of excise tax due for *one or for* more than one month. The amount of excise tax so determined shall bear interest at the rate of one-half of 1 per cent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount of such excise tax, or any portion thereof, should have been reported until the date of payment. In making a determination hereunder the board may offset overpayments for a month or months against underpayments for another month or months and against interest and penalties on such underpayments. If the [neglect or refusal] *failure* of a user to file a report as required by this act was due to fraud or an intent to evade the excise tax, there shall be added to the excise tax a penalty equal to 50 per cent thereof in addition to the 25 per cent penalty as above provided. Thereupon the board shall give to such user written notice of such estimate and determination, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of Section 19 hereof.

SEC. 8. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 23. Except in the case of [a fraudulent report or neglect or refusal] *fraud, intent to evade the tax or failure* to make a report, every notice of a determination of an additional amount due shall be given within three years after the date when such amount should have been reported.

SEC. 9. Section 27 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 27. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any excise tax or other amounts herein required to be collected *or to prevent or enjoin the revocation of any permit issued hereunder or any other action whereby it is sought to enforce the payment of any excise tax or other amounts herein required to be paid;* but after payment of any such excise tax or any such amount, the user making the payment may bring an action against the board in a court of competent jurisdiction in the County of Sacramento for the recovery of the amount paid. No such action may be instituted more than one year after the excise tax or the amount herein required to be paid to the State has been paid and failure to bring suit within said one year shall constitute waiver of any and all demands against the State on account of alleged overpayments hereunder.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any excise taxes or amounts due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of 6 per cent per annum upon the amount found to have been illegally collected from the date of payment of such amount to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the board

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid hereunder, when such action is brought by or in the name of an assignee of the user.

SEC. 10. Section 29 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 29 It shall be unlawful for any person to place or cause to be placed fuel into any receptacle on a motor vehicle from which receptacle fuel is supplied for the propulsion of such vehicle unless a valid use fuel tax permit is held by the [owner] *operator* of such vehicle

SEC. 11 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of the Use Fuel Tax Act of 1937 as then existed on January 1, 1941 are hereby continued in force until July 1, 1941 and that the provisions hereof shall become operative on July 1, 1941."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1635—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 16 and 17, and insert "4101.5 If tax-deeded property was sold to the State on or before July 6, 1936, and is redeemed on or before".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1876—An act to amend the title and Sections 9 and 23, to repeal Sections 3, 8 and 8½ of, and to add Sections 3, 8, 8½ and 8.8 to, the Retail Sales Tax Act of 1923, relating to the tax imposed thereby, and providing for the issuance of tokens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2; and *in line 3, strike out* "8 8", and insert "An act to amend Sections 8 and 9 of, to repeal Section 8½ of, and to add Sections 8½, 9¼ and 9⅜".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 8 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows.

Sec 8. It shall be unlawful for any retailer *to absorb, either directly or indirectly, whether by an adjustment of prices, or whether by any other means or devices whatsoever, any or all of the taxes imposed by this act, or to refund, remit or rebate to the purchaser, either directly or indirectly, whether by an adjustment of prices, or whether by any other means or devices whatsoever, all or any of the taxes imposed by this act, or* to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof imposed by this act will be assumed [or] , absorbed, *refunded, remitted or rebated* by the retailer or that it will not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor

SEC. 2. Section 8½ of said act is hereby repealed.

SEC 3. A new section to be numbered 8½ is hereby added to said act, to read as follows:

Sec 8½. The full amount of the tax hereby imposed must be collected by the retailer from the purchaser in respect to each taxable sale. The amount due by the retailer on account of said tax provided in this act shall be collected by the retailer from the purchaser in cash upon sales amounting to thirty cents ($0.30) or more and by tokens, to be issued by the board, upon sales amounting to twenty-nine cents ($0.29) or less. Except as in this act provided, it shall be unlawful *for a retailer to fail or refuse to add to the sales price and collect from the purchaser* the amount due by the retailer on account of said tax provided under this act Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

SEC. 4 Section 9 of said act is hereby amended to read as follows:

Sec. 9 The tax levied hereunder shall be a direct obligation of the retailer and shall be due and payable quarterly on or before the fifteenth day of the month next *succeeding each quarterly period, the first of such quarterly periods being the period* commencing with August 1, 1933, and ending on the thirtieth day of September, 1933. Each seller shall on or before the fifteenth day of the month following the close of the first quarterly period as above defined, and on or before the fifteenth day of the month following each subsequent quarterly period of three months, make out a return for the preceding quarterly period in such form as may be prescribed by the board showing the gross receipts of the seller, the amount of the tax for the period covered by such return and such information as the board may deem necessary for the proper administration of this act The seller shall deliver the return together with a remittance of the amount of the tax due to the office of the board The board, if it deems it necessary in order to insure the payment of the tax imposed by this act, may require returns and payment of the tax to be made for other than quarterly periods Returns shall be signed by the seller or his duly authorized agent but need not be verified by oath.

Gross receipts from rentals or leases of tangible personal property shall be reported and the tax paid with respect thereto in accordance with such rules and regulations as the board may prescribe.

[The board, if it deems it necessary to insure the collection of the tax imposed by this act, may provide by rule and regulation for the collection of said tax by the affixing and canceling of revenue stamps and may prescribe the form and method of such affixing and canceling.]

The board may by regulation provide that the amount collected by the retailer from the consumer, in reimbursement of taxes imposed by this act, shall be displayed separately from the list, advertised in the premises, marked or other price on the sales check or other proof of sale.

SEC 5 Section 9¼ is hereby added to said act, to read as follows:

Sec 9¼. For the purposes of more efficiently securing the payment, collection and accounting for the taxes provided for under this act, the board shall prescribe

methods and schedules for the collection by the retailer from the purchaser of the amount due by the retailer on account of the tax imposed under this act. The methods and schedules prescribed shall be adopted so as to eliminate fractions of one cent ($0.01) upon retail sales amount to thirty cents ($0.30) or more and to provide for the use of tokens upon retail sales amounting to twenty-nine cents ($0.29) or less, so that the aggregate collection of all taxes by the retailer shall, as far as practicable, equal the amount of tax imposed by this act.

The board shall procure, and by reasonable rules and regulations shall provide for the issuance, sale, cancellation and payment of tokens to enable retailers to collect from purchasers the amount due by the retailer on account of the tax imposed by this act in all cases when the sale amounts to twenty-nine cents ($0.29) or less

Tax tokens shall be in such form and design as shall be prescribed by the board and shall be issued by the board in such denominations as the board may deem necessary to enable the retailer to collect from the purchaser, so far as is practical, the amount due by the retailer on account of the tax imposed by this act upon sales amounting to twenty-nine cents ($0.29) or less. The token is a device by means of which the retailer may collect from the purchaser the amount due by the retailer on account of the tax imposed under this act upon sales amounting to twenty-nine cents ($0.29) or less, and the tokens shall have no value whatsoever other than that of serving as a device for the collection of the tax in the case of cash purchases amounting to twenty-nine cents ($0.29) or less. The board shall by reasonable rules and regulations provide methods by which tokens shall be redeemed accepted, transmitted or canceled in satisfaction of the tax imposed under the provisions of this act.

Any person who falsely or fraudulently makes, forges, alters, or counterfeits any token prescribed by the board under the provisions of this section, or knowingly and wilfully utters, publishes, passes, or tenders as true, any false, altered, forged or counterfeited token shall be guilty of a felony.

SEC. 6. Section 9¾ is hereby added to said act, to read as follows:

Sec. 9¾. In cases of sales made through vending machines and similar devices the board may, upon application therefor by the retailer, exempt the retailer from collecting from the purchaser the amount due by the retailer on account of the taxes imposed under this act

SEC. 7. This act shall become operative on October 1, 1941."

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 32, inclusive; and strike out all of pages 3, 4 and 5

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out ", and the amount to be paid to each subcontractor"; and in line 12, strike out "for his work, labor or service".

Amendment No. 2

On page 2 of the printed bill, strike out lines 2 to 9, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 263—An act to provide work projects for the employable disabled and vocational training of the physically handicapped.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 2, line 7, of the printed bill, before "Out", insert "Such facilities shall also include three workshops, one to be established in the San Francisco Bay area, one in Los Angeles and one in San Diego."

Amendment No. 2

On page 4, line 17, of the printed bill, strike out "fifty"; and in line 18, strike out "thousand dollars ($50,000)", and insert "one hundred thousand dollars ($100,000)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 8 of the title of the printed bill, after "therefor", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 8, of the printed bill, strike out "one-tenth", and insert "50 per cent".

Amendment No. 3

On page 3, lines 10 and 11, of the printed bill, strike out "five hundred six thousand dollars ($506,000)", and insert "two million five hundred thirty thousand dollars ($2,530,000)".

Amendment No. 4

On page 3 of the printed bill, after line 17, insert

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. The facts constituting such necessity are as follows:

The cost of administration of aid for welfare purposes is heavy, and, together with the direct cost thereof, threatens the financial solvency of the county governments. Time to prepare for the efficient financing thereof must be had prior to the beginning of the fiscal year in which the funds are to be expended. In order that such preparations may be adequate, estimates made as to the costs involved, means of financing thereof determined upon, proper appropriation ordinances enacted and county revenues made available, it is necessary that this act take effect immediately, otherwise the amount of costs can not be definitely ascertained, county appropriations can not be made with certainty, and resulting inadequate financing will cause public unrest and suffering and endanger the public peace, health and safety."

Amendment No. 5

On page 2, line 14, of the printed bill, after "1556", insert "1556.5".

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 320—An act authorizing the appointment and prescribing the powers and duties of special policemen for the protection and preservation of public property, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 841—An act to add Section 4a to the act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 905—An act to add Section 450.1 to the Fish and Game Code, making the taking, mutilating, or destruction of any wild fish, bird, mammal or other game lawfully in the possession of another a misdemeanor and providing the penalty therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "fish,".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "fish,".

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "fish,"

Amendment No. 4

On page 1, line 12, of the printed bill, strike out "snared, hooked, trapped,".

Amendment No. 5

On page 1, line 13, of the printed bill, strike out "snared, hooked, trapped,".

Amendment No. 6

On page 1, line 14, of the printed bill, strike out "fish,"

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 508—An act to amend School Code Section 5.352, relating to fees for life diplomas issued by the State Board of Education.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "sections", insert "5.350 and".

Amendment read and adopted.

Bill ordered printed, and to third reading.

CONSIDERATION OF HOUSE RESOLUTION NO. 117

House Resolution No. 117—Creates Special Assembly Committee on the Whittier State School.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Hawkins, Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—None

STATEMENTS

The following statements were ordered printed in the Journal:

By Mr. Evans:

Mr. Evans said, "In rising to support Mr. Kepple's resolution, I wish to state that it is my belief that such a committee can furnish to the Legislature the necessary information and data to correct the deplorable situation now existing in that institution.

I know Speaker Garland will select this committee on a nonpartisan and nonpolitical basis. This is undoubtedly a problem that will prove most difficult of solution, but I feel that it is a duty incumbent upon the present Legislators to make every effort to so amend the law to restore morale to both the administration and to the inmates of the institution. Because of broken morale in the institution inmates are running at large, thus creating fear in the minds of the residents of the splendid community in which the institution is located. This is an unseemly and unthinkable condition, and it must be corrected in order to prevent the spread of this condition to other similar institutions.

Since the State is obliged to provide huge sums of money for the operation of these institutions, and since we must do everything to protect the youth who are sent to such institutions and restore them to a condition both physical and mental which will permit them to again be placed back in society, the Legislature must act immediately to strengthen the law in every way possible to restore this splendid institution to its former status."

By Mr. Kepple:

In presenting his resolution, Mr. Kepple said, "The Whittier State School has been the subject of wide-spread publicity and investigation growing out of charges against administrative practices in the school. The school has already been overinvestigated for its own good, for the welfare of the institution and its inmates. Regardless of the underlying reasons for these various investigations, it is now an indisputable fact that the institution is demoralized. It is particularly significant that juvenile authorities are no longer committing boys to this institution, and the population has dropped to approximately half the normal number.

Much legislation has been introduced during this session to correct this situation as well as evils which may exist in other similar institutions. I believe that by making a study of the several reports which have been submitted by other groups and correlating the remedial suggestions therein contained, it will be possible to so strengthen the law so as to make further malpractices impossible and to bring about a restoration of the morale which is necessary and essential in carrying out the purposes of the institution."

By Mr. Garland:

Speaker Garland stated in connection with the appointment of the committee provided for in Mr. Kepple's resolution that disclosures made indicate the need for a competent and unbiased investigation by a committee of Legislators.

Probably the whole administrative structure for handling youthful delinquents is deficient.

I am urging and requesting speedy and immediate action on the part of the Kepple Committee in order that any remedial legislation necessary may be enacted. I know the committee headed by Mr. Kepple is competent to conduct such an

investigation in a manner that will uncover any conditions that can be remedied by legislation.

KEPPLE, Chairman
EVANS
MIDDOUGH
WOLLENBERG
POTTER

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1781—An act to add Section 4154a to the Political Code, relating to the defense of county officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Evans, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1473—An act to amend Section 16d of the Bank Act, relating to orders stopping the payment of checks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1537—An act authorizing the board of supervisors to appoint a county counsel in counties having a population of over 100,000.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 5, and insert "supervisors, and he shall serve for four years from the".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out "he shall serve".

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, strike out "and qualified".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 8 to 13, inclusive, and insert

"Whenever a board of supervisors shall appoint a county counsel as herein provided, the county counsel shall discharge all the duties vested by law in the district attorney other than the duties of a public prosecutor. The board of supervisors may by ordinance require that the county counsel shall".

Amendment No. 5

On page 1, line 16, of the printed bill, as amended, after "and", insert "thereupon".

Amendment No. 6

On page 1, line 22, of the printed bill, as amended, strike out "of his office", and insert "as herein provided".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 435—An act to amend Section 1394 of the Labor Code, relating to the hours and places of work of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 436—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217—An act to add Chapter 12, consisting of Sections 22100 to 22132, inclusive, to Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of platinum and other metals in the platinum group or their alloys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1253—An act to amend Section 537 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 42—An act to add Section 73 5 to the Agricultural Code, relating to exhibits at the California State Fair.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—46.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Johnson, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Tenney, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—43.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Johnson, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Tenney, Thorp, Turner, Waters, Welch, Weybret, Wollenberg, and Mr Speaker—44.
NOES—Knight, T. Fenton, and Watson—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1552—An act to amend the Agricultural Code by amending Section 1043; and to provide exemption from the provisions of said section to nonprofit, cooperative, agricultural marketing associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Heisinger, Johnson, Knight,

T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1464—An act to add Section 19622.5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "stock", insert "or poultry".

Amendment No. 2

On page 1, line 11, of the printed bill, as amended, after "stock", insert "or poultry".

Amendment No. 3

On page 2, line 18, of the printed bill, as amended, after "control", insert "but none of this appropriation to be used for live stock and poultry disease control can be used for any other purpose than the erection of buildings, the equipment of laboratories, and the furnishing of the necessary supplies, materials and personnel for making analyses or diagnoses of samples submitted by owners of live stock or poultry".

MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 1464

Mr. Leonard moved that Assembly Bill No. 1464 be withdrawn from file and re-referred to Committee on Ways and Means.

Motion carried.

MOTION TO SET SPECIAL ORDER

Mrs. Daley moved that Assembly Bill No. 245 be made a special order of business for Monday, April 7, 1941, at 3 p.m.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Carlson, Clarke, Cronin, Crowley, Daley, Desmond, Dilworth, Doyle, Green, Houser, Frederick F., Johnson, Leonard, Maloney, McCollister, Pelletier, Pfaff, Potter, Poulson, Stream, Tenney, Turner, Waters, Welch, and Weybret—25.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Cooke, Dills, Donnelly, Gaffney, Gunlock, Heisinger, Knight, T. Fenton; Lowrey, Meehan, Middough, Miller, Richie, Robertson, Russell, Thomas, and Watson—21

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1007—An act to amend Section 2837 of the Elections Code, relating to the election of county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—55.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1981—An act to amend Article 6 of Chapter 3 of Part 2 of Division 12 of the Health and Safety Code of the State of California by adding a new section thereto, to be numbered 13780, and to provide for certain exemptions relating to the spotting and pressing of clothing on certain passenger trains therein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1297—An act to add Section 145.5 to the Agricultural Code, relating to the liability for the expenses of abatement of agricultural pests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—49.
NOES—Allen, Bashore, Carlson, Dilworth, Evans, Houser, Frederick F., and Lyon—7.

Bill ordered transmitted to the Senate

Assembly Bill No. 311—An act to amend Section 44.1 of the Vehicle Code, relating to authorized emergency vehicles, including those operated by constables and deputy constables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Porter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—55.
NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

MR SPEAKER. I request that the following statement be printed in the Journal of the Assembly for April 5, 1941:

"During the session of the Assembly this day I was in conference with Mr. George Killion, Director of Finance, relative to an allotment of $35,000 to Santa Clara County for agricultural purposes. For this reason I was unable to cast my vote on several bills presented during my absence."

(Signed) BYRL R SALSMAN

Hon. Richard H. McCollister Presiding

At 11 a.m., Hon. Richard H. McCollister, member of the Assembly from the Seventh District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1794—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—50.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 792—An act to amend Sections 12605 and 12607 of the Business and Professions Code, relating to containers and their contents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2052—An act to amend Section 1299.18 of the Agricultural Code, relating to liens of producers of farm products sold to processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 41—An act to add Section 7 3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Doyle, Evans, Gaffney, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—48.

NOES—Bashore, Bennett, Dilworth, Donnelly, Houser, Frederick F, Johnson, Miller, Russell, Salsman, Sheridan, Waters, and Watson—12.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 255

Mr. Dilworth moved that Assembly Bill No. 255 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1284—An act to amend Section 596.5 and to repeal Section 597 of the Vehicle Code, relating to the operation and loading of vehicles.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and to repeal Section 597".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 12.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 784—An act to amend Section 12510 of the Business and Professions Code, relating to the use of false or improper equipment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 784?

Amendment No. 1

In line 2 of the title of the printed bill, after "relating to", insert "weights and measures, including".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 784 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Poole,

Potter, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—55
NOES—None.

Above reported bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 818—An act to amend Section 6.406 of the School Code, relating to school book depositories.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1995—An act to amend Section 4.910 of the School Code, relating to high school courses.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None

Bill ordered transmitted to the Senate.

Hon. Franklin J. Potter Presiding

At 11.37 a.m., Hon. Franklin J. Potter, member of the Assembly from the Fifty-seventh District, presiding.

Assembly Bill No. 1482—An act to amend Sections 269, 304, 506 and 736 of the Vehicle Code, relating to drivers of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastam, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—55.
NOES—McCollister—1

Bill ordered transmitted to the Senate

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 1469.
Assembly Constitutional Amendment No. 2.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 559—An act to amend Section 501 of the Agricultural Code, relating to modified milk.

Bill read third time.

Motion to Continue Assembly Bill No. 559

Mr. Crowley moved that Assembly Bill No. 559 be continued on file until another legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Cooke, Crowley, Daley, Dills, Doyle, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Meehan, Miller, Pelletier, Richie, Russell, Salsman, Stream, and Waters—28

NOES—Andreas, Burns, Michael J., Call, Clarke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Field, Leonard, Lyon, Maloney, McCollister, Middough, Pfaff, Poole, Potter, Poulson, Sheridan, Tenney, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—28

Motion to Continue Assembly Bill No. 559 on File

On motion of Mr Desmond, Assembly Bill No. 559 was continued on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 123

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No 123, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—55.

NOES—None.

THIRD READING OF SENATE BILLS

Senate Bill No. 1303—An act to approve, confirm, ratify and validate contracts made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city for repairs, alterations or construction of school buildings or equipment.

Bill read third time.

Motion to Amend

Mr. Gunlock moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "($500)", insert "and did not exceed six thousand dollars ($6,000)".

Amendment read and adopted.

Bill ordered printed, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 12.30 p.m., on motion of Mr. Watson, further proceedings under the call of the Assembly were dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on State Colleges, to which were referred:

Assembly Bill No. 1686
Senate Bill No. 787

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DEL MUTOLO, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 588
Assembly Bill No. 640
Assembly Bill No. 647
Assembly Bill No. 819
Assembly Bill No. 912
Assembly Bill No. 913
Assembly Bill No. 934
Assembly Bill No. 959
Assembly Bill No. 1052
Assembly Bill No. 1086
Assembly Bill No. 1138
Assembly Bill No 1378
Assembly Bill No 1491
Assembly Bill No. 1502
Assembly Bill No. 1928
Assembly Bill No. 2088
Assembly Bill No. 2091
Assembly Bill No. 2349

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

POOLE, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 643
Assembly Bill No. 778
Assembly Bill No. 1497

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2191

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on State Colleges, to which were referred:

Assembly Bill No. 1615
Assembly Bill No. 2249

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DEL MUTOLO, Chairman

Above reported bill re-referred to Committee on Ways and Means.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Call, ordered printed in the Journal:

FEDERAL SECURITY AGENCY, SOCIAL SECURITY BOARD
WASHINGTON, D. C., March 25, 1941

Hon. Jerry Voorhis, House of Representatives, Washington, D. C

DEAR MR. VOORHIS: Pursuant to our conversation of March 20th, we are submitting alternative possibilities, as we see them, for revision of Sections 2020 and 3084 of the California Welfare and Institutions Code, relating respectively to old age assistance and aid to the blind, in order to bring those laws into conformity with the amendments to Titles 1 and 10 of the Social Security Act providing for the consideration of "any other income and resources"

For your convenience, we are quoting below Sections 2020 and 3084 of the Welfare and Institutions Code

2020. The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, thirty-five dollars ($35) per month.

The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income. Net income from any of the following sources of a combined total value not exceeding fifteen dollars ($15) per month shall not be considered for any purpose:

(a) Income from the applicant's labor or services; or rent from the premises owned by applicants;

(b) The value of foodstuffs or other merchantable products produced by the applicant;

(c) The value of firewood or water produced on the premises of the applicant or given to him by another;

(d) The value of gifts or money, other than contributions by relatives legally responsible by law.

3084 If the county board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor

The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, fifty dollars ($50) per month. Income from any of the following sources of a combined total value not exceeding four hundred dollars ($400) per annum shall not be considered for any purpose.

(a) Income from applicant's labor or services;

(b) The value of foodstuffs produced by the applicant or his family for his use or that of his family;

(c) The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use;

(d) The value of gifts other than regular contributions by relatives legally responsible under this act;

(e) The value of the use and occupancy of premises owned and occupied by the applicant;

(f) The net income from real and personal property owned by the applicant."

The provision of Section 2020 exempting from consideration the value of the home and net income from certain sources of a value not exceeding fifteen dollars ($15) will, after July 1, 1941, be out of conformity with Federal requirements. Similarly, the provisions of Section 3084 exempting from consideration income from certain sources not exceeding four hundred dollars ($400) per year will be out of conformity. As you know, under Sections 2 (a) (7) and 10 (a) (8) of the Social Security Act, the State agency must not be precluded from taking into consideration all income and resources in determining individual need. The above-noted provisions of Sections 2020 and 3084 would preclude the State agency from so doing.

We believe that Sections 2020 and 3084 can be amended to bring the statutes into conformity with Federal requirements without lowering present standards of assistance. We should like to suggest the following four possibilities:

1. Sections 2020 and 3084 could be amended to read somewhat as follows:

"The amount of aid to which any applicant shall be entitled shall be determined in accordance with the rules and regulations of the State department with due regard to his requirements and the conditions existing in his case, and to the income and resources available to him from whatever source, and shall be sufficient, when added to the income and resources determined to be available to him, to provide him with a reasonable subsistence compatible with health and well being."

Under such a provision, awards would be determined on a budgetary basis which is considered by the board to be the most satisfactory basis, and the method of determining need used by most States, including the largest ones. This permits consideration of the requirements of the individual applicant, as well as of his income and resources, and provides for the granting of assistance in accordance with his individual need.

You will note that under this proposal no special provision is made with respect to home ownership. This does not mean that a liberal policy in this regard could not be formulated. As a matter of fact the State could, and should, develop a policy under such a provision whereby consideration would be given to the cost of maintaining the home, which cost would be reflected in the grant of assistance.

2. The following language could be used if the State wishes to continue its provision for a fixed minimum of forty dollars ($40) (State assistance grant plus income and resources). This would also make it possible, in those cases where the individual requirements are determined to be in excess of the fixed minimum, for the award to be made in an amount, not to exceed forty dollars ($40), which when added to the applicant's income and resources would not exceed the individual's actual requirements;

"The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources) of the applicant from all other sources, forty dollars ($40) per month; provided, however, that if in any case it is found the actual need of an applicant exceeds forty dollars ($40) per month, such applicant shall be entitled to receive aid in an amount, not to exceed forty dollars ($40) per month, which when added to his income (including the value of currently used resources) from all other sources, shall equal his actual need."

It should be clear that the Social Security Board does not recommend the placing of a monetary limitation on the amount of the award. It should be noted, however, that under this proposal if the needs of an individual were determined to be sixty dollars ($60) and if that individual had income and resources of a value of thirty-five dollars ($35), he could receive a grant of assistance of twenty-five dollars ($25), provided that the same standards of determining his need were applied alike to a person without any income or resources. This is, therefore, not so restrictive as a rigid monetary limitation upon the award together with income and resources.

3. The deletion of all but the first paragraph of Section 2020 and the first two sentences of Section 3084 would bring those sections into conformity with Federal requirements. This would result in less liberal treatment than is now provided.

4. The deletion of all but the first paragraph of Section 2020 and all but the first two sentences of Section 3084, and the substitution in these sections of the sums of fifty-five dollars ($55) and eighty-three dollars and thirty-three cents ($83.33),

respectively, for the amounts now specified would bring the sections into compliance. You are aware, of course, that under such a modification, all aged persons having income and resources of less than fifty-five dollars ($55) per month and all blind persons having income and resources of less than eighty-three dollars and thirty-three cents ($83.33) per month would be eligible for assistance. This would, no doubt, increase the cost of the programs.

If you have any questions on any of these alternatives, we shall be glad to discuss them with you further.

Sincerely,

OSCAR M. POWELL, Executive Director

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Concurrent Resolution No. 24 re-referred to Committee on Rules.

Assembly Bill No. 1086 re-referred to Committee on Agriculture.

Assembly Bill No. 1088 re-referred to Committee on Agriculture.

Assembly Bill No. 1498 re-referred to Committee on Agriculture.

Assembly Bill No 1593 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1597 re-referred to Committee on Municipal Corporations.

Assembly Bill No 2106 re-referred to Committee on Elections.

Assembly Bill No 1378 re-referred to Committee on Public Morals.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Maloney, Gaffney, Cronin, Wollenberg, Green, Collins and Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon Richard J. Welch, Representative in Congress from the Fifth Congressional District, of San Francisco.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Patricia Burns of Eureka.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Colo.

ADJOURNMENT

At 12.35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Monday, April 7, 1941

DAVID V OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

NINETY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 7, 1941

The Assembly met at 2 p m.

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, King, Leonard, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker —57.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Pfaff.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Waters.

Mr. Sheridan, on motion of Mr. Carlson.

Mr. Turner, on motion of Mr. Lyon.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 56
Assembly Bill No. 123
Assembly Bill No. 147
Assembly Bill No. 390
Assembly Bill No. 465
Assembly Bill No. 671
Assembly Bill No. 677
Assembly Bill No. 720
Assembly Bill No. 950
Assembly Bill No. 955
Assembly Bill No. 957
Assembly Bill No. 1020
Assembly Bill No 1306
Assembly Bill No 1311
Assembly Bill No. 1318
Assembly Bill No. 1347
Assembly Bill No. 1424
Assembly Bill No. 1478
Assembly Bill No. 1479
Assembly Bill No. 1501
Assembly Bill No. 1544
Assembly Bill No 1579
Assembly Bill No. 1594
Assembly Bill No. 1598
Assembly Bill No. 1688
Assembly Bill No. 1768
Assembly Bill No. 1769
Assembly Bill No. 1930
Assembly Bill No. 2028
Assembly Bill No. 2142
Assembly Bill No 2154
Assembly Bill No. 2190
Assembly Bill No. 2498

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 855
Assembly Bill No. 928
Assembly Bill No. 1207
Assembly Bill No 2078
Assembly Bill No. 2218
Assembly Bill No 2568

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Banking

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Banking, to which was referred:

Assembly Bill No. 830

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CALL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Banking, to which were referred:

Senate Bill No. 402
Senate Bill No. 685
Senate Bill No 687

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 124

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly to take effect as follows:

Effective as of and including April 7, 1941.

	Per day
Richard Del Mutolo, Assistant Sergeant-at-Arms	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Meehan—1.

By Mr. Field:

House Resolution No. 125

WHEREAS, Fifty-four years ago yesterday, April 6, 1941, there was brought forth upon this earth a rasping-voiced, bulbous-nosed, florid-countenanced man child, and

WHEREAS, Time and Fate have placed that child, Wilkie Ogg, in the exalted office of Sergeant-at-Arms of this Assembly; and

WHEREAS, Wilkie has endeared himself to each and every member of this Assembly by his cheerful spirit, his friendly nature, his efficiency and his devotion to duty, now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby extends birthday congratulations to Wilkie Ogg and hopes in all sincerity that it may have the privilege and honor of extending him similar salutes in the years that lie ahead, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to deliver a suitably engrossed copy of this resolution to Mr. Ogg at the earliest possible date

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 125, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Lyon:

House Resolution No. 126

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Jones & Dart Music Company (rental piano)	$15 00
Cascade Towel Supply Co (towel service)	47 07
Department of Finance (labor and material)	6 40
Bureau of Purchases (supplies)	272 12
H. S. Crocker Co. (supplies)	48 71
Geo. N. Hammond Typewriter Co (typewriter rental)	115 88
Western Union Telegraph Co (tolls)	4 79

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 126, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Collins, George D., Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Green, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

By Mr. Lyon:

House Resolution No. 127

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 127, at this time, without reference to committee

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Collins, George D., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1686—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 126—An act to amend Section 596 of the Penal Code, relating to the use of poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime Problems:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert "such animal, is guilty of a misdemeanor."

Amendment read and adopted.

Bill ordered printed, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 787—An act to add Section 5.29 to the School Code, relating to the leasing of property of a State college.

Bill read second time, and ordered to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2 WAIVED

Mr. Call waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 2 was passed.

Assembly Constitutional Amendment No. 2 ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 1469.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 689

Mr. Watson moved that Assembly Bill No. 689 be withdrawn from the Committee on Commerce and Navigation, and re-referred to the Committee on State Grounds and Parks.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2154

Mr. Johnson moved that Assembly Bill No. 2154 be withdrawn from the file, and referred to the Committee on Education.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 673—An act to add Sections 802.6 and 828.53 to, and to amend Sections 828.1, 828.45 and 829.15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del

Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton: Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act to add Section 269.1 to and to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Albert C. Wollenberg Presiding

At 2:40 p.m., Hon. Albert C. Wollenberg, member of the Assembly from the Twenty-seventh District, presiding

Assembly Bill No. 829—An act to amend Section 44 of the Bank Act, relating to the making of loans upon the security of the capital stock of another bank or of a corporation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—54

NOES—Bashore, Collins, George D., Dilworth, and Knight, T. Fenton—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1412—An act to amend Section 61a of the Bank Act, relating to the investigation and certification of securities by the Superintendent of Banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Clarke, Evans, and Meehan—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2477—An act to add Section 613.1 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Carlson, Knight, T. Fenton; Salsman, and Watson—4.

Bill ordered transmitted to the Senate

Assembly Bill No. 119—An act to add Chapter 7, comprising Sections 1125 to 1127, both inclusive, to Part 3 of Division 2 of the Labor Code, relating to discrimination by labor organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 307—An act to amend Sections 351, 352, 354 and 356, and to repeal Section 353 of, and to add Section 353 to, the Labor Code, relating to tips and gratuities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Carlson, Collins, Sam L., and Houser, Frederick F.—3.

Bill ordered transmitted to the Senate.

Explanation of Vote

Because of being in a committee meeting at the time the roll call vote was taken, I was not recorded voting on Assembly Bill No 307 If I was here I would have cast an "aye" vote

J. EDWARD CAIN

Assembly Bill No. 245—An act to add Sections 48, 49, 50 and 51 to, to amend Sections 2541, 2702, 2703, 2705, 2747, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3941, 3946, 7966, 8720, 8721 and 8722 of, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Bill read third time.

Demand for Previous Question

Messrs. Lyon, Hastain, Watson, Pfaff and T. Fenton Knight demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 245.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Daley moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Thurman, Waters, and Weybret—48.

NOES—Bashore, Bennett, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Donnelly, Evans, Heisinger, Knight, T. Fenton; Massion, Russell, Thomas, and Voigt—16.

Motion carried. Time, 4.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 1209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1209—An act to amend Sections 126, 130, 133 and 292, and to add Sections 126.4, 126.6, and Article 8, consisting of Sections 380 to 388, inclusive, to Chapter 2 of Division 1, of the Elections Code, relating to registration of voters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 126, 130, 133 and 292", and insert "Section 292 of".

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "Sections 291.4 and 291.6 to, the".

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 291.4 is hereby added to the Elections Code, to read as follows:

291.4. The board of supervisors of any county may by resolution order the cancellation of the registration and order the reregistration of all voters registered in the county or in any Assembly of supervisorial district in the county whenever in its opinion there has been any of the following in any such area:

(a) Extensive fraud in procuring registrations.

(b) Extensive intimidation or other coercion to prevent registration.

(c) Extensive tampering with affidavits of registration.

(d) Any other similar cause preventing the establishment of an accurate or complete register of registrations.

SEC. 2. Section 291.6 is hereby added to said code, to read as follows:

291.6. The resolution shall be adopted by a vote of four-fifths of all the members of the board of supervisors, shall state the ground for ordering the reregistration, and shall specify the time within which the reregistration shall be completed. In no event shall the time be less than 90 days after the adoption of the resolution. Within 15 days after the adoption of the resolution the county clerk shall mail a notice to each voter affected by the resolution that his registration will be canceled unless he reregisters within the period fixed. At the end of the period all registrations in the area affected, except registrations made during the period, shall automatically be canceled.

SEC. 3. Section 292 of said code is hereby amended to read as follows:

292. The registration of a voter is permanent for all purposes during his life, unless and until the affidavit of registration is canceled by the county clerk for any of the causes specified in this article *or is canceled by the board of supervisors as provided in this article*"

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 26, inclusive, and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed, and engrossed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Gunlock, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1303—An act to approve, confirm, ratify and validate contracts made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city for repairs, alterations or construction of school buildings or equipment.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Welch, Weybret, and Mr. Speaker—55

NOES—Allen, Bashore, Evans, Field, Hawkins, Houser, Frederick F., Howser, F. N., Knight, T. Fenton; Lyon, Pfaff, Poole, Stream, Waters, and Watson—14.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon,

Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Voigt, Weber, Welch, Weybret, and Wollenberg—56

NOES—Allen, Bashore, Collins, Sam L., Daley, Evans, Field, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Pfaff, Poole, Potter, Stream, Waters, and Watson—16.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 4.50 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 164
Assembly Bill No. 263
Assembly Bill No. 563
Assembly Bill No. 656
Assembly Bill No. 799
Assembly Bill No. 1120
Assembly Bill No. 1175
Assembly Bill No. 1242
Assembly Bill No. 1411
Assembly Bill No. 1434
Assembly Bill No. 1436
Assembly Bill No. 1438
Assembly Bill No. 1452
Assembly Bill No. 1453
Assembly Bill No. 1683
Assembly Bill No. 1686
Assembly Bill No. 1879
Assembly Bill No. 1987
Assembly Bill No. 2299
Assembly Bill No. 2457
Assembly Bill No. 2485

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 533
Assembly Bill No. 1151
Assembly Bill No. 1284
Assembly Bill No. 1456
Assembly Bill No. 1512
Assembly Bill No. 1537
Assembly Bill No. 1635
Assembly Bill No. 1775
Assembly Bill No. 2570

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1399
Assembly Bill No. 1408

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1511
Assembly Bill No. 1514
Assembly Bill No. 2290
Assembly Bill No. 2332

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER. Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass.

(Signed out)

TENNEY, Chairman	O'DAY
WATERS	COLLINS, GEORGE D
POULSON	MEEHAN
DILLS	JOHNSON
HOUSER, FREDERICK F.	SALSMAN
BENNETT	ROBERTSON

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER: Your Committee on Insurance, to which were referred:

Senate Bill No. 24

Senate Bill No. 1033

Assembly Constitutional Amendment No. 53

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Daley:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Respectfully submitted.

JEANETTE E. DALEY

Request referred to Committee on Introduction of Bills.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 133—An act to amend Sections 124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code, and to add Sections 2501, 2502 and 2557 and Article 2.5, comprising Sections 2559 to 2570, inclusive, Article 6, comprising Sections 2625 to 2633, inclusive, Article 6.5, comprising Sections 2635 and 2636, and Article 7, comprising Sections 2650 to 2658, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code

and repealing acts and parts of acts specified herein; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations thereof, defining the purposes for which money appropriated for relief activites may be used, transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administration to the State Department of Social Welfare and transferring relief cases to county administration.

And appointed Senators Phillips, Wagy and Shelley as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

Mr. Pelletier requested permission to hold a public hearing of the Committee on Labor and Capital in the Assembly Chamber on Monday, April 7, 1941, at 7.30 p.m.

Request granted.

Request to Broadcast Hearing

Mr. Pelletier requested permission to broadcast the hearing before the Committee on Labor and Capital from the Assembly Chamber.

Request refused.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 245

At 5.10 p.m., on motion of Mrs. Daley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 245 refused passage by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Crowley, Daley, Desmond, Dickey, Dilworth, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Leonard, Maloney, McCollister, Millington, Pfaff, Potter, Salsman, Stream, Thorp, Thurman, Watson, Weber, Weybret, and Wollenberg—31.

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, Voigt, Waters, and Welch—43.

Notice of Motion to Reconsider Assembly Bill No. 245

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 245 was this day refused passage.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

Mr. T. Fenton Knight requested permission to use the Assembly Chamber on Tuesday, April 8, 1941, at 7.30 p.m., for a meeting of the Committee on Unemployment.

Request granted.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1465

Mr. Leonard moved that Assembly Bill No. 1465 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended, after "Controller", insert ", or a district manager of a State Controller's district office".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 744

Mr. Potter moved that Assembly Bill No. 744 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary Codes.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Miss Miller moved that Assembly Bills Nos. 646, 651, 642, 652, 648, 653, 644, 649, 654, 645, 650 and 1000 be withdrawn from the Committee on Hospitals and Asylums, and re-referred to the Committee on Judiciary Codes.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—Crowley—1.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mrs. Daley:

An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and juris-

diction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2589: By Mrs. Daley—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Referred to Committee on Judiciary Codes.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2457

Mr Johnson moved that Assembly Bill No. 2457 be withdrawn from the file, and re-referred to the Committee on Medical and Dental Laws.

Motion carried.

MOTION

Mr. Lyon moved that literature pertaining to legislation be placed in the mail boxes rather than being placed in the desks—except telegrams, messages from the Senate and messages from other members—while the Assembly is in session, and that the Sergeant-at-Arms be instructed to enforce the same.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 123 re-referred to committee on Social Service and Welfare.

Assembly Bill No. 390 re-referred to Committee on Ways and Means.

Assembly Bill No. 671 re-referred to Committee on Judiciary General.

Assembly Bill No. 677 re-referred to Committee on Judiciary General.

Assembly Bill No. 720 re-referred to Committee on Civil Service.

Assembly Bill No. 950 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 955 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 957 re-referred to Committee on Irrigation.

Assembly Bill No. 1311 re-referred to Committee on Education.

Assembly Bill No. 1318 re-referred to Committee on Judiciary General.

Assembly Bill No. 1347 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1598 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1688 re-referred to Committee on Education.

Assembly Bill No. 2078 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2142 re-referred to Committee on County Government.

Assembly Bill No. 2218 re-referred to Committee on Education.

Assembly Bill No. 2498 re-referred to Committee on Ways and Means.

Assembly Bill No. 1594 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2028 re-referred to Committee on Ways and Means.

Assembly Bill No. 1501 re-referred to Committee on Elections.

Assembly Bill No. 1579 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1768 re-referred to Committee on Public Morals.

Assembly Bill No. 2190 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1930 re-referred to Committee on Elections.

Assembly Bill No. 2299 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 656 re-referred to Committee on Judiciary General.

Assembly Bill No. 2485 re-referred to Committee on Judiciary General.

Assembly Bill No. 1436 re-referred to Committee on Public Utilities.

Assembly Bill No. 1434 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1438 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1635 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 263 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1175 re-referred to Committee on Social Service and Welfare.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Owen A. Bartlett, attorney-at-law of Los Angeles, and Keith Halna, attorney-at-law of Los Angeles.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Don G. Shaw of Los Angeles, and Raymond La Nose of Sacramento.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Victoria Carpenter, State Secretary, Young Democrats of Los Angeles.

On request of Messrs. Call and O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. J. Demeke, teacher, and the following students of San Carlos School, San Mateo County: Yolo Old, Dean Peters, Margaret Rauch, Barbara Smith, Marilyn Shields, Margie Wilson, Joy Thompson, Gwendolyn Hoffman, Bob Miller, Allen Howells, Walter Lewis, John Adams, Farrell Stevens, Barbara Sharp, Maria Gagliano, Edgar Finbinder, Jo Ann Engleman, Alison Aitken, Velma Berlin, John Cahill, Herbert Carlson, Werner Carlson, William Corsick, Herbert Collins, William Dungan, Edgar Fulwider, Gretchen Gentner, Robert Hallawell, George Jones, Barbara Kroeck, Howard Larsen, Benjamin Leet and Kenneth Neil

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. L. Standish Hall, Mrs Arthur Powell Davis, and Mrs. Andrew J. Fanning, all of Oakland.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain M. A. Grant, County Engineer, and John Lynch, County Supervisor, both of San Mateo County.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frances Hendricks of San Francisco.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Norrie Cardes of Daly City.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Celia Del Mutolo, daughter of Assemblyman Del Mutolo of San Jose.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wally Williams of the Red Arrow Publications of El Monte.

ADJOURNMENT

At 5 30 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1 30 p m., Tuesday, April 8, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY
NINETY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 8, 1941

The Assembly met at 1.30 p.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker.—51.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Lowrey.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 126
Assembly Bill No. 1209
Assembly Bill No. 1625
Assembly Bill No. 1731
Assembly Bill No. 1876
Assembly Bill No. 2365
Assembly Constitutional Amendment No. 53

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: Your Committee on Building and Loan Associations, to which were referred:

Assembly Bill No. 1001
Assembly Bill No. 1325
Assembly Bill No. 1346
Assembly Bill No. 1480
Assembly Bill No. 2100
Assembly Bill No. 2581
Senate Bill No. 848

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

VOIGT, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 92
Senate Bill No. 171
Senate Bill No. 233
Senate Bill No. 559
Senate Bill No. 584
Senate Bill No. 658
Senate Bill No. 659
Senate Bill No. 660
Senate Bill No. 661
Senate Bill No. 667
Senate Bill No. 713
Senate Bill No. 714
Senate Bill No. 741
Senate Bill No. 822
Senate Bill No. 886
Senate Bill No. 987
Senate Bill No. 1122

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 92—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to workers' contributions.

Referred to Committee on Unemployment.

Senate Bill No. 171—An act to amend Section 2.461 of, to repeal Sections 2.462, 2.463, 2.464 and 2.465 of, and to add a new section to be numbered 2.462 to, the School Code, all relating to annexation of elementary school districts on petition from a high school board.

Referred to Committee on Education.

Senate Bill No. 233—An act to amend Sections 3.618, 3.624, 4.875 and 4.887 of, and to add Section 3.625 to the School Code, relating to the education of physically handicapped minors.

Referred to Committee on Education.

Senate Bill No. 559—An act to amend Section 356a of the Political Code, relating to contracts between different State agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 584—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties," by amending Section 1 thereof to extend the provisions of the act to other public agencies including a county, city and county, city, public corporation, municipal corporation and public district, and defining public agencies.

Referred to Committee on Municipal Corporations.

Senate Bill No. 658—An act to amend Sections 1299.18, 1299.21 and 1300.4 of, and to add a new section, to be numbered 1300.4a, to the Agricultural Code, relating to processors.

Referred to Committee on Agriculture.

Senate Bill No. 659—An act to amend Sections 821, 822, 823, 826 and 827 of, and to add Sections 821.1, 821.15, 821.2, 821.25, 821.3, 821.35, 821.4, 821.45, 821.5, 821.55, 821.6, 821.65, 821.7, 821.75, 821.8 and 824.5 to the Agricultural Code, relating to apples.

Referred to Committee on Agriculture

Senate Bill No. 660—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Referred to Committee on Agriculture.

Senate Bill No. 661—An act to add Section 787.5 to the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Referred to Committee on Agriculture.

Senate Bill No. 667—An act to amend Section 2957 of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary Codes.

Senate Bill No. 713—An act to add Chapter 1a, comprising Section 1247k, to Title 9 of Part 2 of the Penal Code, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in criminal cases.

Referred to Committee on Judiciary Codes.

Senate Bill No. 714—An act to add Chapter 1a, comprising Section 961, to Title 13 of Part 2 of the Code of Civil Procedure, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in civil actions.

Referred to Committee on Judiciary Codes.

Senate Bill No. 741—An act to amend Sections 20743, 20744, 20746, 20751, 20880, 20888, 20930 and 20956 of, to repeal Sections 20800, 20826, 20840, 20849, 20860, 20866, 20892, 20910, 20911 and 20950 of, and to add Sections 20704, 20705, 20706, 20707, 20708, 20800, 20826, 20840, 20849, 20860, 20866, 20882.5, 20892, 20911 and 20950 to the Business and Professions Code, relating to sales of petroleum products.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 822—An act to repeal Sections 301 to 304, both inclusive, and to amend Section 300 of the Labor Code, all relating to assignment of wages.

Referred to Committee on Labor and Capital.

Senate Bill No. 886—An act to amend Section 2845 of the Civil Code, relating to suretyship and guaranty.

Referred to Committee on Judiciary Codes.

Senate Bill No. 987—An act to amend Section 52.2 of, and to add Section 57.7 to, the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Referred to Committee on Unemployment.

Senate Bill No. 1122—An act to add Chapter 7 to Part 3 of Division 13 of the Health and Safety Code, including the addition of Section 19800 to said code, relating to refrigerants, refrigerators, and refrigerating plants and regulations governing the same.

Referred to Committee on Public Health and Quarantine.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 95
Assembly Bill No. 129
Assembly Bill No. 223
Assembly Bill No. 664
Assembly Bill No. 824
Assembly Bill No. 890
Assembly Bill No. 1022
Assembly Bill No 1023
Assembly Bill No. 1200
Assembly Bill No. 1201

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 24

J. A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 24—Expressing appreciation to members of Committee on State Organization, also known as the Interim Committee of Twenty-five of the California Conference on Government and Taxation.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1318—An act to add Section 18 to the Unfair Practices Act, relating to exempting certain institutions from the provisions thereof.

Bill read second time, and ordered to third reading.

Assembly Bill No. 830—An act to add a new section to the Bank Act, to be numbered 16g, relating to the examination of statements and canceled checks by depositors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "ten (10)", and insert "thirty-five (35)".

Amendment No. 2

On page 1, line 14, of the printed bill, following "or", insert ", if the depositor has requested the bank to mail to him his canceled checks, vouchers and statements,".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "ten (10)", and insert "thirty-five (35)".

Amendment No. 4

On page 1, line 20, of the printed bill, strike out "ten (10)", and insert "thirty-five (35)".

Amendment No. 5

On page 1, line 27, of the printed bill, strike out "ten (10)", and insert "thirty-five (35)".

Amendment No. 6

On page 2, line 13, of the printed bill, following the period, insert "It shall be the duty of every bank or trust company organized under the laws of, or doing business in, this State, within ninety (90) days after the effective date of this act to inclose with any canceled checks or vouchers of the character herein referred to, delivered to or mailed to a depositor, or to place upon the statement accompanying such canceled checks so delivered or mailed, a statement calling the depositor's attention to the enactment of this act and to the fact that it is the duty of the depositor to report to the bank within thirty-five (35) days from the time of the receipt or mailing of canceled checks any claim that any check was forged, altered, raised or unauthorized. In any case in which canceled checks are delivered or mailed to a depositor more than once during the said ninety (90) days it will be sufficient if such statement is inclosed with one delivery or mailing of canceled checks or vouchers made during said ninety (90) days or is placed upon the statement accompanying the same, and no such statement need be given with canceled checks delivered or mailed thereafter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1399—An act to add Section 4.5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof and the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after the word "funds", insert a period.

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out "where", and insert "Where".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1408—An act to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections

985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 453i and 453.14 of the Civil Code, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 40 and 41, insert "An admitted foreign society shall comply with the requirements of Sections 11343, 11344 and 11345 within 90 days after such sections become effective unless the commissioner finds that such a society is unable so to comply and is exercising reasonable diligence so to do, in which case he may from time to time extend the time within which such society shall comply. Such extensions shall not exceed one year in the aggregate"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1511—An act to add Section 32.5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "brokers", and insert "analysts".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 3, 4 and 5, and insert "32.5. "Life insurance analyst" means a person who, for a fee or compensation of any kind, paid by or derived from any person or source other than an insurer:

(a) on behalf of another person transacts life insurance with, but not on behalf of, an insurer; or,

(b) advises, purports".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert "in respect thereto."

Amendment No. 4

On page 1, line 15, of the printed bill, as amended, strike out "brokers", and insert "Insurance Analysts".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out line 24, and insert "for license as a life insurance analyst. A life insurer shall not pay a life insurance analyst any commission directly or indirectly, on any life insurance transacted by a life insurance analyst".

Amendment No. 6

On page 1, line 25, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 7

On page 3, line 2, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 8

On page 3, line 11, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 9

On page 3, line 18, of the printed bill, as amended, strike out "broker", and insert "insurance analyst"

Amendment No. 10

On page 3, line 41, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 11

On page 3, line 44, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 12

On page 3, line 47, of the printed bill, as amended, immediately following "provisions of", insert "Sections 780, 781, 782 and 784 and".

Amendment No. 13

On page 3, line 52, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 14

On page 4, line 4, of the printed bill, as amended, strike out the period, and insert ", punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment for not more than one year or by both such fine and imprisonment"

Amendment No. 15

On page 4, line 6, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendment No. 16

On page 4 of the printed bill, as amended, immediately following line 8, insert "SEC. 3. If any of the provisions of the Insurance Code added or amended by this act, or the application thereof to any person or circumstance, is held invalid, the remainder of such provisions, or their application to other persons or circumstances shall not be affected thereby."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 25 to 29, inclusive, and insert "the lien of taxes and assessments not delinquent at the time of investment, (b) The lien of taxes and assessments becoming delinquent subsequent to the time of investment, (c) Outstanding mineral, oil or timber rights, (d) Rights of way, (e) Sewer rights, (f) Rights in walls, (g) Building restrictions or other restrictive covenants, or".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2290—An act to amend Sections 4850, 4851, 4852, 4853 and 4855 of the Labor Code, relating to workmen's compensation and special payments to city policemen, city firemen, city and county firemen, county firemen and county fire protection district firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 4849 to, and to".

Amendment No. 2

In line 4 of the title of the printed bill, strike out "county fire", and insert "fire"

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 4849 is hereby added to Article 7, Chapter 2, Part 2, Division 4 of the Labor Code, to read as follows:

4849 As used in this article, "fire protection district" means fire protection districts in unincorporated areas, metropolitan fire protection districts, county fire protection districts, and fire protection districts in one or more counties, as provided for in Part 3 of Division 12 of the Health and Safety Code.

"Fire protection district fireman" means a fireman of a fire protection district as defined in this section.

SEC. 1.5 Section 4850 of the Labor Code is hereby".

Amendment No. 4

On page 1, line 5, of the printed bill, strike out "county fire", and insert "fire".

Amendment No. 5

On page 1, line 9, of the printed bill, strike out "county fire", and insert "fire".

Amendment No. 6

On page 1, line 20, of the printed bill, strike out "firemen and county", and insert "firemen and".

Amendment No. 7

On page 1, line 23, of the printed bill, strike out "county fire protection", and insert "fire protection".

Amendment No. 8

On page 2, line 15, of the printed bill, strike out "county fire", and insert "fire".

Amendment No. 9

On page 2, line 26, of the printed bill, strike out "county".

Amendment No. 10

On page 2, line 34, of the printed bill, strike out "county".

Amendment No. 11

On page 2, line 43, of the printed bill, strike out "county".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended, strike out "classification", and insert "reasonable classification for rate making purposes".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 13, and insert

"11611. An admitted insurer, insurance agent, or broker shall not fix, make, or procure any rate".

Amendment No. 3

On page 2, line 4, of the printed bill, as amended, strike out "every insurer", and strike out lines 5 and 6.

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 16 to 20, inclusive, and insert "of this article. Violation of the provisions of this article shall constitute an unlawful rebate under Article 5, Chapter 1, Part 2, Division 1, of this code".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1085—An act to amend the article heading of Article 6 of Chapter 4, Part 1, Division 7 and Sections 16320, 16322, 16347, 16410, 16411, 16430 and 16451 of, and to add Sections 16330, 16393, 16394, 16395, 16412 to, the Business and Professions Code, relating to the regulation of itinerant merchants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "16322", and insert "16321, 16325".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "16322", and insert "16321".

Amendment No. 3

On page 1 of the printed bill, strike out lines 12 to 25, inclusive, and insert

"16321. The provisions of this chapter do not apply to persons who are engaged in the business of transporting goods in motor vehicles for hire or who operate motor vehicles in such business as agents, employees, lessees, or contractors and who do not own or have any interest in the goods transported, and who do not act for any party in the acquisition purchase, sale, or disposition of the goods transported *Persons exempted from the provisions of this chapter, by this section, shall not be eligible to receive a license under this chapter.*

SEC 2 5 Section 16325 of said code is hereby amended to read as follows:

16325. The provisions of this chapter do not apply to persons who use motor vehicles to transport goods for the personal use of the owners of the vehicle *and not for the purposes of resale*, or for the use of others if no charge is made for the transportation *and the goods are not intended to be resold.*"

Amendment No. 4

On page 3, line 44, of the printed bill, after "original", insert "or duplicate".

Amendment No. 5

On page 4 of the printed bill, strike out line 17, and insert "for".

Amendment No. 6

On page 4, line 19, of the printed bill, after the period, insert "The amount of the license fee shall be based on the carrying capacity of the motor vehicle and shall be determined in accordance with the following schedule:

Carrying Capacity	*License Fee*
¾ ton or less	$10
Over ¾ ton to 1½ tons	$15
Over 1½ tons to 3 tons	$20
Over 3 tons to 4 tons	$30
Over 4 tons to 5 tons	$40
Over 5 tons	$50

Except as otherwise provided in Section 16302, a trailer shall be considered to be a separate motor vehicle and each itinerant merchant shall license every trailer used by him in the conduct of his business."

Amendment No. 7

On page 4, line 26, of the printed bill, strike out "the applicant", and insert "an applicant who is a legal resident of the State".

Amendment No. 8

On page 4 of the printed bill, strike out line 34, and insert ", a justice of the peace, a peace officer, or an investigator employed by the commission, may, for the".

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 402—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belong-

ing to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposits of money belonging to or in the custody of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 685—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 687—An act to amend Section 16f of the Bank Act, relating to adverse claims to bank deposits and the contents of safe deposit boxes standing in the name of one other than the claimant and to add two new sections, Sections 539a and 682a to the Code of Civil Procedure, relating to the attachment of and the levy of execution upon bank accounts and the contents of safe deposit boxes standing in the name of one other than the defendant or judgment debtor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1033—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading.

Senate Bill No. 24—An act to amend Section 12902 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, and ordered to third reading.

APPROVAL OF JOURNALS

On motion of Mr Lyon, the Journals of Monday, March 31, 1941; Tuesday, April 1, 1941; Wednesday, April 2, 1941; Thursday, April 3, 1941; Friday, April 4, 1941, and Saturday, April 5, 1941, were approved, as corrected, by the Minute Clerk.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 91—An act to amend Section 1530 of the Water Code or Section 23b of the Water Commission Act, relating to fees for applications or permits to appropriate water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan,

Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 97—An act to amend an act entitled "An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner," approved July 1, 1937, as amended, by repealing Section 8, relating to refund of contributions, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 907—An act relating to the payment of interest on and principal of bonds, and the holding of funds for such payment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1158—An act to add Sections 3480g and 3480h to the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Field, Gaffney, Gallagher, Green, Hastain, Hawkins,

Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

SPEAKER PRESIDING

At 2.10 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RECESS

At 2.15 p.m., on motion of Mr. Field, the Assembly recessed until 2.20 p.m. for the introduction of the following High School Cadets, guests of Messrs. Field, Garland, Desmond, Burns, Hugh M., and Thurman:

Lieutenant Colonel Thomas Milligan, Captain Phillip Wright, Regiment Adjutant, and Captain Willard Wall of Tulare County; Major Edwin Rau of Fresno, Captain Robert Miller of Martinez, Captain Robert Gaultney of North Sacramento, and Captain Ernest Borel of Auburn.

REASSEMBLED

At 2.20 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

PRIVILEGES OF THE FLOOR EXTENDED

On motion of Mr. Field, the above mentioned guests were granted the privileges of the floor for the legislative day.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 302—An act to amend Section 29 of the Civil Code, relating to rights of unborn children, and providing for limitation of actions for prenatal injuries and injuries sustained in the course of birth.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "four", and insert "six".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 310—An act to add Section 369h to the Penal Code, relating to the erection and maintenance of lights and signs which interfere with the operation of railroad trains and declaring such lights and signs a public nuisance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson,

Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—61
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1140—An act to add Section 8733.5 to the Health and Safety Code, relating to perpetual care funds of cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 589—An act to amend Sections 345, 466 and 612 of the Streets and Highways Code, relating to descriptions of certain State highways

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 287—An act to amend Section 43 of the California Irrigation District Act, relating to irrigation district assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 288—An act to amend Section 39e of the California Irrigation District Act, relating to irrigation district assessments.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Clarke, Collins, Sam L, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems,

Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Roberston, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 289—An act to amend Sections 7055, 7057 and 7058 and the article heading of Article 2, Chapter 2, Part 6 of the Water Code, and Section 4 of the Central Valley Project Act of 1933, relating to the changing of the name of Kennett Dam to Shasta Dam.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 541—An act to add Section 1.5 to the California Irrigation District Act, relating to publication of notices pursuant to laws relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 549—An act to repeal Sections 62 and 63 of the California Irrigation District Act, relating to apportionment of water by water commissioners and flow of water through irrigation district ditches in times of high water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 551—An act to repeal Section 2½ of an act entitled "An act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, relating to the dissolution of irrigation districts having no indebtedness not barred by the statute of limitations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 626—An act to amend Section 19c of the California Irrigation District Act, relating to the selection of the officers of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 766—An act to amend Section 2 of the Private Car Tax Act of 1937, relating to the meaning of words, terms and phrases and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas,

Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 629—An act to amend Section 1 of "An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume," approved May 25, 1923, relating to right of ways for electric power lines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 688—An act to add Section 46 to the California Irrigation District Act, relating to property sold for delinquent irrigation district assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 75—An act to amend Section 114 of the Revenue and Taxation Code, relating to property taxation and the definition of "debts" as appertaining thereto, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 264—An act to amend Section 3101, 3105 and 3110 of the Revenue and Taxation Code, relating to property taxation and to the registration of vessels to enforce the payment of property taxes, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 338—An act to amend Section 4 of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 339—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Leonard Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 436

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 436 was this day passed.

Senate Bill No. 449—An act to amend Section 57 of an act entitled "An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution," approved July 1, 1937, relating to employees of the Attorney General's Office.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 69—An act to amend Section 611 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 73—An act to amend Sections 447 and 1060 of the Revenue and Taxation Code, relating to property taxation and the assessment of property, including matters shown on the property statement and on supplemental statements thereto, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 693—An act to add Section 72.5 to the California Irrigation District Act, relating to court proceedings brought by and against irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 14—Relative to amending Joint Rule No. 13, relative to distribution of legislative publications.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—Hawkins and Pelletier—2.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 20—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 21—Relative to reports of the Department Encampment of the Grand Army of the Republic.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman,

Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 297—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—59.
NOES—Burkhalter, Evans, and Kilpatrick—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 619—An act to amend Sections 7302, 7321, 7324, 7330, 7331, 7332, 7334, 7351, 7360, 7372, 7373, 7376, 7382, 7383, 7391, 7393, 7394.5, 7396, 7399, 7412, 7431, 7436 and 7437 of, to repeal Article 13, comprising Sections 7450 to 7457, inclusive, of, and to add Section 7329 to Article 3 of Chapter 10 of Division 3 of said code, relating to the practice, the training for and government of cosmetology.

Bill read third time.

Motion to Amend

Mr. Gallagher moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill as amended, strike out "said", and insert "the Business and Professions".

Amendment No. 2

On page 3, line 8, of the printed bill, as amended, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 3

On page 5, line 39, of the printed bill, as amended, after "a", and before "manager", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 4

On page 7 of the printed bill, as amended, strike out lines 20 and 21, and insert "course of training of the minimum number of hours and months required by this chapter."

Amendment No. 5

On page 7, line 49, of the printed bill, as amended, after "registered", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 6

On page 8, line 38, of the printed bill, as amended, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 7

On page 9, line 1, of the printed bill, as amended, after "licensed", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 8

On page 9, line 6, of the printed bill, as amended, after "registered", insert "hairdresser and cosmetician or cosmetologist".

Amendment No. 9

On page 9, line 11, of the printed bill, as amended, after "No", insert "hairdresser and cosmetician or cosmetologist".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 318—An act to amend Sections 7332, 7376, 7400, 7420 and 7442 of, and to repeal Section 7351 and Article 13, comprising Sections 7450 to 7457, inclusive, of Chapter 10 of Division 3 of, and to add Section 7351 to, the Business and Professions Code, relating to the practice of and the training for cosmetology and manicuring.

Bill read third time.

Demand for Previous Question

Messrs. Heisinger, Pelletier, Burkhalter, Howser, F. N., and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 318.

The roll was called, and Senate Bill No. 318 refused passage by the following vote:

AYES—Allen, Bashore, Collins, Sam L., Cronin, Dilworth, Field, Howser, F. N., Kellems, Leonard, Lyon, Potter, Poulson, Stream, Tenney, Thorp, Voigt, Watson, and Weber—18.

NOES—Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sawallisch, Thomas, Thurman, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

Notice of Motion to Reconsider Senate Bill No. 318

Mr. Tenney gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 318 was this day refused passage.

Senate Bill No. 86—An act to amend Section 205 of the Revenue and Taxation Code, relating to exemption of property of veterans from taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Russell, Sawallisch, Stream, Thomas, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Carlson, Clarke, Evans, Hastain, Johnson, Knight, T. Fenton; Salsman, and Thorp—8.

Bill ordered transmitted to the Senate.

Senate Bill No. 590—An act to amend Section 465 of the Vehicle Code, relating to signs, signals and traffic control devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gal-

lagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 46—An act to amend Sections 43, 44 and 46 of the Alcoholic Beverage Control Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, and Dilworth—2

Title read.

Motion to Amend Title of Senate Bill No. 46

Mr. Hugh M. Burns moved to amend the title of Senate Bill No. 46 as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Act" insert ", relating to hearings on complaints against licensees".

Amendment adopted.

Bill ordered transmitted to the Senate.

Senate Bill No. 167—An act to amend Sections 5, 7 and 17 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof, and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts, including the qualifications of district directors, the qualifications of electors, the qualifications of directors when such directors are elected to represent divisions of the district, and the qualifications of electors entitled to vote for directors who are elected by divisions.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 18, of the printed bill, as amended, strike out "districts", and insert "district".

Amendment No. 2

On page 4, line 46, of the printed bill, as amended, after "large", and before "and", insert a comma

Amendment No. 3

On page 5, line 18, of the printed bill, as amended, after "bond", insert "shall be in the form prescribed by law for public officers, and".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 150—An act to amend Sections 500, 502, 503 and 505 of, to add Sections 502.1, 502.2 and 516.1 to the Military and Veterans Code, all relating to High School Cadets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to Section 25½ of Article IV of the Constitution of said State, relating to fish and game.

Resolution read.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, strike out lines 12, 13 and 14, and insert "from such fines and forfeitures."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 841—An act to add Section 4a to the act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips,

Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Vogt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—Bashore—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Vogt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act authorizing the appointment and prescribing the powers and duties of special policemen for the protection and preservation of public property, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—Welch—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—Welch—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 63—An act to add Section 6141.1 to the Business and Professions Code, relating to waiver of fees of members of the State Bar of California, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 128

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names payable as hereinafter specified, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same.

Commencing Monday, April 7, 1941, upon a seven-day per week basis:

	Per day
Grace Stall, Stenographer	$5 00
Louise King, Stenographer	5 00
Lenore Connolly, Stenographer	5 00
Ellen Gordon, Stenographer	5 00

Commencing Monday, April 7, 1941, to April 13, 1941, both dates inclusive.

	Per day
Richard Kepple, Page	$2 50
Joe McShane, Jr., Page	2 50
Don Allen, Jr., Page	2 50
Pat Hanratty, Page	2 50
Patricia Burns, Page	2 50
Vivian Voigt, Page	2 50

Commencing Tuesday, April 8, 1941, to April 9, 1941, both dates inclusive:

	Per day
Jim Phillips, Jr., Page	$2 50
Tommy Craig, Page	2 50
Randal Dickey, Jr., Page	2 50
Jean Wollenberg, Page	2 50
Joe O'Neil, Jr., Page	2 50
Gloria Connor, Page	2 50
Celia Del Mutolo, Page	2 50
Joe Covich, Page	2 50
Philip Kennedy, Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Lyon, Maloney, Masson, McCollister Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Collins, Sam L., and Middough—2

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532 5 to, the Business and Professions Code, relating to horse racing and horse racing meetings

Respectfully submitted.

HENRY MEEHAN

Request referred to Committee on Introduction of Bills.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 530, 531 AND 532 FROM COMMITTEE

Mr. Cronin gave notice that on Thursday, April 10, 1941, he would move to withdraw Assembly Bills Nos 530, 531 and 532 from the Committee on Roads and Highways, and have them placed upon the file

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 133

The Speaker announced the appointment of Mrs. Daley and Messrs. Wollenberg and Hawkins as a Committee on Conference concerning Senate Bill No. 133.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1118—An act to amend Section 610 of the Fish and Game Code, relating to trout season and bag limits;

Assembly Bill No. 1199—An act to amend Sections 7921 and 7961 of the Elections Code, relating to the canvass of returns by the registrar of voters;

Assembly Bill No. 1403—An act to add Section 383.5 to the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1100—An act to amend Section 545 of the Agricultural Code, relating to cheese;

Assembly Bill No. 1111—An act to amend Section 1600 of Chapter 13 of the Probate Code, relating to request for special notice after the issuance of letters of guardianship;

Assembly Bill No. 1115—An act to amend Section 619 5 of the Fish and Game Code, relating to Mackinaw trout;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1459—An act to add Section 2924d to the Civil Code, relating to the reinstatement of a deed of trust, mortgage, chattel mortgage or contract of purchase upon which the payments have been extended, the sale postponed, the right of redemption extended or a forfeiture or termination postponed under moratorium acts; providing that this act shall take effect immediately and declaring the urgency thereof;

Assembly Bill No. 1648—An act to repeal Section 48 2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments;

Assembly Bill No. 1788—An act to amend Section 421 of the Fish and Game Code, relating to sale of fish taken under sporting fishing licenses;
And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1798—An act to add Section 52 5 to the California Irrigation District Act, relating to the surrender of obligations to irrigation districts,

Assembly Bill No. 2144—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiropody;

Assembly Bill No. 2145—An act to add Section 2410 to the Business and Professions Code, relating to the advertising of chiropodical services;
And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO April 8, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1404—An act to amend Sections 5050 5, 5057, 5058, 5090, 7031, 7088 and 9031 of, and to add Section 5090 2 to, the Insurance Code, relating to insurance;

Assembly Bill No. 2298—An act to amend Section 10270 of the Insurance Code, relating to insurance;

Assembly Concurrent Resolution No. 27—Approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1941,
And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 221—An act to amend Section 103 of, to renumber Section 103e to be Section 103k of, and to add Sections 103g, 103h, 103i and 103j to, the Code of Civil Procedure, relating to justices of the peace and justices' clerks and assistant clerks in cities of the second class;

Assembly Bill No. 241—An act to amend Section 764 of the Probate Code, relating to sales of real and personal property in probate;

Assembly Bill No. 285—An act to add Section 395 4 to the Military and Veterans Code, relating to leaves of absence of public employees for Military Service, declaring the urgency thereof, and providing that this act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 300—An act to add Section 86 2 to the State Civil Service Act, relating to an oath for civil service employees, and declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 345—An act to amend Section 14a of the California Irrigation District Act, relating to annual statements by the board of directors;

Assembly Bill No. 455—An act to amend Section 690 4 of the Code of Civil Procedure, relating to exemption from execution or attachment;
And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 499—An act to amend Section 21 of the California Irrigation District Act, relating to irrigation district elections;

Assembly Bill No. 562—An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds; and to authorize nonprofit hospital service corporations organized under Division 2, Part 2, Chapter 11a of Article 3 of the Insurance Code to enter into and perform contracts with Federal agencies and to receive and administer, in trust, Federal funds;

Assembly Bill No. 603—An act to add Chapter 7, comprising Sections 20700 to 20981, inclusive, to Division 8 and to add Section 30036 to Division 30, of the Business and Professions Code, thereby consolidating and revising the law relating to the regulation of the importation, distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil and repealing acts and parts of acts specified herein;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 725—An act to amend Section 2672 of the Elections Code, relating to a filing fee for a declaration of candidacy for an office to be voted for wholly within one county with certain exceptions;

Assembly Bill No. 962—An act to amend Section 3669c of the Political Code, relating to the taxation of insurance companies and the collection of taxes from such companies, including the suspension of corporate rights, privileges and powers;

Assembly Bill No. 963—An act to add Section 1283 to the Insurance Code, relating to the taxation of insurers, including reciprocal or interinsurance exchanges;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 964—An act to add Part 7, comprising Sections 12001 to 13113, inclusive, to Division 2 of, and to add Section 50013 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the taxation of insurance companies and associations and the collection of taxes from such companies and associations, and repealing acts and parts of acts specified herein;

Assembly Bill No. 968—An act to amend Section 7694 of the Business and Professions Code, relating to funeral directing and embalming;

Assembly Bill No. 969—An act to amend Sections 7686.5, 7695, 7697, 7716, 7718 of the Business and Professions Code, relating to funeral directing and embalming;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Senate Bill No. 81

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No 906

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 784—An act to amend Section 12510 of the Business and Professions Code, relating to weights and measures, including the use of false or improper equipment;

Assembly Bill No. 824—An act to amend Section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization;

Assembly Bill No. 1202—An act to add Section 7799 to Article 1 of Chapter 6 of Division 9 of the Elections Code, relating to the counting and canvassing of absent voter ballots by the registrar of voters;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1941, at 2.30 p m

JOHN B KNIGHT, Chairman

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred

Senate Bill No. 169

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred.

Assembly Bill No 786

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER. Your Committee on Agriculture, to which were referred.

Assembly Bill No 1500

Assembly Bill No 1628

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

WEYBRET, Chairman

Above reported bills ordered to second reading

Committee on Aviation and Aircraft

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred

Assembly Bill No. 841

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GREEN, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 13

Has had the same under consideration, and reports the same back with the recommendation. Be re-referred to Committee on Constitutional Amendments

CROWLEY, Chairman

Above reported resolution re-referred to Committee on Constitutional Amendments.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No 1501

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CARLSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER Your Committee on Elections, to which were referred:

Assembly Bill No 2106

Senate Bill No. 697

Has had the same under consideration, and reports the same back with the recommendation Do pass

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 850

Has had the same under consideration, and reports the same back with the recommendation Do pass

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1899

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 96

Has had the same under consideration, and reports the same back with the recommendation Do pass

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER SACRAMENTO, April 8, 1941

MR SPEAKER. Your Committee on Public Charities and Corrections, to which were referred

Assembly Bill No 1153

Assembly Bill No 1526

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

T FENTON KNIGHT, Chairman

Above reported bills ordered to second reading

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported resolution ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and be adopted

HEISINGER, Chairman

Above reported resolution ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER. Your Committee on Public Health and Quarantine, to which were referred

Assembly Bill No. 2164
Assembly Bill No. 1670
Assembly Bill No. 2197

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 404
Assembly Bill No. 405
Assembly Bill No. 406
Assembly Bill No. 407
Senate Bill No. 145
Senate Bill No. 144
Senate Bill No. 143
Senate Bill No. 662

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1342
Senate Bill No. 506

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

LYON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER Your Committee on Rules, to which was referred

Assembly Bill No. 638

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

LYON, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1271

Assembly Bill No. 1427

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No 2073

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Senate Bill No. 1260

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred.

Assembly Bill No. 1209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred.

Assembly Bill No. 1547

Senate Bill No. 932

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS Chairman

Above reported bills ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 1033

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:

Senate Bill No. 877

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No.1358

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name

*Governmental Research Bureau*_____Francis McGrath

ARTHUR A OHNIMUS, Chief Clerk of the Assembly

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 1469.

Assembly Bill No. 245.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1625 re-referred to Committee on Ways and Means.

Assembly Bill No. 1876 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1731 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1209 re-referred to Committee on Elections.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Joint Resolution No. 42: By Mr. Lowrey—Relative to memorializing the United States Department of Interior, Fish and Wild Life Service, to permit controlled feeding of migratory wild fowl on hunting clubs in the State of California, and to provide for the feeding of grain on migratory wild fowl refuges in this State, in order to relieve farmers from severe losses to grain crops caused annually by such wild fowl.

Referred to Committee on Fish and Game.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Katheryene C. Eisenhart, of San Francisco.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Mrs. Jessie Williamson of Berkeley, President California Council Republican Women, Northern Division; Mrs. Duncan S. Robinson of Rio Vista, Vice President, California Council Republican Women, Northern Division; Mrs. Maude S. King of Sacramento, Secretary, California Council Republican Women, Northern Division; Mrs Rose Der Bigney of Berkeley, President, Colored Women's Republican Club of Berkeley; Mrs Herbert Foster of Berkeley, Board Member of Republican Women's Club of Berkeley; Mrs. Floyd of Alameda, President, Republican Women's Club of Alameda: Mrs Ruby Iverson of Alameda, Treasurer, California Council Republican Women.

On request of Mr Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Louie Leonard of Woodland, and Mrs. Edith L Gallup, principal, and the following students of Laugenour School of Yolo County: Donald Hennagin, Donald Gallup, Donald Hoadley, Leroy Hennigan, Jack Wallace, Evelyn Amen, Bonnie Golden, Rosalene Hennigan, Howard Hennagin, Lilly Sayakeda, Margie Azevedo, Betty Baccei, Rudy Howald, Douglas Lawson, Raymond Fiedler, Ross Laugenour, and Leroy Leonard.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Mrs. Pearl Martin, Miss Irma Cornell Martin of Stockton, Mr. Carl Winter, and Mrs. Margaret Winter of Sacramento.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Edith J. Floyd, and Mrs. G. W. Iverson, both of Alameda, and Mrs. Ivy Buddecke.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. George Brown, and Betty and Clifford Brown, all of Oakland.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. E. Scarlett of Grimes, George Lodi of Arbuckle, and George Dozier of Sacramento.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Hortense Jamison and Mr. Walter Hastings, and the following Eighth Grade students of the Waterford Grammar School of Stanislaus County: Alice Blocher, Opal Root, Velma Fagundes, Helen Jane Lipsey, Barbara May Brown, Laura Jean Brewer, Thelma Coffer, Lois Sinclear, Barbara Mae German, Beverly Smith, Mildred Laughlin, Edna Mae Nielsen, Maeola Bowman, Dorotha Fitch, Glennis Peters, Ray Cooper, Garth L. Norton, Edward Hicks, Kenneth Shook, Bennie Gilmore, William Metzger, Gordon Beaver, Karl Edwards, Charles Garroitt, Clarence Burris, Stanley Nielsen, Bob McGee, and Alvin Thompson.

ADJOURNMENT

At 4.55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 2 p.m., Wednesday, April 9, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY
NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 9, 1941

The Assembly met at 2 p.m
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

Quorum present.

PRAYER

Upon invitation of the Speaker, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Weybret.

EXPLANATION OF ABSENCE

I was ill and left for my home after the session convened on April 8, 1941. I asked one of the members to have me excused for the balance of the day. Through an oversight it was not entered upon the record.

J. B COOKE

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Senate Bill No. 304
Senate Bill No 407
Senate Bill No. 684

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1399
Assembly Bill No. 1408
Assembly Bill No. 1514

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2332

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 830
Assembly Bill No. 1085
Assembly Joint Resolution No. 41
Assembly Bill No. 1511
Assembly Bill No 2290

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 112
Assembly Bill No. 133
Assembly Bill No. 1328
Assembly Bill No. 1388
Assembly Bill No 2121
Assembly Bill No 102
Assembly Bill No. 1562

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 10
Senate Bill No. 124
Senate Bill No. 295
Senate Bill No. 498
Senate Bill No. 522
Senate Bill No. 783
Senate Bill No. 827
Senate Bill No. 828
Senate Bill No. 908
Senate Bill No. 997
Senate Bill No. 1144
Senate Bill No. 1274
Senate Bill No. 1302

J. A. BEEK, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 10—An act to amend Section 186 of and to add Section 180.5 to the Vehicle Code, relating to transfers of title or interest in motor vehicles, including the validity of a transfer of a security interest in a vehicle pursuant to a trust receipt transaction.

Referred to Committee on Motor Vehicles.

Senate Bill No. 124—An act to amend Section 19561 of the Business and Professions Code and Section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to rules, regulations and conditions adopted by the California Horse Racing Board.

Referred to Committee on Public Morals.

Senate Bill No. 295—An act to amend Section 4986 of the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 498—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 522—An act to amend Section 2837 of the Elections Code, relating to county central committees.

Referred to Committee on Elections.

Senate Bill No. 783—An act to amend Section 4288 of the Political Code, relating to the payment of the salaries of county officers, deputies, clerks and employees.

Referred to Committee on County Government.

Senate Bill No. 827—An act to amend Section 4155 of the Public Resources Code, relating to the operation of stationary engines in any woods operation, located in any forest or brush covered land, and limiting the application of the section to wood-burning steam-operated stationary engines.

Referred to Committee on Natural Resources.

Senate Bill No. 828—An act to amend Section 4157 of the Public Resources Code, relating to the operation of steam-operated donkey, stationary engine, locomotive or loader in any forest or brush covered land and excluding the use and operation of internal combustion engines from the provisions of said section.

Referred to Committee on Natural Resources.

Senate Bill No. 908—An act to add Section 6¼ to the California Nautical School Act, relating to the State Nautical School, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 997—An act to add Section 7.1 to of the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Senate Bill No. 1144—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1274—An act to amend Section 17025 of the Business and Professions Code and Section 6 of an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair competition and discrimination.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1302—An act to amend Section 718 of the Civil Code, relating to the leasing by municipalities, or departments or boards thereof, of property owned thereby, or held thereby, or under the management and control thereof.

Referred to Committee on Municipal Corporations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 25—Relative to a site for statue of Andrew Furuseth.

Request for Unanimous Consent

Mr Maloney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 25, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 25

Senate Concurrent Resolution No. 25—Relative to a site for statue of Andrew Furuseth.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 388
Assembly Bill No. 1653

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1358—An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 786—An act to amend Section 12024.5 of the Business and Professions Code, relating to the sale of meat, fish and poultry by weight.

Bill read second time, and ordered engrossed.

Assembly Bill No. 841—An act to amend Sections 1, 5a and 11 of an act entitled "The California Air Navigation Act," relating to air navigation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2106—An act to amend Section 1003 of the Elections Code, relating to elections, including the publication and posting of election proclamations.

Bill read second time, and ordered to third reading.

Assembly Bill No. 850—An act to repeal Sections 3594 and 3616 and to add Sections 3594, 3602.5, and 3614.5 and 3616 to the Revenue and Taxation Code, relating to property taxation including redemption of tax delinquent property and the termination of the right of redemp-

tion thereto, suits to quiet title to tax-delinquent property; declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1001—An act to validate and legalize the conversions of building and loan associations organized under the laws of this State into Federal savings and loan associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1346—An act to amend Sections 1.01, 8.01 and 12.10 of, and to add Sections 3.06, 8.12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations, articles, investments, certificates, voting rights and membership therein, and notices thereto.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1480—An act to amend Sections 2.02, 2.04 and 12.06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2100—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of unpaid or unclaimed dividends of liquidated building and loan associations

Bill read second time, and ordered to third reading.

Assembly Bill No. 404—An act to amend Sections 13215 and 13388 of the Health and Safety Code, relating to boilers and boiler rooms in clothes cleaning establishments

Bill read second time, and ordered engrossed.

Assembly Bill No. 405—An act to amend Section 13314 of the Health and Safety Code, and to add Section 13314.5 thereto, relating to clothes cleaning establishments, including licenses and license fees and penalties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 406—An act to amend Section 13203 of the Health and Safety Code, relating to clothes cleaning establishments, including the definition of solvents used therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 407—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1547—An act to amend Section 113 of the Vehicle Code, relating to the members of the California Highway Patrol.

Bill read second time, and ordered engrossed

Assembly Bill No. 1033—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 96—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the compensation of the Legislative Counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 906—An act transferring to the United States of America an easement over certain lands of the State of California for lighthouse purposes

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Commerce and Navigation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. An easement for lighthouse purposes is hereby transferred to the United States of America over those certain filled tidelands in Ventura County, California, adjacent to and seaward of the United States Coast Guard Reservation on which is located the Point Hueneme Lighthouse and which filled tidelands occupy an area with boundaries as follows

On the north, that portion of the ordinary high water mark of the Pacific Ocean coincident with the south boundary of the said U. S. Coast Guard Reservation, on the south, the day-to-day line of ordinary high water mark of the Pacific Ocean; on the west, a line bearing due south which passes through the most westerly point of the above described north boundary; and on the east, a line bearing due south which passes through the most easterly point of the above described north boundary

The United States of America shall have jurisdiction over the hereinbefore described real property, subject to the right of the State to have concurrent jurisdiction so far that all processes, civil or criminal, issued under authority of the State may be executed by the proper officials thereof upon the hereinbefore described real property, upon any person or persons amenable to the same, in like manner and with like effect as if this transfer had not been made. This easement shall terminate whenever the United States of America shall discontinue the maintenance of a lighthouse upon the real property now owned by the United States of America contiguous to the hereinbefore described real property."

Amendment read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1500—An act to amend Sections 781, 782, 784.2, 784.3 and 787 of, and to add Sections 782.3 and 782.6 to the Agricultural Code, relating to fruit, nut and vegetable standards.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture.

Amendment No. 1

On page 3, line 45, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out all of line 1, and insert "designation of quality, grade, trade-mark or trade name, on any wrapper or container,".

Amendments read and adopted.

Bill ordered printed and re-re-engrossed.

Assembly Bill No. 1628—An act to amend the title of Article 1, Chapter 5, Division 5 and Sections 911, 912, 913, 914, 915, 916, 917, 919 and 920, and to add Sections 911 5, 911.10, 911.14, 911.15, 911.17, 911.20, 911.21, 911.25, 911.30, 911.35, 911.40, 911.45, 911.50, 911.55, 911 60, 911 65, 911 70, 911 71, 911.72, 911 75, 911.80, 911.81, 911.85, 911.90, 911.95, 911.100, 911.105, 911 110, 911.115, 911.120, 912.5, 912.10, 912.30, 912.35, 912.40, 914.5, 914.7, 914.10, 916.5, 916.10, 916.15, 916.20, 916.25, 916.30, 917 5, 917.10 917 15, 919.1, 919.5 and 921 to the Agricultural Code, relating to seeds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, immediately following "Sections", insert "910,".

Amendment No. 2

On page 1 of the printed bill, between lines 5 and 6, insert

"SEC. 2 Section 910 is hereby added to said code, to read as follows:

910. The definitions established by this article shall be applicable only to the provisions of this article."

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "2", and insert "2¼".

Amendment No. 3½

On page 1 of the printed bill, strike out all of line 8.

Amendment No. 4

On page 6, line 50, of the printed bill, strike out "or difficult", and insert "and/or difficult".

Amendment No. 5

On page 7, line 36, of the printed bill, at the end of the line, insert ")".

Amendment No. 6

On page 7, line 39, of the printed bill, strike out the comma, and insert "(".

Amendment No. 7

On page 7, line 40, of the printed bill, at the end of the line, insert ")".

Amendment No. 8

On page 8, line 34, of the printed bill, after "Dodder", strike out the comma, and insert "(".

Amendment No. 9

On page 8, line 37, of the printed bill, at the end of the line, insert ")".

Amendment No. 10

On page 9 of the printed bill, strike out lines 30 to 32, inclusive.

Amendment No. 11

On page 12, line 17, of the printed bill, strike out "916.5, subparagraph (d)", and insert "911.100, subparagraph (c)".

Amendment No. 12

On page 12, line 36, of the printed bill, at the end of the line, insert a colon

Amendment No. 13

On page 12 of the printed bill, strike out all of line 37.

Amendment No. 14

On page 12, line 42, of the printed bill, strike out "and", and insert "or".

Amendment No. 15

On page 13, line 52, of the printed bill, strike out "in the Bulletin of the".

Amendment No. 16

On page 14, line 1, of the printed bill, strike out "Department of Agriculture".

Amendment No. 17

On page 15, line 9, of the printed bill, strike out "except as provided in Section 917 15".

Amendment No. 18

On page 17 of the printed bill, strike out all of line 16.

Amendment No. 19

On page 17, line 34, of the printed bill, strike out the period, and insert a semicolon

Amendment No. 20

On page 18 of the printed bill, strike out all of lines 51 to 52, inclusive, and insert "shall enforce this article."

Amendment No. 21

On page 19, line 43, of the printed bill, after "shall", insert a comma.

Amendment No. 22

On page 19, line 44, of the printed bill, strike out "when first tested and offered for sale", and insert "when the seed is first tested and offered for sale,".

Amendment No. 23

On page 20, line 38, of the printed bill, strike out "and the commissioners".

Amendment No. 24

On page 22, line 11, of the printed bill, strike out "recondition", and insert "dispose of".

Amendments read and adopted

Bill ordered reprinted and re-re-engrossed.

Assembly Bill No. 1501—An act to add Sections 31.5 and 34.5 to, to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3946, 7966, 8720, 8721 and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 7, of the printed bill, after "candidates", insert "for the same office"

Amendment No. 2

On page 1, line 19, of the printed bill, after "his", insert "age, residence and".

Amendments read and adopted

Bill ordered printed and re-engrossed.

Assembly Bill No. 638—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 1, of the printed bill, after "The sum of", strike out all words and characters up to the first comma, and insert "twenty-five thousand dollars ($25,000)".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1209—An act to amend Sections 126, 130, 133 and 292, and to add Sections 126.4, 126.6, and Article 8, consisting of Sections 380 to 388, inclusive, to Chapter 2 of Division 1, of the Elections Code, relating to registration of voters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

Amendment No. 1

On page 3, line 23, of the printed bill, as amended, strike out "or", and insert "District where the Assembly district is wholly within the county or in a".

Amendment read and adopted.

Bill ordered printed and re-engrossed.

Assembly Bill No. 1271—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 3, line 17, of the printed bill, strike out

"(2) When traversing a grade crossing of a steam, electric or street railway, if during the last hundred feet of the approach to such crossing the driver does not have a clear and unobstructed view of such crossing and of any traffic on such railway for a distance of 400 feet in both directions along such railway."

Amendment No. 2

On page 3, line 23, of the printed bill, strike out "(3)", and insert "(2)".

Amendment No. 3

On page 3, line 27, of the printed bill, strike out "(4)", and insert "(3)".

Amendment No. 4

On page 3, line 39, of the printed bill, strike out "(5)", and insert "(4)".

Amendment No. 5

On page 3, line 40, of the printed bill, strike out "(6)", and insert "(5)".

Amendment No. 6

On page 3, line 44, of the printed bill, strike out "(7)", and insert "(6)".

Amendment No. 7

On page 3, line 50, of the printed bill, strike out "(8)", and insert "(7)".

Amendment No. 8

On page 4, line 4, of the printed bill, after the period, insert "15 miles per hour; when traversing a grade crossing of a steam, electric or street railway, if during the last 100 feet of the approach to such crossing the driver does not have

a clear and unobstructed view of such crossing and of any traffic on such railway for a distance of 400 feet in both directions along such railway."

Amendment No. 9

In line 1 of the title of the printed bill, strike out "510,".

Amendment No. 10

On page 2 of the printed bill, strike out lines 29 to 43, inclusive.

Amendment No. 11

On page 2, line 44, of the printed bill, strike out "4", and insert "3".

Amendment No. 12

On page 3 of the printed bill, strike out lines 42 and 43, and insert "institution, building, or veterans' home."

Amendment No. 13

On page 4 of the printed bill, between lines 4 and 5, insert

"(9) When passing a United States Veterans' facility or the grounds thereof contiguous to the highway."

Amendment No. 14

On page 4, line 8, of the printed bill, after "SEC.", strike out "5", and insert "4".

Amendment No. 15

On page 4, line 20, of the printed bill, strike out "6", and insert "5".

Amendment No. 16

On page 4, line 44, of the printed bill, strike out "7", and insert "6".

Amendment No. 17

On page 5, line 7, of the printed bill, strike out "8", and insert "7".

Amendment No. 18

On page 5, line 18, of the printed bill, strike out "9", and insert "8".

Amendment No. 19

On page 5, line 23, of the printed bill, strike out "10", and insert "9".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1427—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "272," and also ", 314 and".

Amendment No. 2

On page 4 of the printed bill, as amended, following line 50, insert "The Department of Motor Vehicles shall not purchase motor vehicles to be used for testing the driving ability of applicants for drivers licenses."

Amendments read and adopted.

Bill ordered printed and re-engrossed.

Assembly Bill No. 1342—An act to amend Section 374½ of the Penal Code, relating to the sale and use of drugs

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 14, of the printed bill, after "dentist", insert ", chiropodist,".

Amendment No. 2

On page 1, line 28, of the printed bill, after "dentist", insert ", chiropodist,".

Amendment No. 3

On page 2, line 2, of the printed bill, after "dentists", insert ", chiropodists,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Concurrent Resolution No. 28—Relative to the establishment of a memorial to the veterans of the United States who participated in the campaigns of the Union Army in the Civil War

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Federal Relations:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "Civil War", and insert "War between the States".

Amendment No. 2

On page 1, line 3, of the printed measure, strike out "Civil War", and insert "War between the States".

Amendment No. 3

On page 1, line 5, of the printed measure, strike out "now, therefore, be it", and insert "and

WHEREAS, A majority in number of the States traversed by United States Highway No. 6 beginning at Cape Cod, Massachusetts and extending to Long Beach, California, have designated that highway as Grand Army of the Republic Highway; and

WHEREAS, Those States so traversed have erected highway markers indicating the name to be Grand Army of the Republic Highway; now, therefore, be it".

Amendment No. 4

On page 1 of the printed measure, strike out lines 13 and 14, and insert "highway which shall indicate its name to be Grand Army of the Republic Highway, and be it further".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1670—An act to amend Sections 1, 2, 3, 4, 5 and 5a and to add Sections 2a and 2b to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to the sale and use of poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 3, line 41, of the printed bill, as amended, strike out "in Section 1 of the State Narcotic Act", and insert "within the scope of Division 10 of the Health and Safety Code, relating to narcotics".

Amendment No. 2

On page 4, lines 24 and 25, of the printed bill, as amended, strike out "The California Economic Poison Act of 1921" or any act amendatory thereof", and insert "Article 3 of Chapter 7 of Division 5 of the Agricultural Code".

Amendment No. 3

On page 5, line 18, of the printed bill, as amended, after "dentist," insert "chiropodist,".

Amendment No. 4

On page 5, lines 21 and 22, of the printed bill, as amended, strike out "Allylisopropylacetylurea, Bromdiethylacetylurea, Bromisovalerylurea," and insert "Carbromal, Bromural,".

Amendment No. 5

On page 5, lines 23, 24 and 25, of the printed bill, as amended, strike out "Sulfonethylmethane, or chemically related central nervous system depressants, or compounds or mixtures", and insert "and Sulfonethylmethanes or compounds and derivatives".

Amendment No. 6

On page 5, lines 29 and 30, of the printed bill, as amended, strike out "or chemically related chemotherapeutic agents, or compounds or mixtures thereof", and insert "compounds and derivatives thereof."

Amendment No. 7

On page 5, line 33, of the printed bill, as amended, after "dentist," insert "chiropodist,".

Amendment No. 8

On page 5, line 37, of the printed bill, as amended, strike out "Amphetamine", and insert "Benzedrine".

Amendment No. 9

On page 5, line 39, of the printed bill, as amended, strike out "Phenylhydan-"; and strike out all of lines 40 to 44, inclusive, and insert "Thyroid, or compounds or mixtures thereof; Dilantin, its compounds and derivatives."

Amendment No. 10

On page 5, line 47, of the printed bill, as amended, after "dentists", insert "chiropodists,".

Amendments read and adopted.

Bill ordered printed and re-re-engrossed.

Assembly Bill No. 2164—An act to add Section 15035 to Chapter 1, and Sections 17821 and 17822 to Chapter 27, Part 2, Division 13 of the Health and Safety Code, relating to definition of "building unfit for human habitation" and providing for demolition, closing or repair thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1 of the printed bill, strike out line 2 of the title thereof, and insert "to 17829, inclusive, to Chapter 27, Part 2, Division 13 of the Health".

Amendment No. 2

On page 1, line 5, of the printed bill, after "habitation", insert "or occupancy".

Amendment No. 3

On page 1, line 8, of the printed bill, after the comma following "health", strike the remainder of the line, and insert "through lack either of maintenance, or repair generally, or through improper sanitary facilities, and include, but are not limited to, buildings in which exist".

Amendment No. 4

On page 1, line 12, of the printed bill, strike out "dampness", and insert "wind".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 13 and 14; and in line 15, strike out "(c)", and insert "(b)".

Amendment No. 6

On page 1, line 21, of the printed bill, strike out ", through lack either of mainte-", and in line 22, strike out "nance, sanitary facilities or repair generally.".

Amendment No. 7

On page 1, line 23, of the printed bill, after "habitation", insert "or occupancy".

Amendment No. 8

On page 2, line 1, of the printed bill, after the period, strike out the remainder of said line, and strike out lines 2 to 15, inclusive, and insert "The enforcement agency, after so determining, shall notify the owner of such building in the manner hereinafter stated The notice shall state the conditions which render the building unfit for human habitation and shall order the correction or abatement thereof, either by demolition, closing or repair, within 30 days after date of notice It, in the opinion of the enforcement agency, such conditions can be corrected or abated by repair thereof, the notice shall state the repairs which will be required. If the order of the enforcement agency shall not have been complied with on or before the expiration of 30 days after the mailing and posting of the notice, the enforcement agency shall institute such appropriate action or proceeding to correct or abate the condition as would be taken to correct or abate any nuisance or any violation of any other provision of this part or as an alternative procedure such enforcement agency may institute proceedings for the abatement of such nuisance before the governing board of such agency in the manner in this chapter hereinafter set forth."

Amendment No. 9

On page 2 of the printed bill, after line 25, insert

"SEC. 4. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17823, which said section shall read as follows:

17823. The notices required in Section 17821 shall be given in the following manner: The enforcement agency shall post conspicuously at least one copy of the notice on the building determined to be unfit and shall send another copy by registered mail, postage prepaid, return receipt requested, to the person owning the land on which the building is located as such person's name and address appear on the last equalized assessment roll or as known to the clerk of the governing board of such enforcement agency. The officer or employee of the enforcement agency upon giving notice as aforesaid shall file an affidavit thereof with the clerk of the governing board of such enforcement agency certifying to the time and the manner in which such notice was given. He shall also file therewith any receipt card which may have been returned to him in acknowledgment of the receipt of such notice by registered mail. The failure of any owner to receive such notice shall not affect in any manner the validity of any proceedings taken hereunder.

SEC. 5. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17824, which said section shall read as follows:

17824. If the enforcement agency determines to proceed with the abatement of such nuisance through proceedings instituted before its governing board, it shall give a second notice in the same manner as set forth in Section 17823, directing the owner of such building to appear before the governing board of the enforcement agency at a stated time and place and show cause why such building should not be condemned as a nuisance and said nuisance be abated as herein provided Said notice shall be headed "NOTICE TO ABATE NUISANCE" in letters of not less than three-fourths of an inch in height and shall be substantially in the following form

NOTICE TO ABATE NUISANCE

The owner of the building situated at_____is hereby notified to appear before _____(insert name of governing board) of the_____(insert name of enforcement agency) at its meeting to be held_____, 19___, at_____(place of meeting) at the hour of_____o'clock__.m., or as soon thereafter as he may be heard and show cause, if any he has, why said building should not be condemned as a public nuisance and said nuisance be abated by reconstructing or properly repairing said building or by razing or removing same.

Dated_____

_____
(name of enforcement agency)

By _____
(name of officer)

The officer or employee of the enforcement agency giving such notice shall file an affidavit of posting and mailing in the manner required by Section 17823 hereof, but the failure of any owner to receive such notice shall not affect in any manner the validity of any proceedings taken hereunder

SEC. 6. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17825, which said section shall read as follows:

17825. At the time fixed in said notice, the governing board of the enforcement agency shall proceed to hear the testimony of the officers or employees of the enforcement agency and the testimony of the owner or his representatives, if present at said hearing, and other competent persons who may be present and desire to testify, respecting the condition of said building, the estimated cost of its reconstruction, repair or removal, and any other matter which said governing body may deem pertinent thereto. Upon the conclusion of said hearing said governing board may, by resolution, declare its findings and in the event that it so concludes it may declare said building to be a nuisance and direct the owner to abate the same within 30 days after the passage of said resolution by having said building properly reconstructed or repaired, or by having the same razed or removed and notifying said owner that if said nuisance is not abated said building will be razed or removed by the enforcement agency and the expense thereof made a lien on the lot or parcel of land upon which said building is located.

Upon the passage of any resolution directing the abatement of a nuisance, the enforcement agency shall post a copy thereof conspicuously on the building so declared to be a nuisance and mail another copy by registered mail, postage prepaid, return receipt requested, to the person owning the land on which the building is located as such person's name and address appear on the last equalized assessment roll or as known to the clerk of the governing board of such enforcement agency. The officer or employee of the enforcement agency, upon giving notice as aforesaid, shall file an affidavit thereof in the manner provided for in Section 17823 hereof. The governing board of the enforcement agency may grant any extension of time to abate said nuisance that it may deem justifiable upon good cause therefor being shown.

SEC. 7. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17826, which said section shall read as follows:

17826. Any owner or other interested person having any objections, or feeling aggrieved at any proceedings taken by the governing board of the enforcement agency in ordering abatement of any nuisance, must bring an action in a court of competent jurisdiction within 30 days after the passage of the resolution declaring the nuisance to exist to contest the validity of any proceedings leading up to and including the adoption of the resolution, otherwise all objections will be deemed to have been waived.

SEC. 8. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17827, which said section shall read as follows:

17827. Thirty days after the posting and mailing of the copies of the resolution declaring any building a nuisance, the enforcement agency shall be deemed to have acquired jurisdiction to abate such nuisance by razing or removing the building, unless the nuisance is abated by the owner or other person interested within the 30-day period or any extension thereof granted by the governing board as provided for in this chapter. In the event that the nuisance is not abated within the time prescribed the enforcement agency shall thereupon raze and remove the building so declared to constitute a nuisance or have the same done under its direction and supervision.

SEC. 9. A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17828, which said section shall read as follows:

17828. The building materials contained in such building so razed or removed shall be sold by the governing board at public sale to the highest responsible bidder after not less than five days notice of intended sale published in a newspaper of general circulation published in the city or county wherein such building is located, either before or after said building has been razed or removed, and any amount received from the sale of such building materials shall be deducted from the expense of razing or removing said building. The enforcement agency shall keep an itemized account of the expense involved in the razing or removing of any such building and shall deduct therefrom the amount received from the sale of the building materials. The enforcement agency shall cause to be posted conspicuously on the property from which the building was razed or removed a statement verified by the officer of the enforcement agency in charge of the doing of the work showing the gross and net expense of the razing or removing of such building together with a notice of the time and place when and where said statement shall be submitted to the governing board of the enforcement agency for approval and confirmation and at which time said governing board shall consider any objections or protests, if any, which may be raised by any property owner liable to be assessed for the cost of such work and any other interested persons. A copy of said statement and notice shall be mailed in the manner prescribed in Section 17823 and an affidavit of such posting and mailing shall be filed in the manner prescribed in said section. The time for submitting said statement to the governing board of the enforcement agency for confirmation shall be not less than five days from the date of the posting and mailing of said statement and notice.

SEC. 10 A new section is hereby added to Chapter 27, Part 2, Division 13, of the Health and Safety Code, to be numbered Section 17829, which said section shall read as follows:

17829 At the time fixed for the hearing of the statement of expense the governing board of the enforcement agency shall consider the statement, together with any objections or protests which may be raised by any of the property owners liable to be assessed for the doing of the work and any other interested persons and thereupon said governing board may make such revision, correction or modification in the statement as it may deem just, after which, by motion or resolution, said report as submitted, or in the event any revisions, corrections or modifications have been ordered made by said governing board then said statement as revised, corrected or modified, shall be confirmed. The board may adjourn said hearings from time to time and its decisions on said statement and on all protests and objections which may be made shall be final and conclusive.

In the event that the cost of razing or removing said nuisance exceeds the proceeds received from the sale of any materials, then the amount of the net expense of abating such nuisance, if not paid within five days after the decision of said governing board on said statement, shall constitute a lien on the real property upon which the same was abated or removed, which lien shall continue until the amount thereof and interest thereon at the rate of 6 per cent per annum, computed from the date of the confirmation of the statement until paid, has been paid, or until it is discharged of record In the event of nonpayment the governing board shall cause to be filed in the office of the county recorder of the county in which such property is located a certificate substantially in the following form, to wit:

NOTICE OF LIEN

Pursuant to the authority vested in the undersigned by Chapter 1, Part 2, Division 13, of the Health and Safety Code of the State of California, the undersigned did on the_____day of_____, 19____, cause a nuisance to be abated on the real property hereinafter described and the undersigned did on the_____day of _____, 19____, by action duly recorded in its official minutes as of said date, assess the cost of such abatement, less the amount received from the sale of any building materials, upon the real property hereinafter described, and the same has not been paid nor any part thereof and the said_____(enforcement agency) does hereby claim a lien on said real property for the net expense of the doing of said work in the sum of $_____, and the same shall be a lien upon said real property until the said sum, with interest at the rate of 6 per cent per annum, from the said_____day of_____, 19____, (insert date of confirmation of statement) has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain piece or parcel of land lying and being in the City of_____, County of_____, State of_____, and particularly described as follows, to wit:

Dated: _____

_____
(enforcement agency)

By _____
(name of officer)

From and after the date of the recording of said notice of lien all persons shall be deemed to have had notice of the contents thereof. The statute of limitations shall not run against the right of the enforcement agency to enforce the payment of said lien.

In the event that the amount received from the sale of materials exceeds the expense of razing or removing such building, then such excess shall be deposited with the treasurer of the enforcement agency to the credit of the owner of said property or to such other person legally entitled thereto and such excess shall be payable to said owner or other person on demand and upon producing evidence of ownership satisfactory to said treasurer."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2197—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts, and auto and trailer camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "courts," and insert "courts and resorts,".

Amendment No. 1a

On page 1, line 5, of the printed bill, strike out "courts," and insert "courts and resorts,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 10 to 15, inclusive, and insert "18100. "Auto court and resort" as used in this part means any area, place or tract of land where two or more single family dwellings, or a building containing two or more apartments designed, used, or intended wholly or in part for the accommodation of automobile transients are located and offered for hire, rent or lease by any person, firm or corporation."

Amendment No. 3

On page 2, line 16, of the printed bill, after "court", insert "and resort".

Amendment No. 4

On page 2 of the printed bill, strike out lines 33 and 34, and insert "provisions of Section 18602."

Amendment No. 5

On page 2, line 40, of the printed bill, strike out "court," and insert "court and resort,".

Amendment No. 6

On page 2, line 42, of the printed bill, strike out "courts," and insert "courts and resorts,".

Amendment No. 7

On page 3, line 3, of the printed bill, after "court", insert "and resort".

Amendment No. 8

On page 3, line 4, of the printed bill, after "court", insert "and resort".

Amendment No. 9

On page 3, line 9, of the printed bill, after "court", insert "and resort".

Amendment No. 10

On page 3, line 10, of the printed bill, after "court", insert "and resort".

Amendment No. 11

On page 3, line 15, of the printed bill, after "court", insert "and resort".

Amendment No. 12

On page 3, line 17, of the printed bill, after "court", insert "and resort".

Amendment No. 13

On page 3, line 20, of the printed bill, after "court", insert "and resort".

Amendment No. 14

On page 3, line 32, of the printed bill, after "court", insert "and resort".

Amendment No. 15

On page 3, line 34, of the printed bill, after "court", insert "and resort".

Amendment No. 16

On page 3 of the printed bill, strike out lines 36 to 40, inclusive, and insert "(c) Operate, or rent, lease, sublease, let, or hire out for occupancy any space in an auto and trailer camp or any building in an auto court and resort that has been constructed, reconstructed, or altered or moved without having obtained a permit as required herein."

Amendment No. 17

On page 3, line 41, of the printed bill, strike out "court," and insert "court and resort,".

Amendment No. 18

On page 3, line 42, of the printed bill, after "court", insert "and resort".

Amendment No. 19

On page 3, line 45, of the printed bill, after "court", insert "and resort".

Amendment No. 20

On page 3, line 50, of the printed bill, after "court", insert "and resort".

Amendment No. 21

On page 3, line 51, of the printed bill, after "court", insert "and resort".

Amendment No. 22

On page 4, line 1, of the printed bill, after "court", insert "and resort".

Amendment No. 23

On page 4, line 3, of the printed bill, after "court", insert "and resort".

Amendment No. 24

On page 4, line 24, of the printed bill, after "court", insert "and resort".

Amendment No. 25

On page 4, line 33, of the printed bill, after "court", insert "and resort".

Amendment No. 26

On page 4, line 45, of the printed bill, after "court", insert "and resort".

Amendment No. 27

On page 4 of the printed bill, strike out lines 49, 50 and 51; and on page 5, strike out lines 1 and 2.

Amendment No. 28

On page 5, line 3, of the printed bill, after "and", insert "bearing".

Amendment No. 29

On page 5 of the printed bill, strike out lines 9 to 15, inclusive, and insert "effectively fire stopped at the floors and ceilings"

Amendment No. 30

On page 5, line 35, of the printed bill, strike out "court.", and insert "court and resort."

Amendment No. 31

On page 5, line 36, of the printed bill, strike out "18", and insert "12".

Amendment No. 32

On page 5, line 38, of the printed bill, strike out "three", and insert "four".

Amendment No. 33

On page 5, line 48, of the printed bill, after "court", insert "and resort".

Amendment No. 34

On page 6, line 2, of the printed bill, after "court", insert "and resort".

Amendment No. 35

On page 6, line 7, of the printed bill, after "court", insert "and resort".

Amendment No. 36

On page 6, line 12, of the printed bill, after "court", insert "and resort".

Amendment No. 37

On page 6 of the printed bill, between lines 13 and 14, insert

"18413. Every room in a building in an auto court and resort used as a toilet or bathroom shall be separated by a partition extending to the ceiling, or to the roof if there is no ceiling, and any openings therein shall be provided with a full length solid door.

18414. The provisions of Sections 18402, 18403, 18404, 18405, 18406 and 18407 of this article shall not apply to the construction of tent houses in seasonal resorts operated between May 1st and October 15th of each year."

Amendment No. 38

On page 6, line 37, of the printed bill, strike out "three", and insert "four".

Amendment No. 39

On page 6 of the printed bill, strike out lines 47 and 48, and insert "or court not less than four feet in width Such street, yard or court shall be directly opposite the windows served."

Amendment No. 40

On page 7 of the printed bill, strike out lines 4 and 5, and insert "every 10 apartments or fractional part thereof in an auto court and resort; provided, however, that the enforcement agency may authorize other types of toilet facilities in its discretion"

Amendment No. 41

On page 7, line 8, of the printed bill, strike out "court.", and insert "court and resort."

Amendment No. 42

On page 7, line 24, of the printed bill, after "court", insert "and resort".

Amendment No. 43

On page 7, line 35, of the printed bill, after "court", insert "and resort".

Amendment No. 44

On page 7, line 43, of the printed bill, after "court", insert "and resort".

Amendment No. 45

On page 7 of the printed bill, strike out line 50, and insert "above the roof. The flue".

Amendment No. 46

On page 8, line 17, of the printed bill, after "court", insert "and resort".

Amendment No. 47

On page 8 of the printed bill, strike out line 19, and insert "dition and shall be kept free from vermin, debris,".

Amendment No. 48

On page 8, line 21, of the printed bill, after "court", insert "and resort".

Amendment No. 49

On page 8, line 25, of the printed bill, after "court", insert "and resort".

Amendment No. 50

On page 8, line 27, of the printed bill, after "court", insert "and resort".

Amendment No. 51

On page 9 of the printed bill, between lines 2 and 3, insert

"(f) Where the trailer coach is in the possession or control of the operator of the camp or his agent and is used for occupancy in the camp"

Amendment No. 52

On page 9 of the printed bill, strike out lines 8, 9 and 10, and insert

"18602. It is unlawful to camp over night or to park a trailer coach over night upon any public highway including the right of way. This provision shall not apply where a trailer coach is parked for the purpose of making emergency repairs."

Amendment No. 53

On page 9 of the printed bill, strike out lines 26 to 31, inclusive, and insert "each sex for each 10 camp sites or fractional part thereof; provided, however, that the enforcement agency in its discretion may authorize the use of other types of toilet facilities. All toilet facilities shall not be further than 200 feet from each camp site."

Amendment No. 54

On page 9, line 32, of the printed bill, after "every", insert "auto and".

Amendment No. 55

On page 9 of the printed bill, strike out line 48, and insert "tional part of 10 camp sites for each sex. All shower baths or other bathing facilities provided herein shall not be further than 200 feet from each camp site."

Amendment No. 56

On page 10, line 19, of the printed bill, strike out "court", and insert "and trailer camp".

Amendment No. 57

On page 10 of the printed bill, strike out lines 45 to 48, inclusive, and insert "premises and disposed of without creating a nuisance."

Amendment No. 58

On page 11 of the printed bill, strike out lines 5 to 18, inclusive, and insert

"18683. It shall be unlawful to permit any waste water or material from sinks or other plumbing fixtures in a trailer coach to be deposited upon the surface of the ground, and all such fixtures when in use, must be connected to a sewer system or covered cesspool or septic tank"

Amendment No. 59

On page 11, line 22, of the printed bill, strike out "trace", and insert "tract".

Amendment No. 60

On page 11, line 34, of the printed bill, after "owner", insert "or operator".

Amendment No. 61

On page 11, line 44, of the printed bill, after "any", insert "auto and".

Amendment No. 62

On page 11, line 48, of the printed bill, after "of", insert "auto and".

Amendment No. 63

On page 12, line 3, of the printed bill, after "court", insert "and resort".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2073—An act to amend Sections 673 and 675.5 of, and to add Section 676.1 to, the Vehicle Code, relating to equipment upon motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, strike out "January 1, 1936", and insert "the effective date of this amendment,".

Amendment No. 2

On page 1, line 24, of the printed bill, as amended, strike out "rear windows only.", and insert "back windows and fixed rear quarter windows only."

Amendment No. 3

On page 2, line 11, of the printed bill, as amended, after "glass", insert "or tempered glass".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out all of lines 17 and 18, and insert "whether the glass is safety plate, safety sheet or tempered glass. It shall".

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 28, 29 and 30, and insert "any glass in any motor vehicle sold as a new vehicle after January 1, 1936, with any glass other than safety glass as required and defined in Subdivisions (1) and (2) of this section."

Amendment No. 6

On page 2 of the printed bill, as amended, at the end of line 30, insert "(7) it shall be a misdemeanor for any person to sell any glass to replace safety glass in a motor vehicle unless such glass so sold is safety glass of a type approved by the department."

Amendments read and adopted.

Bill ordered printed and re-re-engrossed.

Assembly Constitutional Amendment No. 13—Proposed amendment to Article I of the Constitution, by adding a new section numbered 27, relative to equal rights for men and women.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1 of the printed measure, strike out lines 9 to 11, inclusive, and insert "Sec. 27. Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects. The various courts, executive and administrative officers shall construe the statutes where the masculine gender is used to include the feminine gender unless such construction will deny to females the special

protection and privileges which they now enjoy for the general welfare. The courts, executive and administrative officers shall make all necessary rules and provisions to carry out the intent and purposes of this statute."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Chapter 8 of Division 6", and insert "amend Sections 1299.1 and 1299.2 and to repeal Sections 1299.3, 1299.4, and 1299.5".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 1299.1 of the Agricultural Code is hereby amended to read as follows:

1299.1. In the marketing of market milk, cream and dairy products the following methods of doing business or trade practices are hereby declared unlawful.

(a) The payment or allowance of rebates, refunds, commissions or unearned discounts to any customer whether in the form of money or otherwise.

(b) The giving of any milk, cream or dairy products for the purpose of securing business; provided, the giving of milk, cream or dairy products to bona fide charities is not prohibited.

(c) The extension to any purchasers of milk, cream or dairy products of special prices, services or privileges not extended to all purchasers upon like terms and conditions.

(d) Any false or misleading advertising of milk, cream or dairy products as defined in Section 654a of the Penal Code.

(e) Any discriminations between wholesale customers or between consumers who purchase milk, cream or dairy products under like conditions of service as to prices at which milk, cream or dairy products are sold thereto or any discrimination between different sections, communities or cities, in the same sales or marketing area, or portions thereof or between different localities in such sections, communities or cities or portions thereof by selling milk, cream or dairy products at a lower price in one section, community or city or any portion thereof or in one location in such section, community or city or any portion thereof than in another after making allowance for difference, if any, in the cost of such milk, cream or dairy products and the actual cost of transportation of such milk, cream or dairy products from the point of processing or manufacture.

[(f) The solicitation of the business of any wholesale customer or consumer at lower prices for milk, cream or dairy products of like quality or grade sold under like conditions of service than such wholesale customer or consumer is then paying a competitor.

(g)] *(f)* The sale or offer to sell or giving of any article at less than the prevailing market price thereof to secure the milk, cream or dairy products business of any wholesale customer or any person who buys as a consumer.

[(h)] *(g)* The payment by distributors or manufacturers of different prices for milk purchased from producers of the same grade and quality used for similar purposes in the same marketing or sales area provided that differences in actual cost of transportation from point of production to distributors' or manufacturers' plant shall not be construed as a violation of this section. The payment by distributors or manufacturers in any marketing or sales area of a lower price to any producer than is being paid by distributors or manufacturers for 51 per cent of all milk used in such marketing or sales area for similar purposes.

[(i)] *(h)* Any payment by any distributor or manufacturer to any producer for milk purchased, in the same sales or marketing area, at a lower price than that at

which all milk used by such distributor or manufacturer for similar purposes is paid for.

[(j)] *(i)* The payment by a distributor or manufacturer to any producer at a price less than the average prevailing cost of production of milk of like quality to the producer in the area as determined by the director.

[(k)] *(j) The sale by any distributor who produces his own milk or who produces* his own milk and acquires other milk for distribution at a price less than the average prevailing cost of production and distribution in the area as determined by the director.

[(l)] *(k)* Sale of milk, cream or dairy products at less than cost as defined in this subsection, provided that nothing in this subsection shall prohibit the meeting of any legal price made by any competitor. For the purposes of this subsection the term "cost" is hereby defined as the price paid for such milk, cream or dairy products at seller's place of business plus cost, if any, of processing, handling and delivery.

[(m)] *(l)* The buying by any distributor of any market milk, excluding cream, from producers unless a written contract is executed by buyer and seller specifying the price and terms upon which said milk is purchased by the distributor and sold by the producer, and unless said contracts or any amendments thereof are recorded with the director within five days of their execution.

[(n) The engaging in business as a distributor, manufacturer or producer, as said terms are defined in this chapter, by any person who does not hold a license or who is not registered as herein provided;]

Subdivisions (g), (h), (i), and (j) of this section shall not apply in any marketing area in which any stabilization and marketing plan is established in accordance with Chapter 10 of Division 4 of this code.

SEC. 2 Section 1299.2 of said code is hereby amended to read as follows:

1299.2. [The director shall enforce the provisions of this chapter and for that purpose may make such rules and regulations as he deems necessary.] The provisions of this chapter shall be liberally construed *as being complementary of and supplemental to the provisions of Chapter 10 of Division 4 of this code. Whenever a provision of this chapter and a similar provision of said Chapter 10 is applicable to the same person and subject matter the provision of said Chapter 10 shall control; and whenever a provision of this chapter is applicable to any person and subject matter as to which said Chapter 10 makes no express provision the provision of this chapter shall control.*

SEC. 3. Sections 1299.3, 1299.4 and 1299.5 of the Agricultural Code are hereby repealed."

Amendments read and adopted.

Bill ordered printed and re-re-engrossed.

Assembly Bill No. 1153—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the comma, and insert "and".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "and the purchase of land", and insert "including buildings".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "_____", and insert "thirty-four thousand dollars ($34,000)".

Amendment No. 4

On page 1, line 3, of the printed bill, strike out the second comma, and insert "and".

Amendment No. 5

On page 1 of the printed bill, beginning in line 3, strike out "and the purchase of land", and insert "including buildings,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1526—An act to further the education of children of disabled World War veterans by allowing them free tuition in State-owned colleges and universities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "who has a service connected disability, and whose annual income both from earnings and from governmental compensation, does not exceed one thousand eight hundred dollars ($1,800); provided, that nothing in this act contained shall prevent The Regents of the University of California from charging to and collecting from nonresident students an admission fee and rate of tuition in accordance with the provisions of Section 1394½ of the Political Code."

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "laboratory, or other", and insert "or incidental".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article, to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read second time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, in the seventh line from the bottom of the page, strike out "13.16b", and insert "13.16d".

Amendment No. 2

On page 2, line 14 of the title of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 3

On page 3, line 17, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 4

On page 3, line 18, of the printed bill, as amended, strike out "13.16b", and insert "13 16d".

Amendment No. 5

On page 3, line 23, of the printed bill, as amended, after the comma, insert "or when an association is in such condition that, unless such association is liquidated or a plan is consummated, a preference is likely to be obtained by some certificate holders over other certificate holders, or by some shareholders over other shareholders, or by some creditors over other creditors of the same class, or when an association is in such a condition that it will probably be necessary unless a plan is consummated to liquidate such association,".

Amendment No. 6

On page 3, line 27, of the printed bill, as amended, after "association", and before the period, insert "or (3) by the commissioner".

Amendment No. 7

On page 3, line 27, of the printed bill, as amended, after the period, insert "The determination by the commissioner that an association is included in one or more of the foregoing classes shall be prima facie evidence of such fact."

Amendment No. 8

On page 3, line 30, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 9

On page 3, line 51, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 10

On page 4, line 12, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 11

On page 4, line 23, of the printed bill, as amended, strike out "13 16b", and insert "13 16d".

Amendment No. 12

On page 4, lines 45 and 46, of the printed bill, as amended, strike out "that there are obtained the approvals", and insert "what consents are".

Amendment No. 13

On page 4, line 49, of the printed bill, as amended, strike out "13.16b", and insert "13 16d".

Amendment No. 14

On page 5, line 6, of the printed bill, as amended, after "and", insert ", unless the commissioner is the proposer of such plan".

Amendment No. 15

On page 6, line 2, of the printed bill, as amended, after the comma, insert "and the forms of all notices and communications to investors (including notices and communications from the commissioner) favoring or opposing a plan or advising for or against the granting of consents to a plan,".

Amendment No. 16

On page 7, line 48, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 17

On page 8, line 15, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 18

On page 8, line 25, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 19

On page 8, line 45, of the printed bill, as amended, strike out "ex parte", and insert "at a hearing upon such notice as the court may prescribe"

Amendment No. 20

On page 8, line 50, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 21

On page 8, line 52, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 22

On page 9, line 15, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 23

On page 9, line 28, of the printed bill, as amended, strike out "approvals", and insert "consents".

Amendment No. 24

On page 9, line 28, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 25

On page 10, line 17, of the printed bill, as amended, immediately before the period, insert ", it being the intent that each investment certificate holder and unsecured creditor (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investment, with interest, dividends or other return thereon, together with any expenses paid by them pursuant to this section, before any interest, dividends or other distribution is paid or made on securities issued to shareholders and/or stockholders as aforesaid A plan may provide, however, for the issuance of such securities to the stockholders that, after all creditors, certificate holders, or shareholders (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investment or claims, with interest, dividends or other return thereon, together with any expenses paid by them pursuant to this section, the stockholders or their assigns shall own in effect, through their ownership of such securities issued to the stockholders, the remaining assets"

Amendment No. 26

On page 10, line 36, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 27

On page 10, line 39, of the printed bill, as amended, after "plan", insert "not proposed by the commissioner".

Amendment No. 28

On page 10, line 42, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 29

On page 11, line 1, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 30

On page 11, line 18, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 31

On page 11, line 20, of the printed bill, as amended, after "expenses" the first time it occurs in said line, and before the comma which follows it, insert "(including fees and expenses of appraisers and accountants who are subject to the Civil Service Laws of this State)".

Amendment No. 32

On page 11, line 25, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 33

On page 11, line 27, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 34

On page 11, line 31, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 35

On page 12, line 11, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendment No. 36

On page 12 of the printed bill, as amended, strike out line 52, and on page 13, strike out lines 1 and 2, and insert "be an association, the plan shall provide for the continuing examination or supervision of such corporation The plan may, but need not, confer such powers of continuing examination or supervision upon the commissioner, and the commissioner shall have and may exercise any and all powers

of such continuing examination or supervision conferred upon him by a plan approved by the court"

Amendment No. 37

On page 13, line 21, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 38

On page 13, line 25, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 39

On page 13, line 33, of the printed bill, as amended, strike out "13 16b", and insert "13 16d".

Amendment No. 40

On page 13, line 38, of the printed bill, as amended, strike out "13 16b", and insert "13.16d".

Amendment No. 41

On page 14, line 11, of the printed bill, as amended, strike out "13 16b", and insert "13 16d".

Amendment No. 42

On page 14, line 11, of the printed bill, as amended, immediately before the period, insert "but before such presentation said act shall be applicable to the proposer or proposers, and after such presentation no funds shall be solicited or collected by the proposer or proposers from investors except with the approval of the court"

Amendment No. 43

On page 14, line 18, of the printed bill, as amended, strike out "13.16b", and insert "13.16d".

Amendments read and adopted.

Bill ordered printed, and engrossed

Assembly Bill No. 2581—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, shareholders, stockholders and unsecured creditors and such corporation or corporations from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read second time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 10, of the printed bill, after the period, insert "No asset shall be withdrawn pursuant to this section unless 10 days notice of such intended withdrawal shall first be given the commissioner, nor shall any asset be withdrawn if, within such 10 day period, a bona fide offer is received by the court for the purchase of such asset for cash, or for the acquisition of such asset in exchange for investment certificates pursuant to Section 13 16a, in any case in which the amount of such cash or the value of such investment certificates exceeds the value of the investment certificates and the amount of unsecured claims offered for and applicable to the withdrawal of such asset pursuant to this section."

Amendment No. 2

On page 4, line 23, of the printed bill, after "creditors", and before the period, insert ", it being the intent that each investment certificate holder and unsecured creditor (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investment, with interest, dividends or other return thereon, together with any expenses paid by them pursuant to this section, before any interest, dividends or other distribution is paid or made on securities issued to shareholders and/or stockholders as aforesaid".

Amendment No. 3

On page 4, line 35, of the printed bill, after "(3)", insert "except in the case of a stockholder or stockholders who shall be found by the court to have conveyed or transferred property in fraud of creditors, if".

Amendment No. 4

On page 5, line 35, of the printed bill, after "from time to time", insert ", but not oftener than once in each period of six months,".

Amendment No. 5

On page 6 of the printed bill, strike out all of lines 17 and 18, and insert "petitioner or petitioners after the filing of the petition referred to in Subsection A of this section; but before such filing said act shall be applicable to the petitioner or petitioners and after such filing no funds shall be solicited or collected by the petitioner or petitioners from investors except with the approval of the court."

Amendment No. 6

On page 6, line 25, of the printed bill, after "expenses", and before the comma, insert "(including fees and expenses of appraisers and accountants who are subject to the Civil Service Laws of this State)".

Amendments read and adopted.

Bill ordered printed, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 143—An act to add Section 2901 to the Health and Safety Code, relating to annexation of land to pest control districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 144—An act to amend Section 2871 of, and to add Sections 2822.5, 2871.5, 2871.7 and 2875 to, the Health and Safety Code, relating to pest abatement districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 145—An act to amend Sections 2853 and 2871 of, and to add Section 2803 to, the Health and Safety Code, relating to pest abatement districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 662—An act to amend Section 8560 of the Health and Safety Code, relating to cemeteries

Bill read second time, and ordered to third reading.

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Bill read second time, and ordered to third reading.

Senate Bill No. 848—An act to amend the Building and Loan Association Act by adding to Article 7 thereof a new section to be numbered Section 7.09, relating to liability and assessments of stockholders.

Bill read second time, and ordered to third reading.

Senate Bill No. 697—An act to amend Sections 2799, 2805, 2806, 2816, 2819 and 2820 of, to repeal Section 2798 of, and to add new Sections 2798, 2798.3 and 2798.5 to the Elections Code, relating to State party conventions, State central committee meetings and the memberships thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 81—An act to add Section 3930.5 to, and to amend Sections 3931, 3933, 3934 and 3935 of, the Elections Code, relating to the order of names on primary election ballots.

Bill read second time, and ordered to third reading.

Senate Bill No. 932—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 1260—An act to amend Section 107 of the Penal Code, relating to prisons and prisoners.

Bill read second time, and ordered to third reading.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135 to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended, after "organization", insert "or any combination or agreement resulting in a refusal by employers to handle goods or perform any services for another employer because of an agreement between such other employer and his employees or a labor organization".

Amendment No. 2

On page 2, line 8, of the printed bill, as amended, after "organization", insert "or any combination or agreement to cease performing, or to cause any employer to cease performing any services for another employer, or to cause any loss or injury to such other employer, or to his employees, for the purpose of inducing or compelling such other employer to refrain from doing business with, or handling the products of any other employer, because of an agreement between the latter and his employees or a labor organization".

Amendment No. 3

On page 2, line 17, of the printed bill, as amended, after "indirectly", insert "and any association of employers, including growers and other hirers of labor."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 506—An act to amend Sections 8931, 8938, 8939, 8963 and 9000 of the Health and Safety Code, relating to cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 9000", and insert ", 9000, and 9100".

Amendment No. 2

In line 2 of the title of the printed bill, after "Code," insert "and to repeal Chapter 106 of the Statutes of 1909,".

Amendment No. 3

On page 2 of the printed bill, after line 12, insert

"SEC. 6. Section 9100 of the Health and Safety Code is hereby amended to read as follows:

9100. No right or obligation [accrued by the formation and operation] of a cemetery district *formed and operating* pursuant to the provisions of Chapter 106, Statutes of 1909, as amended, is affected by the repeal of that act, [and] *but* any district *so* organized *and operating* may continue in existence [and] *only* subject to [that act] *this part*.

SEC. 7. Chapter 106 of the Statutes of 1909 is hereby repealed."

Amendments read and adopted.

Bill ordered printed, and to third reading.

RECESS

On motion of Mr. Johnson, the Assembly recessed for five minutes to hear from the University of California Glee Club.

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RECESS

On motion of Mr. Potter, the Assembly recessed to hear from John R. Quinn, Assessor of the County of Los Angeles.

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Middough:

House Resolution No. 129

WHEREAS, The stenographers of the Assembly have presented us with a pot of Easter lilies, for which we are deeply grateful; and

WHEREAS, The occasion affords us an opportunity to commend the stenographic staff for its eminent ability and the good work being performed by each and every member thereof; now, therefore, be it

Resolved by the Assembly of the State of California, That we acknowledge the beautiful floral gift by our stenographic staff and that we sincerely thank them for their thoughtfulness in remembering us at this Easter time; and be it further

Resolved, That we individually and collectively wish to congratulate and thank Billie Powers, Gerry Geosser, Eunice Hilliard, Shirley G. Smith, Noma Browning, Nell Hutchings, Ida Pappas, Louise King, Helen Ferris, Lena Coates, Katherine Friddel, Elmina Wiley, Elizabeth Eyre, Fannie E. Lewis, Beulah Martin, Frances Alcorn, Margaret Carlson, Ella Rinetti, Maude Grimshaw, Roberta Shallenberger, Jean McKee, Judy Fowler, Sheral Holmes, Gertrude Marton, June Appollonio, Leah Hearne, Jacquelme Morgan, Clare Foot, Joyce Lynn, Fern Sherick, Juanita Dependener, Leonora Trethawan, Alice O'C. Pfeiffer, Erna B. Poulson, Dolly Smith, Marguerite Smith, Sylvia Perry, Mary C. Rene, and Kay Johnson, all members of our stenographic staff, for the splendid work they are doing in assisting us to discharge the duties of this Fifty-fourth Session with order and dispatch; and be it further

Resolved, That the Chief Clerk present our stenographic staff with a copy of this resolution.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 129, at this time, without reference to committee.

Resolution read and adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1653—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class.

The question being: Shall the Assembly concur in the following Senate Amendment to Assembly Bill No. 1653?

Amendment No. 1

On page 5, line 15, of the printed bill, as amended, after the period, insert "No persons, other than prisoners, shall be employed at such industrial farm or house of correction except as guards, in a supervisory capacity or in the maintenance of such institution."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1653 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybert, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1653 ordered enrolled.

MOTION TO PRINT COMMUNICATION IN JOURNAL

On motion of Mr. Tenney, the following communication was ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, April 9, 1941

Honorable John Harold Swan, Senate Chamber
State Capitol, Sacramento, California

SUBJECT: Assembly Bill No. 271, the Subversive Organization Registration Act
REQUEST: No. 2279

DEAR SENATOR SWAN:

You ask:

> "If an organization like the American Legion advocates that the duly elected officials or authorized State officers use force or violence in order to control or conduct the Government of the United States or of this State or of any political subdivision thereof, will such organization be subject to the provisions of Assembly Bill No. 271?"

Section 1 of Assembly Bill No. 271, as amended in the Senate April 7, 1941, expressly declares that every organization which

> "Directly or indirectly advocates, advises, teaches, or practices the duty, necessity or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States, or of this State or of any political subdivision thereof by force or violence;"

is subject to its provisions.

However, Section 3 of the bill declares

"Nothing in this act shall be construed as applying to any labor union, religious, fraternal or patriotic organization, society, or association, whose objectives and aims do not contemplate the overthrow of the Government of the United States, or of this State or of any political subdivision thereof by force or violence."

It is our opinion that any fraternal or patriotic organization such as the American Legion whose objectives and aims do not contemplate the overthrow of the existing Government of the United States or of this State or of any political subdivision thereof, by force or violence, is not subject to the bill

Therefore, if such an organization were to advocate the calling out of the National Guard or other regularly constituted military body of this State, or of the United States, for the purpose of preserving peace and order, it would not thereby be subjecting itself to the provisions of the bill, even though it was contemplated that the National Guard or other regularly constituted body would use force in the performance of its duties

Very truly yours,

FRED B WOOD, Legislative Counsel
By GEORGE W. WAKEFIELD, Deputy

RECONSIDERATION OF SENATE BILL NO. 436

In compliance with a notice given on a previous day, Mr. Johnson moved that the vote whereby Senate Bill No. 436 was passed be reconsidered.

Demand for Previous Question

Messrs Heisinger, Cooke, Desmond, Robertson and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No 436.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 436

On motion of Mr Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 436 reconsidered by the following vote:

AYES—Burns, Hugh M., Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—41.

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Cooke, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Thomas, Turner, and Welch—35.

CONSIDERATION OF SPECIAL ORDER

The hour of 2 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Committee Amendments

Amendments were proposed by the Committee on Ways and Means.

Request for Division of the Question

Mr. Bennett requested a division of the question.

Motion to Suspend Rules

Mr. Lyon moved that Rule No. 53 be temporarily suspended for the purpose of considering the amendments together.

Demand for Previous Question

Messrs. Pfaff, Howser, F. N., Collins, Sam L., Meehan and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the temporary suspension of Rule No. 53.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 3.52 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SUSPENSION OF RULE NO. 53

At 3.58 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Rule No. 53 temporarily suspended by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Thomas, and Welch—25.

CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

AMENDMENT NO. A1

On page 2 of the printed bill, strike out line 24, and insert "and its".

AMENDMENT NO. A2

On page 2 of the printed bill, strike out line 36, and insert "Assembly and its committees,".

AMENDMENT NO. 1

On page 1, lines 5 and 6, of the printed bill, strike out "Ninety-first and Ninety-second", and insert:
"Ninety-third and Ninety-fourth"

AMENDMENT NO. 2

On page 3 of the printed bill, strike out lines 8 and 9, and insert:
"four hundred six thousand two hundred eighty dollars $406,280.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SUPREME COURT

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Stenographer	Nothing
Telephone Operator and Stenographer	Nothing
SERVICE AND EXPENSE	
Traveling	$8,000.00
Telephone and telegraph	3,000.00"

AMENDMENT NO. 3

On page 3 of the printed bill, strike out lines 14 and 15, and insert:
"fifty-three thousand nine hundred fifty dollars $53,950.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

JUDICIAL COUNCIL

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Research Secretary	Nothing
SERVICE AND EXPENSE	
Traveling	$6,000.00
Telephone and telegraph	400.00
EXPENDITURES FOR OTHER CURRENT EXPENSES	
For traveling expenses of judges assigned by Judicial Council to hold court in counties other than that in which they regularly sit	$30.000.00"

AMENDMENT NO. 4

On page 3 of the printed bill, strike out lines 17 to 19, inclusive, and insert:

"Court of Appeal, one hundred ninety-eight thousand four hundred dollars $198,400.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DISTRICT COURT OF APPEAL
FIRST APPELLATE DISTRICT

ADMINISTRATION
SALARIES AND WAGES
Proposed new positions:
Bailiff ..... Nothing
Chief Law Secretary ..... Nothing
Two Secretaries ..... Nothing
SERVICE AND EXPENSE
Telephone and telegraph ..... $1,000.00"

AMENDMENT NO. 5

On page 3 of the printed bill, strike out lines 21 and 22, and insert:

"Court of Appeal, two hundred eight thousand three hundred dollars $208,300.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

DISTRICT COURT OF APPEAL
SECOND APPELLATE DISTRICT

ADMINISTRATION
SERVICE AND EXPENSE
Telephone and telegraph ..... $1,000.00"

AMENDMENT NO. 6

On page 3 of the printed bill, strike out lines 25 and 26, and insert:

"teen thousand ninety dollars $113,090.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

DISTRICT COURT OF APPEAL
THIRD APPELLATE DISTRICT

ADMINISTRATION
SERVICE AND EXPENSE
Telephone and telegraph ..... $600.00"

AMENDMENT NO. 7

On page 3 of the printed bill, strike out lines 28 to 30, inclusive, and insert:

"Court of Appeal, one hundred forty-nine thousand one hundred seventy dollars $149,170.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DISTRICT COURT OF APPEAL
FOURTH APPELLATE DISTRICT

ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$16,000.00
Telephone and telegraph	450.00''

AMENDMENT NO. 8

On page 3 of the printed bill, between lines 42 and 43, insert:
''The appropriation made by this item shall not be augmented by transfer or loan from the emergency fund created by Item 216 of this act.''

AMENDMENT NO. 9

On page 3, between lines 47 and 48 of the printed bill, insert:
''The appropriation made by this item shall not be augmented by transfer or loan from the emergency fund created by Item 216 of this act.''

AMENDMENT NO. 10

On page 3, after line 52 of the printed bill, insert:
''The appropriation made by this item shall not be augmented by transfer or loan from the emergency fund created by Item 216 of this act.''

AMENDMENT NO. 11

On page 4 of the printed bill, strike out lines 2 and 3, and insert:

''ant Governor, thirteen thousand one hundred forty dollars	$13,140.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

LIEUTENANT GOVERNOR

SALARIES AND WAGES

Intermediate Stenographer-Clerk	Nothing

SERVICE AND EXPENSE

Telephone and telegraph	$200.00
Postage	300.00''

AMENDMENT NO. 12

On page 4 of the printed bill, strike out lines 8 and 9, and insert:

''five hundred thirty-four thousand six hundred fifteen dollars	$534,615.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

ATTORNEY GENERAL

INVESTIGATION
SALARIES AND WAGES
Proposed new positions:
Junior Stenographer-Clerk ---------- Nothing
EQUIPMENT
Automobile ---------- Nothing''

AMENDMENT NO. 13

On page 4 of the printed bill, strike out lines 11 to 13, inclusive, and insert:

''eight hundred fifty-six thousand five hundred forty-four dollars ---------- $856,544.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE CONTROLLER

ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $3,000.00
Telephone and telegraph ---------- 1,800.00
ACCOUNTING DIVISION
SERVICE AND EXPENSE
Traveling ---------- $1,800 00
INHERITANCE TAX DIVISION
SERVICE AND EXPENSE
Traveling ---------- $4,000.00
Telephone and telegraph ---------- 6,000.00
Appraiser's cost ---------- 4,000.00
Conference ---------- 3,000.00
CLAIMS AUDITING AND DISBURSING DIVISION
SALARIES AND WAGES
Proposed new positions:
Senior Claim Auditor ---------- Nothing
Junior Typist-Clerk ---------- Nothing
TAX COLLECTION DIVISION
MATERIALS AND SUPPLIES
Automobile ---------- $4,000.00
SERVICE AND EXPENSE
Traveling ---------- $7,000.00
Telephone and telegraph ---------- 1,500.00
EQUIPMENT
Automobile ---------- Nothing''

AMENDMENT NO. 14

On page 4 of the printed bill, strike out lines 20 to 23, inclusive, and insert:

''ler, one hundred thirty-two thousand four hundred seventy-three dollars, payable from the Motor Vehicle Fuel Fund ---------- $132,473.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

MOTOR VEHICLE FUEL TAX
REFUND DIVISION
STATE CONTROLLER

MATERIALS AND SUPPLIES	
Automobile	$2,000.00
SERVICE AND EXPENSE	
Traveling	$6,000.00
Pro rata Personnel Board's services	628.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 15

On page 4 of the printed bill, strike out lines 26 to 28, inclusive, and insert:

''dred forty-six thousand two hundred fourteen dollars, payable from Tax-deeded Land Rental Fund $246,214.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE CONTROLLER

REDEMPTION TAX DIVISION	
MATERIALS AND SUPPLIES	
Automobile	$500.00
SERVICE AND EXPENSE	
Traveling	$12,000.00
Telephone and Telegraph	1,200.00
Automobile	900.00
Pro rata Personnel Board's services	1,016.00
EQUIPMENT	
Automobile	Nothing
LAND CLASSIFICATION COMMISSION	
SALARIES AND WAGES	
Proposed new positions:	
Senior Clerk	Nothing
SERVICE AND EXPENSE	
Traveling	$800.00
Telephone and telegraph	100.00
Pro rata Personnel Board's services	143.00''

AMENDMENT NO. 16

On page 4 of the printed bill, strike out lines 31 and 32, and insert:

''ment System, seventy-five thousand seven hundred ninety-six dollars $75,796.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE EMPLOYEES' RETIREMENT SYSTEM

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $800.00
Telephone and telegraph ..... 250.00"

AMENDMENT NO. 17

On page 4 of the printed bill, strike out lines 34 to 36, inclusive, and insert:

"Equalization, one million thirty-six thousand six hundred seventy-four dollars $1,036,674.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE BOARD OF EQUALIZATION

GENERAL ADMINISTRATION
SALARIES AND WAGES
1 Public Relations Officer $6,840.00
(Plus his salary adjustments)
MATERIALS AND SUPPLIES
Automobile $5,000.00
SERVICE AND EXPENSE
Traveling $10,000.00
Automobile 3,000.00
EQUIPMENT
Automobile ..... Nothing

DIVISION OF RESEARCH AND STATISTICS
SERVICE AND EXPENSE
Traveling $1,000.00

DIVISION OF ASSESSMENT STANDARDS
MATERIALS AND SUPPLIES
Maps and map service $800.00
Automobile 2,500.00
SERVICE AND EXPENSE
Traveling $13,000.00
EQUIPMENT
Automobile ..... Nothing

VALUATION DIVISION
MATERIALS AND SUPPLIES
Automobile $1,800.00
SERVICE AND EXPENSE
Traveling $11,000.00
EQUIPMENT
Automobile ..... Nothing

MOTOR TRANSPORTATION LICENSE TAX DIVISION
HEADQUARTERS
MATERIALS AND SUPPLIES
Automobile $800.00

SERVICE AND EXPENSE
Traveling $1,500.00
Telephone and telegraph 900.00
DISTRICT OFFICES
MATERIALS AND SUPPLIES
Automobile $1,500 00
SERVICE AND EXPENSE
Automobile $1,600.00
EQUIPMENT
Automobile ..... Nothing''

AMENDMENT NO. 18

On page 4 of the printed bill, strike out lines 39 to 41, inclusive, and insert:

''Equalization, five million eight hundred seventy-eight thousand three hundred forty-nine dollars, payable from''

AMENDMENT NO. 19

On page 4 of the printed bill, strike out line 52, and insert:

''fund) $5,878,349.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE BOARD OF EQUALIZATION
RETAIL SALES TAX DIVISION
HEADQUARTERS
SERVICE AND EXPENSE
Postage $61,000.00
Newspaper clippings 500.00
Pro rata Personnel Board's services 29,682.00
EQUIPMENT
Automobile ..... Nothing
DISTRICT OFFICES
MATERIALS AND SUPPLIES
Automobile $30,000.00
SERVICE AND EXPENSE
Traveling $200,000.00
Telephone and telegraph 20,000.00
Postage 36,000.00
Automobile 10,000.00
EQUIPMENT
Automobile ..... Nothing''

AMENDMENT NO. 20

On page 5 of the printed bill, strike out lines 2 to 4, inclusive, and insert:

''Control Division, two million six hundred thirty-three thousand five hundred thirty-five dollars, payable''

AMENDMENT NO. 21

On page 5 of the printed bill, strike out line 6, and insert:

"Fund $2,633,535.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE BOARD OF EQUALIZATION
ALCOHOLIC BEVERAGE CONTROL DIVISION
ADMINISTRATION AND ENFORCEMENT
HEADQUARTERS
SERVICE AND EXPENSE

Pro rata of Attorney General's services	$12,000.00
Pro rata of Personnel Board's services	11,638.00

ADMINISTRATION AND SUPERVISION
DISTRICT OFFICES
MATERIALS AND SUPPLIES

Automobile	$50,000.00

SERVICE AND EXPENSE

Travel	$100,000.00
Telephone and Telegraph	15,000.00
Automobile	20,000 00

EQUIPMENT

Automobile	Nothing

TAX ASSESSMENT
MATERIALS AND SUPPLIES

Automobile	$500.00

SERVICE AND EXPENSE

Travel	$13,000.00
Telephone and Telegraph	1,500.00
Postage	300.00

EQUIPMENT

Automobile	Nothing"

AMENDMENT NO. 22

On page 5 of the printed bill, strike out lines 9 and 10, and insert:

"ization, two hundred ninety-nine thousand seven hundred five".

AMENDMENT NO. 23

On page 5 of the printed bill, strike out line 12, and insert:

"Vehicle Fuel Fund $299,705.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE BOARD OF EQUALIZATION
MOTOR VEHICLE FUEL TAX DIVISION
HEADQUARTERS
SALARIES AND WAGES
Proposed new positions:

Auditor, Grade 1	Nothing

SERVICE AND EXPENSE	
Traveling	$7,000.00
Pro rata Personnel Board's services	1,237.00
EQUIPMENT	
Automobile	Nothing
DISTRICT OFFICES	
SALARIES AND WAGES	
Proposed new positions:	
Auditor, Grade 1	Nothing
SERVICE AND EXPENSE	
Automobile	$1,000.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 24

On page 5 of the printed bill, strike out lines 14 to 16, inclusive, and insert:

"missioner, three hundred twenty-nine thousand eight hundred sixty-four dollars	$329,864 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

FRANCHISE TAX COMMISSIONER

ADMINISTRATION	
EXECUTIVE	
SERVICE AND EXPENSE	
Traveling	$1,600.00
EQUIPMENT	
Automobile	Nothing
ACCOUNTING	
SALARIES AND WAGES	
Proposed new positions:	
Bookkeeper, Grade 2	Nothing
SERVICE AND EXPENSE	
Traveling	$600.00
Telephone and Telegraph	600.00
STATISTICAL	
SALARIES AND WAGES	
Proposed new positions:	
Junior Clerk	Nothing
Key Punch Operator	Nothing
FRANCHISE TAX DIVISION	
SERVICE AND EXPENSE	
Traveling	$2,000.00
Telephone and Telegraph	3,000.00"

AMENDMENT NO. 25

On page 5 of the printed bill, strike out lines 18 to 20, inclusive, and insert:

"missioner, one million six hundred thirteen thousand one hundred ninety dollars, payable from the".

AMENDMENT NO. 26

On page 5 of the printed bill, strike out line 26 and insert:

"of 1935) $1,613,190.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

PERSONAL INCOME TAX DIVISION, FRANCHISE TAX COMMISSIONER

SALARIES AND WAGES

Proposed new positions:

2 Junior Clerks	$3,960.00
2 Junior Typist-Clerks	3,960.00

MATERIALS AND SUPPLIES

Office	$18,000.00
Printing	40,000.00

SERVICE AND EXPENSE

Traveling	$30,000.00
Telephone and telegraph	10,000.00
Pro rata Personnel Board's services	6,697.00

EQUIPMENT

Automobile	Nothing"

AMENDMENT NO. 27

On page 5 of the printed bill, strike out lines 28 to 30, inclusive, and insert:

"Racing Board, fifty-nine thousand nine hundred ninety-four dollars, payable from the Fair and Exposition Fund $59,994.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

CALIFORNIA HORSE RACING BOARD

ADMINISTRATION

SERVICE AND EXPENSE

Pro rata Personnel Board's services	$74.00"

AMENDMENT NO. 28

On page 5 of the printed bill, strike out lines 32 to 34, inclusive, and insert:

"Board, four hundred ninety-three thousand one hundred seventy dollars $493,170.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE PERSONNEL BOARD

BOARD

SALARIES AND WAGES

Board Member (5) per diem	$20,000.00
Hearing Officer and Confidential Secretary	Nothing
Intermediate Stenographer-Clerk (part time)	Nothing
Junior Typist-Clerk (part time)	Nothing

Hearing Reporter	Nothing
Hearing Reporter (intermittent)	Nothing
SERVICE AND EXPENSE	
Traveling	$10,000.00
Telephone and telegraph	800.00
ADMINISTRATION	
SALARIES AND WAGES	
Junior Personnelist	Nothing
1 Senior Stenographer-Clerk	$4,080.00
(plus his salary adjustments)	
2 Intermediate Stenographer-Clerks	6,560.00
(plus their salary adjustments)	
Senior Information Clerk	Nothing
3 Junior Clerks	5,184.00
(plus their salary adjustments)	
1 Key Punch Operator	2,400.00
(plus his salary adjustments)	
MATERIALS AND SUPPLIES	
Office	$1,000.00
Printing	1,000.00
SERVICE AND EXPENSE	
Office	$2,000.00
Traveling	1,600.00
Telephone and telegraph	1,500.00
Postage	1,000.00
RECORDS AND TRANSACTIONS	
SALARIES AND WAGES	
5 Intermediate Typist-Clerks	$14,266.00
(plus their salary adjustments)	
5 Junior Typist-Clerks	10,560.00
(plus their salary adjustments)	
1 Senior Clerk	3,720.00
(plus his salary adjustments)	
4 Intermediate Clerks	11,520.00
(plus their salary adjustments)	
4 Junior Clerks	8,520.00
(plus their salary adjustments)	
Proposed new position:	
Office Manager	Nothing
CLASSIFICATION AND PAY	
SALARIES AND WAGES	
2 Associate Personnel Technicians	Nothing
2 Assistant Personnelists	$9,280.00
(plus their salary adjustments)	
1 Junior Stenographer-Clerk	2,220.00
(plus his salary adjustments)	
1 Junior Typist-Clerk	1,920.00
(plus his salary adjustments)	
1 Junior Clerk	2,100.00
(plus his salary adjustments)	
Proposed new positions:	
Student Personnel Assistant	Nothing

SERVICE AND EXPENSE	
Traveling	600.00
TESTING AND RECRUITING	
SALARIES AND WAGES	
4 Assistant Personnelists	$18,040.00
(plus their salary adjustments)	
1 Student Personnel Assistant	2,520.00
(plus his salary adjustments)	
10 Junior Typist Clerks	21,300.00
(plus their salary adjustments)	
10 Junior Clerks	20,946.00
(plus their salary adjustments)	
Intermittent help:	
Junior Clerical	$ 750.00
Test Checker	17,260.00
Chief Examination Proctor	1,800.00
Examination Proctor	1,950.00
Hearing Reporter	3,300.00
Janitor	300.00
SERVICE AND EXPENSE	
Office	$8,000.00
Traveling	7,000.00
Telephone and telegraph	1,500.00"

AMENDMENT NO. 29

On page 5 of the printed bill, strike out lines 37 to 39, inclusive, and insert:

"million two hundred sixty-nine thousand five hundred	
forty-three dollars	$1,269,543.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

RAILROAD COMMISSION

GENERAL FUND	
ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Junior Clerk	Nothing
SERVICE AND EXPENSE	
Traveling	$6,000.00
Telephone and telegraph	3,000.00
Automobile	1,200.00

CONTROL AND REGULATION	
SALARIES AND WAGES	
Proposed new positions:	
Public Utilities Department	
Senior Engineering Aid	Nothing
Finance and Accounts Department	
Senior Accountant	Nothing
Two Junior Accountants	Nothing
Transportation Department	
Associate Safety Engineer	Nothing
Transportation Rate Clerk, Grade 2	Nothing
Assistant Transportation Rate Expert, Grade 1	Nothing
MATERIALS AND SUPPLIES	
Printing	$16,000.00
SERVICE AND EXPENSE	
Traveling	$60,000.00
Telephone and telegraph	12,000.00
HEARINGS AND FORMAL INVESTIGATIONS	
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	1,200.00
PUBLICATIONS AND REPORTS	
MATERIALS AND SUPPLIES	
Printing	$7,000.00''

AMENDMENT NO. 30

On page 5 of the printed bill, strike out lines 43 to 45, inclusive, and insert:

''hundred sixty-seven thousand seven hundred fifty-two dollars, payable from the Transportation Rate Fund	$767,752.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

TRANSPORTATION RATE DIVISION
RAILROAD COMMISSION

ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$1,000.00
Telephone and telegraph	700 00
CONTROL AND REGULATIONS	
SALARIES AND WAGES	
Proposed new positions:	
Investigation department	
Intermediate Stenographer-Clerk	Nothing
Two Investigators	Nothing
Rate Department	
Assistant Transportation Rate Expert, Grade 1	Nothing
Transportation Rate Clerk, Grade 2	Nothing

MATERIALS AND SUPPLIES
Automobile ---------- $1,800.00
SERVICE AND EXPENSE
Traveling ---------- $40,000.00
Telephone and telegraph ---------- 9,000.00
HEARINGS AND FORMAL INVESTIGATIONS
SERVICE AND EXPENSE
Traveling ---------- $1,400.00
Telephone and telegraph---------- 1,200.00"

AMENDMENT NO. 31

On page 6 of the printed bill, strike out lines 3 and 4, and insert:
"State's office, twenty-nine thousand four hundred fifty-nine dollars, pay-"

AMENDMENT NO. 32

On page 6 of the printed bill, strike out line 6, and insert:
"License Fund ---------- $29,459.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SECRETARY OF STATE

COLLECTION AGENCY FUND
ADMINISTRATION
SERVICE AND EXPENSE
Pro rata Personnel Board's service---------- $129.00"

AMENDMENT NO. 33

On page 6 of the printed bill, strike out lines 8 and 9, and insert:
"one hundred forty-eight thousand seven hundred ninety dollars ---------- $148,790.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE TREASURER

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $500.00
SERVICE AND EXPENSE
Traveling ---------- $1,200.00
Telephone and telegraph---------- 1,200.00
Automobile ---------- 400.00"

AMENDMENT NO. 34

On page 6 of the printed bill, strike out lines 14 to 16, inclusive, and insert:
"Agriculture, two million seven hundred sixty-nine thousand seven hundred fifteen dollars, payable from the Fair and Exposition Fund---------- $2,769,715.00

If no legislation is enacted at the Fifty-fourth Regular Session of the Legislature making an appropriation out of the Fair and Exposition Fund for the support of the Department of Agriculture, or if such an appropriation is made in an amount, or in a percentage which will result in an amount, less than the amount appropriated by this item, then the amount appropriated by this item, or the difference between such amount and the amount appropriated from the Fair and Exposition Fund, as the case may be, shall be payable out of the General Fund in the State Treasury.

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF AGRICULTURE
GENERAL FUND ACTIVITIES

DEPARTMENTAL ADMINISTRATION	
DIRECTOR	
SERVICE AND EXPENSE	
Traveling	$4,000.00
BOARD MEMBERS	
SERVICE AND EXPENSE	
Traveling	$2,000.00
ACCOUNTS AND DISBURSEMENTS	
SERVICE AND EXPENSE	
Traveling	Nothing
Telephone and telegraph	$500.00
GENERAL OFFICE	
SERVICE AND EXPENSE	
Traveling	$1,500.00
Telephone and telegraph	3,000.00
Automobile	600.00
Press clippings	300.00
EQUIPMENT	
Automobile	Nothing
FAIRS AND EXHIBITS	
SERVICE AND EXPENSE	
Automobile	$600 00
EQUIPMENT	
Automobile	Nothing
DIVISION OF PLANT INDUSTRY	
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE	
ENTOMOLOGICAL SERVICE	
GENERAL ENTOMOLOGY	
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	600.00
Automobile	6,000.00
EQUIPMENT	
Automobile	Nothing

CITRUS WHITE FLY ERADICATION	
SERVICE AND EXPENSE	
Traveling	$1,500.00
Telephone and telegraph	150.00
Automobile	2,000.00
EQUIPMENT	
Automobile	Nothing
PLANT QUARANTINE SERVICE, SACRAMENTO	
SERVICE AND EXPENSE	
Traveling	$2,500.00
Telephone and telegraph	800.00
Automobile	$1,200.00
EQUIPMENT	
Automobile	Nothing
PLANT QUARANTINE SERVICE, SAN FRANCISCO	
SERVICE AND EXPENSE	
Traveling	$600.00
Telephone and telegraph	900.00
Automobile	2,000.00
EQUIPMENT	
Automobile	Nothing
PLANT QUARANTINE SERVICE, SAN PEDRO	
SERVICE AND EXPENSE	
Traveling	$1,500.00
Telephone and telegraph	200.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing
PLANT QUARANTINE SERVICE, SAN DIEGO	
SERVICE AND EXPENSE	
Traveling	$400.00
Telephone and telegraph	200.00
Automobile	400.00
PLANT QUARANTINE SERVICE	
BORDER STATIONS—PERMANENT	
SALARIES AND WAGES	
Proposed new positions:	
Intermediate Border Quarantine Inspector (part time)	Nothing
Three Junior Quarantine Inspectors (part time)	Nothing
SERVICE AND EXPENSE	
Traveling	$4,000.00
Telephone and telegraph	500.00
BORDER STATIONS—SEASONAL	
SERVICE AND EXPENSE	
Traveling	$600.00

BUREAU OF PLANT PATHOLOGY	
SERVICE AND EXPENSE	
Traveling	$10,000.00
Telephone and telegraph	150.00
Automobile	1,000.00
BUREAU OF RODENT, PLAGUE AND WEED CONTROL	
SALARIES AND WAGES	
Field Supervisor of Weed Control Work	Nothing
SERVICE AND EXPENSE	
Traveling	$6,000.00
Telephone and telegraph	300.00
Automobile	2,500.00
EQUIPMENT	
Automobile	Nothing
PREDATORY ANIMAL CONTROL	
SERVICE AND EXPENSE	
Traveling	$1,000.00
Postage	150.00
Automobile	800.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF FIELD CROPS	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$1,000 00
Telephone and telegraph	500.00
Automobile	200.00
EQUIPMENT	
Automobile	Nothing
SEED INSPECTION SERVICE	
SALARIES AND WAGES	
Proposed new positions:	
Intermediate Typist-Clerk	Nothing
Senior Seed Analyst	Nothing
SERVICE AND EXPENSE	
Traveling	$2,000.00
Automobile	600 00
BUREAU OF CHEMISTRY	
SPRAY RESIDUE ENFORCEMENT	
SALARIES AND WAGES	
Proposed new positions:	
Junior Chemist	Nothing
Two Inspectors of Economic Poisons and Fertilizers	Nothing
Intermediate Stenographer-Clerk	Nothing
SERVICE AND EXPENSE	
Traveling	$400.00
Automobile	1,000.00

DIVISION OF ANIMAL INDUSTRY	
BUREAU OF LIVE STOCK DISEASE CONTROL	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$2,500.00
Telephone and telegraph	150.00
Automobile	700.00
EQUIPMENT	
Automobile	Nothing
INSPECTIONS	
SALARIES AND WAGES	
Proposed new positions:	
Poultry Disease Specialist	Nothing
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	500.00
Automobile	3,000.00
EQUIPMENT	
Automobile	Nothing
POULTRY PATHOLOGICAL LABORATORY, LOS ANGELES	
SERVICE AND EXPENSE	
Traveling	$200.00
Telephone and telegraph	200.00
BOVINE TUBERCULOSIS CONTROL	
SERVICE AND EXPENSE	
Traveling	$30,000.00
Telephone and telegraph	1,200.00
Postage	3,000.00
Automobile	24,000.00
EQUIPMENT	
Automobile	Nothing
BOVINE TUBERCULOSIS INDEMNITIES	
SERVICE AND EXPENSE	
Indemnities	$200,000.00
BUREAU OF MEAT INSPECTION	
SUPERVISION	
SERVICE AND EXPENSE	
Traveling	$6,000.00
Telephone and telegraph	1,000.00
Automobile	4,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF DAIRY SERVICE	
ADMINISTRATION	
SALARIES AND WAGES	
Two Market Milk Specialists	Nothing
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	300.00
Automobile	1,000.00

INSPECTIONS	
SALARIES AND WAGES	
Five Supervising Dairy Inspectors (plus their salary adjustments)	$29,000.00
SERVICE AND EXPENSE	
Traveling	$4,000.00
Telephone and telegraph	600.00
Automobile	4,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF MARKETS	
ORGANIZATION, DEVELOPMENT AND ARBITRATION	
SERVICE AND EXPENSE	
Traveling	$1,200.00
Telephone and telegraph	1,000.00
Automobile	500.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF MARKET NEWS	
SUPERVISORY AND OPERATIVE	
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	1,000.00
Automobile	2,200.00
EQUIPMENT	
Automobile	Nothing
FRUIT AND VEGETABLE REPORTING SERVICE	
SAN FRANCISCO	
SERVICE AND EXPENSE	
Telephone and telegraph	$500.00
Automobile	200.00
LOS ANGELES	
SERVICE AND EXPENSE	
Traveling	$250.00
Automobile	200.00
HAY AND GRAIN REPORTING SERVICE	
SAN FRANCISCO	
SERVICE AND EXPENSE	
Telephone and telegraph	$600.00
LOS ANGELES	
SERVICE AND EXPENSE	
Traveling	$200.00
Telephone and telegraph	500.00
Automobile	200.00

LIVE STOCK, MEAT AND WOOL REPORTING SERVICE	
SAN FRANCISCO	
SERVICE AND EXPENSE	
Traveling	$800.00
Telephone and telegraph	450.00
Automobile	400.00
EQUIPMENT	
Automobile	Nothing
DAIRY AND POULTRY PRODUCTS REPORTING SERVICE	
LOS ANGELES	
SERVICE AND EXPENSE	
Traveling	$200.00
FIELD STATIONS	
SERVICE AND EXPENSE	
Traveling	$2,500.00
Telephone and telegraph	1,600.00
Automobile	800.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF AGRICULTURAL STATISTICS	
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	600.00
Automobile	3,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF FRUIT AND VEGETABLE STANDARDIZATION	
FRUIT AND VEGETABLE STANDARDIZATION	
SERVICE AND EXPENSE	
Traveling	$16,000.00
Telephone and telegraph	2,500.00
Automobile	6,000.00
EQUIPMENT	
Automobile	Nothing
EGG STANDARDIZATION	
SERVICE AND EXPENSE	
Traveling	$2,400.00
Automobile	1,200.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF WEIGHTS AND MEASURES	
SERVICE AND EXPENSE	
Traveling	$3,500.00
Telephone and telegraph	400.00
Automobile	2,500.00"

AMENDMENT NO. 35

On page 6, of the printed bill, strike out lines 22 to 25, inclusive, and insert:

"Agriculture, three million nine hundred eighty-three thousand seven hundred sixty-eight dollars, payable from the Department of Agriculture Fund--- $3,983,768.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF AGRICULTURE
SPECIAL FUND ACTIVITIES

ADMINISTRATION	
SERVICE AND EXPENSE	
Pro rata Personnel Board's services	$17,643.00
DIVISION OF PLANT INDUSTRY	
BUREAU OF NURSERY SERVICE	
SERVICE AND EXPENSE	
Traveling	$8,000.00
Telephone and telegraph	300.00
Automobile	3,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF FIELD CROPS	
WAREHOUSE INSPECTION SERVICE	
SERVICE AND EXPENSE	
Traveling	$700.00
Telephone and telegraph	150.00
Automobile	250.00
EQUIPMENT	
Automobile	Nothing
FIELD CROPS INSPECTION SERVICE	
SERVICE AND EXPENSE	
Traveling	$2,400.00
Telephone and telegraph	600.00
Automobile	1,500.00
EQUIPMENT	
Automobile	Nothing
GRAIN WEEVIL INSPECTION SERVICE	
SERVICE AND EXPENSE	
Traveling	$1,000.00
Telephone and telegraph	100.00
Automobile	500.00
EQUIPMENT	
Automobile	Nothing
COMMERCIAL FEEDING STUFFS SERVICE	
MATERIALS AND SUPPLIES	
Laboratory	$6,000.00
SERVICE AND EXPENSE	
Traveling	$12,000.00
Telephone and telegraph	1,000.00
Automobile	4,000.00

EQUIPMENT	
Automobile	Nothing
BUREAU OF CHEMISTRY	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$1,200.00
Telephone and telegraph	300.00
Automobile	600.00
EQUIPMENT	
Automobile	Nothing
INSPECTIONS	
SERVICE AND EXPENSE	
Traveling	$6,500.00
Telephone and telegraph	800.00
Automobile	5,000 00
EQUIPMENT	
Automobile	Nothing
GENERAL LABORATORY	
SALARIES AND WAGES	
Proposed new positions:	
Junior Entomological Chemist	Nothing
Laboratory Assistant	Nothing
SERVICE AND EXPENSE	
Traveling	$200 00
Telephone and telegraph	100.00
Automobile	50.00
DIVISION OF ANIMAL INDUSTRY	
BUREAU OF MEAT INSPECTION	
REGULAR INSPECTIONS	
SERVICE AND EXPENSE	
Traveling	$22,000.00
RELIEF INSPECTIONS	
SERVICE AND EXPENSE	
Traveling	$12,000.00
SWINE DISEASE CONTROL	
SERVICE AND EXPENSE	
Traveling	$200.00
Automobile	150.00
BUREAU OF DAIRY SERVICE	
ICE CREAM INSPECTION SERVICE	
SERVICE AND EXPENSE	
Traveling	$2,000.00
Automobile	2,400.00
EQUIPMENT	
Automobile	Nothing
BUTTER GRADING SERVICE	
SERVICE AND EXPENSE	
Traveling	$2,800.00
Automobile	2,000.00
EQUIPMENT	
Automobile	Nothing

MARKET MILK INSPECTION SERVICE	
SALARIES AND WAGES	
Proposed new positions:	
Two Market Milk Specialists	Nothing
SERVICE AND EXPENSE	
Traveling	$4,000.00
Telephone and telegraph	250.00
Automobile	2,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF LIVE STOCK IDENTIFICATION	
CATTLE PROTECTION SERVICE	
BRAND RECORDING AND LICENSING	
SERVICE AND EXPENSE	
Traveling	$10,000.00
Telephone and telegraph	1,200.00
Automobile	5,000.00
EQUIPMENT	
Automobile	Nothing
HIDE AND BRAND INSPECTIONS	
MATERIALS AND SUPPLIES	
Printing	$2,500.00
SERVICE AND EXPENSE	
Traveling	$25,000.00
Telephone and telegraph	400.00
Automobile	20,000.00
EQUIPMENT	
Automobile	Nothing
DIVISION OF ECONOMICS	
BUREAU OF MARKETS	
FLUID MILK AND CREAM STABILIZATION SERVICE	
SERVICE AND EXPENSE	
Traveling	$15,000.00
Telephone and telegraph	1,400.00
Automobile	3,000.00
EQUIPMENT	
Automobile	Nothing
CALIFORNIA AGRICULTURAL PRODUCTS MARKETING ACT OF 1937	
SERVICE AND EXPENSE	
Traveling	$1,000.00
Telephone and telegraph	250.00
AGRICULTURAL PRORATE ACT	
SERVICE AND EXPENSE	
Traveling	$12,000.00
Telephone and telegraph	1,000.00
Automobile	400.00

BUREAU OF MARKET ENFORCEMENT	
PRODUCE DEALERS SERVICE	
SERVICE AND EXPENSE	
Traveling	$11,000.00
Telephone and telegraph	7,000.00
Automobile	9,000.00
EQUIPMENT	
Automobile	Nothing
PROCESSORS OF FARM PRODUCTS	
SERVICE AND EXPENSE	
Traveling	$2,000 00
Telephone and telegraph	1,000.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing
FLUID MILK AND CREAM STABILIZATION SERVICE	
SERVICE AND EXPENSE	
Traveling	$18,000.00
Telephone and telegraph	5,000.00
Automobile	10,000.00
EQUIPMENT	
Automobile	Nothing
CALIFORNIA AGRICULTURAL PRODUCTS MARKETING ACT OF 1937	
SERVICE AND EXPENSE	
Traveling	$400.00
Telephone and telegraph	120 00
Automobile	300.00
AGRICULTURAL PRORATE ACT	
SERVICE AND EXPENSE	
Traveling	$2,000.00
Telephone and telegraph	600.00
Automobile	400.00
BUREAU OF SHIPPING POINT INSPECTION	
SERVICE AND EXPENSE	
Traveling	$170,000.00
Telephone and telegraph	14,000.00
Automobile	30,000.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF WEIGHTS AND MEASURES	
GASOLINE, DISTILLATE AND OIL INSPECTION SERVICE	
SERVICE AND EXPENSE	
Traveling	$14,000.00
Telephone and telegraph	1,000.00
Automobile	6,000.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 36

On page 6 of the printed bill, strike out lines 35 to 37, inclusive, and insert:

"Improvement Commission, ten thousand five hundred fifty-five dollars $10,555.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

POULTRY IMPROVEMENT COMMISSION

ADMINISTRATION AND OPERATION

SALARIES AND WAGES

Proposed new positions:

Intermediate Stenographer-Clerk ..... Nothing

SERVICE AND EXPENSE

Telephone and telegraph $400.00

Automobile 400.00

Pro rata Personnel Board's services ..... 46.00"

AMENDMENT NO. 37

On page 6, line 39, of the printed bill, strike out "of" and insert a comma.

AMENDMENT NO. 38

On page 6 of the printed bill, strike out lines 43 and 44 and insert:

"servation Commission ..... Nothing

No money appropriated by this act is available for expenditure by the State Soil Conservation Commission."

AMENDMENT NO. 39

On page 6 of the printed bill, strike out lines 49 and 50 and insert:

"cation, four hundred fifty-eight thousand six hundred seventy-eight dollars $458,678.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF EDUCATION

DEPARTMENTAL ADMINISTRATION

MATERIALS AND SUPPLIES

Automobile $2,000 00

SERVICE AND EXPENSE

Traveling $10,000.00

Telephone and telegraph 4,000.00

Automobile 1,600.00

EQUIPMENT

Automobile ..... Nothing

RESEARCH AND STATISTICS

MATERIALS AND SUPPLIES

Automobile $200.00

SERVICE AND EXPENSE

Traveling $800.00

Telephone and telegraph 600.00

TEACHER TRAINING AND CERTIFICATION	
SALARIES AND WAGES	
Proposed new positions:	
Two Intermediate Stenographer-Clerks	Nothing
SERVICE AND EXPENSE	
Traveling	$500 00
Telephone and Telegraph	400.00
ELEMENTARY AND RURAL EDUCATION	
MATERIALS AND SUPPLIES	
Automobile	$400 00
SERVICE AND EXPENSE	
Traveling	$2,400.00
Telephone and Telegraph	300 00
SECONDARY EDUCATION	
MATERIALS AND SUPPLIES	
Automobile	$600.00
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and Telegraph	250 00
ADULT AND CONTINUATION EDUCATION	
MATERIALS AND SUPPLIES	
Automobile	$350.00
SERVICE AND EXPENSE	
Traveling	$1,200.00
Telephone and Telegraph	800.00
HEALTH AND PHYSICAL EDUCATION	
MATERIALS AND SUPPLIES	
Automobile	$300.00
SERVICE AND EXPENSE	
Traveling	$2,400 00
Telephone and Telegraph	100.00
EDUCATION FOR HANDICAPPED CHILDREN	
SERVICE AND EXPENSE	
Traveling	$800.00
Telephone and Telegraph	150.00
VOCATIONAL EDUCATION	
SERVICE AND EXPENSE	
Traveling	$800 00
SCHOOLHOUSE PLANNING	
MATERIALS AND SUPPLIES	
Automobile	$600 00
SERVICE AND EXPENSE	
Traveling	$2,000.00"

AMENDMENT NO. 40

On page 7 of the printed bill, strike out lines 3 to 5, inclusive, and insert:

"tion, three hundred thirty-two thousand five hundred	
eighty-two dollars	$332,582.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA STATE LIBRARY
DEPARTMENT OF EDUCATION

OPERATION	
SALARIES AND WAGES	
Proposed new positions:	
Senior Catalog Librarian	Nothing
Library Aid	Nothing
Junior Typist-Clerk	Nothing
Junior Messenger	Nothing
SERVICE AND EXPENSE	
Traveling	$1,000 00"

AMENDMENT NO. 41

On page 7 of the printed bill, strike out lines 8 and 9, and insert:

"of Education, one million one hundred thousand dollars ---------- $1,100,000 00"

AMENDMENT NO. 42

On page 7 of the printed bill, strike out lines 25 and 26, and insert:

"four hundred fifty-seven thousand six hundred twenty-five dollars, and in addition".

AMENDMENT NO. 43

On page 7 of the printed bill, strike out line 29, and insert:

"law for the support of said college ---------- $457,625 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CHICO STATE COLLEGE

REGULAR SESSION	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$500.00
Telephone and Telegraph	1,500 00
INSTRUCTION	
SALARIES AND WAGES	
Proposed new positions:	
Teacher in Music	Nothing"

AMENDMENT NO. 44

On page 7 of the printed bill, strike out lines 34 and 35 and insert:

"seven hundred sixty-three thousand seven hundred fourteen"

AMENDMENT NO. 45

On page 7 of the printed bill, strike out line 39 and insert:

"the support of said college---------- $763,714.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

FRESNO STATE COLLEGE

REGULAR SESSION	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$700.00
Telephone and telegraph	4,000 00
INSTRUCTION	
SALARIES AND WAGES	
Proposed new positions:	
Director of Counseling	Nothing
Teacher in Biological Science	Nothing
Two Teachers in Commerce	$6,960.00
One Teacher in Music	4,920.00
SERVICE AND EXPENSE	
Traveling	$2,000.00
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Two Groundsmen and Flower Gardeners	Nothing
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 46

On page 7 of the printed bill, strike out line 45 and insert: ''three hundred fifty-four dollars, and''.

AMENDMENT NO. 47

On page 7 of the printed bill, strike out line 49 and insert: ''said college ---------- $280,354.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

HUMBOLDT STATE COLLEGE

REGULAR SESSION	
ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$600.00
Telephone and telegraph	350.00''

AMENDMENT NO. 48

On page 8 of the printed bill, strike out lines 2 and 3, and insert: ''lege, eight hundred thirty-four thousand five hundred three dollars,''

AMENDMENT NO. 49

On page 8 of the printed bill, strike out line 7, and insert: ''port of said college---------- $834,503.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SAN DIEGO STATE COLLEGE

REGULAR SESSION
ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$1,100.00
Telephone and telegraph	2,000.00"

AMENDMENT NO. 50

On page 8 of the printed bill, strike out lines 13 and 14, and insert:

"College, eight hundred fourteen thousand one hundred ninety-two".

AMENDMENT NO. 51

On page 8 of the printed bill, strike out line 18, and insert:

"the support of said college $814,192.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SAN FRANCISCO STATE COLLEGE

REGULAR SESSION
ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$950.00
Telephone and telegraph	3,000.00

INSTRUCTION
SALARIES AND WAGES
Proposed new positions:

Teacher in Art	Nothing
Teacher in Biological Science	Nothing
Teacher in Biological Science (part time)	Nothing
Teacher in Music (part time)	Nothing
One Junior Stenographer-Clerk	$2,200.00
Intermediate Stock Clerk (part time)	Nothing

MAINTENANCE AND OPERATION OF PLANT
SALARIES AND WAGES
Proposed new positions:

Supervisor of Buildings and Grounds (part time)	Nothing"

AMENDMENT NO. 52

On page 8 of the printed bill, strike out lines 23 and 24, and insert:

"lege, one million ten thousand four hundred one dol-"

AMENDMENT NO. 53

On page 8 of the printed bill, strike out line 28, and insert:

"the support of said college $1,010,401.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SAN JOSE STATE COLLEGE

REGULAR SESSION
ADMINISTRATION
SALARIES AND WAGES
Proposed new positions:

One Junior Stenographer-Clerk	$2,220.00

SERVICE AND EXPENSE

Traveling	$800.00
Telephone and telegraph	4,000.00

INSTRUCTION
SALARIES AND WAGES
Proposed new positions:

Teacher in Art	Nothing
Teacher in Home Economics	Nothing
Teacher in Modern Languages	Nothing
Teacher in Music	Nothing
Teacher in Commerce	Nothing
Teacher in Speech	Nothing
Teacher in Social Science	Nothing
Senior Librarian	Nothing

MAINTENANCE AND OPERATION OF PLANT
SALARIES AND WAGES
Proposed new positions:

Flower Gardener	Nothing
One Janitor	$2,520.00"

AMENDMENT NO. 54

On page 8 of the printed bill, strike out lines 34 and 35, and insert: "College, six hundred seventy-eight thousand eight hundred fifty-eight dol-"

AMENDMENT NO. 55

On page 8 of the printed bill, strike out line 39, and insert:

"the support of said college	$678,858.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SANTA BARBARA STATE COLLEGE

REGULAR SESSION
ADMINISTRATION
SALARIES AND WAGES
Proposed new positions:

One Junior Stenographer-Clerk	$2,220.00

SERVICE AND EXPENSE

Traveling	$1,000.00
Telephone and telegraph	2,000.00

INSTRUCTION
SALARIES AND WAGES
Proposed new positions:

Teacher in Art	Nothing
One Teacher in Education	$4,920.00
One Teacher in English	5,220.00
Two Teachers in Industrial Education (part time)	Nothing
One Teacher in Industrial Education	4,920 00
One Teacher in Music	4,200.00
One Teacher in Men's Physical Education	4,200.00
One Teacher in Women's Physical Education	4,200.00
Teacher in Social Science (part time)	Nothing
Two Teachers in Social Science	Nothing
Two Librarians	Nothing
One Junior Stenographer-Clerk	2,220.00

MAINTENANCE AND OPERATION OF PLANT
SALARIES AND WAGES
Proposed new positions:

One Groundsman and Flower Gardener	$2,760.00"

AMENDMENT NO. 56

On page 8 of the printed bill, strike out lines 44 to 46, inclusive, and insert:

"for Blind at Berkeley, two hundred forty-seven thousand four hundred ninety-nine dollars $247,499 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA SCHOOL FOR THE BLIND

ADMINISTRATION	
SERVICE AND EXPENSE	
Telephone and telegraph	$900.00
Automobile	150.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 57

On page 9 of the printed bill, strike out lines 7 and 8, and insert:

"two thousand seven hundred ninety-nine dollars $502,799.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA SCHOOL FOR THE DEAF

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$300.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,500.00

SUPPORT AND SUBSISTENCE
SALARIES AND WAGES
Proposed new positions:
Janitor (10 months)---------- Nothing
INSTRUCTION AND CARE
SALARIES AND WAGES
Proposed new positions:
Two Junior Teachers---------- Nothing"

AMENDMENT NO. 58

On page 9 of the printed bill, strike out lines 18 and 19, and insert:
"Academy, one hundred six thousand nine hundred ninety dollars,".

AMENDMENT NO. 59

On page 9 of the printed bill, strike out line 23, and insert:
"port of said school---------- $106,990.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA MARITIME ACADEMY

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $300.00
SERVICE AND EXPENSE
Travel ---------- $2,500.00
Telephone and telegraph---------- 600.00"

AMENDMENT NO. 60

On page 9 of the printed bill, strike out lines 25 and 26, and insert:
"fornia, sixteen million three hundred seventy-four thousand three hundred".

AMENDMENT NO. 61

On page 9 of the printed bill, strike out line 33, and insert:
"fiscal year ----------$16,374,368.00"

AMENDMENT NO. 62

On page 10 of the printed bill, strike out lines 1 and 2, and insert:
"Buildings and Grounds and exclusive of Division of Fairs and Expositions, one million two hundred three thousand three hundred thirty-eight dollars-- $1,203,338.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF FINANCE (EXCLUSIVE OF BUREAU OF BUILDINGS AND GROUNDS AND OF DIVISION OF FAIRS AND EXPOSITIONS)

DEPARTMENTAL ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $1,600.00
SERVICE AND EXPENSE
Traveling ---------- $6,000.00
Telephone and telegraph---------- 5,000.00

ACCOUNTS AND DISBURSEMENTS	
SERVICE AND EXPENSE	
Telephone and telegraph	$600.00
DIVISION OF STATE PLANNING	
SALARIES AND WAGES	
Proposed new positions:	
Junior Planner	Nothing
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	300.00
DIVISION OF BUDGETS AND ACCOUNTS	
MATERIALS AND SUPPLIES	
Automobile	$1,500.00
SERVICE AND EXPENSE	
Traveling	$40,000.00
Telephone and telegraph	4,000.00
Automobile	500.00
DIVISION OF SERVICE AND SUPPLY	
DIVISIONAL ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$400.00
SERVICE AND EXPENSE	
Traveling	$1,600.00
Telephone and telegraph	150.00
BUREAU OF PURCHASES	
MATERIALS AND SUPPLIES	
Automobile	$300.00
SERVICE AND EXPENSE	
Traveling	$2,000.00
Telephone and telegraph	8,000.00
Automobile	300.00

The amount appropriated by this item (82) is in addition to any sum appropriated by law out of the Fair and Exposition Fund for the use of the Department of Finance in supervising and auditing district agricultural fairs and associations. Any amount so appropriated from the Fair and Exposition Fund is for the exclusive use of the Division of Budgets and Accounts and of the Division of Fairs and Expositions in the Department of Finance, subject to the provisions of Section 13 of this act."

AMENDMENT NO. 63

On page 10 of the printed bill, strike out lines 7 to 9, inclusive, and insert:

"one million one hundred six thousand two hundred four dollars	$1,106,204.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BUREAU OF BUILDINGS AND GROUNDS
DIVISION OF SERVICE AND SUPPLY
DEPARTMENT OF FINANCE

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $800.00
Telephone and telegraph 400.00
LOS ANGELES STATE BUILDINGS
SALARIES AND WAGES
Groundsman and Flower Gardener ..... Nothing''

AMENDMENT NO. 64

On page 10, line 20, of the printed bill, strike out ''preminums'' and insert:
''premiums''.

AMENDMENT NO. 65

On page 10 of the printed bill, strike out lines 36 to 39, inclusive, and insert:
''Department of Finance, one hundred thirty-nine thousand nine hundred eighteen dollars, payable from the State Lands Act Fund $139,918.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE LANDS COMMISSION

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile $600.00
SERVICE AND EXPENSE
Traveling $3,000.00
Telephone and telegraph 1,000.00
Automobile 300.00
Pro rata Personnel Board's services 610 00
OIL LAND CONTROL
SALARIES AND WAGES
Proposed new positions:
Mining Engineer ..... Nothing
MATERIALS AND SUPPLIES
Automobile $500.00
SERVICE AND EXPENSE
Traveling $5,000.00
Telephone and telegraph 400.00
Automobile 500.00
EQUIPMENT
Automobile ..... Nothing''

AMENDMENT NO. 66

On page 10 of the printed bill, strike out lines 49 and 50, and insert:
''dred sixty-six thousand seven hundred sixty-five dollars, payable''

AMENDMENT NO. 66.5

On page 10 of the printed bill, strike out line 52, and insert:

"Contingent Fund $966,765.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF FINANCE
DIVISION OF FAIRS AND EXPOSITIONS
STATE AGRICULTURAL SOCIETY

ADMINISTRATION
SERVICE AND EXPENSE
Pro rata Personnel Board's services..... $1,570 00"

AMENDMENT NO. 67

On page 11 of the printed bill, strike out lines 13 and 14, and insert:

"Relations, seventy-one thousand nine hundred seventy-five dollars $71,975.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF INDUSTRIAL RELATIONS

DEPARTMENTAL ADMINISTRATION
SALARIES AND WAGES
Proposed new positions:
Junior Stenographer-Clerk..... Nothing
Junior Account Clerk..... Nothing
MATERIALS AND SUPPLIES
Automobile $200.00
EQUIPMENT
Automobile ..... Nothing"

AMENDMENT NO. 68

On page 11 of the printed bill, strike out lines 16 to 18, inclusive, and insert:

"ment of Industrial Relations, thirty-three thousand two hundred ninety-five dollars..... $33,295.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

APPRENTICE TRAINING, DEPARTMENT OF INDUSTRIAL RELATIONS

MATERIALS AND SUPPLIES
Automobile $500.00
SERVICE AND EXPENSE
Traveling $4,500.00
Automobile 200.00
EQUIPMENT
Automobile ..... Nothing"

AMENDMENT NO. 69

On page 11 of the printed bill, strike out lines 22 to 24, inclusive, and insert:

"million, one hundred thirty-six thousand seven hundred ninety dollars $1,136,790 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF INDUSTRIAL ACCIDENTS AND SAFETY
DEPARTMENT OF INDUSTRIAL RELATIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$400.00
SERVICE AND EXPENSE	
Telephone and Telegraph	$6,000.00
Automobile	600.00
ACCIDENT PREVENTION	
SALARIES AND WAGES	
Proposed new positions:	
Seven Assistant Boiler Safety Engineers and Inspectors	Nothing
Two Assistant Mining Safety Engineers and Inspectors	Nothing
Six Junior Electrical Safety Engineers and Inspectors	Nothing
Six Junior Construction Safety Engineers and Inspectors	Nothing
Five Junior Industrial Safety Engineers and Inspectors	Nothing
Junior Logging and Lumbering Safety Engineer and Inspector	Nothing
Four Junior Petroleum Safety Engineers and Inspectors	Nothing
Five Junior Stenographer-Clerks	Nothing
MATERIALS AND SUPPLIES	
Printing	$6,000.00
Automobile	10,000.00
California Safety News	Nothing
SERVICE AND EXPENSE	
Traveling	$20,000.00
Telephone and telegraph	1,000.00
Postage	5,000.00
Automobile	7,000.00
EQUIPMENT	
Automobile	Nothing

HEARINGS AND COMPENSATION

SALARIES AND WAGES

Proposed new positions:	
Two Assistant Attorneys	Nothing
Two Intermediate File Clerks	Nothing
Two Junior Stenographer-Clerks	Nothing
One Junior Typist-Clerk	Nothing
MATERIALS AND SUPPLIES	
Printing	$6,000.00
Automobile	400.00
SERVICE AND EXPENSE	
Traveling	$20,000.00
Telephone and telegraph	2,400.00
Automobile	400.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 70

On page 11 of the printed bill, strike out lines 28 and 29, and insert:

''five hundred twenty-five thousand six hundred forty-five dollars	$525,645.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF LABOR STATISTICS AND LAW ENFORCEMENT
DEPARTMENT OF INDUSTRIAL RELATIONS

SALARIES AND WAGES	
Confidential Representative	Nothing
Proposed new positions:	
Attorney	Nothing
Five Deputy Labor Commissioners	Nothing
Two Intermediate Account Clerks	Nothing
Two Intermediate Stenographer-Clerks	Nothing
Eight Junior Stenographer-Clerks	Nothing
Three Junior Typist-Clerks	Nothing
Library Aid	Nothing
MATERIALS AND SUPPLIES	
Automobile	$1,500.00
SERVICE AND EXPENSE	
Office	$8,000.00
Traveling	28,000.00
Telephone and telegraph	8,000.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 71

On page 11 of the printed bill, strike out lines 32 to 34, inclusive, and insert:

''of Industrial Relations	Nothing

No money appropriated by this act is available for expenditure for the support of the Division of Immigration and Housing, Department of Industrial Relations, the Chief of the Division, the Commission of Immigration and Housing or any officer or employee of any thereof."

AMENDMENT NO. 72

On page 11 of the printed bill, strike out lines 37 to 39, inclusive, and insert:

"dustrial Relations ..... Nothing

No money appropriated by this act is available for expenditure for the support of the Division of Industrial Welfare, Department of Industrial Relations, the Chief of the Division, the Industrial Welfare Commission or any officer or employee of any thereof."

AMENDMENT NO. 73

On page 11 of the printed bill, strike out lines 42 to 45, inclusive, and insert:

"Relations, one hundred eighty-three thousand six hundred eighteen dollars, payable from the Fire Marshal's Fund $183,618.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF FIRE SAFETY
DEPARTMENT OF INDUSTRIAL RELATIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Assistant State Fire Marshal	Nothing
Intermediate Typist-Clerk	Nothing
MATERIALS AND SUPPLIES	
Automobile	$1,000.00
SERVICE AND EXPENSE	
Traveling	$30,000.00
Telephone and telegraph	3,000.00
Automobile	600.00
Pro rata Personnel Board's services	693.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 74

On page 11 of the printed bill, strike out lines 46 to 49, inclusive, and insert:

"Item 100—For additional support of Division of Industrial Accidents and Safety, Department of Industrial Relations ..... Nothing

No money in the State Treasury is available for expenditure for boat inspection by the Division of Industrial Accidents and Safety, Department of Industrial Relations."

AMENDMENT NO. 75

On page 12 of the printed bill, strike out lines 4 to 6, inclusive, and insert:

"Institutions, two hundred sixty-three thousand eight hundred forty-five dollars $263,845.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Secretary for Guardianships	Nothing
Legal Investigator	Nothing
Intermediate Stenographer-Clerk	Nothing
Public Information Editor	Nothing
MATERIALS AND SUPPLIES	
Automobile	$1,000.00
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	4,000.00
Automobile	400.00
EQUIPMENT	
Automobile	Nothing
DEPORTATION AND TRANSFERS	
SALARIES AND WAGES	
Proposed new positions:	
Supervising Deportation Officer	Nothing
SERVICE AND EXPENSE	
Nonresidents	$65,000.00
Transfers	300.00
SOCIAL SERVICE AND PAROLE WORK	
SALARIES AND WAGES	
Proposed new positions:	
Junior Clinical Psychologist	Nothing
Medical Superintendent of Extramural care	Nothing
SERVICE AND EXPENSE	
Supervision	$4,000.00"

AMENDMENT NO. 76

On page 12 of the printed bill, strike out line 12, and insert:

"dred eighty-eight thousand dollars ..... $188,000.00"

AMENDMENT NO. 77

On page 12 of the printed bill, strike out lines 15 and 16, and insert:

"hundred thousand dollars ..... $200,000 00"

AMENDMENT NO. 78

On page 12, line 19, of the printed bill, strike out "thirty-".

AMENDMENT NO. 79

On page 12 of the printed bill, strike out line 23, and insert:

"nineteen thousand seven hundred ninety-five dollars $2,219,795.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

AGNEWS STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SERVICE AND EXPENSE	
Telephone and telegraph	$4,000.00
Automobile	200.00
EQUIPMENT	
Automobile	Nothing
SUPPORT AND SUBSISTENCE	
SALARIES AND WAGES	
Proposed new positions:	
Assistant Institution Baker	Nothing
Hospital Attendant	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Assistant Supervisor of Hospital Attendants	Nothing
Physician and Surgeon	Nothing
FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new positions:	
Institution Farmhand	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$6,000.00"

AMENDMENT NO. 80

On page 12 of the printed bill, strike out lines 29 and 30, and insert:

"pital, two million one hundred forty-five thousand two hundred thirty-five dollars	$2,145,235.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CAMARILLO STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Intermediate Stenographer-Clerk	Nothing
Two Junior Stenographer-Clerks	Nothing
Telephone Operator and Stenographer	Nothing
MATERIALS AND SUPPLIES	
Automobile	$6,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$4,000.00
Automobile	2,000.00

EQUIPMENT	
Automobile	Nothing
SUPPORT AND SUBSISTENCE	
SALARIES AND WAGES	
Proposed new positions:	
Three Institution Cooks	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Three Charge Hospital Attendants	$9,000 00
Thirty-five Hospital Attendants	88,200.00
Three Physicians and Surgeons	Nothing
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Mechanical Handyman	Nothing
Institution Plumber	Nothing
Institution Electrician	Nothing
FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new positions:	
Institution Power Equipment Operator-Laborer	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$6,000.00''

AMENDMENT NO. 81

On page 12 of the printed bill, strike out lines 37 and 38, and insert:

''twenty-six thousand one hundred fifteen dollars	$1,826,115.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

MENDOCINO STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$5,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$3,000.00
Automobile	200.00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Physician and Surgeon	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$5,000.00''

AMENDMENT NO. 82

On page 12 of the printed bill, strike out lines 44 to 46, inclusive, and insert:

"two million three hundred sixty-six thousand one hundred eighty-one dollars $2,366,181.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

NAPA STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIAL AND SUPPLIES	
Automobile	$4,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$3,600.00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Fifteen Hospital Attendants	$29,880.00
Physician and Surgeon	Nothing
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Mechanical Handyman	Nothing
FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new position:	
Hospital Attendant	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$5,000.00"

AMENDMENT NO. 83

On page 12 of the printed bill, strike out lines 48 to 50, inclusive, and insert:

"pital, one million six hundred fifty-four thousand eight hundred sixteen dollars $1,654,816 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

NORWALK STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$2,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,500.00
EQUIPMENT	
Automobile	Nothing

SUPPORT AND SUBSISTENCE	
SALARIES AND WAGES	
Proposed new positions:	
Institution Kitchen Helper	Nothing
Institution Laundry Helper	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Sixteen Hospital Attendants	Nothing
Clinical Laboratory Technician	Nothing
MAINTENANCE AND OPERATION OF PLANT	
MATERIALS AND SUPPLIES	
Maintenance of structures	$7,000.00
Maintenance of grounds	2,000.00
FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new position:	
Institution Farmhand	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$5,000 00"

NO AMENDMENT NO. 84

AMENDMENT NO. 85

On page 13 of the printed bill, strike out lines 6 to 8, inclusive, and insert:

"pital, two million three hundred eighty-nine thousand nine hundred eighty-one dollars	$2,389,981.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

PATTON STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$4,000 00
SERVICE AND EXPENSE	
Telephone and telegraph	$4,000 00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Seven Hospital Attendants	$17,640.00
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Mechanical Handyman	Nothing

FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new positions:	
Institution Farmhand	Nothing
Institution Milker	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$5,000.00''

AMENDMENT NO. 86

On page 13 of the printed bill, strike out lines 14 to 16, inclusive, and insert:

''pital, two million six hundred ninety-eight thousand six hundred three dollars	$2,698,603.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STOCKTON STATE HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$4,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$10,000 00
Automobile	1,400.00
EQUIPMENT	
Automobile	Nothing
SUPPORT AND SUBSISTENCE	
SALARIES AND WAGES	
Proposed new position:	
Institution Laundry Helper	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Eighteen Hospital Attendants	$45,360.00
One Physician and Surgeon	5,040.00
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Assistant Institution Painter	Nothing
FARMING AND PROCESSING	
SALARIES AND WAGES	
Proposed new positions:	
Assistant Institution Dairyman	Nothing
Milking Machine Operator	Nothing
Institution Farmhand	Nothing
EXTRAMURAL CARE	
SERVICE AND EXPENSE	
Traveling	$3,500.00''

AMENDMENT NO. 87

On page 13 of the printed bill, strike out lines 22 and 23, and insert:

"two hundred fifty-two thousand five hundred seventy-seven dollars $1,252,577.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

PACIFIC COLONY-STATE NARCOTIC HOSPITAL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$3,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$3,000.00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
One Narcotic Hospital Attendant and Supervising Guard	Nothing
Six Guards	Nothing
Proposed new positions:	
Nine Hospital Attendants	$22,680.00
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Mechanical Handyman	Nothing"

AMENDMENT NO. 88

On page 13 of the printed bill, strike out lines 30 to 32, inclusive, and insert:

"two million one hundred ninety-one thousand five hundred thirty-six dollars $2,191,536.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SONOMA STATE HOME
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Intermediate Account Clerk	Nothing
Institution Power Equipment Operator-Laborer	Nothing
MATERIALS AND SUPPLIES	
Automobile	$3,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$5,000.00
EQUIPMENT	
Automobile	Nothing

SUPPORT AND SUBSISTENCE
SALARIES AND WAGES
Proposed new positions:
Assistant Institution Butcher---------- Nothing
CARE AND WELFARE
SALARIES AND WAGES
Proposed new positions:
Five Hospital Attendants---------- $12,600.00
FARMING AND PROCESSING
SALARIES AND WAGES
Proposed new positions:
Institution Canning Man (5 months)---------- Nothing"

AMENDMENT NO. 89

On page 13 of the printed bill, strike out lines 35 and 36, and insert:

"fifteen thousand eight hundred thirty dollars---------- $1,115,830.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

PRESTON SCHOOL OF INDUSTRY
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $3,000.00
SERVICE AND EXPENSE
Telephone and telegraph---------- $3,500.00
Automobile ---------- 400.00
EQUIPMENT
Automobile ---------- Nothing
SUPPORT AND SUBSISTENCE
SALARIES AND WAGES
Proposed new positions:
Institution Laundryman---------- Nothing
CARE AND WELFARE
SALARIES AND WAGES
Proposed new positions:
Placement Officer---------- Nothing
MAINTENANCE AND OPERATION OF PLANT
SALARIES AND WAGES
Proposed new positions:
Assistant Institution Painter---------- Nothing
Institution Fireman (10 part time)---------- Nothing"

AMENDMENT NO. 90

On page 13 of the printed bill, strike out lines 41 and 42, and insert:

"School, five hundred eighty-seven thousand two hundred forty-four dollars---------- $587,244.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

WHITTIER STATE SCHOOL
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Senior Stenographer-Clerk	Nothing
Institution Telephone Operator	Nothing
MATERIALS AND SUPPLIES	
Automobile	$2,500.00
SERVICE AND EXPENSE	
Telephone and telegraph	$3,000.00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Cottage Group Supervisor	Nothing
MAINTENANCE AND OPERATION OF PLANT	
SALARIES AND WAGES	
Proposed new positions:	
Institution Fireman (five part time)	Nothing"

AMENDMENT NO. 91

On page 13 of the printed bill, strike out lines 48 to 50, inclusive, and insert:

"Girls, three hundred thirty-three thousand two hundred twenty-five dollars	$333,225.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

VENTURA SCHOOL FOR GIRLS
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$500.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,000.00
EQUIPMENT	
Automobile	Nothing
CARE AND WELFARE	
SALARIES AND WAGES	
Proposed new positions:	
Group Supervisor	Nothing
MAINTENANCE AND OPERATION	
SALARIES AND WAGES	
Proposed new positions:	
Institution Fireman (five part time)	Nothing"

AMENDMENT NO. 92

On page 14 of the printed bill, strike out lines 7 and 8, and insert:

"five thousand one hundred eighty-four dollars $245,184.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

INDUSTRIAL HOME FOR THE ADULT BLIND
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$500.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,500.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 93

On page 14 of the printed bill, strike out lines 15 and 16, and insert:

"tutions, fifty-eight thousand one hundred ninety-four dollars $58,194.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

INDUSTRIAL
WORKSHOP FOR THE BLIND
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$400.00
SERVICE AND EXPENSE	
Traveling	$400.00
Telephone and telegraph	700.00"

AMENDMENT NO. 94

On page 14 of the printed bill, strike out lines 19 and 20, and insert:

"three thousand four hundred forty dollars $23,440.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE BLIND SHOP
DEPARTMENT OF INSTITUTIONS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Bookkeeper, Grade 1	Nothing
MATERIALS AND SUPPLIES	
Automobile	$800.00

SERVICE AND EXPENSE

Traveling	$500.00
Telephone and telegraph	300.00
Automobile	250.00''

AMENDMENT NO. 95

On page 14 of the printed bill, strike out lines 22 to 24, inclusive, and insert:

''nia Inebriate Colony ..... Nothing

No money appropriated by this act is available for expenditure for the support of the Southern California Inebriate Colony.''

AMENDMENT NO. 96

On page 14 of the printed bill, strike out lines 30 to 32, inclusive, and insert:

''hundred sixty-one thousand five hundred eight dollars, payable from the Banking Fund..... $261,508.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF BANKING
DEPARTMENT OF INVESTMENT

ADMINISTRATION
SERVICE AND EXPENSE

Telephone and telegraph	$3,000.00
Automobile	400 00
Pro rata Personnel Board's services	1,108.00''

AMENDMENT NO. 97

On page 14 of the printed bill, strike out lines 35 to 38, inclusive, and insert:

''ment, one hundred forty-three thousand four hundred sixteen dollars, payable from the Building and Loan Inspection Fund..... $143,416.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF BUILDING AND LOAN
DEPARTMENT OF INVESTMENT

ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$2,000.00
Telephone and telegraph	2,000.00
Pro rata Personnel Board's services	739.00
EQUIPMENT	
Automobile	Nothing
EXAMINATIONS	
SERVICE AND EXPENSE	
Traveling	$8,000.00''

AMENDMENT NO. 98

On page 14 of the printed bill, strike out lines 41 to 44, inclusive, and insert:

"seven hundred seventy-one thousand one hundred fifteen dollars, payable from the Corporation Commission Fund $771,115.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF CORPORATIONS
DEPARTMENT OF INVESTMENT

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$3,000.00
SERVICE AND EXPENSE	
Traveling	$7,000.00
Telephone and telegraph	12,000.00
Automobile	1,500 00
Pro rata Personnel Board's services	3,694.00
AUDITS AND INVESTIGATIONS	
SERVICE AND EXPENSE	
Traveling	$10,000 00"

AMENDMENT NO. 99

On page 14 of the printed bill, strike out lines 47 to 49, inclusive, and insert:

"seven hundred fifty-five thousand three hundred two dollars, payable from the Insurance Fund $755,302.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF INSURANCE
DEPARTMENT OF INVESTMENT

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$1,000.00
SERVICE AND EXPENSE	
Traveling	$30,000.00
Telephone and telegraph	10,000.00
Automobile	600.00
Pro rata Personnel Board's services	2,955 00
EXAMINATION	
SERVICE AND EXPENSE	
Traveling	$2,000.00"

AMENDMENT NO. 100

On page 15 of the printed bill, strike out lines 3 to 5, inclusive, and insert:

"three hundred fifty-eight thousand nine hundred two dollars, payable from the Real Estate Fund $358,902.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF REAL ESTATE
DEPARTMENT OF INVESTMENT

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$800.00
SERVICE AND EXPENSE	
Traveling	$4,000 00
Telephone and telegraph	3,000.00
Pro rata Personnel Board's services	1,330.00
EQUIPMENT	
Automobile	Nothing
INSPECTIONS	
MATERIALS AND SUPPLIES	
Automobile	$3,000.00
SERVICE AND EXPENSE	
Traveling	$4,000.00
Automobile	1,500.00"

AMENDMENT NO. 101

On page 15 of the printed bill, strike out lines 7 and 8, and insert:

"Securities Commission, nineteen thousand nine hundred sixty dollars	$19,960.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA DISTRICTS SECURITIES COMMISSION

ADMINISTRATION	
SALARIES AND WAGES	
Hearing Reporter	Nothing
Proposed new positions:	
Administrative Assistant	Nothing
SERVICE AND EXPENSE	
Traveling	$500.00
Telephone and telegraph	250.00"

AMENDMENT NO. 102

On page 15 of the printed bill, strike out lines 17 to 19, inclusive, and insert:

"cadets, seven hundred nine thousand two hundred twenty-five dollars	$709,225.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

ADJUTANT GENERAL AND CALIFORNIA NATIONAL GUARD DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Division Adjutant	Nothing
Intermediate Stenographer-Clerk	Nothing
Military Clerk	Nothing
Two Intermediate Typist-Clerks	Nothing
Junior Clerk	Nothing
MATERIALS AND SUPPLIES	
Office	$1,500.00
Printing	750.00
SERVICE AND EXPENSE	
Office	$700.00
Traveling	5,500.00
Telephone and telegraph	2,400.00
Postage	1,000.00
Freight, cartage and express	1,500.00
Premiums on bonds	315.00
Decorations, flags and trophies	1,800.00
Dues, subscriptions and publications	1,000.00
Physical examinations	45.00
EQUIPMENT	
Office	$500.00
ARMORIES AND ARSENALS	
SALARIES AND WAGES	
Proposed new positions:	
Ten Regimental Adjutants	$23,200.00
Ten Military Clerks	16,800.00
Eleven Military Property Custodians	23,908.00
Sixteen Janitors	26,880.00
ALLOWANCES TO ORGANIZATIONS	
Quarterly allowances	$303,339.00

No money appropriated by this act is available for expenditure for the State Guard or for any home or similar guard that may now be in existence or may hereafter be created.

During such time as the California National Guard is in actual service with the United States while the latter is a party to a war or to a state of war, no money appropriated by this act for the support of The Adjutant General and the California National Guard is available for any purpose other than the following:

(a) Administration
  (1) Salaries and wages of.
    Adjutant General
    Executive Officer
    One Intermediate Stenographer-Clerk
    Finance Officer
    Property Auditor
    Intermediate Clerk
    Janitor
  (2) Materials and supplies, service and expense, and equipment, in an amount not to exceed a sum reasonably necessary therefor, such sum to be determined by the Governor, the Director of Finance, the State Controller and the Attorney General.

(b) Armories and arsenals, rifle ranges and motor vehicles, in an amount reasonably necessary for the preservation, care and custodianship thereof, such sum to be determined by the Governor, the Director of Finance, the State Controller and the Attorney General.

(c) Maintenance of high school cadets."

AMENDMENT NO. 103

On page 15 of the printed bill, between lines 25 and 26, insert:

"During such time as the California National Guard is in actual service with the United States while the latter is a party to a war or to a state of war, no money appropriated by this act for construction, improvements and equipment of armories, arsenals, stables, rifle ranges and camp sites, The Adjutant General and the California National Guard, is available for such purposes."

AMENDMENT NO. 104

On page 15 of the printed bill, strike out lines 27 to 29, inclusive, and insert:

"California, eight hundred thirty-six thousand three hundred eighty-four dollars $836,384.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

VETERANS' HOME OF CALIFORNIA
DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS

ADMINISTRATION	
SALARIES AND WAGES	
Proposed new positions:	
Junior Typist-Clerk	Nothing
MATERIALS AND SUPPLIES	
Automobile	$3,000 00

SERVICE AND EXPENSE
Telephone and telegraph $4,000.00
EQUIPMENT
Automobile ..... Nothing
SUPPORT AND SUBSISTENCE
SALARIES AND WAGES
Proposed new positions:
Civilian Employees:
Institution Laundry Helper ..... Nothing
CARE AND WELFARE
SALARIES AND WAGES
Proposed new positions:
Occupational Therapist ..... Nothing
Senior Dental Interne ..... Nothing"

AMENDMENT NO. 105

On page 15 of the printed bill, strike out line 41, and insert:

"sand seven hundred forty dollars $77,740.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

WOMAN'S RELIEF CORPS HOME
ADMINISTRATION
SERVICE AND EXPENSE
Telephone and telegraph ..... $500.00"

AMENDMENT NO. 106

On page 15 of the printed bill, strike out lines 46 to 48, inclusive, and insert:

"mission, one hundred sixteen thousand eight hundred twenty-two dollars, which amount shall".

AMENDMENT NO. 106.5

On page 15 of the printed bill, strike out line 52, and insert:

"Commission Fund $116,822.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF ATHLETICS
(STATE ATHLETIC COMMISSION)
DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS
ADMINISTRATION
SERVICE AND EXPENSE
Traveling $4,000.00
Telephone and telegraph 2,000.00
Automobile 400.00
Pro rata Personnel Board's services 554.00
EQUIPMENT
Automobile ..... Nothing

INSPECTIONS	
SALARIES AND WAGES	
Three Assistant Chief Inspectors	$17,280.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,500 00
Traveling	1,500.00"

AMENDMENT NO. 107

On page 15 of the printed bill, after line 52, insert:

"MOTOR VEHICLES"

AMENDMENT NO. 108

On page 16 of the printed bill, strike out line 8.

AMENDMENT NO. 109

On page 16 of the printed bill, strike out lines 12 and 13, and insert: "five hundred forty thousand seventy-one dollars, pay-"

AMENDMENT NO. 110

On page 16 of the printed bill, strike out line 15, and insert:

"Vehicle Support Fund $12,540,071.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF MOTOR VEHICLES

ADMINISTRATION	
SALARIES AND WAGES	
Deputy Director	Nothing
Proposed new positions:	
Four Process Servers	Nothing
Supervisor, Traffic Safety Education	Nothing
MATERIALS AND SUPPLIES	
Automobile	$3,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$6,000.00
Automobile	1,500.00
Pro rata Personnel Board's services	1,755.00
EQUIPMENT	
Automobile	Nothing
DIVISION OF ACCOUNTING	
SALARIES AND WAGES	
Proposed new positions:	
Bookkeeping Machine Operator	Nothing
MATERIALS AND SUPPLIES	
Printing	$8,500.00
Automobile	500.00
SERVICE AND EXPENSE	
Telephone and telegraph	$1,700 00
Traveling	1,000 00
Automobile	200.00
Pro rata Personnel Board's services	3,693.00

DIVISION OF DRIVERS' LICENSES	
SALARIES AND WAGES	
Proposed new positions:	
Drivers' License Examiner	Nothing
Two Supervising Drivers' License Examiners, Grade 1	Nothing
Twelve Junior Typist-Clerks	Nothing
Five Junior Clerks	Nothing
SERVICE AND EXPENSE	
Telephone and telegraph	$5,000.00
Traveling	30,000.00
Automobile	4,000 00
Pro rata Personnel Board's services	6,651.00
EQUIPMENT	
Automobile	Nothing
DIVISION OF REGISTRATION	
SALARIES AND WAGES	
Deputy Registrar	Nothing
Proposed new positions:	
Two Investigators, Grade 2	Nothing
Two Investigators, Grade 1	Nothing
Four Intermediate Clerks	Nothing
Two Junior Clerks	Nothing
Two Junior Typist-Clerks	Nothing
MATERIALS AND SUPPLIES	
Telephone and telegraph	$500.00
Automobile	5,000.00
SERVICE AND EXPENSE	
Traveling	$15,000.00
Telephone and telegraph	25,000.00
Automobile	2,000.00
Pro rata Personnel Board's services	18,474.00
EQUIPMENT	
Automobile	Nothing
DIVISION OF ENFORCEMENT	
SERVICE AND EXPENSE	
Telephone and telegraph	$10,000.00
Traveling	100,000.00
Pro rata Personnel Board's services	26,252 00''

AMENDMENT NO. 110.5

On page 16 of the printed bill, strike out lines 38 and 39, and insert:

''Resources, ninety thousand twenty dollars	$90,020.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENTAL ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$2,000.00

SERVICE AND EXPENSE	
Traveling	$10,000.00
Telephone and telegraph	2,500.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 111

On page 16 of the printed bill, strike out lines 42 and 43, and insert:

"one million, six hundred thirty-three thousand seven hundred sixty-six dollars $1,633,766.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF FORESTRY
DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATION	
SALARIES AND WAGES	
Executive Secretary	Nothing
MATERIALS AND SUPPLIES	
Automobile	$8,000.00
SERVICE AND EXPENSE	
Traveling	$24,000.00
Telephone and telegraph	5,000.00
Automobile	8,000.00
EQUIPMENT	
Automobile	Nothing
STATE NURSERY	
SERVICE AND EXPENSE	
Telephone and telegraph	$100.00
FOREST PROTECTION	
FOREST FIRE PREVENTION AND CONTROL	
SERVICE AND EXPENSE	
Traveling	$28,000.00
Telephone and telegraph	29,000.00
FORESTRY SHOP AND WAREHOUSE	
MATERIALS AND SUPPLIES	
Motorized equipment	$3,500.00
SERVICE AND EXPENSE	
Traveling	$400.00
Telephone and telegraph	500.00

AMENDMENT NO. 112

On page 16 of the printed bill, strike out lines 46 and 47, and insert:

"one hundred fifty-nine thousand six hundred eighty-four dollars $159,684.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF MINES
DEPARTMENT OF NATURAL
RESOURCES

DEVELOPMENTAL SURVEY	
SALARIES AND WAGES	
Secretary	Nothing
One Intermediate Stenographer-Clerk	$3,360.00
Proposed new positions:	
Intermediate Stenographer-Clerk	Nothing
Junior Mining Engineer	Nothing
Laboratory Helper (part time)	Nothing
MATERIALS AND SUPPLIES	
Printing	$10,000.00
Automobile	2,000.00
SERVICE AND EXPENSES	
Traveling	$6,000 00
Telephone and telegraph	1,000.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 113

On page 17 of the printed bill, strike out lines 5 and 6, and insert: ''two hundred forty-two thousand nine hundred eighty dollars, payable''.

AMENDMENT NO. 114

On page 17 of the printed bill, strike out line 8, and insert:

''Acquisition Fund	$242,980.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF PARKS
DEPARTMENT OF NATURAL
RESOURCES

ADMINISTRATION	
SALARIES AND WAGES	
Agricultural Exhibit Helper	Nothing
MATERIALS AND SUPPLIES	
Printing	$1,000 00
Automobile	2,000.00
SERVICE AND EXPENSE	
Traveling	$15,000 00
Telephone and telegraph	3,000.00
Automobile	600.00
Pro rata Personnel Board's services	970.00
EQUIPMENT	
Automobile	Nothing
MAINTENANCE	
MATERIALS AND SUPPLIES	
Automobile	$10,000.00

SERVICE AND EXPENSE
Traveling ---------- $12,000.00
Telephone and telegraph---------- 2,500.00
Automobile ---------- 4,000.00
EQUIPMENT
Automobile ---------- Nothing"

AMENDMENT NO. 115

On page 17 of the printed bill, strike out line 23, and insert:
"ral Resources, thirty-six thousand".

AMENDMENT NO. 116

On page 17 of the printed bill, strike out line 26, and insert:
"and Acquisition Fund---------- $36,450.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF PARKS
DEPARTMENT OF NATURAL RESOURCES

EXPENDITURES FOR CAPITAL OUTLAY
CONSTRUCTION, IMPROVEMENTS AND EQUIPMENT
Participation in CCC improvement projects------ $12,000.00
Supervision of all projects---------- Nothing"

AMENDMENT NO. 117

On page 17 of the printed bill, strike out lines 34 and 35, and insert:
"thirty-two thousand seven hundred twenty-eight dollars, payable".

AMENDMENT NO. 118

On page 17 of the printed bill, strike out line 37, and insert:
"Fund ---------- $4,032,728.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF FISH AND GAME
DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $1,500.00
SERVICE AND EXPENSE
Traveling ---------- $14,000.00
Telephone and telegraph---------- 8,500.00
Pro rata Personnel Board's services---------- 13,393.00
EQUIPMENT
Automobile ---------- Nothing
PATROL AND LAW ENFORCEMENT
MATERIALS AND SUPPLIES
Automobile ---------- $130,000.00

SERVICE AND EXPENSE	
Telephone and telegraph	$12,000.00
Boat	80,000.00
EQUIPMENT	
Automobile	$50,000.00
MARINE FISHERIES	
MATERIALS AND SUPPLIES	
Printing	$10,000.00
SERVICE AND EXPENSE	
Traveling	$18,000.00
Telephone and telegraph	1,500.00
Automobile	850.00
EQUIPMENT	
Automobile	Nothing
FISH CONSERVATION	
SERVICE AND EXPENSE	
Traveling	$35,000.00
Telephone and telegraph	2,500.00
Automobile	6,000.00
EQUIPMENT	
Automobile	$12,000.00
Operating equipment	10,000.00
ENGINEERING	
MATERIALS AND SUPPLIES	
Automobile	$5,000.00
SERVICE AND EXPENSE	
Traveling	$10,000.00
Telephone and telegraph	100.00
Automobile	600.00
EQUIPMENT	
Automobile	Nothing
GAME CONSERVATION	
MATERIALS AND SUPPLIES	
Automobile	$20,000.00
SERVICE AND EXPENSE	
Telephone and telegraph	$700.00
Automobile	10,000.00
EQUIPMENT	
Automobile	$10,000.00
GAME FARMS	
SERVICE AND EXPENSE	
Telephone and telegraph	$600.00
EQUIPMENT	
Automobile	$2,250.00
LICENSES	
MATERIALS AND SUPPLIES	
Printing	$20,000.00
Automobile	1,500.00
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	800.00
Automobile	400.00

EQUIPMENT
Automobile ---------- Nothing''

AMENDMENT NO. 118.5

On page 18 of the printed bill, strike out lines 2 and 3, and insert:
''two hundred twenty-three thousand nine hundred six-
teen dollars, pay-''.

AMENDMENT NO. 118.6

On page 18 of the printed bill, strike out line 5, and insert:
''tion fund ---------- $223,916.00''

AMENDMENT NO. 119

On page 18 of the printed bill, strike out lines 8 and 9, and insert:
''Resources, four hundred twenty-seven thousand five
hundred five dol-''.

AMENDMENT NO. 120

On page 18 of the printed bill, strike out line 11, and insert:
''gas fund ---------- $427,505.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF OIL AND GAS
DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATION
MATERIALS AND SUPPLIES
Printing ---------- $10,000.00
Automobile ---------- 6,000.00
SERVICE AND EXPENSE
Traveling ---------- $7,000.00
Telephone and telegraph---------- 4,500.00
Automobile ---------- 4,000.00
Pro rata Personnel Board's services---------- 1,737.00
Publicity ---------- Nothing
EQUIPMENT
Automobile ---------- Nothing''

AMENDMENT NO. 121

On page 18 of the printed bill, strike out line 16, and insert:
''Penology ---------- Nothing
No money appropriated by this act is available for expenditure for the departmental administration of the Department of Penology.''

AMENDMENT NO. 122

On page 18 of the printed bill, strike out lines 19 and 20, and insert:
''three hundred ninety-three thousand five hundred
eighty-eight dollars ---------- $393,588.00
No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF CRIMINAL IDENTIFICATION AND INVESTIGATION
DEPARTMENT OF PENOLOGY

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $1,000.00
Telephone and telegraph 800.00
Automobile 400.00
INVESTIGATION
MATERIALS AND SUPPLIES
Automobile $1,500.00
SERVICE AND EXPENSE
Automobile $1,000.00
TELETYPE
SERVICE AND EXPENSE
Telephone and telegraph ..... $1,200.00"

AMENDMENT NO. 123

On page 18 of the printed bill, strike out lines 27 to 29, inclusive, and insert:

"Enforcement, one hundred eighty thousand four hundred forty dollars $180,440.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF NARCOTIC ENFORCEMENT
DEPARTMENT OF PENOLOGY

INVESTIGATION AND PROSECUTION
MATERIALS AND SUPPLIES
Automobile $5,000.00
SERVICE AND EXPENSE
Traveling $12,000.00
Automobile 2,000 00
EQUIPMENT
Automobile ..... Nothing"

AMENDMENT NO. 124

On page 18 of the printed bill, strike out lines 31 and 32, and insert:

"Board, thirteen thousand nine hundred seventy dollars $13,970.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively.

ADVISORY PARDON BOARD

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $2,000.00
Telephone and telegraph ..... 1,500 00"

AMENDMENT NO. 125

On page 18 of the printed bill, strike out line 35, and insert:

"seventeen thousand seven hundred".

AMENDMENT NO. 125.5

On page 18 of the printed bill, strike out line 38, and insert:

"fund ---------- $17,790 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DETECTIVE LICENSE BUREAU
BOARD OF PRISON DIRECTORS

ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $1,500 00
Telephone and telegraph---------- 300 00"

AMENDMENT NO. 126

On page 18 of the printed bill, strike out lines 40 to 42, inclusive, and insert:

"one million five hundred twenty thousand two dollars $1,520,002.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

FOLSOM STATE PRISON

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile and garage---------- $8,000.00
SERVICE AND EXPENSE
Telephone and telegraph---------- $3,200 00
EQUIPMENT
Automobile and garage---------- $440 00"

AMENDMENT NO. 127

On page 18 of the printed bill, strike out lines 48 and 49, and insert:

"eighty-seven thousand six hundred eighty-four dollars $2,187,684.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SAN QUENTIN STATE PRISON

ADMINISTRATION
MATERIALS AND SUPPLIES
Printing ---------- $7,000 00
SERVICE AND EXPENSE
Telephone and telegraph ---------- $6,000 00
EQUIPMENT
Automobile ---------- Nothing"

AMENDMENT NO. 128

On page 18, line 51, of the printed bill, strike out "Folsom", and insert:

"San Quentin".

AMENDMENT NO. 129

On page 19 of the printed bill, strike out lines 8 and 9, and insert:

"Prison, six hundred forty-eight thousand three hundred seventy dollars $648,370.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

SOUTHERN CALIFORNIA PRISON

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile $2,000.00
SERVICE AND EXPENSE
Telephone and telegraph $3,000.00
Automobile ..... 400.00"

AMENDMENT NO. 130

On page 19 of the printed bill, strike out lines 16 and 17, and insert:

"seventeen thousand six hundred ninety-three dollars $217,693 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CALIFORNIA INSTITUTION FOR WOMEN

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $2,500.00
Telephone and telegraph 1,000.00
EQUIPMENT
Automobile ..... Nothing
CARE AND WELFARE
SALARIES AND WAGES
Proposed new positions:
Temporary help ..... Nothing"

AMENDMENT NO. 131

On page 19 of the printed bill, strike out lines 20 and 21, and insert:

"sixty-seven thousand two hundred sixty dollars ..... $267,260.00.

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF PRISON TERMS AND PAROLES

ADMINISTRATION
SALARIES AND WAGES
Executive Secretary ..... Nothing
SERVICE AND EXPENSE
Telephone and telegraph $900.00
BUREAU OF PAROLE SUPERVISION
MATERIALS AND SUPPLIES
Automobile $8,000.00

SERVICE AND EXPENSE

Traveling	$17,000.00
Telephone and telegraph	3,000.00
Automobile	3,000.00

EQUIPMENT

Automobile	$3,200.00''

AMENDMENT NO. 132

On page 19 of the printed bill, strike out lines 22 to 24, inclusive, and insert:

''Item 175—For transportation of prisoners to State prisons, Department of Penology, one hundred forty thousand dollars	$140,000.00''

AMENDMENT NO. 133

On page 19, line 27, of the printed bill, after ''felonies,'' insert: ''Board of Prison Terms and Paroles,''.

AMENDMENT NO. 134

On page 19 of the printed bill, strike out line 38, and insert: ''nine hundred eighty-five dollars,''.

AMENDMENT NO. 135

On page 19 of the printed bill, strike out line 40, and insert:

''ancy Fund	$21,985 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF ACCOUNTANCY

ADMINISTRATION

SERVICE AND EXPENSE

Pro rata Personnel Board's services	$72.00''

AMENDMENT NO. 136

On page 19 of the printed bill, strike out lines 43 and 44, and insert: ''eight thousand fourteen dollars, payable from the''.

AMENDMENT NO. 137

On page 19 of the printed bill, strike out line 46, and insert:

''District, Fund	$8,014.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF ARCHITECTURAL EXAMINERS
NORTHERN DISTRICT

ADMINISTRATION

SERVICE AND EXPENSE

Traveling	$900.00
Telephone and telegraph	600.00
Pro rata Personnel Board's services	28 00''

AMENDMENT NO. 138

On page 19 of the printed bill, strike out lines 49 and 50, and insert: "fifteen thousand five hundred eighty-five dollars, payable from".

AMENDMENT NO. 139

On page 19 of the printed bill, strike out line 52, and insert:

"District, Fund $15,585.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF ARCHITECTURAL EXAMINERS
SOUTHERN DISTRICT

ADMINISTRATION.	
SERVICE AND EXPENSE	
Traveling	$800.00
Telephone and telegraph	250.00
Pro rata Personnel Board's services	28.00"

AMENDMENT NO. 140

On page 20 of the printed bill, strike out lines 3 to 5, inclusive, and insert:

"three thousand six hundred twenty-three dollars, payable from State Board of Barber Examiners' Fund $103,623.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF BARBER EXAMINERS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Printing	$1,500.00
SERVICE AND EXPENSE	
Traveling	$400.00
Telephone and telegraph	250.00
Pro rata Personnel Board's services	259.00
EXAMINATION	
SERVICE AND EXPENSE	
Traveling	$2,000.00
INVESTIGATION AND LEGAL	
SALARIES AND WAGES	
Five Barber Inspectors (Civil Service employees only)	$22,800.00
MATERIALS AND SUPPLIES	
Automobile	$2,000.00
SERVICE AND EXPENSE	
Traveling	$6,000.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing

Seven thousand six hundred eighty dollars of the amount appropriated by this item is available only for the salary of the Secretary of the State Board of Barber Examiners. If such sum of $7,680.00 is not used for such salary, it shall not be available for expenditure for any other purpose."

AMENDMENT NO. 141

On page 20 of the printed bill, strike out lines 7 to 10, inclusive, and insert:

"tion for Civil Engineers, fifty-eight thousand seven hundred thirty dollars, payable from Civil Engineers' Fund ---------- $58,730.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF REGISTRATION FOR CIVIL ENGINEERS

ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $1,500.00
Telephone and telegraph ---------- 150.00
Pro rata Personnel Board's services ---------- 148.00
INVESTIGATION AND LEGAL
SERVICE AND EXPENSE
Traveling ---------- $3,000.00
Telephone and telegraph ---------- 400.00"

AMENDMENT NO. 142

On page 20 of the printed bill, strike out lines 12 to 15, inclusive, and insert:

"Bureau, four hundred forty-five thousand eighteen dollars, payable from the Contractors' License Fund ---------- $445.018.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

CONTRACTORS' LICENSE BOARD

ADMINISTRATION
MATERIALS AND SUPPLIES
Automobile ---------- $1,200.00
SERVICE AND EXPENSE
Traveling ---------- $5,000.00
Telephone and telegraph ---------- 1,200.00
Pro rata Personnel Board's services ---------- 1,432.00
INVESTIGATION AND LEGAL
MATERIALS AND SUPPLIES
Automobile ---------- $8,000.00
SERVICE AND EXPENSE
Traveling ---------- $35,000.00
Telephone and telegraph ---------- 4,000.00
Automobile ---------- 3,000.00

EQUIPMENT
Automobile ---------- Nothing"

AMENDMENT NO. 143

On page 20 of the printed bill, strike out lines 17 to 20, inclusive, and insert:

"Cosmetology, one hundred eighty-four thousand eighty-seven dollars, payable from Board of Cosmetology Contingent Fund---------- $184,087.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF COSMETOLOGY

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Printing ----------	$3,000.00
SERVICE AND EXPENSE	
Traveling ----------	$10,000.00
Telephone and telegraph----------	500.00
Pro rata Personnel Board's services----------	573.00
INVESTIGATION AND LEGAL	
MATERIALS AND SUPPLIES	
Automobile ----------	$2,000.00
SERVICE AND EXPENSE	
Traveling ----------	$10,000.00
Telephone and telegraph----------	400.00
Automobile ----------	1,000.00
EQUIPMENT	
Automobile ----------	Nothing"

AMENDMENT NO. 144

On page 20 of the printed bill, strike out lines 22 to 24, inclusive, and insert:

"Examiners, sixty-five thousand one hundred fifty-one dollars, payable from Dentistry Fund---------- $65,151.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF DENTAL EXAMINERS

ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling ----------	$3,000.00
Telephone and telegraph----------	800.00
Pro rata Personnel Board's services----------	175.00
INVESTIGATION	
SERVICE AND EXPENSE	
Traveling ----------	$3,000.00
Telephone and telegraph----------	300.00"

AMENDMENT NO. 145

On page 20 of the printed bill, strike out lines 26 to 29, inclusive, and insert:

"Directors and Embalmers, thirty-nine thousand nine hundred sixty-three dollars, payable from Funeral Directors and Embalmers' Fund $39,963.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$2,000.00
Pro rata Personnel Board's services	111.00
INVESTIGATION AND LEGAL	
MATERIALS AND SUPPLIES	
Automobile	$1,000.00
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	300.00
Automobile	800.00
EQUIPMENT	
Automobile	Nothing"

AMENDMENT NO. 146

On page 20 of the printed bill, strike out lines 33 to 36, inclusive, and insert:

"Standards, one hundred forty-nine thousand six hundred thirty-nine dollars, payable from the Bureau of Furniture and Bedding Inspection Fund $149,639.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BUREAU OF FURNITURE AND BEDDING INSPECTION
DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS

ADMINISTRATION	
MATERIALS AND SUPPLIES	
Automobile	$400.00
SERVICE AND EXPENSE	
Traveling	$800.00
Telephone and telegraph	300.00
Pro rata Personnel Board's services	369.00
INVESTIGATION AND LEGAL	
MATERIALS AND SUPPLIES	
Automobile	$1,200,00
SERVICE AND EXPENSE	
Traveling	$14,000.00
Telephone and telegraph	1,000.00
Automobile	600.00

EQUIPMENT
Automobile ---------- Nothing''

AMENDMENT NO. 147

On page 20 of the printed bill, strike out lines 38 to 41, inclusive, and insert:

''ical Examiners, one hundred fifty thousand nine hundred nine dollars, payable from Medical Examiners' Contingent Fund---------- $150,909.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF MEDICAL EXAMINERS

ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $3,000.00
Telephone and telegraph---------- 1,500.00
Pro rata Personnel Board's services---------- 407.00
INVESTIGATION
SERVICE AND EXPENSE
Traveling ---------- $9,000.00
Telephone and telegraph---------- 600.00''

AMENDMENT NO. 148

On page 20 of the printed bill, strike out lines 43 to 46, inclusive, and insert:

''Examiners, ninety-one thousand two hundred ninety dollars, payable from the Board of Nurse Examiners' Fund---------- $91,290.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF NURSE EXAMINERS

ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $3,000.00
Telephone and telegraph---------- 300.00
Pro rata Personnel Board's services---------- 286.00
EXAMINATION AND INVESTIGATION
SERVICE AND EXPENSE
Traveling ---------- $3,000 00
Telephone and telegraph---------- 500.00''

AMENDMENT NO. 149

On page 20 of the printed bill, strike out lines 48 to 50, inclusive, and insert:

''Optometry, seventeen thousand four hundred seventeen dollars, payable from Board of Optometry Fund ---------- $17,417.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF OPTOMETRY

ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$600.00
Telephone and telegraph	200.00
Pro rata Personnel Board's services	9.00
INVESTIGATION AND LEGAL	
SERVICE AND EXPENSE	
Traveling	$2,500.00''

AMENDMENT NO. 150

On page 21 of the printed bill, strike out lines 2 to 5, inclusive, and insert:

''Pharmacy, one hundred sixteen thousand nine hundred thirty-four dollars, payable from Pharmacy Board Contingent Fund	$116,934.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF PHARMACY

ADMINISTRATION	
SERVICE AND EXPENSE	
Traveling	$7,000.00
Telephone and telegraph	800.00
Pro rata Personnel Board's services	402.00
INVESTIGATION AND LEGAL	
MATERIALS AND SUPPLIES	
Automobile	$2,500.00
SERVICE AND EXPENSE	
Traveling	$9,000.00
Telephone and telegraph	500.00
Automobile	1,000.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 151

On page 21 of the printed bill, strike out lines 7 to 10, inclusive, and insert:

''trol Board, seventeen thousand seven hundred ninety-two dollars, payable from Structural Pest Control Board Fund	$17,792.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STRUCTURAL PEST CONTROL BOARD

ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$3,000.00
Telephone and telegraph	300.00
Pro rata Personnel Board's services	22.00''

AMENDMENT NO. 152

On page 21 of the printed bill, strike out lines 13 to 16, inclusive, and insert:

''in Veterinary Medicine, ten thousand four hundred forty dollars, payable from Veterinary Medicine Examiners' Contingent Fund $10,440.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF EXAMINERS IN VETERINARY MEDICINE

ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$400.00
Pro rata Personnel Board's services	7.00

EXAMINATION AND INVESTIGATION
SERVICE AND EXPENSE

Traveling	$2,500.00''

AMENDMENT NO. 153

On page 21 of the printed bill, strike out lines 18 to 21, inclusive, and insert:

''Brokers Commission ..... Nothing

No money appropriated by this act is available for expenditure by the Yacht and Ship Brokers Commission.''

AMENDMENT NO. 154

On page 21 of the printed bill, strike out lines 23 to 26, inclusive, and insert:

''tic Examiners, twenty-five thousand six hundred two dollars, payable from Chiropractic Examiners' Fund $25,602.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF CHIROPRACTIC EXAMINERS

ADMINISTRATION
SERVICE AND EXPENSE

Traveling	$1,500.00
Telephone and telegraph	250.00
Pro rata Personnel Board's services	37.00

EXAMINATION
SERVICE AND EXPENSE

Traveling	$1,000.00

INVESTIGATION
SERVICE AND EXPENSE
Traveling ..... $1,000.00"

AMENDMENT NO. 155

On page 21 of the printed bill, strike out lines 28 to 31, inclusive, and insert:

"Osteopathic Examiners, twenty-four thousand two hundred eighty-nine dollars, payable from Osteopathic Examiners' Contingent Fund..... $24,289.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

BOARD OF OSTEOPATHIC EXAMINERS

ADMINISTRATION
SERVICE AND EXPENSE
Traveling $1,000.00
Pro rata Personnel Board's services..... 65.00
DIRECTORY
MATERIALS AND SUPPLIES
Printing $800.00
INVESTIGATIONS
SERVICE AND EXPENSE
Traveling ..... $1,500.00"

AMENDMENT NO. 156

On page 21 of the printed bill, strike out lines 37 to 39, inclusive, and insert:

"Cannery Inspection, seven hundred seventy-four thousand seven hundred fifteen dollars..... $774,715.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF PUBLIC HEALTH
(Exclusive of Bureau of Cannery Inspection)

DEPARTMENTAL ADMINISTRATION—
GENERAL ADMINISTRATION
SALARIES AND WAGES
Secretary to the Board..... Nothing
Proposed new positions:
Intermediate Stenographer-Clerk..... Nothing
SERVICE AND EXPENSE
Traveling $6,000.00
Telephone and telegraph..... 2,500.00
Automobile 400.00
EQUIPMENT
Automobile ..... Nothing

ORTHOPEDICS	
MATERIALS AND SUPPLIES	
Automobile	$200.00
SERVICE AND EXPENSE	
Traveling	$1,000.00
Automobile	100.00
DIVISION OF COMMUNICABLE DISEASES	
BUREAU OF EPIDEMIOLOGY	
MATERIALS AND SUPPLIES	
Automobile	$1,400.00
SERVICE AND EXPENSE	
Traveling	$3,500.00
Telephone and telegraph	500.00
EQUIPMENT	
Automobile	Nothing
PSITTACOSIS CONTROL	Nothing
BUREAU OF TUBERCULOSIS	
SERVICE AND EXPENSE	
Traveling	$2,000.00
Telephone and telegraph	300 00
Automobile	100.00
BUREAU OF VENEREAL DISEASES	
SALARIES AND WAGES	
Three Medical Officers (plus their salary adjustments)	$24,840.00
Three Intermediate Stenographer-Clerks (plus their salary adjustments)	9,540.00
Seven Public Health Nurses (plus their salary adjustments)	26,424.00
Public Relations Officer	Nothing
MATERIALS AND SUPPLIES	
Automobile	$2,000.00
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	1,000 00
Automobile mileage	2,000.00
DIVISION OF LABORATORIES	
BUREAU OF LABORATORIES	
SALARIES AND WAGES	
Proposed new positions:	
Intermediate Stenographer-Clerk	Nothing
MATERIALS AND SUPPLIES	
Automobile	$300.00
SERVICE AND EXPENSE	
Traveling	$1,000.00
Telephone and telegraph	600.00
DIVISION OF VITAL STATISTICS	
SALARIES AND WAGES	
Proposed new positions:	
Two Junior Typist-Clerks	Nothing
Junior Clerk	Nothing

DIVISION OF PUBLIC HEALTH EDUCATION	
BUREAU OF CHILD HYGIENE	
SERVICE AND EXPENSE	
Traveling	$500 00
Telephone and telegraph	200.00
Automobile	100 00
DIVISION OF SANITATION	
BUREAU OF SANITARY ENGINEERING	
MATERIALS AND SUPPLIES	
Printing	$300.00
Automobile	2,000.00
SERVICE AND EXPENSE	
Traveling	$4,000.00
Telephone and telegraph	400.00
Automobile	600 00
EQUIPMENT	
Automobile	Nothing
BUREAU OF SANITARY INSPECTIONS	
MATERIALS AND SUPPLIES	
Automobile	$2,000.00
SERVICE AND EXPENSE	
Travel	$10,000 00
Telephone and telegraph	200 00
Automobile	1,500.00
EQUIPMENT	
Automobile	Nothing
BUREAU OF FOOD AND DRUG INSPECTIONS	
MATERIALS AND SUPPLIES	
Office	$250 00
Printing	600.00
Automobile	500.00
SERVICE AND EXPENSE	
Traveling	$3,000.00
Telephone and telegraph	900 00
Automobile mileage	3,000.00
EQUIPMENT	
Automobile	Nothing
WINE AND BRANDY STANDARDIZATION	
SERVICE AND EXPENSE	
Traveling	$2,000 00
Telephone and telegraph	300 00
Automobile mileage	3,500 00
PREVENTION OF MISBRANDING, MISLABELING AND ADULTERATION OF ALCOHOLIC BEVERAGES	
SERVICE AND EXPENSE	
Traveling	$600.00
Telephone and telegraph	500 00
Automobile	2,500.00''

AMENDMENT NO. 157

On page 22 of the printed bill, strike out lines 4 to 6, inclusive, and insert:

"thousand one hundred thirty-seven dollars, payable from Cannery Inspection Fund ---------- $493,137.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

BUREAU OF CANNERY INSPECTION
DEPARTMENT OF PUBLIC HEALTH

SERVICE AND EXPENSE

Pro rata Personnel Board's services---------- $2,217.00"

AMENDMENT NO. 158

On page 22 of the printed bill, strike out lines 16 to 18, inclusive, and insert:

"lic Health, five thousand four hundred ninety-five dollars, payable from Clinical Laboratory Fund-- $5,495.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

REGULATION OF CLINICAL LABORATORIES
DEPARTMENT OF PUBLIC HEALTH

SERVICE AND EXPENSE

Traveling ---------- $500.00"

AMENDMENT NO. 159

On page 22 of the printed bill, strike out lines 20 to 22, inclusive, and insert:

"lic Health, five thousand six hundred fifty-eight dollars, payable from State Board of Public Health Fund ---------- $5,658.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

INSPECTION OF WALNUT SHELLING PLANTS
DEPARTMENT OF PUBLIC HEALTH

SERVICE AND EXPENSE

Automobile ---------- $1,200.00
Pro rata Personnel Board's services---------- 28.00"

AMENDMENT NO. 160

On page 22 of the printed bill, strike out lines 36 and 37, and insert:

"two hundred seven thousand one hundred seventy-three dollars ---------- $207,173.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF ARCHITECTURE
DEPARTMENT OF PUBLIC WORKS

SUPERVISION OF STATE BUILDING CONSTRUCTION

MATERIALS AND SUPPLIES	
Office	$4,000.00
Automobile	3,000.00
SERVICE AND EXPENSE	
Traveling	$4,000.00
Telephone and telegraph	3,000.00
Automobile	1,500.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 161

On page 22 of the printed bill, strike out lines 40 to 43, inclusive, and insert:

''lic Works, one hundred eighty-four thousand six hundred forty-one dollars, payable from Division of Architecture Public Building Fund $184,641 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF ARCHITECTURE
DEPARTMENT OF PUBLIC WORKS

SUPERVISION OF PUBLIC SCHOOL BUILDING CONSTRUCTION

SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	2,000.00
Automobile	400.00
EQUIPMENT	
Automobile	Nothing''

AMENDMENT NO. 162

On page 22 of the printed bill, strike out lines 46 to 48, inclusive, and insert:

''work with other agencies, eight hundred eight thousand three hundred eleven dollars $808,311.00

No money appropriated by this act is available for expenditures for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DIVISION OF WATER RESOURCES
DEPARTMENT OF PUBLIC WORKS

ADMINISTRATION

MATERIALS AND SUPPLIES	
Automobile	$20,000 00
SERVICE AND EXPENSE	
Traveling	$2,500.00
Telephone and telegraph	1,500.00
Automobile	14,000 00

EQUIPMENT	
Automobile	Nothing
FURTHERANCE OF CENTRAL VALLEY PROJECT	Nothing
WATER RIGHTS AND WATER RESOURCES	
SALARIES AND WAGES	
Engineering	$125,000.00
SERVICE AND EXPENSE	
Traveling	$15,000 00
Telephone and telegraph	1,000.00
State's share of water master service	15,000 00
REGULATION OF SAFETY OF DAMS	
SALARIES AND WAGES	
Engineering	$50,000.00 (plus salary adjustments)
SERVICE AND EXPENSE	
Traveling	$5,000.00
Telephone and telegraph	600.00
RECLAMATION AND FLOOD CONTROL	
SALARIES AND WAGES	
Engineering	$30,000.00 (plus salary adjustments)
MATERIALS AND SUPPLIES	
Engineering	$6,000.00
SERVICE AND EXPENSE	
Traveling	$1,200.00
Telephone and telegraph	800.00''

AMENDMENT NO. 163

On page 23, lines 7 and 8, of the printed bill, strike out "right of ways", and insert:
"rights of way".

AMENDMENT NO. 164

On page 23 of the printed bill, strike out lines 26 and 27, and insert:

"thirty-five thousand five hundred forty dollars	$1,035,540.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

STATE RECLAMATION BOARD
(SACRAMENTO-SAN JOAQUIN DRAINAGE DISTRICT)

ADMINISTRATION	
SALARIES AND WAGES	
Secretary	Nothing
Proposed new positions:	
Intermediate Stenographer-Clerk	Nothing
MATERIALS AND SUPPLIES	
Printing	$800 00
Automobile	2,000.00
SERVICE AND EXPENSE	
Traveling	$2,000.00
Telephone and telegraph	1,000 00
Automobile	1,200.00

EQUIPMENT
Automobile ---------- Nothing"

AMENDMENT NO. 165

On page 23, line 28, of the printed bill, strike out "California", and insert:
"Colorado".

AMENDMENT NO. 166

On page 23 of the printed bill, strike out line 29, and insert:
"Board, nineteen thousand four hundred forty-two dollars ---------- $19,442.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

COLORADO RIVER BOARD
ADMINISTRATION
SERVICE AND EXPENSE
Traveling ---------- $1,500.00
Telephone and telegraph ---------- 400.00"

AMENDMENT NO. 167

On page 23 of the printed bill, strike out lines 35 and 36, and insert:
"eighty-eight thousand seven hundred fourteen dollars $788,714.00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

DEPARTMENT OF SOCIAL WELFARE
DIVISION OF CHILD WELFARE
BUREAU OF ADOPTIONS
MATERIALS AND SUPPLIES
Automobile ---------- $250.00
SERVICE AND EXPENSE
Traveling ---------- $7,000.00
DIVISION OF ADULT AND FAMILY WELFARE
BUREAU OF PROBATION
MATERIALS AND SUPPLIES
Automobile ---------- $1,000.00
SERVICE AND EXPENSE
Traveling ---------- $3,000 00
Automobile ---------- 800.00
EQUIPMENT
Automobile ---------- Nothing"

AMENDMENT NO. 168

On page 23 of the printed bill, in line 41, strike out the comma, and strike out lines 42 and 43 thereof, and insert:
"---------- Nothing"

AMENDMENT NO. 169

On page 23 of the printed bill, strike out lines 45 to 47, inclusive, and insert:
"troller, Unemployment Relief Division---------- Nothing"

AMENDMENT NO. 170

On page 24, line 13, of the printed bill, strike out the semicolon, and insert a comma.

AMENDMENT NO. 171

On page 24, line 18, of the printed bill, strike out the comma, and insert a semicolon.

AMENDMENT NO. 172

On page 24, line 21, of the printed bill, strike out "one million" and insert:

"seven hundred fifty thousand".

AMENDMENT NO. 173

On page 24 of the printed bill, strike out line 33, and insert:

"of finance---------- $750,000.00"

AMENDMENT NO. 174

On page 24 of the printed bill, strike out lines 39 to 49, inclusive.

AMENDMENT NO. 175

On page 28 of the printed bill, strike out lines 14 to 23, inclusive, and insert:

"SEC. 13. It is the intent of the Legislature to prohibit expenditure of money for certain specified purposes and to limit the amount that may be expended for certain other specified purposes. This intent is expressed in each instance in the form of a declaration that "no money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively" (or similar form of expression), followed by a designation of the officer, department or agency (such as State Controller or Department of Education), the general purpose (such as Salaries and Wages, or Service and Expense), and the specific purpose (such as Intermediate Stenographer-Clerk, or Telephone and telegraph), and the maximum allowable expenditure for that purpose (such as Nothing, or $200.00), using in that connection the same words, terms and phrases as used in the detailed budget of such officer, department or agency contained in that document entitled "State of California Budget for the Biennium July 1, 1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to this Legislature at the Fifty-fourth Session. For the purpose of interpreting the meaning of such words, terms and phrases, reference is hereby made to said document and the appropriate portions thereof

Each such provision of this act is a prohibition, restriction, or limitation upon the expenditure of the appropriations made by this act, does not itself appropriate any money, and is not an item of appropriation.

Each such provision of this act prohibiting, limiting or restricting the expenditure of money for specified purposes is absolute, and where "nothing" may be expended or a maximum is provided for a specified purpose, no money or no money in excess of such maximum, as the case may be, shall be withdrawn from the State Treasury for such purpose, whether from the appropriations made by this act or from unexpended balances of previous appropriations or by creation of deficiencies under Section 661 of the Political Code or otherwise."

AMENDMENT NO. 176

On page 28, between lines 23 and 24 of the printed bill, insert:

"Sec. 13.5. The expenditure of the appropriations made by this act is hereby further restricted and limited as follows:

No expenditure shall be made from any appropriation made by this act, except from the Emergency Fund, for any other specified purpose, or in an amount in excess of that provided for any specific purpose, than for the purposes and amounts set forth in that document entitled, "State of California Budget for the Biennium July 1, 1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to this Legislature at the Fifty-fourth Session, and particularly in that portion thereof entitled "Detailed budgets of departments and other State agencies," except that the Controller upon application of the Director of Finance and subject to the express limitations of this act, may authorize and provide that unneeded money restricted by this section to expenditure for a particular specific purpose may be expended either (a) for another purpose not specified in said document, or (b) for a purpose specified therein in excess of the amount so provided.

The approval of the Controller of any such expenditure shall be in writing and, in his discretion, may be manifested by his indorsement of approval upon the detailed fiscal year budget of the department or agency, or any revision, alteration or amendment thereof, as prepared by such department or agency and approved by the Department of Finance pursuant to Section 677.5 of the Political Code "

Amendments read and adopted.

Bill ordered printed, and engrossed.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Watson moved that the remarks made by Mr. Lyon, in regard to the amendments proposed to Assembly Bill No. 1800, be printed in the Journal.

Motion carried.

Remarks by Mr. Lyon on the Adoption of the Amendments to Assembly Bill No. 1800

I intend, when the Budget Bill comes up for final consideration, to make a motion that the rule be suspended which prohibits the taking out of the bill, the identical language placed in the measure by amendment today.

I, also, want to say that your vote to adopt all of these amendments, in order to give the Assembly the printed bill in the final form desired by the committee, shall not be considered as a vote for or against any particular amendment, but a vote to merely expedite the business of this body and save the time necessary to explain and adopt specifically the 176 amendments, 90 per cent of which are unobjectionable.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 559—An act to amend Section 501 of the Agricultural Code, relating to modified milk.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Doyle, Field, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Dills, Howser, F. N., Meehan, Richie, and Watson—5.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Doyle, Field, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Dills, Howser, F. N., Meehan, Richie, and Watson—5

Motion to Amend Title to Assembly Bill No. 559

Mr Desmond moved the adoption of the following amendments to the title of Assembly Bill No. 559:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", and to add Section 560 1 to,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out ", by adding section"; and strike out lines 3 and 4, and insert ", and declaring the urgency thereof"

Amendment adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 577—An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601, 5602 and 5603, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "5553," insert "5556,".

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, as amended, strike out ", 5602 and 5603", and insert "and 5602"

Amendment No. 3

On page 1, line 6, of the printed bill, as amended, strike out ", except as provided in Section 5515".

Amendment No. 4

On page 3 of the printed bill, as amended, strike out line 2, and insert "The board may hold meetings at such other times and at such places as it may".

Amendment No. 5

On page 4 of the printed bill, as amended, between lines 15 and 16, insert

"SEC. 16.5 Section 5556 of said code is hereby amended to read as follows:

5556 Every architect shall have his provisional and final certificate recorded in the office of the county recorder of the county in which he has his principal place of business and shall pay the recorder the same fee as is charged for recording deeds. The receipts for the recording shall be filed with the [district] board."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No. 1800 be made a special order of business for Tuesday, April 15, 1941, at 2 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469

Assembly Bill No. 245.

Senate Bill No. 318.

Hon. Rodney L. Turner Presiding

At 4.10 p.m., Hon. Rodney L. Turner, member of the Assembly from the Forty-first District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1920—An act to amend Section 11860 of the Insurance Code, relating to workmen's compensation insurance and reports of the State Compensation Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

TELEGRAM ORDERED PRINTED IN JOURNAL

On motion of Mr. Desmond, the following telegram was ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, April 7, 1941

Ernest C. Crowley
Assembly Chamber, State Capitol, Sacramento

Members of Dairy Institute of California, State-wide organization of milk dealers, ice cream manufacturers, evaporated, condensed and powdered milk plants voted in favor of Assembly Bill No. 559 by Desmond for amendment of modified milk definition in Agricultural Code and will appreciate your favorable consideration.

DAIRY INSTITUTE OF CALIFORNIA

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3—An act to add Section 1197.5 to, and to amend Section 1199 of, the Labor Code, relating to minimum wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—60.

NOES—Hastain, and Millington—2.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1800

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 1800 were this day adopted.

Substitute Motion

Mr Lyon moved, as a substitute motion, that the amendments be reconsidered at this time.

Roll Call Demanded

Messrs. O'Day, Collins, George D., and Donnelly demanded a roll call.

The question being on the reconsideration of the amendments to Assembly Bill No. 1800.

The roll was called, and the amendments refused reconsideration by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Richie, and Thomas—20.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Collins, Sam L., Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—45.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 310—An act to amend Section 3935 of the Elections Code, relating to the order of names of candidates on primary ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Turner, Waters, Weber, Weybret, and Wollenberg—53.

NOES—Collins, Sam L., Dilworth, Evans, Hastain, Knight, John B., Pelletier, Pfaff, Tenney, Thurman, and Watson—10.

Bill ordered transmitted to the Senate

Assembly Bill No. 825—An act to add Sections 1266 to 1266.4, both inclusive, to the Code of Civil Procedure, relating to eminent domain, including the taking of land by the State, cities, and counties for streets and highways

Bill read third time

Motion to Amend

Mr. Cain moved the adoption of the following amendments:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Sections 1266 and 1266.1 to Part 3, Title 7, of the".

Amendment No. 2

Strike out line 3 of the title of the printed bill, and insert "including the taking of land by cities and coun-".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "the State or".

Amendment No. 4

On page 1, line 10, of the printed bill, after "parcel," insert "the resolution of the governing body of the city or county may provide for the taking of the whole of such parcel and upon the adoption of any such resolution".

Amendment No. 5

On page 1, line 12, of the printed bill, strike out "shall, in good"; and in line 13, strike out "faith and upon payment of just compensation,".

Amendment No. 6

On page 1 of the printed bill, strike out lines 17 to 26, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert "1266.1. A county or a city may acquire land".

Amendment No. 7

On page 2 of the printed bill, strike out line 18, and insert "purposes enumerated in Section 1266 of this code."

Amendment No. 8

On page 2 of the printed bill, strike out lines 19 to 26, inclusive

Amendments read and adopted

Bill ordered reprinted, and re-engrossed

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Meehan:
An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business and Professions Code, relating to horse racing and horse racing meetings.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2590: By Mr. Meehan—An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business and Professions Code, relating to horse racing and horse racing meetings.

Referred to Committee on Public Morals.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 794—An act to add Chapter 7, comprising Sections 860 to 867, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed as household employees.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Poole, Russell, Sheridan, Tenney, Thomas, Welch—34.
NOES—Call, Carlson, Cassidy, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Stream, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—36

Assembly Bill No. 845—An act to add Section 5.789 to the School Code, relating to leave of absence for noncertificated employees of school districts.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendment.

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out the period, and insert ", in the same manner as is provided in Sections 5.721 and 5.750 of this code for certificated employees."

Amendment read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1229—An act to add Section 845.5 to, and to repeal Sections 860, 861, 865, 880 and 881 of, the Fish and Game Code, relating to the use of nets.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, after 'act to', strike out the balance of the line; and strike out all of lines 2 and 3 of the title, and insert "amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 697.5 of the Fish and Game Code is hereby amended to read as follows

697.5 Any striped bass [incidentally taken with lawfully taken shad in District 12B must be turned over to city, county or State institutions under regulations to be prescribed by the commission] *taken in shad nets or salmon nets in Districts 12B or 12C must be liberated from the nets by the fishermen. Striped bass necessarily taken aboard a boat to free them from a net shall be returned to the water immediately. A holder of a commercial fishing license may, however, have in his possession not more than one such striped bass of legal size at any time during the period that netting operations are permitted in said districts. The doing of anything required by this section shall not constitute waste or deterioration of fish under Section 1061 or 1064.*

SEC. 2 Section 720 of said code is hereby amended to read as follows:

720. Between June [1] *10* and [February] *March* 14, the bag limit on shad is five per day, and between said dates, not more than one daily bag limit may be possessed *by any person* during one day

SEC 3. Section 860 of said code is hereby amended to read as follows

860. In District 12B, salmon may be taken [with nets between August 1 and September 16 and between November 15 and June 15,] with nets allowed to be used in said district[ ] , *as follows:*

(a) Between November 15 and June 15.

(b) Until August 1, 1943, between August 1 and September 23

(c) On and after August 1, 1943 between August 1 and September 16

SEC 4 Section 865 of said code is hereby repealed

SEC 5. Section 865 is hereby added to said code, to read as follows.

865 It is unlawful to use any net except a gill net or a trammel net to take shad Such nets may be used to take shad only as follows

(1) They may be used in District 12B, excluding all sloughs except Broad Slough, between March 15 and May 31

(2) Until May 16, 1941, they may be used in District 12C, excluding all sloughs, between February 15 and May 15

(3) They may not be used between sunrise Saturday and sunset of the following Sunday

SEC 6 Section 881 of said code is hereby amended to read as follows:

881 In District 12C, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions

(a) The cork line must not be submerged more than two fathoms below the surface of the water the lines attaching the buoys or floats to the cork lines must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.

(b) The meshes of any gill net must be at least seven and one-half inches in length, except that *until May 16, 1941, during the period* between February 15 and May 15 the meshes of such nets may be not less than five and one-half inches in length The meshes must be approximately the same size and must not vary in length more than two inches

SEC 7. Section 865 of said code as added by this act shall be construed as a new enactment and not as a continuation of any existing law.

SEC 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning

of Section 1 of Article IV of the Constitution of this State and therefore shall take effect immediately. The following is a statement of the facts constituting such necessity:

The taking of fish for commercial purposes in the districts affected by this act utilizes a natural resource of this State and supplies a valuable food to the people of the State and at the same time furnishes a livelihood to a number of residents. Under the present law such commercial fishing is seriously impeded because of restrictions imposed for the protection of sport fishing. The provisions of this act are necessary in order to permit a reasonable utilization of the fish resources of the State and the conservation of the supply of both commercial and sporting fish, and in order that such benefits will become available during the current and impending fishing seasons it is necessary that this act take immediate effect."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight and equipment upon vehicles.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended, strike out "material", and insert "agricultural products such as hay, straw, or leguminous plants,"

Amendment No. 2

On page 2, lines 9 and 10, of the printed bill, strike out "outside of city limits".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

House Resolution No. 130

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable as hereinafter specified, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, April 14, 1941, to April 19, 1941, both dates inclusive:

	Per day
Barber Stark, Page	$2 50
Bruce Stark, Page	2 50

Commencing Wednesday, April 9, 1941, to April 11, 1941:

Richard Arthur Carlson, Page	Without pay
C Don Field, II, Page	Without pay
Harrison Call, Jr, Page	Without pay

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Weybret—62

NOES—Doyle, and Middough—2.

By Mr. Meehan:

House Resolution No. 131

Relative to real estate brokers and salesmen

WHEREAS, Real estate brokers and salesmen are not exempt from taxation under the Federal Social Security Act and are therefore subjected to tax by the California Unemployment Insurance Act; and

WHEREAS, It is administratively difficult to determine the amount of benefits a real estate broker and salesman is entitled to have under the Unemployment Insurance Act of this State; and

WHEREAS, It is the desire of the Legislature of the State of California to exempt real estate brokers and salesmen entirely from the contribution and benefit provisions of the Unemployment Insurance Act of this State; and

WHEREAS, This is not possible unless and until proper amendments are made in the Unemployment Tax Act provisions of the Federal Social Security Act, now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States is hereby memorialized to make the necessary amendments to the Unemployment Tax Act provisions of the Federal Social Security Act in order that the State of California may make amendments in the Unemployment Insurance Act of this State granting an exemption from the contribution and benefit provisions of the State act to real estate brokers and salesmen; and be it further

Resolved, That copies of this resolution shall immediately be dispatched by the Chief Clerk of the Assembly to the Senators and Representatives in Congress from the State of California.

House Resolution No. 131 read, and referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 1717
Assembly Bill No. 1719

Has had the same under consideration, and reports the same back with the recommendation Do pass.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 443
Assembly Bill No. 1274
Assembly Bill No. 1277
Assembly Bill No. 1278
Assembly Bill No. 1759
Assembly Bill No. 2256
Assembly Bill No. 2492

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 911
Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 899

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 236

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 897
Assembly Bill No. 1561
Assembly Bill No. 2556
Assembly Bill No. 1457

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1119

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred.

Assembly Bill No. 209
Assembly Bill No. 1179
Assembly Bill No. 1768

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which were referred:

Assembly Bill No. 2518
Assembly Bill No. 2519
Assembly Bill No. 2520
Assembly Bill No. 2521

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POOLE, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR SPEAKER: Your Committee on Crime Problems, to which were referred:

Assembly Bill No. 1740
Assembly Bill No. 2426

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

POOLE, Chairman

Above reported bills ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No 1327

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation, and re-refer to Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No 1865

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 95—An act to amend Section 737hh of the Political Code, relating to compensation of the judges of the Superior Court in and for the County of Sacramento;

Assembly Bill No. 129—An act to add Section 2700 5 to, and to amend Sections 2701, 2702 and 2843 of the Elections Code, relating to primary elections and county central committees;

Assembly Bill No. 223—An act to amend Sections 737e and 737v of the Political Code, relating to the salaries of judges of the superior court;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of April, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 664—An act to add Article 4 to Chapter 6 of Part 2 of Division 6 of the School Code, relating to the providing of educational facilities for pupils in the public schools;

Assembly Bill No. 890—An act to amend Section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks;

Assembly Bill No. 1022—An act to amend Section 853 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to bonds of city clerks and city treasurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of April, 1941, at 4 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1023—An act to amend Section 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the compensation of city clerks and city treasurers:

Assembly Bill No. 1200—An act to add a new section to the Elections Code, to be numbered 7803.1, relating to the canvass of absent voter ballots;

Assembly Bill No. 1201—An act to amend Section 7805 of the Elections Code, relating to challenges of absent voters;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of April, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No. 1965
Assembly Bill No. 570

Has had the same under consideration, and reports the same back with amendments with the recommendation Do pass, and re-refer to the Committee on Ways and Means.

MILLER, Chairman

Above reported bills referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 1756

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 1688

Has had the same under consideration, and reports the same back with the recommendation: Do pass as amended, and be re-referred to Committee on Ways and Means.

MILLER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1941

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1129

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 15

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

WEYBRET, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred.

Assembly Bill No 2204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1511 re-referred to Committee on Insurance.
Assembly Bill No. 1514 re-referred to Committee on Insurance.
Assembly Bill No. 2290 re-referred to Committee on Insurance.
Assembly Bill No 2332 re-referred to Committee on Insurance.
Assembly Bill No 1085 re-referred to Committee on Governmental Efficiency and Economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students and teachers of Orland Joint Union High School: Rose Marie Hattrup, Raymond Vonasek, Lauvaune Boone, Marian Chace, Georgiana Michael, Jean Gulley, Anita Gilham, James Tapp, David Brown, Ray Dee Stripe, Clara Lindou, Joyce Abbott, Donna McCollum, Roberta Gilmore, Joyce Jobe, Beulah Button, Betty Johnson, Lowell Westaby, Ann Delsman, George Boyko, Eunice Hayden and Leo Reager, J A Russell, teacher, and Samuel Boot.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Henry Smidderk of Compton.

On request of Mr. Sheridan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Dedmon, Miss Newton and Mrs. Cowin, advisers, and the following group of Alameda County High School students, members of club known as "Future Voters of America": Thora Gustafson, Jean Dickie, Nona Dedmon, Lorette Dedmon, Mary Elizabeth Cowin, Alice Jean Atwood, Robert Horne, Bill Bullard, Horace Leland, Kenneth Smetts and Harry Hollidge

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William J. Worthington, President, Inglewood Junior Chamber of Commerce and California Business Education Association, President Southern Section Improved Pension Plan for Teachers.

On request of Messrs Johnson, Garland and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ned Flanders, director, and Robert F Laws, graduate manager in charge of publications for the A. S. U. C., both of Berkeley and the following members of the Glee Club of the Associated Students of the University of California at Berkeley: Ned Flanders, Norwood Smith, Byron Ruelas, Ed. Horner, Jr., Howard Hartmann, Henry Ferree, Roschelle Paul, Leslie Tedsen, R. G. Schwing, T. Roy Liedstrand, Douglas C Frisendahl, Ted Nichols, Charles F. Boyns, Stanley Benedict, Bert Tolbert, George Pettygrove, Dan W. Jones, Robert J Considine, James Douglass, Jack Williams, Charles G. Day, John Bihn, Alfred Kelley, Ernest Scolari, Whitney Lawrence, Robert Broshear, Thorp Walker, Nathan Tolbert, Park Biehl, Bill Heath, Ralph Eisenklune, Victor Burkman, Peter Kujochish, Elliott Castello, and Bob Griffin.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dean Claude L. Welch, Chairman, Los Angeles Democratic County Central Committee, and Mrs. Claude L. Welch and daughter, Betty.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Russell R. Hand, Chairman, Townsend Party State Central Committee, of Los Angeles.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gladys Washburn, Mrs. Mary Findley and Mrs. Philamena O'Brien, all of Richmond.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harlow B. Ford and James Ford of Watsonville.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. Thomas Davis, attorney at law, of Los Angeles.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Eugenia West Jones of Los Angeles.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Catharine Eldridge of Los Angeles.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. W. Taylor of Visalia, Luther D. Thompson and Milton L. Kidd of Modesto, irrigation district directors

ADJOURNMENT

At 5 35 p m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 2 p.m., Thursday, April 10, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 10, 1941

The Assembly met at 2 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Gaffney.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kellems, on motion of Mr. Waters.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96
Assembly Bill No 404
Assembly Bill No. 405
Assembly Bill No. 406
Assembly Bill No. 407
Assembly Bill No. 786
Assembly Bill No. 841
Assembly Bill No 1001
Assembly Bill No. 1358
Assembly Bill No. 1480
Assembly Bill No. 1547

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred

Assembly Bill No. 2167

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

POTTER, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 825
Assembly Bill No 845
Assembly Bill No 1229
Assembly Bill No 1427
Assembly Bill No. 1500
Assembly Bill No 1501

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 638
Assembly Bill No. 1153
Assembly Bill No. 1526
Assembly Constitutional Amendment No. 13
Assembly Concurrent Resolution No 28

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No 91
Senate Bill No. 1158
Senate Bill No. 289
Senate Bill No 449
Senate Bill No. 693
Senate Bill No 63
Senate Bill No. 46

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 186
Senate Bill No. 500
Senate Bill No. 1005
Senate Bill No. 1043
Senate Bill No. 1162
Senate Bill No. 1276
Senate Bill No. 1299

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 186—An act to repeal Section 70 of, and to add a new Section 70 and Sections 70.4, 70.6 and 80 to, the Streets and Highways Code, relating to the California Highway Commission and providing for the establishment, appointment, organization and expenses thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 500—An act to amend Section 942 of the Streets and Highways Code, relating to powers of board of supervisors.

Referred to Committee on County Government.

Senate Bill No. 1005—An act to amend Sections 1, 2, 3, 3a, 4, 5, 7, 11, 12 and 15 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Referred to Committee on Financial Institutions.

Senate Bill No. 1043—An act to amend Section 19 of, and to add Section 24.1 to, the Water Commission Act, relating to water and the determination and administration of water rights.

Referred to Committee on Irrigation.

Senate Bill No. 1162—An act to amend Sections 3, 4 and 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions, including their powers and loans by and between credit unions.

Referred to Committee on Financial Institutions.

Senate Bill No. 1276—An act to amend Section 4251 of the Political Code, relating to the compensation for public services in counties of the twenty-second class

Referred to Committee on County Government.

Senate Bill No. 1299—An act to amend Sections 6.9, 24, 24.2, 24.3, 27, 33e, 34, 49, 49.2, 51, 66 and 67.5, and to repeal 24.5, 24.7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24.1, 24.5, 24.55, 24.6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages.

Referred to Committee on Public Morals.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 54 Assembly Bill No. 543
Assembly Bill No 271 Assembly Bill No. 375

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 388—An act to amend the Probate Code, by adding Section 684 thereto, relating to the stay of payment of family allowances.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 388?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "therefrom", and insert "from an order relating thereto".

Amendment No. 2

On page 1, line 14, of the printed bill, after "payment", insert ", or any part thereof,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 388 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2426—An act to amend Section 19a of the Penal Code, relating to punishment for crime.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1740—An act to add Sections 73.5, 73.6 and 73.7 to the Penal Code, relating to the giving of legal or financial assistance in the prosecution of any criminal case.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1457—An act making an appropriation to the Department of Finance for the purpose of reconditioning and framing the picture "Driving the Last Spike."

Bill read second time, and ordered engrossed.

Assembly Bill No. 1561—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of Public Officials of California and to make an appropriation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2556—An act for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to use certain funds in the Department of Agriculture Fund, derived under the provisions of Chapter 241, Statutes of 1935, and Chapter 401, Statutes of 1935, and making an appropriation thereof.

Bill read second time, and ordered to third reading.

Assembly Bill No. 236—An act adding Section 956.8 to, and amending Section 958 of, the Streets and Highways Code, relating to the abandonment of county highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 899—An act to add Section 569 to the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2492—An act to amend Section 159 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2256—An act to amend Section 164 of the Vehicle Code, relating to the registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1759—An act to amend Section 175 of the Vehicle Code, relating to the registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1278—An act to amend Sections 382 and 384 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1277—An act to amend Section 375 of the Vehicle Code, relating to fees to be paid by manufacturers, transporters and dealers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1274—An act to amend Sections 158, 162, 178, 179, 183 and 226 of, and to add Section 195.5 to, the Vehicle Code, relating to the registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 443—An act to amend Section 374.5 of the Vehicle Code, relating to license plates for exempt vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1719—An act to amend Section 736.11 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1717—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2204—An act to amend Section 504 of the Public Resources Code, relating to the Department of Natural Resources and changing the name of the Division of Parks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, to repeal Sections 658 and 679 of the Political Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended strike out "Sections 658 and 679", and insert "Section 658".

Amendment No. 1a

On page 3, line 13, of the printed bill, as amended, strike out "Department of Finance", and insert "State Controller".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 41 and 42, and insert "shall be filed with the Legislature on its reassembly following the constitutional recess It shall be".

Amendment No. 3

On page 5, line 18, of the printed bill, as amended, strike out "auditor", and insert "Department of Finance"

Amendment No. 4

On page 5 of the printed bill, as amended, strike out lines 28 to 32, inclusive, and insert

"SEC. 19 Out of the moneys in the State Treasury the sum of four hundred ten thousand six hundred fifty-five dollars ($410,655), or so much thereof as may be necessary, is hereby appropriated to be expended in accordance with law for the purposes of this act during the Ninety-third and Ninety-fourth Fiscal Years, of which sum not to exceed three hundred sixty thousand six hundred fifty-five dollars ($360,655) shall be payable from the money appropriated to the Department of Finance in Item 82 of the Budget Act of 1941, and not to exceed fifty thousand dollars ($50,000) shall be payable from any money in the State Treasury not otherwise appropriated."

Amendment No. 5

On page 5 of the printed bill, as amended, strike out lines 33 and 34, and insert "SEC. 20. (a) Section 658 of the Political Code is hereby repealed"

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2518—An act to amend Section 171 of the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime Problems:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Amend Section 171 of", and insert "add Section 2877 to".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 2877 is hereby added to the Penal Code, to read as follows:

2877. The board may provide for the manufacture of small articles of handiwork by the prisoners which may be sold to the public at the State prisons The board may provide that all or a part of the sale price of the articles be deposited to the account of the prisoner manufacturing the article"

Amendment No. 3

On page 1, of the printed bill, strike out lines 2 to 9, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2519—An act to amend Section 110 of the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime Problems:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 110 of", and insert "sundry article and chapter headings, to repeal Section 679a of, and to add Section 2876 to,"

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 The article heading of Article 1, Chapter 5, Title 1, Part 3 of the Penal Code is hereby amended to read as follows:

Article 1. Employment of Prisoners *Generally*

SEC. 2. Section 2876 is hereby added to the Penal Code, to read as follows:

2876 It shall be unlawful for any person to sell, expose for sale, or offer for sale within this State, any article or articles manufactured wholly or in part by convict or other prison labor, except articles the sale of which is specifically sanctioned by law.

Every person selling, exposing for sale, or offering for sale any article manufactured in this State wholly or in part by convict or other prison labor, the sale of which is not specifically sanctioned by law, is guilty of a misdemeanor

SEC. 3 Section 679a of the Penal Code is hereby repealed.

SEC. 4 The chapter heading immediately preceding Section 2870 of the Penal Code is hereby amended to read as follows:

CHAPTER [7.] 5 SALE OF PRISON MADE GOODS

SEC. 5 The chapter heading of Chapter 6 of Title 1 of Part 3 of the Penal Code is hereby amended to read as follows:

CHAPTER [6.] 7. EXECUTION OF SENTENCES OF IMPRISONMENT

SEC. 6. The chapter heading immediately preceding Section 3000 of the Penal Code is hereby amended to read as follows:

CHAPTER [7] 8 LENGTH OF TERM OF IMPRISONMENT AND PAROLES".

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 8, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2520—An act to amend Section 109 of the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime Problems:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 109", and insert "add Article 4, comprising Section 2690, to Chapter 4, Title 1, Part 3,".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Article 4, comprising Section 2690, is hereby added to Chapter 4, Title 1, Part 3 of the Penal Code, to read as follows:

Article 4. Temporary Removal of Prisoners

2690. The Governor may, upon the certification of the prison physician and the request of either the State Board of Prison Directors or the Board of Prison Terms and Paroles, authorize the temporary removal of a prisoner from a State prison in the custody of a prison guard. The prisoner so removed shall be deemed to be in the custody of the State Board of Prison Directors until his return. Any such prisoner so removed shall be returned as soon as the requirements of his case permit."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 12, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2521—An act to amend Section 107 of the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime Problems:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 107 of", and insert "add Section 3404 to".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 3404 is hereby added to the Penal Code, to read as follows:

3404. When there is any reasonable grounds to believe that a prisoner may be forcibly removed from the California Institution for Women, the superintendent shall report the fact to the Governor, who may order the removal of such prisoner to any California State prison for safekeeping, and it is hereby made the duty of the warden of such prison to accept and detain such prisoner for the further execution of her sentence. *The Governor may thereafter order the prisoner returned to* the California Institution for Women for the further execution of her sentence according to law.

The necessary costs and expenses incurred in carrying out the provisions of this section shall be a proper charge against any fund hereafter appropriated as an emergency fund, or similar appropriation for contingencies, notwithstanding any limitations or restrictions that may be imposed upon the expenditure of any such appropriation."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 17, inclusive.

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1756—An act to amend Sections 5.792 and 5.796 of the School Code, relating to the merit system of noncertificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, strike out "provisions of this article become effective", and insert "adoption of a merit system pursuant to this article,"

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1865—An act to add Sections 5014 and 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund and providing the manner in which the moneys in said fund may be expended.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on State Grounds and Parks:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 14, inclusive, and insert "(b) The remainder shall be expended for the acquisition, improvement and maintenance of State parks and State monuments."

Amendment read and adopted
Bill ordered printed and engrossed.

Assembly Bill No. 1768—An act to amend Sections 3, 4, 5, 6, 6.6, 6.9, 7, 8, 10, 11, 12, 14, 17, 20, 22, 22b, 22c, 22d, 23b, 24, 24.3, 24.5, 24.7, 30, 31f, 32, 33, 34, 39, 45, 46, 47, 49, 51, 51a, 51c, 51g, 52, 54.3, 55, 66, 67, 67.1 and to repeal Sections 6.4 and 54.1 of the Alcoholic Beverage Control Act, and to add thereto Sections 53.4 and 53.7, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after the period following "felony", strike out "No person shall", and all of lines 13, 14, 15, 16 and 17.

Amendment No. 2

On page 4, line 36, of the printed bill, as amended, after the comma between "State," and "except," insert "and also authorizes such person to deal in warehouse receipts for the alcoholic beverage specified in the license."

Amendment No. 3

On page 4, line 40, of the printed bill, as amended, strike out the semicolon following "wine", and insert ", and brandy manufacturers may also sell brandy to any person holding a license authorizing the sale of brandy;".

Amendment No. 4

On page 4, line 44, of the printed bill, as amended, strike out "produced", and insert "originally distilled".

Amendment No. 5

On page 4, line 45, of the printed bill, as amended, strike out "produced", and insert "distilled".

Amendment No. 6

On page 5, line 25, of the printed bill, as amended, strike out the comma following "beverage", and insert "and"

Amendment No. 7

On page 5, line 25, of the printed bill, as amended, strike out the comma following the last word in said line; and strike out all of lines 26 and 27, and insert a period.

Amendment No. 8

On page 6 of the printed bill, strike out all of lines 29, 30, 31 and 32, and insert

"(k) Any manufacturer's, manufacturer's agent's, broker's, rectifier's or wholesaler's license authorizes the dealing in warehouse receipts, for the kind of alcoholic beverages which such licensees are authorized to sell, to other licensed manufacturers, distilled spirits manufacturer's agents, brokers, rectifiers or wholesalers who are authorized to sell the kind of alcoholic beverages covered by the warehouse receipt; provided, that nothing in this act shall be deemed to prohibit the sale of warehouse receipts for alcoholic beverages by other persons, in accordance with rules and regulations adopted by the board, to manufacturers, manufacturer's agents, brokers, rectifiers and wholesalers licensed to sell the kind of alcoholic beverages covered by said warehouse receipt when such warehouse receipt was acquired by such person prior to May 1, 1941.

An offer to sell or an agreement to sell distilled spirits which at the time of said offer or agreement are stored in containers larger than one gallon capacity and the ownership of such distilled spirits is represented by a warehouse receipt, shall be deemed a sale of a warehouse receipt."

Amendment No. 9

On page 6 of the printed bill, at the end of line 49, insert "Such licenses shall also authorize the sale of alcoholic beverages specified in the license to persons who take delivery of such alcoholic beverages in this State for delivery or use without the State".

Amendment No. 10

On page 7, line 5, of the printed bill, between "sale" and "of", insert "or delivery".

Amendment No. 11

On page 7 of the printed bill, between lines 7 and 8, insert

"It shall not be required that a person must actually engage in the cutting, blending or bottling of distilled spirits in order to qualify for a distilled spirits manufacturer's agent's license".

Amendment No. 12

On page 7, line 51, of the printed bill, as amended, between "manufacturer" and "may", insert "or brandy manufacturer".

Amendment No. 13

On page 7, line 52, of the printed bill, as amended, between "wine" and "at", insert "or brandy, as specified in the license,"

Amendment No. 14

On page 7, line 52, of the printed bill, as amended, between "wine" and "to", insert "or brandy".

Amendment No. 15

On page 8, line 5, of the printed bill, as amended, between "manufacturer" and "a", insert "or brandy manufacturer".

Amendment No. 16

On page 8, line 9, of the printed bill, as amended, between "payment" and "for", insert "by a wine manufacturer".

Amendment No. 17

On page 8, line 11, of the printed bill, as amended, strike out the period after "license", and insert "and by a brandy manufacturer the payment for each such duplicate license of an amount equal to the fee paid for his original license".

Amendment No. 18

On page 11, line 9, of the printed bill, as amended, after the comma following "beverages", insert "particularly any of the provisions of Section 54 and 55 of said act,".

Amendment No. 19

On page 11, line 14, of the printed bill, as amended, after the period following "statement", strike out the balance of said line 14; and in line 15, strike out "made in an application shall be deemed material".

Amendment No. 20

On page 12, line 3, of the printed bill, as amended, strike out the comma between "manage" and "direct", and insert "or".

Amendment No. 21

On page 12, line 3, of the printed bill, as amended, strike out the comma following "direct", and strike out "or conduct".

Amendment No. 22

On page 13, line 41, of the printed bill, as amended, strike out "10", and insert "5".

Amendment No. 23

On page 14, line 20, of the printed bill, as amended, strike out "at the time", and insert "15 days after".

Amendment No. 24

On page 19, line 23, of the printed bill, as amended, after "46", insert

"The person affected by any ruling, order or decision of the board in the making of an arbitrary assessment of taxes or an additional assessment of taxes or on any ruling, order or decision on a petition for a license, a protest, complaint, or any other matter, or on suspension or revocation of a license may, after exhausting the remedies such person may have with the board, and within 30 days after final action by the board, file an action in any superior court of California. Said action shall be for a review of the ruling, order, decision or other official act of the board. Said court shall review all records on file with the board which pertain to said ruling, order, decision or other official act, and if furnished by the board, a transcript of evidence taken by the board, and said court shall take such additional relevant and competent evidence as said court may require or as may be submitted by the board or the person filing such petition for review and shall then render, according to the weight of evidence adduced before such court, judgment affirming, reversing or modifying the action of the board."

Amendment No. 25

On page 19, line 30, of the printed bill, as amended, after "which", insert "the sales were made for which".

Amendment No. 26

On page 19, line 31, of the printed bill, as amended, strike out "incurred", and insert "imposed".

Amendment No. 27

On page 26, line 29, of the printed bill, as amended, strike out "or" after "alcohol", and insert a comma, and between "spirits" and "by", insert "or wine".

Amendment No. 28

On page 26, line 30, of the printed bill, as amended, after the comma following "manufacturers", and before "rectifiers", insert "wine manufacturers".

Amendment No. 29

On page 26, line 35, of the printed bill, as amended, between the comma following "licenses" and the word "rectifiers'", insert "wine manufacturers'".

Amendment No. 30

On page 26, line 40, of the printed bill, as amended, between "alcohol" and "or", insert ", wine".

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1302—An act regulating the installation and maintenance of plumbing and disposal systems in the unincorporated areas of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1, line 4, of the printed bill, after "apply", insert "to buildings upon agricultural lands, consisting of one-family dwellings and accessory buildings where the accessory buildings are occupied by not more than two employees, nor".

Amendment No. 2

On page 1, line 16, of the printed bill, after "the", insert "Division of Immigration and Housing of the".

Amendment No. 3

On page 1 of the printed bill, strike out line 18, and insert

"The provisions of this act shall be deemed to be the minimum plumbing requirements for the unincorporated areas of the State of California, and nothing herein contained shall be construed as minimizing or repealing more restrictive requirements of any existing law or ordinance, nor shall anything herein be construed as prohibiting".

Amendment No. 4

On page 1, line 19, of the printed bill, strike out "supplementary".

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "between"; and strike out line 2, and in line 3, strike out "the succeeding day".

Amendment No. 6

On page 2, lines 4 and 5, of the printed bill, strike out ", nor enter any dwelling in the absence of the occupants', and insert "or".

Amendment No. 7

On page 2, line 29, of the printed bill, after "the", insert "Division of Immigration and Housing of the".

Amendment No. 8

On page 2, line 35, of the printed bill, strike out "intended", and insert "installed *in a building*".

Amendment No. 9

On page 2, line 37, of the printed bill, strike out "in buildings for discharge", and insert "to be discharged".

Amendment No. 10

On page 2, line 40, of the printed bill, strike out "designated to receive", and insert "installed in any building or on the premises thereof for the purpose of receiving".

Amendment No. 11

On page 2, line 41, of the printed bill, strike out "in any building".

Amendment No. 12

On page 2 of the printed bill, strike out lines 42 to 44, inclusive, and insert "all drainage pipes, cesspools, septic tanks and disposal lines therefrom."

Amendment No. 13

On page 2, line 50, of the printed bill, before "leeching", insert "subsurface".

Amendment No. 14

On page 2 of the printed bill, strike out lines 51 and 52, and insert "tem or to be disposed of in some other sanitary manner."

Amendment No. 15

On page 3, line 13, of the printed bill, strike out "in any building".

Amendment No. 16

On page 3, line 17, of the printed bill, strike out "; and all fixtures,", and strike out lines 18 and 19 and insert ", without leakage."

Amendment No. 17

On page 3, line 25, of the printed bill, strike out "satisfac-"; and strike out line 26, and insert "by a sanitary installation."

Amendment No. 18

On page 3, line 27, of the printed bill, strike out "section", and insert "act"

Amendment No. 19

On page 3, line 30, of the printed bill, strike out "such a manner as to meet the", and strike out line 31, and insert "a sanitary manner."

Amendment No. 20

On page 3, line 33, of the printed bill, after "for", insert "commercial distribution and".

Amendment No. 21

On page 3, line 34, of the printed bill, strike out "all", and insert "any"

Amendment No. 22

On page 3, line 35, of the printed bill, strike out "any".

Amendment No. 23

On page 3, line 36, of the printed bill, strike out "with the", and insert "into a"

Amendment No. 23a

On page 3, line 39, of the printed bill, strike out "of", and insert "or".

Amendment No. 24

On page 4, line 2, of the printed bill, after "steel.", insert
"Vitrified clay pipe may be used in the drainage line of any plumbing system from a point three feet beyond the exterior of any building."

Amendment No. 25

On page 5, of the printed bill, strike out line 13, and insert "ing the deposit of solids and clogging"

Amendment No. 26

On page 5, line 39, of the printed bill, strike out "plumbing fixture,".

Amendment No. 27

On page 5 of the printed bill, strike out line 41, and insert "this act, is a public nuisance and if not made to conform within".

Amendment No. 28

On page 5, line 42, of the printed bill, strike out "other reasonable and", and insert "such".

Amendment No. 29

On page 5, line 43, of the printed bill, strike out "of", and insert "after".

Amendment No. 30

On page 5 of the printed bill, strike out lines 45 and 46, and insert "in or on which such plumbing is located shall be abated by proper action brought in the superior court of the county in which such building or premises is situate."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1179—An act to add Section 7.7 to the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "on-or".

Amendment No. 2

On page 2, line 13, of the printed bill, strike out "on-or".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1119—An act to add Section 120.5 to the Agricultural Code, relating to seed dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 120.5 to", and insert "amend Section 123 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "to seed dealers", and insert "to shipments of nursery stock".

Amendment No. 3

Strike out all of lines 1 to 4, inclusive, of the printed bill, and insert

"SECTION 1. Section 123 of the Agricultural Code is hereby amended to read as follows:

123. Each shipment of nursery stock, imported into any county or locality of the State from another county or locality within the State, shall have marked thereon in a conspicuous manner and place the name and address of the shipper, owner, or person, forwarding the same, and also the name of the person or his agent, to whom the same is forwarded.

Each such shipment, sold *or offered* for delivery or transportation from one county to another, or delivered or transported from one county to another, shall have affixed thereto in a conspicuous place by the person making such sale, delivery or transportation, a shipping permit issued by the commissioner having jurisdiction in the county of origin, warning that inspection at destination is required

Each such shipment sold for delivery or transportation to a locality within the same county or delivered or transported to a locality within the same county, shall have affixed thereto in a conspicuous place by the person making such sale, delivery or transportation, a shipping permit or in lieu thereof a certificate of inspection and release issued by the commissioner of that county, giving notice that inspection at destination is not required[.] *except that a shipping permit or certificate of inspection and release need not be affixed to nursery stock sold at retail and delivered to the purchaser on premises where a certificate of inspection and release of a size suitable for display is exhibited in a manner and in such location or locations as may be prescribed by the commissioner.*

Any person who shall sell, deliver or transport any shipment of nursery stock without a certificate of inspection and release shall at or prior to the time such shipment is transported, forward a manifest to the commissioner having jurisdiction at destination Such manifest shall state by name the complete contents of each such shipment, the name of the locality where the contents were grown, and the means whereby such shipment is being transported, whether by freight, express, mail, truck, boat, airplane or otherwise."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive; and in line 10, strike out "tract, and", and insert

"Sec. 874. All contracts for the performance or furnishing of labor, materials or supplies, required for the erection, improvement, and repair of public buildings and works, street and sewer work, and work in or about streams, bays, or water fronts, or in or about embankments, or other works for protection against overflow,

and in furnishing any supplies or materials for the same, when the expenditures required for the same exceed the sum of five hundred dollars ($500)."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 209—An act to add Section 61.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof that persons to whom such beverages are served or sold are over the age of 21 years.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "an on-sale", and insert "any".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "Possessing"

Amendment No. 3

On page 1 of the printed bill, strike out lines 8 to 23, inclusive, and insert "(b) In any criminal prosecution or proceeding for the suspension or revocation of any license issued under this act and based upon violation of said Section 61, proof that the defendant licensee or his agent or employee demanded and was shown, before furnishing any alcoholic beverage to a minor, a motor vehicle operator's license or a registration certificate issued under the Federal Selective Service Act or other bona fide documentary evidence of age and identity of such minor, shall be a defense to such prosecution or proceeding for the suspension or revocation of any license."

Amendment No. 4

In line 3 of the title of the printed bill, after "proof", insert ", upon demand,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1688—An act to amend School Code Sections 5.850, 5.853, 5.854, 5.871 and 5.873, relating to the California State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "5.872"

Amendment No. 2

On page 3, line 6, of the printed bill, as amended, strike out "fourteen dollars ($14)", and insert "fifteen dollars ($15)".

Amendment No. 3

On page 4, line 47, of the printed bill, as amended, strike out "thirty dollars ($30)", and insert "fifteen dollars ($15)".

Amendment No. 4

On page 7 of the printed bill, as amended, strike out all of lines 10 to 52, both inclusive; and on page 8, strike out all of lines 1 to 10, both inclusive.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 304—An act to validate the assessment and equalization of property for tax purposes, and the levy of taxes thereon, by sixth class cities, and to validate tax sales, certificates of tax sales, tax deeds and other conveyances resulting therefrom.

Bill read second time, and ordered to third reading.

Senate Bill No. 407—An act to add Section 203.5 to the Streets and Highways Code, relating to funds paid to cities.

Bill read second time, and ordered to third reading.

Senate Bill No. 684—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties, or districts," approved July 1, 1937, relating to capital outlay by cities, counties, cities and counties, or districts.

Bill read second time, and ordered to third reading.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills from committee were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2182—An act to repeal Section 3085 of the Elections Code, relating to signatures to nomination papers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1287—An act to amend Sections 554, 616 and 675 of the Vehicle Code, relating to equipment on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff,

Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetration of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 29, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 2

On page 2, line 37, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 3

On page 2, line 39, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 4

On page 2, line 45, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 5

On page 3, line 42, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 6

On page 3, line 47, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 7

On page 4, line 1, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 8

On page 4, line 6, of the printed bill, as amended, strike out "Labor", and insert "Industrial Relations".

Amendment No. 9

On page 4 of the printed bill, as amended, strike out lines 17 and 18, and insert "one for a term of three years and one for a term of four years, but their successors shall be appointed for terms of four years".

Amendment No. 10

On page 4, lines 48 and 49, of the printed bill, as amended, strike out "Comptroller", and insert "Controller".

Amendment No. 11

On page 5, line 4, of the printed bill, as amended, strike out "civil service law", and insert "State Civil Service Act".

Amendment No. 12

On page 5, line 18, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 13

On page 5, line 35, of the printed bill, as amended, strike out "Labor", and insert "Industrial Relations".

Amendment No. 14

On page 8, line 34, of the printed bill, as amended, strike out "subsection", and insert "section".

Amendment No. 15

On page 8, line 44, of the printed bill, as amended, strike out "subsection", and insert "section".

Amendment No. 16

On page 10, line 11, of the printed bill, as amended, after "or", insert "are".

Amendment No. 17

On page 10, line 31, of the printed bill, as amended, strike out "the State within".

Amendment No. 18

On page 10 of the printed bill, as amended, strike out lines 33 to 38, inclusive, and insert "with the unfair labor practice resides or transacts business for the enforcement of such order and for".

Amendment No. 19

On page 11 of the printed bill, as amended, strike out lines 20 to 30, inclusive, and insert "and its judgment and decree shall be final, subject to review on appeal in the manner now provided by law."

Amendment No. 20

On page 11 of the printed bill, as amended, strike out lines 39 to 42, and insert "fied or set aside A copy".

Amendment No. 21

On page 11, line 49, of the printed bill, as amended, strike out "Article 7", and insert "this article".

Amendment No. 22

On page 12, line 4, of the printed bill, as amended, strike out "subsections", and insert "sections".

Amendment No. 23

On page 12 of the printed bill, as amended, strike out lines 10 to 12, inclusive, and insert "or in part an order of the board, as provided in this article, the jurisdiction of the superior court shall not be limited by provisions of law pertaining to the equity jurisdiction of courts."

Amendment No. 24

On page 12, line 49, of the printed bill, as amended, after "by", insert "the board,".

Amendment No. 25

On page 13, line 50, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 26

On page 14 of the printed bill, as amended, strike out line 16, and insert "In the manner provided by law, the".

Amendment No. 27

On page 14, line 17, of the printed bill, as amended, after "Director of", strike out "the".

Amendment No. 28

On page 14, line 20, of the printed bill, as amended, strike out "fiscal year", and insert "biennium".

Amendment No. 29

On page 14 of the printed bill, as amended, between lines 23 and 24, insert

"Article 12.5. Mediation of Labor Disputes

1. It is hereby declared as the public policy of this State that the best interests of the people of the State are served by the prevention or prompt settlement of labor disputes; that strikes and lockouts and other forms of industrial strife, regardless where the merits of the controversy lie, are forces productive ultimately of economic waste; that the interests and rights of the consumers and the people of the State, while not direct parties thereto, should always be considered, respected and protected; and that the voluntary mediation of such disputes under the guidance and supervision of a governmental agency will tend to promote permanent industrial peace and the health, welfare, comfort and safety of the people of the State To carry out such policy, the necessity for the enactment of the provisions of this article is hereby declared as a matter of legislative determination

2 There is hereby established in the Department of Industrial Relations a board to be known as the California State Board of Mediation. The membership of such board shall consist of five persons to be appointed by the Governor, by and with the advice and consent of the Senate. Of the members first appointed, one shall be appointed for a term of one year; two for a term of two years and two for a term of three years Their successors shall be appointed for terms of three years The Governor shall designate one member to serve as chairman of the board A vacancy occurring in the membership of the board for any cause shall be filled by the Gover-

nor and the person so appointed shall hold office for the unexpired term of the member whose office has become vacant.

3. It shall be the objective of the board hereby established to take such steps as will most effectively and expeditiously carry out the policy declared in Section 1 of this article and the powers and duties conferred and imposed upon the board by this article or by law shall at all times be performed and discharged with the accomplishment of such objective as the ultimate goal.

4. (a) Upon its own motion, in an existing, imminent or threatened labor dispute, the board may and, upon the direction of the Governor, the board must take such steps as it may deem expedient to effect a voluntary, amicable and expeditious adjustment and settlement of the differences and issues between employer and employees which have precipitated or culminated in or threaten to precipitate or culminate in such labor dispute. To this end, it shall be the duty of the board: (a) to arrange for, hold, adjourn or reconvene a conference or conferences between the disputants and/or one or more of their representatives; (b) to invite the disputants and/or their representatives to attend such conference and submit, either orally or in writing, the grievances of and differences between the disputants; (c) to discuss such grievances and differences with the disputants and their representatives; and (d) to assist in negotiating and drafting agreements for the adjustment in settlement of such grievances and differences and for the termination or avoidance, as the case may be, of the existing or threatened labor dispute. In carrying out any of its work under this article, the board may designate one of its members or an officer of the board to act in its behalf and may delegate to such designee one or more of its duties hereunder and, for such purpose, such designee shall have all of the powers hereby conferred upon the board in connection with the discharge of the duty or duties so delegated.

(b) The board and each member thereof and each person designated thereby shall have power to hold public or private hearings at any place within the State, subpena witnesses and compel their attendance, administer oaths, take testimony and receive evidence and the superior court of the county in which any proceeding is held may enforce obedience to the subpena in like manner and for the same causes as subpenas of the Industrial Accident Commission may be enforced under Section 132 of the Labor Code.

5. No member or officer of the board having any financial or other interest in a trade, business, industry or occupation in which a labor dispute exists or is threatened and of which the board has taken cognizance, shall be qualified to participate in any way in the acts or efforts of the board in connection with the settlement or avoidance thereof.

6. (a) For the performance of its work under this article, the board may request and shall avail itself of and utilize the services of any officer or employee of the department who shall render such assistance as the board may require without additional compensation. The board may, within the amount available therefor by appropriation, appoint a secretary and such other assistants and employees as it may require for the consummation of its work, prescribe their duties and fix their compensation.

(b) Each member of the board shall be entitled to be reimbursed for his traveling and other expenses actually and necessarily incurred by him in the performance of his duties and, in addition, shall receive a per diem allowance of twenty-five dollars ($25) for each day, or part thereof, spent in the rendition of service to or for the board under this article.

7. The Department of Industrial Relations and the other departments of the State Government and the officers and employees thereof shall render such assistance to the board as it may request in connection with its work hereunder. The board shall at all times have the cooperation of and shall cooperate with the Department of Industrial Relations and the several boards, divisions and officers thereof in carrying out the policy declared in Section 1 of this article.

8. The board shall have power to adopt, alter, amend or repeal such rules in connection with the voluntary mediation of labor disputes as may be necessary for the proper administration and enforcement of the provisions of this article.

9. Nothing contained in this article shall be construed as interfering with, impeding or diminishing in any way any right guaranteed by law or by the Constitution of the State or of the United States."

Amendment No. 30

On page 14, line 27, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 31

On page 14, line 29, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 32

On page 14, line 33, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 33

On page 14, line 39, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 34

On page 14, line 43, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 35

On page 14, line 49, of the printed bill, as amended, strike out "article", and insert "act".

Amendment No. 36

On page 15 of the printed bill, as amended, strike out lines 4 and 5, and insert "employees of any employer who are subject to and whose rights of self-organization and collective bargaining are protected".

Amendment No. 37

On page 15 of the printed bill, as amended, strike out line 8, and insert "any county, city and county, city, public or municipal corporation, public district or public agency or authority, or".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2081—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hostain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—66.

NOES—Evans, and Robertson—2

Bill ordered transmitted to the Senate

Assembly Bill No. 2349—An act to add Section 6.752 to the School Code, relating to the use of school buildings by members of the Communist Party or any organization advocating the overthrow of the Government by force and violence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

Explanation of Vote

Assembly Bill No. 2349 was taken up out of order when I was out of the Chamber. Had I been present I would have voted against it. It bans from the use of school auditoriums any group of persons using the word "Communist" or any derivative as part of its name. Good judgment recognizes the futility of attempting to outlaw thoughts or language.

PAUL RICHIE

Assembly Bill No. 1284—An act to amend Section 596.5 and to repeal Section 597 of the Vehicle Code, relating to the operation and loading of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1602

Mr. Sawallisch moved that Assembly Bill No. 1602 be withdrawn from the Committee on Exhibitions and Fairs, and re-referred to the Committee on Public Morals.

Motion carried.

LEAVES OF ABSENCE

The following member was granted leave of absence for the balance of this legislative day:

Mr. Andreas, on motion of Mr. Waters.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 184—An act to amend Section 7643 of the Business and Professions Code, relating to embalmers and embalming schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Allen, Carlson, Dilworth, Field, Hastain, Johnson, Knight, John B., Knight, T. Fenton; Potter, and Watson—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1283—An act to amend Sections 525, 543 and 553 of, to repeal Section 604 of, and to add Section 525.5 to the Vehicle Code, relating to the regulation of traffic.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2570—An act to amend Sections 2 and 9, to repeal Section 2.5, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4 and 7, and to repeal Section 2.5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to amend Sections 6006, 6010 and 6455, to repeal Section 6402 and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Arthur W. Carlson Presiding

At 3.15 p.m., Hon. Arthur W. Carlson, member of the Assembly from the Sixteenth District, presiding.

Assembly Bill No. 2582—An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto, and providing that the act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2582:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 7, 1941

To the Honorable Members of the Senate and Assembly
Sacramento, California

GREETINGS:

SUBJECT: ASSEMBLY BILL NO. 2582

Your preferred consideration is requested, and prompt passage as well, of Mr Green's Assembly Bill No 2582 which grants to the United States certain gunnery target practice rights in California's territorial waters.

For your information.

(1) I attach a copy of Secretary of War Stimson's request for this legislation

(2) The gunnery practice contemplated has been engaged in for many years but on a very limited scale It is now necessary to greatly expand.

(3) Numerous representatives of commercial shipping interests have already been consulted It is learned that, in many cases, ships habitually keep close in to shore and that such habits will have to be altered to compensate for the new emergency conditions It appears that the shipping interests readily concede the necessities of the situation and are fully prepared to cooperate

(4) To the limit permitted by time and personnel, conversations have been had with representatives of commercial fishing interests and unions. They, in some few instances, may be seriously inconvenienced; perhaps caused actual loss But it appears that they too foresee no serious obstacles of operation which can not be accommodated by conferences of army officials to insure receipt of warnings and cooperation with safety patrols in danger areas during target practice periods.

I, therefore, recommend prompt passage because of the National emergency.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

WAR DEPARTMENT, WASHINGTON, March 14, 1941

Honorable Culbert L. Olson
Governor of California
Sacramento, California

DEAR GOVERNOR OLSON: In order to provide for the proper training of men in the Military Service it is necessary from time to time to establish firing ranges of various types on land owned by or under the control of the United States. It has recently been proposed that a range for use in connection with anti-aircraft firing be established at Fort Ord, California, and it appears that the plans therefor will involve the use of the adjacent waters of Monterey Bay since shots will fall in the sea at distances up to 14,000 yards from the shore.

When this matter was considered it was determined that the use of the sea area adjacent to Ford Ord should not be approved unless and until the consent of the Legislature of the State of California was granted as to that portion of the waters within the territorial limits of the State Upon further consideration it seems probable that future needs will require establishment of similar ranges on other lands on the Coast of California owned by or under the control of the United States For this reason it is desirable that the Legislature of the State of California give its general consent to the use of such water areas for the purpose in question It is contemplated that if such consent is given every precaution will be taken by the United States in its use of these areas.

It will be appreciated if you will present this matter to the Legislature at the earliest practicable date as the matter is one of urgency in connection with the National defense For your convenience there is inclosed a draft of bill designed to accomplish the desired grant of consent.

Sincerely yours,

(s) HENRY L. STIMSON, Secretary of War

A BILL

An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto.

The people of the State of California do enact as follows:

SECTION 1. That the consent of the State of California be, and the same is hereby granted to the United States to use the territorial waters of the State of California, adjacent to any land on the coast thereof now or hereafter owned by or under the control of the United States, and occupied for military purposes, in connection with conducting on such lands target practice operations of any type; provided, that before any of the herein described waters shall be used in connection with conducting target practice operations of any type the United States shall take all appropriate measures and shall make and publish necessary regulations for the protection of the person and property of all persons using such waters, and that the use herein consented to shall not be so exercised as to interfere unreasonably with the public use of said waters.

SEC. 2. The provisions of this act shall not be construed to impose any liability whatsoever upon the State of California in connection with the use of the waters as herein set forth.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—62

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 850—An act to repeal Sections 3594 and 3616 and to add Sections 3594, 3602.5, and 3614.5 and 3616 to the Revenue and Taxation Code, relating to property taxation including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property; declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff,

Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F. Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate

Motion to Expunge Records and Rescind Actions Whereby Assembly Bill No. 1151 Was This Day Passed and the Urgency Clause Adopted

Mr Leonard moved that the record be expunged, and the action rescinded whereby Assembly Bill No. 1151 was this day passed, and the urgency clause adopted.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1151

Mr Leonard moved that Assembly Bill No 1151 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to quiet title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leon-

ard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1969—An act to amend Sections 3803 and 3804 of, and to add Sections 3793.5, 3793.6 and 3807.1 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1970—An act relating to the liability in damages of officers and employees of municipalities, counties, cities and counties, school districts, and the State of California for injuries to persons or property resulting or claimed to result from the negligence or carelessness of such officers or employees, including such injuries resulting or claimed to result from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insur-

ance to protect their officers and employees against such liability, and to repeal an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "90 days", and insert "one year".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson Kilpatrick, King, Knight, John B., Lowrey, McCollister, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, and Welch—50

NOES—Carlson, Leonard, Maloney, Middough, Miller, Sawallisch, Thurman, Watson, Weybret, and Wollenberg—10.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1247—An act to add Section 172.5 to the Penal Code, relating to selling, giving away, or exposing for sale alcoholic beverages.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Cooke, Howser, F. N., Collins, Sam L., and Knight, T. Fenton, demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1247.

The roll was called, and Assembly Bill No. 1247 passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., King, Knight, John B., Lyon, Maloney, McCollister, Meehan, Millington, O'Day, Poole, Potter, Richie, Robertson, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—42.

NOES—Bennett, Clarke, Dilworth, Donnelly, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Middough, Miller, Pelletier, Pfaff, Salsman, Sheridan, Stream, Thomas, Voigt, and Watson—21

Notice of Motion to Reconsider Assembly Bill No. 1247

Miss Miller gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 1247 was this day passed.

Assembly Bill No. 1643—An act to add Section 5.683 to the School Code, relating to the dismissal of probationary employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cronin Crowley, Desmond, Dickey Dills, Donnelly, Evans, Field, Gaffney Gallagher, Gunlock, Hawkins, Johnson King, Knight, John B., Lowrey, Lyon, Maloney, McCollister, Middough, O'Day, Pelletier Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Tenney, Turner, Waters, Weber, Welch, and Wollenberg—43

NOES—Call, Carlson, Clarke, Collins, Sam L., Cooke, Heisinger, Houser, Frederick F., Leonard, Meehan, Millington, Pfaff, Poole, Stream, Thomas, Thorp, Thurman, Voigt, Watson, and Weybret—19

Notice of Motion to Reconsider Assembly Bill No. 1643

Mr. Stream gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1643 was this day passed.

Assembly Bill No. 680—An act to add Section 3.103 to the School Code, relating to the observance of Bill of Rights Week in public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, T Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO PRINT REMARKS IN JOURNAL

On motion of Mr. Wollenberg, the following remarks by Mr. Dilworth were ordered printed in the Journal:

Remarks by Mr. Dilworth

We have in the Constitution of the United States a unique provision that is at once the envy and aim of all peoples of the world I refer to the Bill of Rights

Too little attention has been given to this priceless heritage of American citizenship. December 15, 1941, is the Sesquicentennial of the adoption of the Bill of Rights.

The Congress of the United States contemplates a very serious and general observance of this significant anniversary. This event may properly be the occasion of instituting in the California Schools a planned study and commemoration of the adoption of the Bill of Rights California youth needs a thorough understanding of their true significance and effect on the daily lives of the citizens of America

Human rights are attacked today as never before in a hundred years This bill directs the schools to include in the work of the pupils, on or near the anniversary, exercises and instruction as to the purpose, meaning, and importance of the Bill of Rights.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1306—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read third time.

Motion to Amend

Mr Stream moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 27, of the printed bill, after "lands", strike out "under cultivation".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Robertson:

House Resolution No. 132

Relating to Ensign Thomas Fenton Knight

WHEREAS, Ensign Thomas Fenton Knight, the son of our esteemed colleague and member of the Assembly from the Forty-eighth District, is now serving in the Navy as an officer aboard a destroyer stationed in the Hawaiian Islands, and

WHEREAS, Ensign Thomas Fenton Knight, having graduated from the University of Arizona with a degree in agriculture, volunteered his services in the Navy in the recently created classification of V-7 Midshipman and received an intensive course of training on the high seas and at Northwestern University and was commissioned and assigned to active duty on December 12, 1940; now, therefore, be it

Resolved, That the members of the Assembly hereby commend Ensign Thomas Fenton Knight for his patriotism in volunteering his services to his country and for the ability and perseverance that he has already demonstrated in attaining the rank of Ensign, and hereby extend to him their heartiest congratulations and best wishes for a successful career as a Naval officer; and, be it further

Resolved, That the Chief Clerk of the Assembly send suitably prepared copies of this resolution to Ensign Thomas Fenton Knight and to his mother and father, whose pride in their son's accomplishments is not only justifiable but is concurred in by the members of the Assembly.

Request for Unanimous Consent

Mr Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 132, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Committee on Rules:

House Resolution No. 133

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names payable as hereinafter specified, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Thursday, April 10, 1941, to April 11, 1941, both dates inclusive:

	Per day
Kevin Michael Cronin, Page	$2 50
Chas M Cooke, III, Page	2 50
Barbara Leonard, Page	2 50
Dolores Welch, Page	2 50
Matthew T. Gaffney, Page	2 50
Phillip Marton, Page	2 50

LYON, Chairman,
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Middough—1.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1683—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Bill read third time.

Motion to Amend

Mr Poulson moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 11, insert a period after "lien", and strike out "and a reasonable attorney's fee."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Senate Bill No. 545

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 188
Assembly Bill No. 508
Assembly Bill No. 442
Assembly Bill No. 975
Assembly Bill No. 681
Assembly Bill No. 1933
Senate Bill No. 26
Senate Bill No. 32
Senate Bill No. 39
Senate Bill No. 247
Senate Bill No. 276
Senate Bill No. 364
Senate Bill No. 557
Senate Bill No. 710
Senate Bill No. 713
Senate Bill No. 714
Senate Bill No. 888

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 509
Assembly Bill No 976
Senate Bill No 29
Senate Bill No. 216
Senate Bill No. 180

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred.

Assembly Bill No 207
Assembly Bill No 2463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 949
Assembly Bill No. 950
Assembly Bill No 951
Assembly Bill No 2161
Assembly Bill No 2162
Assembly Bill No 2272
Assembly Bill No. 2358

Has had the same under consideration, and reports the same back with the recommendation Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 925
Assembly Bill No 926
Assembly Bill No. 927
Assembly Bill No 1555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred.

Assembly Bill No. 808
Assembly Bill No 809
Assembly Bill No 1434
Assembly Bill No 1438
Assembly Bill No. 2078
Senate Bill No 109

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER. Your Committee on Revenue and Taxation, to which were referred.

Assembly Bill No. 800
Assembly Bill No. 955

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER. Your Committee on Education, to which were referred.

Assembly Bill No. 1164
Assembly Bill No 2218
Senate Bill No. 442

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 1064
Assembly Bill No 1938
Assembly Bill No 2152
Assembly Bill No 2154

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No 1679
Assembly Bill No. 1963
Assembly Bill No 1311

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER. Your Committee on County Government, to which were referred.

Assembly Bill No 168
Senate Bill No 529

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER: Your Committee on County Government, to which were referred

Assembly Bill No. 150
Assembly Bill No. 1315
Assembly Bill No. 2142
Senate Bill No. 101
Senate Bill No. 102
Senate Bill No 105
Senate Bill No. 174
Senate Bill No. 408
Senate Bill No. 425

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1941

MR. SPEAKER: Your Committee on Reapportionment, to which was referred:

Assembly Bill No. 2575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FREDERICK F HOUSER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1377

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 577
Assembly Bill No. 894
Assembly Bill No. 1209
Assembly Bill No 1325
Assembly Bill No 1628

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 906
Assembly Bill No. 1271
Assembly Bill No. 1342
Assembly Bill No. 2197

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No. 2163

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Irrigation, to which were referred:

Assembly Bill No. 957
Senate Bill No. 305
Senate Bill No. 540
Senate Bill No. 543
Senate Bill No. 544
Senate Bill No. 550
Senate Bill No. 627
Senate Bill No. 692
Senate Bill No. 694
Senate Bill No. 919

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1151

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 1299

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Speaker Presiding

At 5.25 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Senate Bill No. 318.
Assembly Bill No. 245.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2150—An act to add Section 5.604 to the School Code, relating to the attendance of teachers upon institutes and educational meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 638—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "twenty-", and on page 1, line 2, strike out "five thousand dollars ($25,000), and insert "fifty thousand dollars ($50,000)."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1151—An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3594, 3616, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, and to repeal Chapter 4.6, consisting of Sections 3571 to 3578, inclusive, of Part 6, Division 1 of, to add Sections 124, 127, 3511.5, 3521, 3543, 3546.5, 3550, 3552, 3594, 3602.5, 3614.5, 3616, 3651, 3661, 3691, 3707.5, 3774, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to, and to amend the title of Chapter 5, Part 6, Division 1 of the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785.6, 3833.3, 3857 2, 3859 20 and 3860.20 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1151:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 1151

"An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3571, 3572, 3574, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend Section 3355 of, and to add Sections 124, 127, 133, 3511.3, 3511.5, 3521, 3543, 3546.5, 3550, 3550.5, 3552, 3571, 3571.3, 3571.5, 3572, 3574, 3651, 3661, 3691, 3707.5, 3807, 4101, 4108 5, 4111, 4112, 4113 and 4147 to the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785 6, 3883 3, 3857 2, 3859 20, 3860 05, 3860 07, 3860 08, 3860 09, 3860 10, 3860.11, 3860.12, 3860.13, 3860 14, 3860 15, 3860 16, 3860.17, 3860 18, 3860.19, 3860 20, 3860 21, 3860 22, 3860 24, 3860 25, 3860.26, 3860 27, 3860 28, 3860 29, 3860 30, 3860 31, 3860.32 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, distressed assessment districts and the right of redemption of property therein, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 1151 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 2197 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 894 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1153 re-referred to Committee on Public Charities and Corrections.

Assembly Constitutional Amendment No. 13 re-referred to Committee on Constitutional Amendments.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson and the Alameda County delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of the University of California at Berkeley: Misses Betty Barton, Vice President, A. S. U. C.; Antona Hawkins, Secretary, Women's Executive Board, candidate for Vice President, A. S. U. C.; Emily Stout, candidate for Vice President, A. S. U. C., Y. W. C. A. Executive Committee; Jean Christie, incoming Women's Representative, A. S. U. C.; Carolyn Babasinian, Chairman, Women's Judiciary Committee, and Ruth Knapp, President, Y. W. C. A., all of Berkeley.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor and Mrs. Griegsby of Napa, and Georgia and Paula Crowley, and Dr. Newell Perry and his sister, Mrs. Burnham, of Berkeley.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Alice Beaird of Hemet, and Mrs. Leland Horner and Bob Horner of Glendale.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Norman B. Scharer, principal, Alhambra City High School, Alhambra.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ann Murray and S. W. McConnell, teachers, and the following students of Newman Elementary School of Newman: Edward Mutoza, David Brazil, Normamae Jensen, George Teixeira, Alice Souza, Mildred Price, Luree Mason, Moses Paul, Valeska Rademacher, Rose Borba, Marian Martin, Lorraine Pacheco, Vernon Freitas, Laurinda Paul, Frances Brazil, Shirley Markham, Donald Beall, Manuel Vierra, Wayne Munyan, George Bettencourt, Carmina Baptista, Bernadine Borges, Robert Rowley, Valeria Vincent, Ruth Jacobsen, Roxie Kayser, Carol Lopes, Dolores Auseon, Mary Ann Ferguson, Eugene Cawthorne, Peggy Jorgenson and Patsy Brown.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Dan Miller and Miss Marsha Miller of Burlingame.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Maurine Newman, member of the Republican State Central Committee from the Fifty-third District, South Pasadena.

On request of Mr Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. W. Heyl, Director of Adult and Continuation Education, Alhambra City Schools, Alhambra.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. T. Casey, Director, Child Welfare and Attendance, Alhambra City Schools, Alhambra.

On request of Mr. Sheridan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard Miller and Jack Meers, students from Garfield Junior High School, Berkeley.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena Varnell, of Watsonville.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles H. Kanen, principal; Douglas S Kidd, Beck Parsons, Mrs. Eleanor Kidd, Miss Annette Faulkner and Mrs. Esther Kanen, teachers; and the following students of Livingston Elementary School of Livingston: Eighth Grade —Esther Alarcon, Cecelia Alvernaz, Albert Baptista, Barbara Jean

Brattin, Wilma Bynum, Robert Cooper, Hullan Dismuke, Pedro Figueroa, Rebecca Friesan, Russell Gerdes, Raymond Gomes, Kiyo Hamaguchi, Robert Henneman, Carl Heppner, Mary Hipolito, Chow-chow Kayi; Lily Kawana, Koichi Kimura, Raymond Lema, Phyllis Linan, Bertha Lyon, Dora Martinez, Sally Matignon, Aurora Mesa, Barbara Miller, Chisuko Minabe, Lizzer Mitobe, Lawrence Nelson, Dottie Lou Parker, Virginia Perez, Emily Rogrigues, Donald Switzer, Akira Takahashi, Ruth Tate, Richard Vasquez, Patricia Carpenter, Doris Lyon, James McCullough, Margaret Montez, William Morris, Leonard Ness, Cecil Thompson, Robert Ulrick and Polly Yoder; Seventh Grade—Sedro Apodoca, Octabio Baltazar, Rebecca Cooper, Joe Garcia, Lillian Gomes, Helen Gomes, Josephine Gonsales, Esther Guerriero, Nancy Herrera, Ira Lea Howe, Charlene Lyon, Yoshito Matsuda, Luella McConnell, Margaret Mesa, George Montero, Esther Montez, Dorothy Robbe, Frank Pulido, Dora Romero, Manuel Saldana, Bira Salado, Mildred Sellers, Alfred Trujillo, Exiquio Aguilar, Eraine Baptista, Dolores Bettencourt, Joe Cabrillos, Juanita Cole, Rudy Cortez, Richard Escola, Ralph Faria, Evelyn Gilbert, Donald Good, Graces Haratani, Shirley Hepner, Barbara Jenkins, Myrtle Johnson, Imogene Kidd, Roy Larson, Lillian Manha, Joan Manoukian, Natalina Marchini, Clinton Martin, Shigeko Matsuda, Ralph Mayes, Eleanor Montez, Bobby McDonough, Jessie Reyes, Aggie Reymondo, Elias Reyna, James Shoji, Alice Thompson, Henry Tiexeira, Emilio Torrez, Albert Valdez, Earl Vincent, Esther Viziello, Wilma Wallace, Allen Weaver and Barbara Wilcox.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. George H. Haynes of Los Angeles.

On request of Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Volna Rush of San Francisco, and Eloise Hargrove and Helen D. Rush, both of San Diego.

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to M. A. de Lubine of Glendale.

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. M. Farnham, M.D ; Harriette Farnham, M.D ; Elizabeth Farnham, and Marian Farnham of Glendale.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to David Matthew Dooley of San Francisco.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lois Magnuson, Miss Alice Hedegard, Mrs. Ellsworth Bettinger and Mrs. Louis L. Gray of Campbell.

ADJOURNMENT

At 5.35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Friday, April 11, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY
NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 11, 1941

The Assembly met at 10 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gunlock, Hastain, Heisinger, Housel, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Poole, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr. Speaker—45.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Donnelly.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Middough, on motion of Mr. F. N. Howser.
Mr. Kellems, on motion of Mr. F. N. Howser.
Mr. Sam L. Collins, on motion of Mr. Waters.
Mr. Russell, on motion of Mr Waters.
Mr. Cassidy, on motion of Mr. Cain.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

FRESNO, CALIFORNIA, April 7, 1941

Clerk of the Assembly, State Legislature, Sacramento, California

DEAR SIR The Fresno Chapter of the Daughters of the American Revolution has officially gone on record as opposing the abolishment or curtailment of the activities of the State Tree Nursery and has in open meeting authorized me to express to you in no uncertain terms the feeling of resentment and disappointment over the action of the California State Senate in proposing to do away with such a worthwhile public service.

Our chapter, therefore, earnestly petitions your body as our representatives to do all in your power and influence to kill Senate Bill No 1091 and actively oppose any proposed action to curtail the activities of the State Tree Nursery.

Respectfully.

FRESNO CHAPTER, D A R
By EMMA S. WILLIAMS, Corresponding Secretary

Similar letter to California State Senate and Hugh M. Burns, Representative, with members' signatures attached

CITY HALL, CITY OF LOS ANGELES, April 7, 1941

Mr. Arthur A. Ohnimus, Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Enclosed is certified copy of resolution adopted unanimously by the Council of the City of Los Angeles at its meeting held April 7, 1941, requesting the Legislature of the State of California to provide all funds necessary for the complete restoration and rehabilitation of Los Angeles City public works damaged by storms, together with copy of the city engineer's report pertaining to the matter.

Respectfully,

WALTER C. PETERSON, City Clerk

Resolution

WHEREAS, The City Council of the City of Los Angeles on March 6, 1941, adopted a resolution memorializing His Excellency, the Governor of the State of California, and the Honorable Members of the Senate and Assembly, constituting the Legislature of the State of California, to provide all necessary funds for the complete restoration of Los Angeles City public works and property including bridges, streets, highways, beaches, and drainage structures damaged during the unprecedented storms of the last few weeks; and

WHEREAS, On March 7, 1941, the city engineer reported the estimated damages by storms to Los Angeles City public works to be $417,450; and

WHEREAS, The city engineer on this date reports additional damages of $212,700; and

WHEREAS, The sum total of said damages to, and the cost of rehabilitation of, the public works in the City of Los Angeles, amounts to $630,150; and

WHEREAS, The rainfall of the current season has exceeded corresponding records for over 50 years; now, therefore, be it

Resolved, by the Council of the City of Los Angeles, That His Excellency, the Governor of the State of California, and the Honorable Members of the Senate and Assembly, constituting the Legislature of the State of California, be informed of the said additional damages incurred and the consequent additional cost of rehabilitation; and be it further

Resolved, That this council reiterate its request as originally set forth in its aforesaid resolution of March 6, 1941, that the State Government provide as early during the current session of the State Legislature as its business may permit all funds necessary for the complete restoration and rehabilitation of the said public works and property in the augmented amount of $630,150; and be it further

Resolved, That the city clerk shall certify to the passage of this resolution by unanimous vote and cause duly authenticated copies thereof, together with copies of the reports of the city engineer, to be mailed forthwith to His Excellency, the Governor, and to the duly appointed, qualified and Acting Clerk of the Senate and of the Assembly of the Legislature of the State of California now in session.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Los Angeles, by unanimous vote, at its meeting held Monday, April 7, 1941.

WALTER C. PETERSON, City Clerk

(COPY)

OFFICE OF THE CITY ENGINEER
LOS ANGELES, CALIFORNIA, April 4, 1941

To the Honorable City Council of the City of Los Angeles
C. D. No. 1

GENTLEMEN On March 7, 1941 (Clerk's File No. 5961 of February 24, 1941), I reported to your Honorable Body concerning the funds required for flood rehabilitation and preventive work. Since that date additional damage and erosion in channels have occurred, making additional work necessary in order to protect the existing structures and provide proper facilities for the public.

The following additional work is recommended for financing without delay:

1.	Fulton Avenue Bridge over the Los Angeles River (to replace washed out structure)	$25,000
2.	Underpinning North Outfall Sewer at West Tujunga Wash	6,000
3.	Pile driving for Radford Avenue Bridge over Los Angeles River	1,400
4.	Riverside Drive Bridge over Middle Tujunga Wash (new bridge to replace dip which has been washed out)	30,600
5.	Tujunga Avenue Bridge over Middle Tujunga Wash (new bridge to replace dip which has been washed out)	52,700
6.	Laurel Canyon Boulevard and Tujunga Wash (new low water bridge and repairs to dip)	25,000
7.	Mandeville Canyon Storm Drain (Westridge Road to Sunset Boulevard)	40,000
8.	Devonshire Street at the Aliso Channel Crossing (construction of a reinforced concrete culvert)	9,500
9	Middle Tujunga Fork of the Aliso Channel (construction of a reinforced concrete culvert)	5,500
10.	Laurel Canyon Boulevard Bridge over the Los Angeles River (underpinning)	17,000
	Total	$212,700

Respectfully submitted.

(Signed) LLOYD ALDRICH, City Engineer

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 236
Assembly Bill No. 443
Assembly Bill No. 899
Assembly Bill No. 1274
Assembly Bill No. 1277
Assembly Bill No 1278
Assembly Bill No. 1457
Assembly Bill No. 1717
Assembly Bill No. 1719
Assembly Bill No. 1759
Assembly Bill No. 1934
Assembly Bill No. 2164
Assembly Bill No. 2204
Assembly Bill No. 2256
Assembly Bill No. 2426
Assembly Bill No. 2492
Assembly Bill No. 2556
Assembly Bill No 2581

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2191

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2073

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1941

MR SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 44

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 123

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR SPEAKER: Your Committee on Elections, to which was referred

Senate Bill No. 522

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 1935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred.

Assembly Bill No. 1579

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

KEPPLE, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 17

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Joint Resolution No. 17—Relative to memorializing Congress to enact legislation requiring Federal Governmental agencies to comply with California minimum price laws for milk.

Referred to Committee on Live Stock and Dairies.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 417
Senate Bill No. 558
Senate Bill No 721
Senate Bill No. 737
Senate Bill No. 1019
Senate Bill No. 1045
Senate Bill No 1249

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 417—An act authorizing suits against the State of California to establish the boundaries of, and to quiet title to, lands purchased from the State, and regulating the procedure therein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 558—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 721—An act to amend Section 842 of the Probate Code, relating to the leasing of real property belonging to the estate of a deceased person.

Referred to Committee on Judiciary Codes

Senate Bill No. 737—An act to add Sections 9603.5 and 9606.5 to the Revenue and Taxation Code, and to amend Section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle, including persons engaged in the carriage of mail and parcel post.

Referred to Committee on Revenue and Taxation

Senate Bill No. 1019—An act accepting a retrocession of jurisdiction from the United States of America over certain right of ways granted to the State of California over a certain road in the Presidio of San Francisco Military Reservation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1045—An act to amend Sections 4, 5 and 9 of an act entitled "An act providing for the supervision of dams by the

Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Referred to Committee on Irrigation.

Senate Bill No. 1249—An act to amend Sections 16001 and 16102 of the Business and Professions Code, relating to licensing by cities and counties.

Referred to Committee on Soldiers and Sailors Affairs.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1155
Assembly Bill No. 1262

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 1263

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 23
Assembly Joint Resolution No. 39

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above reported bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Joint Resolution No. 32

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 32—Relative to Kings River flood control.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 32?

Amendment No. 1

On page 1 of the printed measure, as amended, between lines 9 and 10, insert "WHEREAS, There are 1,000,000 acres of land which are irrigated from the waters of Kings River directly by gravity flow or from thousands of electric pumping plants; and

WHEREAS, Flood conditions are generally caused by excessive run-off due to the melting of the snows in the high mountains and not only menace the irrigated lands within the lower areas, but in many seasons, cause lack of gravity water for irrigation in the higher areas, thereby forcing the farmers to operate their pumping plants, which greatly diminishes the stored water under the surface, and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Joint Resolution No. 32 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thurman, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—49

NOES—None.

Assembly Joint Resolution No. 32 ordered enrolled.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2218—An act to amend Sections 4.871 and 4.884 of, and to add Sections 4.871a and 4.884a to the School Code, relating to evening schools.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 150—An act to amend Section 4005c of the Political Code, relating to the population of the counties of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1315—An act to amend Section 672 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2142—An act to amend Section 3391 and the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 808—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25.1, 27, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 809—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 1434—An act to amend Sections 5, 9 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the filing of reports, the revocation of licenses and the conduct of activities without a license.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 1438—An act to amend Sections 5 and 10 of the Use Fuel Tax Act of 1937, relating to the issuance of permits and the lien of the tax.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 2078—An act to repeal Section 4 of Chapter 788 of the General Laws of the State of California, approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1164—An act to add Section 1.51 to the School Code, relating to the maintenance of activities by student organizations on property of a school district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2272—An act to add Section 48.2 to the State Lands Act of 1938, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2358—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1933—An act to amend Section 3521 of the Political Code, relating to patents for State lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 949—An act to repeal Chapter 208, Statutes of 1919.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 950—An act to repeal Section 3788 of the Political Code.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 951—An act to repeal Chapter 281, Statutes of 1889.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 2161—An act relating to the immigration inspector of the Division of Immigration and Housing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2162—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Commission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 957—An act to amend Section 105 of the Water Code, relating to storage of water underground.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 188—An act to amend Section 5055 of the Welfare and Institutions Code, relating to mentally irresponsible persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 508—An act to amend Section 1589 of the Labor Code, relating to surety bonds of employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 442—An act to amend Section 170 of, to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to the disqualification of judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 975—An act to amend Section 3 of an act entitled "An act providing for the regulations and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 681—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 168—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 4, line 23, of the printed bill, after "annum", insert a period, and "The district attorney shall devote his entire time to the duties of his office and shall not engage in private practice of the law during his term of office."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1311—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 and 14, and insert "to employ to be issued to the parent or guardian"

Amendment No. 2

On page 1 of the printed bill, strike out lines 16 and 17, and insert "minor is for or under the control of his parent or guardian and is performed".

Amendment No. 3

On page 1 of the printed bill, strike out lines 19 and 20, and insert "controlled by such parent or guardian; provided, however, that nothing in".

Amendment No. 4

On page 1 of the printed bill, strike out line 24, and insert "cultural commercial enterprises by their parents or guardians."

Amendment No. 5

On page 2 of the printed bill, strike out lines 34 and 35, and insert "ing thereon as agricultural labor any parent or guardian having minor children in their".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1679—An act to amend Section 5.722 of the School Code, relating to sabbatical leaves.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "not less than".

Amendment No. 2

On page 2, line 4, of the printed bill, strike out "teacher", and insert "employee".

Amendment No. 3

On page 2, line 5, of the printed bill, strike out ", and"; and strike out all of lines 6, 7 and 8, and insert a period.

Amendment No. 4

On page 2, line 10, of the printed bill, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 24, of the printed bill, strike out the period, and insert "; provided further, that if the governing board finds and by resolution declares that the interests of the district will be protected by the written agreement of the employee to return to the service of the district and render at least two years service therein following return of such employee from such leave, such governing board in its discretion may waive the furnishing of such bond and pay the employee on leave in the same manner as though a bond had been furnished"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1963—An act to repeal Sections 3.331 to 3.339, both inclusive, of, and to add Sections 3.331 to 3.339a, both inclusive,

to the School Code, relating to high school pupils attending high school in adjoining States.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 28, of the printed bill, after "transportation", insert "allowed under this article,".

Amendment No. 2

On page 2, line 45, of the printed bill, after "States", insert "allowed under the provisions of this article,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 509—An act to amend Section 1588 of the Labor Code, relating to license fees of employment agencies and labor contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "is issued or renewed a license fee of:

(a) One hundred dollars ($100) in cities having a population of over 100,000, or in any city or other place within five miles of the boundary of a city of such population

(b) Fifty dollars ($50) in cities having a population of over 25,000 and not exceeding 100,000, or in any city or other place within five miles of the boundary of a city of such population.

(c) Ten dollars ($10) in all other places.

All figures as to population shall be based on the latest United States Government Census."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 976—An act to amend Sections 828 and 845 of an act entitled "An act to establish an Insurance Code, thereby consolidating and revising the law relating to insurance principles, practice and business and matters incidental thereto, and to repeal certain acts and parts of acts specified herein," approved May 7, 1935, as amended, relating to brokers' and agents' certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "an act entitled "An"; and strike out lines 2, 3, 4, 5 and 6 of said title, and insert "the Insurance Code, relating to insurance securities and broker's".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "cited in the title hereof", and insert "Insurance Code".

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "act cited in the title hereof", and insert "Insurance Code".

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "or broker", and insert "of an insurer under this article except under authority of a certificate issued by the Insurance Commissioner under this code. No person shall act as a broker or as an agent for a broker".

Amendment No. 5

On page 1, line 18, of the printed bill, after the period, insert "The permission granted by this section to persons holding certain licenses issued by the Commissioner of Corporations does not affect the provisions of this article requiring that an insurer and that an agent appointed by an insurer secure a permit from the Insurance Commissioner to issue or sell securities and such issue or sale and the advertising thereof is subject to the provisions of this article."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Reapportionment:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "described", and strike out line 23, and insert "included within the City of Sacramento as of January 1, 1927, lying north of the center of "K" Street, and east of the center of Thirty-first Street, and south of the center of "Y" Street and east of the center of Franklin Boulevard, and all that portion of said Sacramento County included within the boundaries of "American Township," "Brighton Township," "Center Township," and "Granite Township," as said townships existed on the first day of January, 1927,".

Amendment No. 2

On page 2, line 6, of the printed bill, as amended, strike out "described", and strike out line 7, and insert "comprising the City of Stockton as of January 1, 1927,"

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 22 to 30, inclusive, and insert

"16 All that portion of Alameda County described as follows:

Commencing at the point of intersection of the easterly boundary line of the City of Berkeley with the northerly boundary line of the County of Alameda; thence southeasterly along the northeasterly boundary line of the County of Alameda to the point of intersection with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the meanders thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont; thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont, thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of 13th Avenue, thence continuing southwesterly along the center line of 13th Avenue to the center line of Hopkins Street, thence northwesterly along the center line of Hopkins street to the center line of Excelsior Avenue, thence continuing northwesterly along the center line of Excelsior Avenue to the

center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the center line of 12th Street; thence northwesterly along the center line of 12th Street to the center line of Fallon Street, thence northeasterly along the center line of Fallon Street to the center line of 14th Street, thence northerly and northwesterly along the center line of 14th Street to the center line of Harrison Street; thence northeasterly along the center line of Harrison Street to the center line of 19th Street; thence northwesterly along the center line of 19th Street to the center line of Telegraph Avenue; thence northerly along the center line of Telegraph Avenue to the center line of Shattuck Avenue, thence continuing northerly along the center line of Shattuck Avenue to an intersection with the southerly boundary line of the City of Berkeley; and thence in a general easterly and northerly direction along the southerly and easterly boundary lines of the City of Berkeley to the point of commencement, shall constitute the Sixteenth Assembly District

17. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the direct extension westerly of the center line of Carlton Street, thence easterly along said direct extension, and along the center line of Carlton Street to the center line of San Pablo Avenue; thence southerly along the center line of San Pablo Avenue to the center line of Derby Street; thence easterly along the center line of Derby Street to an intersection with the direct extension northerly of the center line of Shattuck Avenue, as said Shattuck Avenue exists south of Ward Street, thence southerly along said direct extension and along the center line of Shattuck Avenue to the center line of Telegraph Avenue; thence continuing southerly along the center line of Telegraph Avenue to the center line of 19th Street; thence southeasterly along the center line of 19th Street to the center line of Harrison Street, thence southwesterly along the center line of Harrison Street to the center line of 14th Street; thence southeasterly and southerly along the center line of 14th Street to the center line of Fallon Street; thence southwesterly along the center line of Fallon Street to the center line of 12th Street; thence southeasterly along the center line of 12th Street to an intersection with the line separating Oakland Township from Brooklyn Township; thence southwesterly along the line separating Oakland Township from Brooklyn Township to the southwesterly boundary line of the City of Oakland; thence westerly along the southwesterly boundary line of the City of Oakland to the southwest corner thereof being on the westerly boundary line of County of Alameda; and thence northwesterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Seventeenth Assembly District

18. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the direct extension westerly of the center line of Carlton Street with the westerly boundary line of the County of Alameda; thence northwesterly along the westerly boundary line of the County of Alameda to the northwest corner thereof; thence easterly and southeasterly along the northerly boundary line of the County of Alameda to the easterly boundary line of the City of Berkeley, thence in a general southerly and westerly direction along the easterly and southerly boundary lines of the City of Berkeley to the center line of Shattuck Avenue, thence northerly along the center line of Shattuck Avenue and along its direct extension northerly to the center line of Derby Street; thence westerly along the center line of Derby Street to the center line of San Pablo Avenue; thence northerly along the center line of San Pablo Avenue to the center line of Carlton Street; and thence westerly along the center line of Carlton Street and along its direct extension westerly to the point of commencement, shall constitute the Eighteenth Assembly District"

Amendment No. 4

On page 3, line 3, of the printed bill, as amended, strike out "described", and strike out line 4, and insert "embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnews, Alviso, Barron, Bay View, Berryessa, Burbank Calderon, Cupertino, Encina, Farwell, Fremont numbers one and two, Fruitvale, Jefferson numbers one and two, Linda Vista numbers one and two, Los Altos numbers one to three inclusive, Midway, Milpitas numbers one and two, Miramonte, Mount Hamilton numbers one and two, Mountain View numbers one to five inclusive, Orchard, Pala, Palo Alto numbers one to twenty-three inclusive, Purissima, Red Mountain, San Jose numbers one to thirty-three inclusive, and numbers ninety-one to one hundred seven inclusive, Santa Clara numbers one to nine inclusive, San Tomas, Saratoga numbers one and two, Seale, Stanford numbers one and two and Sunnyvale numbers one to four inclusive,".

Amendment No. 5

On page 3, line 18, of the printed bill, as amended, strike out "described as", and strike out line 19, and insert "bounded as follows. Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line

track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning,".

Amendment No. 6

On page 4 of the printed bill, as amended, strike out lines 41 to 52, inclusive, and on page 5, strike out lines 1 to 7, inclusive, and insert "line of Remsen Avenue; thence northwesterly along the center line of Remsen Avenue to its terminus between Nettleton Street and Vinedale Street; thence northwesterly in a direct line to the intersection of the center lines of Vinedale Street and Remsen Avenue; thence northwesterly along the center line of Remsen Avenue to the center line of an unnamed road known as Osborne Avenue, extending southwesterly from Foothill Boulevard between Terra Bella Street and Kagel Canyon Street; thence northeasterly along the center line of said unnamed road to the center line of Foothill Boulevard; thence northwesterly along the center line of Foothill Boulevard to the center line of Larue Street; thence southwesterly along the center line of Larue Street to the northeasterly boundary of the City of San Fernando as the same existed on above date; thence southeasterly along the boundary of the City of San Fernando and following the same in all its various courses to the center line of the Pacific Electric Railway Company's Right of Way in Brand Boulevard; thence southwesterly along the center line of said right of way and following the same in all its various courses to the center line of Devonshire Street; thence westerly along the center line of Devonshire Street to the center line of Zelzah Avenue; thence northerly along the center line of Zelzah Avenue to the center line of an unnamed road extending westerly from Zelzah Avenue between Ludlow Street and San Fernando Mission Boulevard; thence westerly, northwesterly and northeasterly along the center line of said last mentioned unnamed road to its".

Amendment No. 7

On page 5 of the printed bill, as amended, strike out lines 27 to 33, inclusive, and insert "the center line of an unnamed road lying immediately west of the intersection of Hesperia Avenue and Rinaldi Street; thence southwesterly, southeasterly and easterly along the center line of said unnamed road to the center line of Zelzah Avenue; thence southerly along the center line of Zelzah Avenue to the center line of Devonshire Street; thence easterly along the center line of Devonshire Street to the center line of the Pacific Electric Railway Company's Right of Way in Sepulveda Boulevard; thence northerly along the center line of said right of way and following the same in all its various courses to the".

Amendment No. 8

On page 5, line 37, of the printed bill, as amended, strike out "an angle point", and strike out lines 38 to 46, inclusive; and in line 47, strike out "center line of *said right of way*", *and insert "its intersection with the center line of Larue Street*; thence northeasterly along the center line of Larue Street to the center line of Foothill Boulevard; thence southeasterly along the center line of Foothill Boulevard to the center line of an unnamed road known as Osborne Avenue, extending southwesterly from Foothill Boulevard between Terra Bella Street and Kagel Canyon Street; thence southwesterly along the center line of said last mentioned unnamed road to the center line of Remsen Avenue; thence southeasterly along the center line of Remsen Avenue to the center line of Vinedale Street; thence southeasterly in a direct line to the terminus of the center line of Remsen Avenue between Vinedale Street and Nettleton Street, thence southeasterly along the center line of Remsen Avenue".

Amendment No. 9

On page 12 of the printed bill, as amended, strike out lines 3 to 11, inclusive, and insert "Arcadia, as the same existed on January 19, 1931; thence westerly along the northerly boundary of said City of Arcadia and following the same in all its various courses to the center line of the Pacific".

Amendment No. 10

On page 12, line 15, of the printed bill, as amended, strike out "the above mentioned date", and insert "March 1, 1941".

Amendment No. 11

On page 12, line 19, of the printed bill, as amended, strike out "above", and insert "said last".

Amendment No. 12

On page 12, line 44, of the printed bill, as amended, strike out "above", and insert "said last"

Amendment No. 13

On page 12, line 48, of the printed bill, as amended, strike out "the above", and insert "said last".

Amendment No. 14

On page 14 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and insert "Arcadia, as the same existed on January 19, 1931; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the northeast corner thereof, being a point in the westerly boundary of the City of Monrovia, as the same existed on March 1, 1941; thence northerly along".

Amendment No. 15

On page 16 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and insert "prolongation and center line and following the center line of Walnut Grove Avenue and the prolongations thereof to the center line of the Southern Pacific Rail-".

Amendment No. 16

On page 18, line 9, of the printed bill, as amended, strike out "northwesterly", and insert "northeasterly"

Amendment No. 17

On page 18 of the printed bill, as amended, strike out lines 33 to 35, inclusive, and insert "southerly along said northerly prolongation and center line and following the center line of Walnut Grove Avenue and the prolongations thereof to the north-"

Amendment No. 18

On page 38, line 26, of the printed bill, as amended, strike out "described as"; and strike out line 27, and insert "included in and comprising the first, fourth and fifth supervisorial districts of said county as the same existed on January 1, 1931,".

Amendment No. 19

On page 38, lines 37 and 38, of the printed bill, as amended, strike out "described as follows:" and insert "included and being in the City of San Diego, as the same existed on January 1, 1931, and included within the following described boundary lines, to wit: Lying northerly and westerly of the center line of Commercial Street, at its westerly end, to wit At the Bayshore Line and thence running easterly along the center line of Commercial Street to its intersection with Twenty-eighth Street; and thence running northerly along the center line of Twenty-eighth Street to the intersection with the center line of University Avenue; thence westerly along the center line of University Avenue to the center line of Park Boulevard; thence northerly along the center line of Park Boulevard to the intersection with the center line of Adams Street; thence northerly along an extension of the center line of Park Boulevard to its intersection with the center line of El Camino del Rio; thence easterly along the center line of El Camino del Rio to its intersection with the city boundary,".

Amendment No. 20

On page 38 of the printed bill, as amended, strike out lines 40 to 43, inclusive, and insert

"79. All that portion of the County of San Diego included within the incorporated limits of the City of San Diego as the same existed on January 1, 1941, which is not included within the Seventy-eighth Assembly District as fixed and defined by this section, except that portion of the City of San Diego which was included in Precincts 142 to 150, inclusive, as such precincts were fixed and defined on November 5, 1940, shall constitute the Seventy-ninth Assembly District.

80. All that portion of the County of San Diego, including all that portion of the City of San Diego, not".

Amendment No. 21

On page 1, line 8, of the printed bill, as amended, strike out "Trinity", and insert "Shasta."

Amendment No. 22

On page 1, line 11, of the printed bill, as amended, strike out "Shasta", and insert "Trinity"

Amendment No. 23

On page 6, line 7, of the printed bill, as amended, strike out "4, page 20", and insert "1, pages 244 and 245"

Amendment No. 24

On page 7, line 25, of the printed bill, as amended, strike out "Sev-", and insert "Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Francisco Street; thence northeasterly along the center line of Francisco Street to the center line of Sev-".

Amendment No. 25

On page 7, line 29, of the printed bill, as amended, strike out "(from the southeast)".

Amendment No. 26

On page 7, line 30, of the printed bill, as amended, after "westerly", insert "and northeasterly".

Amendment No. 27

On page 7, line 44, of the printed bill, as amended, after "of", insert "the center line of".

Amendment No. 28

On page 8 of the printed bill, as amended, strike out line 12, and insert "center line of Portia Street; thence northeasterly along the center line of Portia Street to the center line of Scott Avenue;".

Amendment No. 29

On page 8, line 13, of the printed bill, as amended, strike out "said prolongation and", and insert "the".

Amendment No. 30

On page 10 of the printed bill, as amended, strike out lines 20 to 25, inclusive, and insert "Avenue to the center line of Van Ness Avenue (from the south); thence southerly along the center line of Van Ness Avenue to an angle point in the boundary of the City of Inglewood, as the same existed on above mentioned date, said angle point being at or near the intersection of the center line of Van Ness Avenue and the southerly line of Seventy-sixth Street; thence southerly along the boundary of said last men-".

Amendment No. 31

On page 14, line 11, of the printed bill, as amended, strike out "if".

Amendment No. 32

On page 20 of the printed bill, as amended, strike out lines 20 to 23, inclusive, and insert "line of Figueroa Street, thence southwesterly".

Amendment No. 33

On page 20 of the printed bill, as amended, strike out lines 30 to 41, inclusive, and insert "yard to the center line of Hoover Street, said Hoover Street lying southeasterly".

Amendment No. 34

On page 21, line 22, of the printed bill, as amended, strike out "4, page 20", and insert "1, pages 244 and 245".

Amendment No. 35

On page 21 of the printed bill, as amended, strike out lines 40 and 41, and insert "erly prolongation thereof to the center line of Scott Avenue (Elysian".

Amendment No. 36

On page 21 of the printed bill, as amended, strike out lines 44 and 45, and insert "of Los Angeles); thence southwesterly along the center line of Scott Avenue to the center line of Portia Street; thence southwesterly along the center line of Portia Street to the".

Amendment No. 37

On page 22, line 31, of the printed bill, as amended, strike out "4, page 20", and insert "1, pages 244 and 245".

Amendment No. 38

On page 23 of the printed bill, as amended, strike out lines 22, 23 and 24, and insert "Base Line Trail; thence northerly along the center line of Base Line Trail to the center line of Pacific View Drive; thence easterly along the center line of Pacific View Drive and".

Amendment No. 39

On page 24, line 34, of the printed bill, as amended, strike out "Terrace", and insert "Trail".

Amendment No. 40

On page 24, line 35, of the printed bill, as amended, strike out "Terrace", and insert "Trail".

Amendment No. 41

On page 30 of the printed bill, as amended, strike out lines 42 to 47, inclusive, and insert "tioned right of way to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Jefferson Boulevard; thence south-".

Amendment No. 42

On page 31 of the printed bill, as amended, strike out lines 19 to 21, inclusive, and insert "Avenue with the center line of Van Ness Avenue (from the south)

at or near the northeasterly corner of Block A, Tract No. 4893, as shown on map recorded in Book 53, pages 33 and 34 of Maps, in the office of the Recorder of the County of Los Angeles;".

Amendment No. 43

On page 31 of the printed bill, as amended, strike out lines 31 and 32, and insert "to the easterly boundary of the City of Inglewood, as the same existed on the above mentioned date, said easterly boundary lying on the center line of Van Ness Avenue; thence northerly along the boundary of said last mentioned city to an angle point in said last mentioned boundary at or near the intersection of the center line of Van Ness Avenue and the southerly line of Seventy-sixth Street; thence northerly along the center line of Van Ness Avenue to the point of beginning,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1377—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 3, of the printed bill, after "paid", strike out the period, and insert "and it shall be the duty of the governing body of said county or city to provide for the payment of such expenses"

Amendment No. 2

On page 2, line 44, of the printed bill, after "books", insert ", records, accounts and papers".

Amendment No. 3

On page 2, line 44, of the printed bill, after "board,", strike out "or the", and insert "its".

Amendment No. 4

On page 2, line 45, of the printed bill, before "any member", strike out "thereof, or", and insert a comma; after "member thereof", insert ", or any representative designated by the board".

Amendment No. 5

On page 2, line 47, of the printed bill, after "person.", insert "Any person, duly subpenaed hereunder, who shall refuse or neglect to attend as a witness or to produce any books, records, accounts or papers in his possession, custody or control, in response to such subpena, or who shall refuse to answer any question touching upon the matters under investigation by the board put to him by any member of the board, its secretary or designated representative, shall be deemed guilty of contempt and may be punished by a court of competent jurisdiction by a fine not exceeding five hundred dollars ($500) or by imprisonment in the county jail not exceeding five (5) days, or by both such fine and imprisonment."

Amendment No. 6

On page 3 of the printed bill, strike out all of line 47 after "17."; strike out all of lines 48 to 51, both inclusive; on page 4, strike out all of lines 1 to 8, both inclusive, and insert "To hire or lease, upon the written approval of the Department of Finance, any property, real or personal for the occupancy or use of the board in the performance of its duties."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9.3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of The Personal Income Tax Act, relating to taxes upon the incomes of

individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3, line 20, of the printed bill, as amended, after "years", and before "have", insert "should have been filed but".

Amendment No. 2

On page 34, line 15, of the printed bill, as amended, strike out "both the commissioner"; and in line 16, strike out "and", and strike out "have", and insert "has".

Amendment No. 3

On page 40, line 51, of the printed bill, as amended, strike out "Sacramento County", and insert "any county"; and in line 52, following "extended", insert "to the property in such county".

Amendment No. 4

On page 41, line 28, of the printed bill, as amended, strike out "Sacramento County", and insert "any county"; and in line 30, following "extended", insert "to the property in such county".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 955—An act to amend Section 20 of the Inheritance Tax Act of 1935, relating to the collection of the inheritance tax, including fees therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 11, line 22, of the printed bill, as amended, strike out "A surviving", and strike out lines 23 to 26, inclusive.

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1064—An act to add Section 5.143 to the School Code, relating to the issuance of credentials authorizng persons to serve as substitute employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, beginning in line 7, strike out "the life of such person", and insert "five years".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out the period, and insert a comma and "for not to exceed five months in any school year in any one school district"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1938—An act to amend School Code Section 1.111, relating to the public school system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend School Code Section 1.111", and insert "add Section 1.107 to the School Code".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "pupils of the public schools".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 10, both inclusive, and insert

"SECTION 1. Section 1.107 is hereby added to the School Code, to read as follows:

1.107. The governing board of any school district may, in its discretion, provide medical and/or hospital service through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or accident insurance, for pupils of the district injured while participating in athletic activities under the jurisdiction of, or sponsored or controlled by, the district or the authorities of any school thereof. The cost of such insurance or membership may be paid from the funds of the district.

Such insurance may be purchased from, or such membership may be taken in, only such companies or corporations as are authorized to do business in California."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2152—An act to amend School Code Section 2.51, relating to the public school system.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend School Code Section 2.51", and insert "add Section 2.1365 to the School Code".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "Department of Education"

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 8, both inclusive, and insert

"SECTION 1. Section 2.1365 is hereby added to the School Code, to read as follows:

2.1365. For the purposes of Political Code Section 352, the following constitute, among other proper purposes, State business for officers and employees of the Department of Education for which such officers and employees shall be allowed actual and necessary traveling expenses when the State travel and expense have been approved by the Governor and the Director of Finance as provided in said section.

Attending meetings of any national association or organization, having as its principal purpose the study of matters relating to education or to a particular field or fields on education, or any agency of such association thereof; conferring with officers or employees of the United States, or appearing before committees of either house of the Congress of the United States, relative to problems relating to education in California; conferring with officers or employees of other States engaged in

the performance of similar duties; and obtaining information useful to the department, in the conduct of its work."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2154—An act to repeal Part 2 of Division 5 of the School Code, to repeal Article 7 of Chapter 2 of Part 3 of Division 5 of said code, to repeal Section 5.440 of said code, and to add a new part of Division 5 of the School Code, to be known as Part 2, all relating to authorization of service in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Part 2 of Division 4", and insert "Part 3 of Division 5".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out "is", and insert "are".

Amendment No. 3

On page 14, line 19, of the printed bill, as amended, strike out "public".

Amendment No. 4

On page 15, line 50, of the printed bill, as amended, strike out "public".

Amendment No. 5

On page 17, line 7, of the printed bill, as amended, strike out "public".

Amendment No. 6

On page 18, line 10, of the printed bill, as amended, strike out "public".

Amendment No. 7

On page 19, line 8, of the printed bill, as amended, strike out "and".

Amendment No. 8

On page 19 of the printed bill, as amended, beginning in line 15, strike out "of each teacher, supervisor, or administrator employed in the public schools of the county.", and insert "held by each employee serving in the schools of the county in a school position or school positions requiring certification or credential qualifications."

Amendment No. 9

On page 20 of the printed bill, as amended, beginning in line 22, strike out "has rendered successful teaching, supervisory, or administrative service in the schools of the county for a period of not less than one school year, and that the candidate is a fit person to possess a life diploma.", and insert "is a fit person to possess a life diploma, and, for a period of not less than one school year, has rendered successful service in the schools of the county in the capacity authorized in the credential or certificate used as a basis for life diploma application."

Amendment No. 10

On page 22, line 1, of the printed bill, as amended, strike out "have", and insert "having".

Amendment No. 11

On page 22, line 41, of the printed bill, as amended, after "such", insert "board shall, without fee, issue to such teacher, in lieu of the certificate or credential lost or destroyed, a new certificate or credential of the same kind, grade, character, and period of validity as the certificate or credential originally granted."

Amendment No. 12

On page 24, line 28, of the printed bill, as amended, after "unprofessional", insert "conduct,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 207—An act to add Sections 2010, 2011 and 2012 to, and to amend Sections 2182 and 2183 of, the Welfare and Institutions Code, relating to aid to the aged, providing for the payment therof, and specifying the powers and duties of certain public officers and employees in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 2 of the printed bill, strike out lines 27 to 34, inclusive

Amendment No. 2

On page 2, line 45, of the printed bill, strike out "county," and strike out all of lines 46 to 50, inclusive, and insert "county.

A county shall have a period of 90 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and the aid shall be granted to him from the date when the determination is made that he is eligible. If the first application is denied and it subsequently appears from any succeeding application that he was in fact eligible during the period of the first application, he shall be granted aid beginning from the ninetieth day after the date of his first application.

Such payment".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2463— An act to add Section 2191 to the Welfare and Institutions Code, relating to pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "pensions", and insert "aid to the aged"

Amendment No. 2

On page 1, line 3, of the printed bill strike out "a pension", and insert "aid".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "act", and insert "chapter"

Amendment No. 4

On page 1, lines 7 and 8, of the printed bill, strike out "laws enacted pursuant to this amendment", and insert "the provisions of this chapter".

Amendment No. 5

On page 1, line 10, of the printed bill, strike out "a pension", and insert "aid".

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 925—An act to repeal Sections 5136, 5137, 5138, 5139 and 5140 of the Revenue and Taxation Code, and to add Sections 5136, 5137, 5138, 5139, 5140, 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Section 5138 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "5136,".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "5137, 5138, 5139, 5140,".

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; and strike out all of pages 2 and 3, and insert

"SECTION 1. Section 5138 of the Revenue and Taxation Code is hereby amended to read as follows:

5138. Within six months after the payment, an action may be brought against a county or a city in the superior court to recover the taxes paid under protest.

If all or any portion of the taxes paid under protest and sought to be recovered were collected by officers of the county for a city, an action must be brought against the city for the recovery of such taxes and judgment must be sought against the city. Where actions are brought against both a county and a city such actions may be joined in one complaint.

Any city for which county officers collect taxes may provide for the defense by counsel for the county of actions brought against the city under this article, in which event it shall be the duty of such counsel to defend such actions, or the city may provide that such actions shall be defended by its own counsel.

SEC. 2. Section 5141 is hereby added to the Revenue and Taxation Code, to read as follows:

5141. If the court finds that the assessment complained of is void in whole or in part, it shall render judgment for the plaintiff for the amount of the taxes paid on so much of the assessment as is found to be void. In such event but only where taxes are paid after the effective date of this act, the plaintiff is entitled to interest on the taxes for which recovery is allowed at the legal rate from the date of payment under protest to the date of entry of judgment, and such accrued interest shall be included in the judgment. The taxes paid on so much of the assessment as is not found to be void shall constitute valid taxes which, if paid after delinquency, shall carry penalties, interest and costs.

SEC. 3. Section 5142 is hereby added to the Revenue and Taxation Code, to read as follows:

5142. Where the taxes sought to be recovered have been paid after delinquency, the amount of penalties, interest or costs recoverable in actions brought under this article shall be computed only on the taxes recovered.

SEC. 4. Section 5143 is hereby added to the Revenue and Taxation Code, to read as follows:

5143. As used in this article, "tax" or "taxes" includes penalties, interest and costs."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 926—An act to add Article 3, consisting of Section 5180 to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to the refund of penalties, interest or costs on taxes.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Article 3, consisting of Section 5180, to Chap-", and insert "amend Sections 3520 and 3712".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "ter 5 of Part 9 of Division 1"

Amendment No. 3

In line 3 of the title of the printed bill, strike out "the refund of penalties, interest or costs", and insert "tax deeds and the title conveyed thereby."

Amendment No. 4

Strike out line 4 of the title of the printed bill.

Amendment No. 5

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 3520 of the Revenue and Taxation Code is hereby amended to read as follows

3520 As used in this section, "lien" includes any lien for:

(a) Interest and penalties or both on taxes or special assessments or both.

(b) Amounts payable to cities or for their account on redemption of property from sale for taxes, special assessments, or other amounts

The deed conveys to the State the absolute title to the property, free of all encumbrances, except:

(1) Liens for taxes levied for municipal, irrigation, reclamation, protection, flood control, public utility or other district purposes.

(2) Liens for special assessments collected on tax rolls

(3) Liens or assessments for other amounts which by law are collected on tax rolls by or for account of cities

(4) Easements and rights of way not taxable or assessable, or not separately taxed or assessed, or, if separately taxed or assessed, on which all separate taxes or special assessments have been paid.

When the land is owned by the United States or this State, the deed is prima facie evidence of the right of possession accrued as of the date of the deed without prejudice to the taxes or assessments which are a lien upon the property.

SEC. 2 Section 3712 of the Revenue and Taxation Code is hereby amended to read as follows:

3712 As used in this section, "direct assessment" means an assessment levied by a district the bonds of which are secured by assessments levied on particular parcels of land described in the bonds

The deed conveys title to the purchaser free of all encumbrances of any kind existing before the sale, except:

(a) Any lien for installments of assessments, which installments will become due after the time of the sale;

(b) The lien for taxes or assessments or other rights of any taxing agency which does not consent to the sale under this chapter;

(c) Any lien for direct assessments;

(d) Easements and rights of way not taxable or assessable, or not separately taxed or assessed, or, if separately taxed or assessed, on which all separate taxes or special assessments have been paid."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 927—An act to repeal Sections 5096, 5097, 5098, 5099, 5100, 5101 and 5102 of the Revenue and Taxation Code, and to add Sections 5096, 5097, 5098, 5099, 5100, 5101, 5102, 5103, 5104, 5105 and 5106 to the Revenue and Taxation Code, relating to the refund of taxes

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Sections 5096, 5098 and 5099".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "of the Revenue and Taxation Code, to repeal Section 5101 of the Revenue and Taxation Code, and to add".

Amendment No. 3

Strike out line 3 of the title of the printed bill, and insert "Sections 5101, 5103,".

Amendment No. 4

In line 4 of the title of the printed bill, strike out "5105 and 5106", and insert "5105, 5106 and 5107".

Amendment No. 5

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and strike out all of pages 2, 3 and 4, and insert

"SECTION 1. Section 5096 of the Revenue and Taxation Code is hereby amended to read as follows.

5096. On order of the board of supervisors, any taxes paid before or after delinquency shall be refunded if they were:

(a) Paid more than once.

(b) Erroneously or illegally collected

(c) Paid on an assessment in excess of the cash value of the property by reason of the assessor's clerical error.

(d) Paid on an assessment of improvements when the improvements did not exist on the lien date.

"Erroneously or illegally collected" as used in this section does not include the payment of taxes on an assessment claimed to be excessive.

SEC. 2. Section 5098 of the Revenue and Taxation Code is hereby amended to read as follows.

5098. If an action is brought under this article by any person other than the person who paid the tax, his guardian, executor, or administrator, judgment shall not be rendered for the plaintiff.

SEC. 3. Section 5099 of the Revenue and Taxation Code is hereby amended to read as follows.

5099. The refund ordered by the board of supervisors may include.

(a) A portion of the amounts paid to the State Treasurer by the county treasurer as money belonging to the State.

(b) County taxes and taxes collected by county officers for a city or revenue district

SEC. 6. Section 5101 of the Revenue and Taxation Code is hereby repealed.

SEC. 7. Section 5101 is hereby added to the Revenue and Taxation Code, to read as follows:

5101. Refunds ordered by the board of supervisors under this article in respect of county taxes shall be paid by warrant drawn upon the appropriate fund by the county auditor. Refunds ordered in respect of revenue districts, except chartered cities, may be paid by a warrant drawn by the county auditor, upon such available funds, if any, as the revenue district may have on deposit in the county treasury, or in the event such funds are insufficient, then out of funds subsequently accruing to such revenue district and on deposit in the county treasury. Refunds ordered in respect of chartered cities shall be paid in the manner provided for their payment in the charter or ordinances of the city. Neither any county nor its officers shall refund amounts on behalf of a revenue district from county funds

SEC. 8. Section 5103 is hereby added to the Revenue and Taxation Code, to read as follows:

5103. If the board of supervisors rejects a claim for refund in whole or in part, the person who paid the taxes, his guardian, executor, or administrator may within six months after such rejection commence an action in the superior court against the county or a city to recover the taxes which the board of supervisors or the city council have refused to refund

If all or any portion of the taxes sought to be recovered were collected by officers of the county for a city, an action must be brought against the city for the recovery of such taxes and judgment must be sought against the city. Where actions are brought against both a county and a city such actions may be joined in one complaint.

Any city for which county officers collect taxes may provide for the defense by counsel for the county of actions brought against the city under this article, in which event it shall be the duty of such counsel to defend such actions, or the city may provide that such actions shall be defended by its own counsel

SEC. 9. Section 5104 is hereby added to the Revenue and Taxation Code to read as follows

5104. No action shall be commenced or maintained under this article unless a claim for refund shall have been filed in compliance with the provisions of this article, and no recovery of taxes shall be allowed in any such action upon a ground not asserted in the claim for refund.

SEC. 10. Section 5105 is hereby added to the Revenue and Taxation Code to read as follows:

5105. In any action in which recovery of taxes is allowed by the court, the plaintiff is entitled to interest on the taxes for which recovery is allowed at the legal rate from the date of the filing of the claim for refund to the date of entry of judgment, and such accrued interest shall be included in the judgment. This section shall not apply to taxes paid before the effective date of this act.

SEC 11. Section 5106 is hereby added to the Revenue and Taxation Code to read as follows:

5106 Where the taxes sought to be refunded or recovered have been paid after delinquency, the amount of penalties, interest or costs refundable or recoverable under this article shall be computed only on the taxes refunded or recovered.

SEC. 12. Section 5107 is hereby added to the Revenue and Taxation Code to read as follows:

5107 As used in this article, "tax" or "taxes" includes penalties, interest, and costs."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1555—An act to amend Sections 11, 17, 18, 20, 21, 23 and 28 of an act entitled "An act imposing a tax for the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to sellers of tangible personal property, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," all relating to the taxation of the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out all of the title of the printed bill after "An act to", and insert "repeal Sections 5 1 and 5 13 of the Retail Sales Tax Act of 1933 and Sections 6381 and 6382 of the Revenue and Taxation Code, all relating to exemption from retail sales taxes; to defer final assessment and determination of sales and use taxes in certain instances, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1, line 1, of the printed bill, after "SECTION 1. Section", strike out all of the remainder of said bill, and insert

"5 1 of the Retail Sales Tax Act of 1933 is hereby repealed

SEC. 2. Section 5 13 of the Retail Sales Tax Act of 1933 is hereby repealed

SEC 3. Section 6381 of the Revenue and Taxation Code is hereby repealed

SEC 4. Section 6382 of the Revenue and Taxation Code is hereby repealed

SEC. 5. Except as otherwise provided in this act, if a retailer, or other person authorized so to do, petitions in conformity with the requirements of Section 20 of the Retail Sales Tax Act of 1933 or Section 6561 of the Revenue and Taxation Code for reassessment or redetermination of a tax computed upon gross receipts of a kind mentioned in either Sections 5 1 or 5 13 of the Retail Sales Tax Act of 1933 or in either Sections 6381 or 6382 of the Revenue and Taxation Code as said sections existed prior to their repeal hereby, pending a final decision in a court of last resort that gross receipts of such kind may be included in the measure of the tax, the State Board of Equalization shall not initiate action to cause the assessment or determination to become final.

SEC 6 Except as otherwise provided in this act, if a retailer, or other person authorized so to do, petitions in conformity with the requirements of Section 20 of the Retail Sales Tax Act of 1933, Section 12 of the Use Tax Act of 1935, or Section 6561 of the Revenue and Taxation Code for reassessment or redetermination of a tax computed on gross receipts from sales of, or the sales price of, tangible personal property purchased by contractors for use exclusively in the performance of contracts with the United States for construction of National defense facilities on a cost-plus-a-fixed-fee basis, pending a final decision in a court of last resort that the tax imposed under the Retail Sales Tax Act of 1933, the Use Tax Act of

1935, or the Revenue and Taxation Code, as the case may be, is applicable with respect to transactions of such kind, the State Board of Equalization shall not initiate action to cause the assessment or determination to become final.

SEC. 7. Except as otherwise provided in this act, the State Board of Equalization shall not make a final assessment or determination with respect to a tax which is the subject of a petition for reassessment or redetermination under the conditions described in Sections 5 and 6 hereof, and which is computed on gross receipts from, or the sales price of, a sale made prior to a decision such as is mentioned in said sections, if it is established to the satisfaction of the board that the person liable for the tax, through no fault or omission on his part, has not been, and, after a reasonable effort to collect, can not be, reimbursed therefor as a part of the sales or purchase price.

SEC. 8. Unless a person otherwise liable for a tax such as is described in Sections 5, 6 and 7 of this act shall maintain accurate records with respect to all transactions of the type therein described and shall report the transactions to the State Board of Equalization as required by the Retail Sales Tax Act of 1933, the Use Tax Act of 1935, or the Revenue and Taxation Code, as the case may be, said sections shall not apply to such person or to any tax assessed against him.

SEC. 9. Nothing contained in this act shall prevent the State Board of Equalization from making such final assessments or determinations of tax with respect to transactions of the type described in Sections 5, 6 and 7 of this act as it may deem necessary to establish the validity of assessments or determinations arising out of transactions of such kind, nor shall this act affect jeopardy assessments under Section 19 of the Retail Sales Tax Act of 1933, or jeopardy determinations under Section 11 of the Use Tax Act of 1935, or Section 6536 of the Revenue and Taxation Code.

SEC. 10. No interest shall be required of a taxpayer by the State with respect to any tax assessed or determined under the Retail Sales Tax Act of 1933 and Use Tax Act of 1935 or Revenue and Taxation Code, arising out of transactions described in Sections 5, 6 and 7 of the act, if such tax is paid within 90 days after the effective date of the final decision in a court of last resort that the tax imposed under said acts is applicable, as the case may be, with respect to transactions of such kind.

SEC. 11. Nothing contained in this act shall be construed as a legislative intent, interpretation, or concession to the effect that the tax imposed under the Retail Sales Tax Act of 1933, the Use Tax Act of 1935, or Revenue and Taxation Code, as the case may be, is inapplicable with respect to any transaction or situation mentioned herein, and the Legislature hereby declares and reaffirms that the sales tax is not imposed upon any purchaser of tangible personal property in this State, but is for the privilege of engaging in the business of selling such property at retail.

SEC. 12. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portion of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 13. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of the Retail Sales Tax Act of 1933, as it existed on January 1, 1941, are hereby continued in force until May 1, 1941, and that the provisions hereof repealing certain sections of the Revenue and Taxation Code shall become operative at the same time as Part 1, Division 2, of the Revenue and Taxation Code, passed by the Legislature at its Fifty-fourth Session."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2167—An act making an appropriation for the matching of funds received from the United States Government for the continuation of flood control work on the Tujunga and Tacoima washes in Los Angeles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive; in line 4, strike out "Tacoima washes", and insert "An act making an appropriation for flood control work on Tyrone Wash".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "$_____", and insert "fifty thousand dollars ($50,000)".

Amendment No. 3

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "and Ninety-fourth Fiscal Years for the purpose of flood control works on Tyrone Wash in Los Angeles."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 174—An act to amend Section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 408—An act to amend Section 4276 of the Political Code, relating to salaries and fees of offices in counties of the forty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 425—An act to add Section 1628 to the Streets and Highways Code, relating to expenditures by a county out of its special road improvement fund on streets, roads and highways in cities within the county.

Bill read second time, and ordered to third reading.

Senate Bill No. 442—An act to amend Section 3719 of the Political Code, to grant to junior college districts the right to borrow under the provisions of said section.

Bill read second time, and ordered to third reading.

Senate Bill No. 1299—An act to amend Sections 6.9, 24, 24.2, 24.3, 27, 33e, 34, 51 and 67.5, and to repeal 24.5, 24.7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24.1, 24.5, 24.6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 101—An act to amend Section 4274 of the Political Code, relating to compensation for public services in counties of the forty-fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 102—An act to amend Section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class.

Bill read second time, and ordered to third reading.

Senate Bill No. 105—An act to amend Section 737ccc of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Tuolumne.

Bill read second time, and ordered to third reading.

Senate Bill No. 109—An act to amend Section 7 of The Personal Income Tax Act, relating to taxes on individuals, estates and trusts.

Bill read second time, and ordered to third reading.

Senate Bill No. 364—An act to add Chapter 5 to Division 3 of the Business and Professions Code, consisting of Sections 6300 to 6365, inclusive, and to repeal Sections 4190 to 4204, inclusive, of the Political Code, relating to boards of law library trustees and law libraries.

Bill read second time, and ordered to third reading.

Senate Bill No. 557—An act to amend Sections 975, 977 and 980 of the Code of Civil Procedure, and to add Sections 980a, 980b and 980c to said code, relating to appeals from justices' and police courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 710—An act to add Section 1144 to the Penal Code, relating to criminal jury trials in municipal courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 713—An act to add Chapter 1a, comprising Section 1247k, to Title 9 of Part 2 of the Penal Code, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in criminal cases.

Bill read second time, and ordered to third reading.

Senate Bill No. 714—An act to add Chapter 1a, comprising Section 961, to Title 13 of Part 2 of the Code of Civil Procedure, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in civil actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 888—An act to add Article 5, comprising Sections 1953e to 1953h, inclusive, to Chapter 3, Title 2, Part 4 of the Code of Civil Procedure, relating to business records as evidence.

Bill read second time, and ordered to third reading.

Senate Bill No. 26—An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside.

Bill read second time, and ordered to third reading.

Senate Bill No. 32—An act defining submission of causes on appeal.

Bill read second time, and ordered to third reading.

Senate Bill No. 39—An act to add Section 1107 to Chapter 4 of Title 1 of Part 3 of the Code of Civil Procedure, relating to the issuance of writs of review, mandate and prohibition.

Bill read second time, and ordered to third reading.

Senate Bill No. 247—An act to amend Section 725a of the Code of Civil Procedure, relating to foreclosure.

Bill read second time, and ordered to third reading.

Senate Bill No. 276—An act to amend Section 1550 of the Probate Code, relating to the inventory and appraisement of estates of wards, and the delivery of a copy thereof to the county assessor

Bill read second time, and ordered to third reading.

Senate Bill No. 627—An act to amend Sections 1, 7, 9 and 11 of the Irrigation District Improvement Act, relating to formation of, government of, and assessments in irrigation district improvement districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 692—An act to repeal an act entitled "An act to provide for the release of all claims and liens arising from irrigation district bonds and interest coupons voluntarily surrendered for cancellation, and to provide for the establishment of record of such release," approved May 1, 1911.

Bill read second time, and ordered to third reading.

Senate Bill No. 694—An act to amend Sections 1 and 5 of the California Irrigation District Act, relating to the formation and government of irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 919—An act to repeal Section 41b of the California Irrigation District Act, relating to the segregation of land on irrigation district assessment rolls.

Bill read second time, and ordered to third reading

Senate Bill No. 305—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, by reenacting Section 68, 69 and 72; and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 74, relating to statutes codified in the Water Code, Section 75, authorizing the district to engage in the electrical power business, and Section 76, granting right of ways for electrical light and power lines; declaring the legislative intention as to unconstitutionality and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 540—An act to add Section 23.5 to the California Irrigation District Act, relating to irrigation district elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 543—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding thereto new Sections 21.1 and 21.2, relating to allocation of proceeds of con-

tracts or other sources of payment to the payment of bonds and 21 3, relating to redemption of bonds and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 544—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending Section 26, relating to annual estimate for taxes, and Section 28, relating to annual tax levy; and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 550—An act to repeal Section 2 of an act entitled "An act to provide for drainage by irrigation districts." approved March 18, 1907, relating to the duties of irrigation districts and their officers to drain land.

Bill read second time, and ordered to third reading.

Senate Bill No. 29—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "peace officer or", and insert "regular salaried peace officer expressly authorized thereto by the head of his office or department or by".

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, strike out "when", and insert a comma and "when such use and installation are".

Amendment No. 3

On page 1, line 11, of the printed bill, as amended, strike out "his duty", and insert "their duties".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 180—An act to protect property by making criminal certain unlawful entries on, injuries to and interference with property, authorizing the closing of streets, and to provide penalties for the violation thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 9, of the printed bill, after the comma following "water", strike out "oil,".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "individual,".

Amendment No. 3

On page 1, line 12, of the printed bill, after "intentionally", insert "and maliciously".

Amendment No. 4

On page 2, line 1, of the printed bill, after "intentionally", insert "and maliciously".

Amendment No. 5

On page 2, line 2, of the printed bill, between "or", and "omits", insert "intentionally and maliciously".

Amendment No. 6

On page 4 of the printed bill, strike out lines 2 to 5, inclusive, and insert "any city, town or county to close to public use and travel or to restrict the use of and travel upon such parts of said abutting highway or highways as lie within a distance of 150 feet or less of said property. Upon receipt of such petition, the highway".

Amendment No. 7

On page 4, line 14, of the printed bill, strike out "one or more of said highways or parts thereof:", and insert "such parts of said abutting highway or highways as lie within a distance of 150 feet or less of said property and as they deem necessary for the public safety and the safety of the property;".

Amendment No. 8

On page 4 of the printed bill, strike out lines 41 and 42, and insert

"SEC. 14. If conduct prohibited by this act is also made unlawful by another law or other laws, the offender may be convicted for the violation of this act or of such other law or laws."

Amendment No. 9

On page 4, line 32 of the printed bill, after the period, insert "Nor shall anything in this act be construed to impair, curtail or destroy the rights of employees, former employees and their representatives to strike."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 216—An act to amend Section 564 of the Code of Civil Procedure, relating to appointment of receivers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "disperse", and insert "disburse."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 545—An act to provide for the acquisition, development, and disposal of electrical power by Palo Verde Irrigation District and granting to said district right of ways for electric light and power lines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Irrigation:

Amendment No. 1

On page 2, line 44, of the printed bill, as amended, following "city", and before the period, insert "; and provided further, that the rights herein granted are subject to compliance by said district in respect to any State highway with the provisions of Article 2 of Chapter 3 of Division 1 of the Streets and Highways Code".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 529—An act to add Section 4056g to the Political Code, relating to officers, deputies, assistants and employees of the counties, and their rights and privileges in relation to their several county offices and employments during, and after termination of, their service in the armed forces or training and service in the land or naval forces of the United States.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, after "therein", insert ", but in no case later than six months after the date (1) of termination of any war in which the United States is engaged or (2) of a proclamation by the Governor finding and proclaiming that the emergency in the National defense no longer exists,".

Amendment read and adopted.

Bill ordered printed, and to third reading.

COMMUNICATIONS

The following communication was received and read:

From the Fifty-ninth Assembly District Democratic Club, relative to the opposition of Assembly Bill No. 1033 and the support of Assembly Bill No. 310.

MOTION TO SET SPECIAL ORDER

Mr. Frederick F. Houser moved that Assembly Bill No. 2575 be made a special order of business for Monday, April 14, 1941, at 2 p.m., and if amended, shall be reprinted and be made a special order of business for Tuesday, April 15, 1941, at 1.45 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

MOTION TO SET SPECIAL ORDER

Mr. Wollenberg moved that Senate Bill No. 180 be made a special order of business for Monday, April 14, 1941, at 2.10 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B. Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2203—An act to amend Section 11 of the Special Assessment Investigation, Limitation and Majority Protest Act of

1931, relating to the determination of the ratio of assessed value to true value.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 11 of", and insert "Sections 2983 and 2985 of, and to repeal Sections 2981 and 2982 of, the Streets and Highways Code, relating to".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "relating to", and insert "including".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 2983 of the Streets and Highways Code is hereby amended to read as follows:".

Amendment No. 4

On page 2, line 3, of the printed bill, before "To", insert "2983."

Amendment No. 5

On page 2, line 4, of the printed bill, strike out "act", and insert "division".

Amendment No. 5a

On page 2, line 5, of the printed bill, strike out "or city or county".

Amendment No. 6

On page 2 of the printed bill, strike out lines 13 to 32, inclusive, and insert a period and

"SEC. 2. Section 2985 of the Streets and Highways Code is hereby amended to read as follows:

2985. If a correction factor is established as provided in Section 2984".

Amendment No. 7

On page 2, line 42, of the printed bill, strike out "act", and insert "division".

Amendment No. 8

On page 2, line 44, of the printed bill, strike out "municipality", and insert "city".

Amendment No. 9

On page 2, line 45, of the printed bill, strike out "said quotient;", and insert "that quotient, and".

Amendment No. 10

On page 2, line 47, of the printed bill, strike out "hereof", and insert "of this division".

Amendment No. 11

On page 2 of the printed bill, strike out lines 48 to 52, inclusive; and on page 3, strike out lines 1 to 5, inclusive, and insert

"SEC. 3. Sections 2981 and 2982 of the Streets and Highways Code are hereby repealed."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 147—An act to amend Section 55 of the County Employees Retirement Act of 1937.

Bill read third time.

Motion to Amend

Mr. Kepple moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "1937", insert ", relating to the management of the county employees retirement system".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "Sec. 55.", and insert "SECTION 1. Section 55 of the act cited in the title hereof is hereby amended to read as follows:
Sec. 55."

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I have just signed Assembly Bill No. 285 which grants leaves of absence for Military Service to employees and officers, other than elective officers of counties and other public bodies. The Legislative Counsel has reported to me as follows concerning the bill:

"Section 20 of Article IV of the Constitution provides in part that:

'No person holding any lucrative office under the United States, or any other power, shall be eligible to any civil office of profit under this State.'

This constitutional limitation appears to invalidate the provisions of this bill in so far, at least, as persons now holding offices in political subdivisions of this State are called into the armed forces of the United States and serve in such forces as officers.

The courts have held that a military office is a lucrative office under the United States and as a matter of fact the historical background of this constitutional provision which was in the original Constitution adopted in 1849, indicates that one of the purposes in adopting it was to prevent the holding of State offices by officers in the Federal Military Force situated in California.

A 'leave of absence,' does not imply a 'vacating' of the State office but rather a continued holding of the office even though during the period of leave the powers and duties are performed by some other person.

In this connection we would call your attention to the method of approach to this problem as appears in Chapter 18 of the Statutes of 1941. This chapter amends the State Civil Service Act and provides in effect that any civil service employee of the State who enters the Military Service 'shall have the absolute right to be restored to his former position' upon the termination of that service. The procedure in that bill thus permits a resignation with an absolute right of reinstatement and so avoids the problem presented by Section 20 of Article IV of the Constitution."

In view of the possibility that an officer or employee might rely upon the provisions of this bill and that it might later be declared to be in part unconstitutional, I believe that you should be informed of the views expressed above. I may also say that similar comments in regard to related legislation have been made by the Attorney General in his opinion No. N. S. 3078.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 245.
Assembly Bill No. 1217
Assembly Bill No. 1643.
Senate Bill No. 318.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 54—An act to amend Sections 79 and 83a of the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 54?

Amendment No. 1

On page 1, line 11, of the printed bill, after "State", insert "Highway Patrol".

Amendment No. 2

On page 2, line 9, of the printed bill, after the comma, insert "regardless of his age at retirement,"

Amendment No. 3

On page 2 of the printed bill, strike out lines 17 and 18, and insert "If a member retires before attaining the age of 60 years."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 54 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—54.

NOES—None.

Assembly Bill No. 54 ordered enrolled.

Assembly Bill No. 271—An act providing for the registration of certain societies, corporations, associations, camps, groups, bunds, political parties, assemblies and other bodies and organizations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 271?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 18 to 20, inclusive; and on page 2, strike out lines 1 to 11, inclusive; and in line 12, strike out "over turning", and insert "which:

(a) Directly or indirectly advocates, advises, teaches, or practices, the duty, necessity or propriety of controlling, conducting, seizing, or overthrowing".

Amendment No. 2

On page 2, line 14, of the printed bill, as amended, strike out the period, and insert "; or

(b) Is subject to foreign control as defined in subdivision (d) of Section 2; or

(c) Is both subject to foreign control as defined in subdivision (d) of Section 2 and directly or indirectly advocates, advises, teaches, or practices the duty, necessity, or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States, or of this State or of any political subdivision thereof by force or violence."

Amendment No. 3

On page 3 of the printed bill, as amended, between lines 17 and 18, insert

"SEC. 3. Nothing in this act shall be construed as applying to any labor union, religious, fraternal or patriotic organization, society, or association, whose objectives and aims do not contemplate the overthrow of the Government of the United States, or of this State or of any political subdivision thereof by force or violence."

Amendment No. 4

On page 5, line 10, of the printed bill, as amended, strike out "15", and insert "14".

Amendment No. 5

On page 5, line 17, of the printed bill, as amended, strike out "16", and insert "15".

Amendment No. 6

On page 5 of the printed bill, as amended, strike out lines 29 to 31, inclusive; and in line 32, strike out "SEC 18.", and insert

"SEC 16. This act is enacted in the exercise of the police power of this State for the protection of the public peace and safety by requiring the registration of subversive organizations which are conceived and exist for the purpose of undermining and eventually destroying the democratic form of Government in this State and in the United States.

SEC 17."

Amendment No. 7

On page 1, line 1, of the printed bill, as amended, strike out "all corporations and", and strike out lines 2, 3 and 4 thereof, and insert "every corporation, association, society, camp, group, band, political party, assembly, and to every other body or organization composed of two or more persons or members,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 271 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Benton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Potter, Riehe, Salsman, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 271 ordered enrolled.

NOTICES OF MOTION TO WITHDRAW BILLS FROM COMMITTEE CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills from committee were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1440—An act to amend the title of, and to add Sections 30 to 72, inclusive, to an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to authorizing the creation and establishment of sewage disposal districts within the boundaries of a municipal utility district, and authorizing the issuance of bonds, including revenue bonds, for the acquisition or construction of sewage disposal systems, providing for the operation and maintenance thereof, and providing for the fixing, collecting and application of rates and charges for the use of such sewage disposal systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins,

Heisinger, Houser, Frederick F., Houser, F. N., Johnson, King, Leonard, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1442—An act to provide for the organization, incorporation, and government of joint municipal sewage disposal districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of sewage disposal systems and to levy and collect taxes to pay the principal and interest thereon, and authorizing such districts to issue revenue bonds for the acquisition and construction of sewage disposal systems, and for the fixing, collecting and application of rates and charges for the use of sewage disposal systems

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Houser, F. N., Johnson, King, Leonard, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Maloney, Meehan, Miller, Millington, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Turner, Waters, Welch, and Mr. Speaker—50.

NOES—Andreas, Kepple, Knight, T. Fenton; Leonard, Pfaff, Thurman, and Weybret—7.

Notice of Motion to Reconsider Assembly Bill No. 1075

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1075 was this day passed.

Assembly Bill No. 577—An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601, 5602 and 5603, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 577:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 28, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 577

"An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601, 5602 and 5603, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34, of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 577 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—63.

NOES—Cooke—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 929—An act to add Article 2a, comprising Sections 5.785 and 5.786 to Chapter 9, Part 3, Division 5 of the School Code, relating to institutions of noncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1292—An act to add a new section, to be numbered 604 2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "No", and insert "Any".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out the period and all of lines 6 to 10, inclusive, and insert "; provided, that any person who shall maliciously and wilfully throw or project any rock, brick, bottle, metal or other missile, or project any other substance capable of doing serious bodily harm, or shall discharge a firearm at such vehicle or occupant thereof is guilt of a felony and upon conviction shall be punished by imprisonment for not less than one year or more than five years in the State prison."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 960—An act to amend the heading of Division 4 and Sections 452, 455, 456, 466, 467, 470, 471, 476, 478, 481, 482, 483, 484, 485, 486, 498, 500, 501, 511, 513, 523, 526, 542, 543, 545, 546, 551, 616, 618, 619, 620, 621, 631, 635, 636, 641, 642, 643, 644, 645, 661, 662, 666, 676, 681, 722 and 723 of, to add Sections 472, 590, 640 and 640.5 to, and to repeal Section 559 of, the Agricultural Code, relating to the dairy industry and milk, milk products, and imitation milk products, processing plants and factories, and retail establishments, milk products, and imitations of milk products, and providing for the taking effect hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1306

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1306—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read third time.

Demand for Previous Question

Messrs. Potter, Dilworth, Field, Pfaff and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1306.

The roll was called, and Assembly Bill No. 1306 passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Del Mutolo, Dills, Evans, Gaffney, Gunlock, Hawkins, Kilpatrick, McCollister, O'Day, Pelletier, Poulson, Richie, Robertson, and Welch—19.

Notice of Motion to Reconsider Assembly Bill No. 1306

Mr. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1306 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1189
Senate Bill No. 679

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up Senate Bill No. 679, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 679

Senate Bill No. 679—An act to amend Section 820 of the Streets and Highways Code, relating to cooperation with the United States.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Call:

Resolved, That Senate Bill No. 679 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 679—An act to amend Section 820 of the Streets and Highways Code, relating to cooperation with the United States.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Messrs. Lyon, Maloney, Call, Cronin and Garland:

House Resolution No. 134

WHEREAS, It is the custom among Christians to solemnly commemorate the three hours agony of our Lord on the Cross; and

WHEREAS, Good Friday devotions are so uniformly observed throughout California; now, therefore, be it

Resolved by the Assembly of the State of California, That adjournment be taken today prior to the time of commencement of such religious exercises to enable those who wish to participate in the exercises to do so, and to allow them to meditate upon the passion and death of our Saviour.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 134, at this time, without reference to committee.

Resolution read and adopted unanimously.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, April 7, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 659, entitled "An act to amend Section 161a of the Civil Code, relating to interests in community property." My objections to this bill are as follows:

Under the present Section 161a of the Civil Code the respective interests of the husband and wife in the community property are equal, regardless of the fact that the property may stand in the name of one or the other. However, the wife may execute a deed of property acquired in her name under Section 164 of the Civil Code, and the presumption that the property deeded is her separate property is conclusive in favor of a purchaser, encumbrancer, payor or any other person dealing with the wife in good faith and for a valuable consideration.

This bill permits any action, such as a quiet title action, to be maintained against a spouse in whose name property may stand, without the joinder of the other spouse. Such an action could be brought against the wife alone by any person who had received a deed or other instrument from the wife and the judgment would bar the husband from asserting that the property was community property and that the grantee was not dealing with the wife in good faith or for a valuable consideration. In other words, this bill would permit an action which would in effect strike from Section 164 of the Civil Code the words "in favor of a purchaser, encumbrancer, payor, or any other person dealing with such married woman in good faith and for a valuable consideration."

Section 473a of the Code of Civil Procedure could not be availed of by the husband in order to set aside a judgment rendered under the provisions of this bill, because that section provides a means for a defendant who was not served to come into court within a year and file an answer, and under this bill the husband would not be a defendant for he would not be made a party to the action.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 659 ordered on unfinished business file.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2164 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2073 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1934 re-referred to Committee on Judiciary Codes.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 821	Senate Bill No. 312
Assembly Bill No. 988	Senate Bill No. 313
Assembly Bill No. 989	Senate Bill No. 519
Assembly Bill No. 619	Senate Bill No. 60
Senate Bill No. 411	Senate Bill No. 564
Assembly Joint Resolution No. 42	Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1128

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1887

Has had the same under consideration, and reports the same back with the recommendation: Do pass and be re-referred to Committee on Ways and Means

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1011
Assembly Bill No. 1012
Senate Bill No. 1052

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1702
Assembly Bill No. 2291

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Paula and Georgia Crowley.

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jean Farnham.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. R. Miles of Merced.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to June B. Woods of Inglewood, Jannette Skartum of Santa Monica and Barbara Hight of Los Angeles.

ADJOURNMENT

At 11.50 a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Monday, April 14, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY
NINETY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
MONDAY, April 14, 1941

The Assembly met at 1:30 p.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, and Weybret—54.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Clarke.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Bashore, on motion of Mr. Poole

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 388—An act to amend the Probate Code, by adding Section 684 thereto, relating to the stay of payment of family allowances;

Assembly Bill No. 1328—An act to amend Section 2 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately;

Assembly Bill No. 1388—An act providing for the creation of county treasurers' cash difference funds and overage funds in the counties of the State;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1941, at 3 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 102—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately;

Assembly Bill No. 112—An act to amend Section 4 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants, and other evidences of indebtedness of counties and municipal and other public corporations," approved June 10, 1933, relating to duplicate bonds, warrants and other evidences of indebtedness, including the filing thereof;

Assembly Bill No. 133—An act to amend Sections 2604 and 2617 of the Elections Code, relating to nominations and sponsors' certificates;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1941, at 3 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1562—An act to amend Section 5440 of the Public Resources Code and to add Sections 5455 to 5458, both inclusive, thereto, relating to county recreation districts, authorizing the borrowing of money for improvements and equipment and providing for the annexation of territory thereto, and, in addition, to validate the organization, boundaries, trustees, acts, proceedings and bonds of such districts;

Assembly Bill No. 1653—An act providing for the establishment and administration of industrial farms and houses of correction in cities of the first and one-half class; the commitment of persons thereto; the discipline of persons committed thereto; and providing for the working of persons committed to such industrial farms and houses of correction and to city jails in cities of the first and one-half class;

Assembly Bill No. 2121—An act to amend Sections 894 and 895 of the Military and Veterans Code, relating to veterans' dependents;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 147	Assembly Bill No. 1683
Assembly Bill No. 638	Assembly Bill No. 1688
Assembly Bill No. 800	Assembly Bill No. 1768
Assembly Bill No. 1104	Assembly Bill No. 1963
Assembly Bill No. 1129	Assembly Bill No. 1970
Assembly Bill No 1292	Assembly Bill No. 2154
Assembly Bill No. 1311	Assembly Bill No. 2203

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1670

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 150
Assembly Bill No. 168
Assembly Bill No. 188
Assembly Bill No. 207
Assembly Bill No. 209
Assembly Bill No. 442
Assembly Bill No 508
Assembly Bill No. 509
Assembly Bill No. 681
Assembly Bill No. 911
Assembly Bill No. 925
Assembly Bill No. 926
Assembly Bill No. 927
Assembly Bill No. 975
Assembly Bill No. 976
Assembly Bill No. 1064
Assembly Bill No 1119
Assembly Bill No. 1164
Assembly Bill No. 1179
Assembly Bill No. 1302
Assembly Bill No. 1315
Assembly Bill No. 1377
Assembly Bill No. 1679
Assembly Bill No. 1740
Assembly Bill No. 1756
Assembly Bill No 1800
Assembly Bill No. 1865
Assembly Bill No. 1933
Assembly Bill No. 1938
Assembly Bill No. 2152
Assembly Bill No. 2161
Assembly Bill No. 2162

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2167
Assembly Bill No 2272
Assembly Bill No 2358
Assembly Bill No. 2463
Assembly Joint Resolution No. 42
Assembly Bill No. 2518
Assembly Bill No 2519
Assembly Bill No. 2520
Assembly Bill No 2521

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2575

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1555

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 955

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR SPEAKER Your Committee on Ways and Means, to which was referred

Assembly Bill No. 777

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Banking

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Banking, to which were referred:

Assembly Bill No. 1181
Assembly Bill No. 1381

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CALL, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 150

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 1614

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1157
Senate Bill No. 1292

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 1157—An act to add Section 1203.2a to the Penal Code, relating to prisoners in the State prisons.

Referred to Committee on Judiciary Codes

Senate Bill No. 1292—An act making an appropriation for the contingent expenses of the Senate, the act to take effect immediately.

Referred to Committee on Rules.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3 to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Assembly be not concurred in, and that the bill, as amended on March 7, 1941, be further amended as follows:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "office", insert "prior to April 1, 1943, and".

Amendment No. 2

On page 1, line 20, of the printed bill, as amended, after "position", insert "prior to April 1, 1943, and".

MYHAND
QUINN

Senate Committee on Conference

ROBERTSON
BASHORE
TURNER

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—58

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 485—An act to add Sections 4026, 4026.1, 4026.2 and 4026.3 to Article 4, Chapter 3, Title 2, Part 4 of the Political Code, relating to county officers, deputies, assistants and employees, and their return to county service, declaring the urgency hereof, to take effect immediately

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1263—An act to amend Sections 10008, 10112, 10118, 10200, 10325, 10326, 10327, 10328, 10330, 10375, 10427, 10451 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10626, of the Health and Safety Code, relating to vital statistics.

Bill read second time.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1263?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "10112,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "10326,".

Amendment No. 3

In line 3 of the title of the printed bill, as amended, strike out "10626", and insert "10326".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 11 to 23, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1263 by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—59

NOES—None

Assembly Bill No. 1263 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 955—An act to amend Section 20 of the Inheritance Tax Act of 1935, relating to the collection of the inheritance tax, including fees therefor

Bill read third time.

Motion to Amend

Mr. F. N. Howser offered the following amendment:

Amendment No. 1

On page 10 of the printed bill, as amended, strike out lines 44 to 52, inclusive, and insert

"Upon the payment to the county treasurer of a fee not to exceed the sum of one dollar ($1), the following persons and no others are entitled to receive from the county treasurer a copy prepared by the State Controller or county treasurer of any list of the contents of any safe deposit box to which the decedent had access:

(a) An executor of decedent's will.

(b) The administrator of the decedent's estate.

(c) The attorney for such executor of administrator.

(d) A surviving joint tenant or cotenant of the safe deposit box

(e) Any person whom the court by order directs should be allowed to obtain a copy of the list of contents"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1754—An act to add Chapter 3, comprising Sections 7325 to 7332, inclusive, to Part 3 of Division 5 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings, whether constructed heretofore or hereafter to be constructed, to safeguard and protect window washers and others employed upon said buildings.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "two", and insert "three".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1614—An act to add Section 38.5 to the Alcoholic Beverage Control Act, relating to certificates of compliance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1614?

Amendment No. 1

On page 1, line 28, of the printed bill, after "board", strike out "shall", and insert "may".

Amendment No. 2

On page 2, line 2, of the printed bill after "violated," strike out "revoked", and insert "revoke"

Amendment No. 3

On page 1, line 28, of the printed bill, as amended, strike out "on a finding by the"; and strike out lines 1 and 2 on page 2, and insert "suspend or revoke the certificate of compliance in the manner provided by this act for the suspension or revocation of licenses, except that the hearing shall be held in the City of Sacra-

mento or in such other county seat in this State as the board determines to be convenient to the holder of the certificate. No".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 6 to 11, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1614 by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—54

NOES—None.

Assembly Bill No. 1614 ordered enrolled

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 44—An act to add Article 6, comprising Section 4426, to Chapter 2 of Division 4 of the Public Resources Code, relating to safety devices and safeguards on fire lookout towers constructed or maintained by the Department of Natural Resources.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1189—An act to amend Section 8, and to repeal Section 9, of the Community Recreation Enabling Act of 1939, relating to the qualifications of employees.

Bill read second time, and ordered engrossed

Assembly Bill No. 821—An act to amend Section 696 and to repeal Section 697 of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered engrossed.

Assembly Bill No. 988—An act to repeal Section 459 and to amend Section 460 of the Fish and Game Code, relating to importation of fish and game.

Bill read second time, and ordered engrossed.

Assembly Bill No. 989—An act to amend Section 453 of the Fish and Game Code, relating to possession of fish and game after the season closes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 619—An act to amend Section 650.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 1011—An act to amend Section 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8772, 8781 and 8792, and to repeal Sections 8703, 8704 and 8705 of the Business and Professions Code, relating to the regulation of persons engaged in land surveying.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 31, of the printed bill, after "purposes", insert "or aerial photography or photogrammetry".

Amendment No. 2

On page 3 of the printed bill, between lines 8 and 9, insert "The provisions of this chapter shall not prohibit the practice of land surveying by any partnership, firm, company, association or corporation in existence on July 1, 1941."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1012—An act to amend Sections 6731, 6735, 6736, 6737, 6752, 6757, 6775, 6787 and 6799, and to repeal Sections 6703, 6704, 6705, 6734, 6739 and 6743 of, and to add Sections 6734 and 6736.5 to, the Business and Professions Code, relating to persons practicing civil engineering.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6731, 6735, 6736, 6737", and insert "6735".

Amendment No. 2

In line 2 of the title of the printed bill, strike out ", and to repeal Sections 6703, 6704," and strike out line 3; and in line 4, strike out "and 6736.5 to," and insert "of"

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. Section 6735 of the Business and Professions Code is hereby amended to".

Amendment No. 4

On page 2 of the printed bill, strike out lines 39 to 51, inclusive; and on page 3, strike out lines 1 to 41, inclusive; and in line 42, strike out "Sec. 7", and insert "Sec. 2".

Amendment No. 5

On page 3, line 46, of the printed bill, after "years", insert a period and

"Graduation from an engineering school or college, approved by the board, shall count as four years of experience and each year of study completed without graduation, in an engineering school or college, approved by the board, shall count as one-half year of experience."

Amendment No. 6

On page 4, line 3, of the printed bill, strike out "Sec. 8", and insert "Sec. 3"

Amendment No. 7

On page 4, line 21, of the printed bill, strike out "Sec. 9", and insert "Sec. 4".

Amendment No. 8

On page 4, line 41, of the printed bill, strike out "Sec. 10", and insert "Sec. 5"

Amendment No. 9

On page 5, line 13, of the printed bill, strike out "Sec. 11", and insert "Sec. 6".

Amendment No. 10

On page 5 of the printed bill, strike out lines 27 and 28

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1935—An act to repeal Section 6963 of the Public Resources Code, and to add a new Section 6963 and Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, relating to State lands and regulating the taking of minerals from streams and lakes and from lands within the original meander lines of certain streams and lakes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In the title of the printed bill, strike out lines 1 to 7, inclusive, and insert

"An act to amend Sections 6106, 6501, 6814 and 6825 of the Public Resources Code, to add Sections 6210.2, 6210.5, 6501.2, 6505, 6963 and 6966.2 to said code, and to add Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510 and 6963, and Chapter 2, comprising Sections 6601 to 6715, inclusive, of Part 2 of Division 6, thereof, all relating to lands owned by the State and the administration, management, leasing and disposal thereof."

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 6106 of said code is hereby amended to read as follows:

6106. [The commission may, by resolution, authorize any of its employees or officers to execute any instrument in the name of the State.] *Whenever, under this code or any other law, the commission is given jurisdiction over any subject matter and empowered to act with respect thereto it may authorize the execution of any written instrument by any of its officers or employees in the name of the State, pursuant to resolution adopted by the commission.*

SEC. 2. Section 6210.2 is hereby added to said code, to read as follows:

6210.2. The commission may withdraw from sale any of the public lands belonging to the State and may restore any or all public lands so withdrawn, or other public lands, for sale.

SEC. 3. Section 6210.5 is hereby added to said code, to read as follows:

6210.5. The commission may amend or terminate any lease, easement, or contract under its jurisdiction, with the consent of the other party thereto.

SEC. 4. Section 6501 of the Public Resources Code is hereby amended to read as follows:

6501. As used in this chapter, "lease" includes a permit, *easement*, or license. [This chapter does not authorize the granting of any permit or lease on tide or submerged lands or upon any river bed or lake bed belonging to the State.]

SEC. 5. Section 6501.2 is hereby added to said code, to read as follows:

6501.2. The commission shall prepare forms of leases for use under this chapter for such purposes as the commission deems advisable, including grazing leases, leases for commercial or industrial purposes, and leases of camp sites. Each form of lease shall contain such terms and conditions as the commission deems to be for the best interests of the State.

The commission shall also prepare forms of applications for each type of lease.

SEC. 6. Sections 6505, 6506, 6507, 6508, 6509 and 6510 of said code are hereby repealed.

SEC. 7. A new section, numbered 6505, is hereby added to said code, to read as follows:

6505. All moneys received as rental for school lands under this chapter shall be paid into the State School Fund. All other money received under this chapter shall be paid into the General Fund.

SEC. 8. Chapter 2 of Part 2 of Division 6, comprising Sections 6601 to 6715, inclusive, of said code, is hereby repealed, but the repeal thereof shall not affect the rights or interests of any lessee or of the State under any lease executed prior to the effective date of this act.

SEC. 9. Section 6814 of said code is hereby amended to read as follows:

6814. The commission, in the name of the people of the State, may bring action to determine the title to oil and gas in land against persons, associations of persons,

and corporations claiming the oil and gas adversely and to recover damages for oil and gas removed therefrom [Any person, association of persons, corporation, or city not a party to such a suit and claiming the oil or gas in the land, or any part thereof, may intervene in such an action and have his rights adjudicated. The State hereby consents to be sued by any person, association of persons, corporation, or city for the purpose of quieting title to the right to oil or gas, or both, in any land, claimed by the State and by such person association of persons, corporation, or city. Any other person, association of persons, corporation, or city not made a party to such an action but claiming any interest in the oil or gas may intervene in such suit]

All such actions shall be brought and tried in the county where the land or some part thereof is situated

SEC. 10 Section 6835 of said act is hereby amended to read as follows:

6835. Each bid (which shall be in the form of a lease prepared in accordance with this chapter) for an oil and gas lease shall be accompanied by a certified or cashier's check of a responsible bank in California payable to the [State Treasurer] State of California in an amount to be fixed by the commission, which sum shall be deposited as evidence of good faith and except in the case of the successful bidder shall be returned to the bidder Upon the execution of the lease the amount shall be applied upon the annual rental for the first year and the balance, if any, shall be returned to the lessee. If the successful bidder fails or refuses to execute the lease within 15 days after the award thereof, the amount of the check shall be forfeited to the State

SEC. 11 Section 6963 of said code is".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "Sec. 2", and insert "Sec. 12."

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "Sec 3", and insert "Sec. 13"

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "Sec 4", and insert "Sec 14."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1579—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Municipal Improvement Act of 1913, relating to the construction of public improvements, the levy of assessments and the issuance of bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 1e and".

Amendment No. 2

In line 5 of the title of the printed bill, as amended, after "assessments", insert "and the limitation thereof".

Amendment No. 3

On page 1, line 12 of the printed bill, as amended, strike out the period, and insert "; providing that such proceedings shall be subject to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931"

Amendment No. 4

On page 3 of the printed bill, as amended, after line 2, insert

"SEC. 5 Section 1e is hereby added to the Municipal Improvement Act of 1913, to read as follows:

1e. Before any ordinance or resolution of intention may be adopted, or other initial action prescribed by this act may be taken by the legislative body of any county, city and county, district or other public corporation, for the construction of any public improvement or the acquisition of any property for public use where the cost of such construction or acquisition is to be paid in whole or in part by special assessment taxes on lands, the proceedings required by the Special Assessment Investigation Limitation and Majority Protest Act of 1931 shall be taken."

Amendment No. 5

On page 3, line 3, of the printed bill, as amended, strike out "5", and insert "6"

Amendment No. 6

On page 4, line 13, of the printed bill, as amended, strike out "6", and insert "7"

Amendment No. 7

On page 4, line 30, of the printed bill, as amended, strike out "7", and insert "8".

Amendment No. 8

On page 4, line 36, of the printed bill, as amended, strike out "8", and insert "9".

Amendment No. 9

On page 5, line 32, of the printed bill, as amended, strike out "9", and insert "10".

Amendment No. 10

On page 6, line 20, of the printed bill, as amended, strike out "10", and insert "11".

Amendment No. 11

On page 6, line 44, of the printed bill, as amended, strike out "11", and insert "12".

Amendment No. 12

On page 7, line 14, of the printed bill, as amended, strike out "12", and insert "13".

Amendment No. 13

On page 8, line 18, of the printed bill, as amended, strike out "13", and insert "14".

Amendment No. 14

On page 9 of the printed bill, as amended, strike out line 16, and insert "SEC. 15. Section 14 of the Municipal Improvement Act of"

Amendment No. 15

On page 11 of the printed bill, as amended, strike out line 8, and insert "SEC. 16. Section 15 of the Municipal Improvement Act".

Amendment No. 16

On page 11 of the printed bill, as amended, strike out line 18, and insert "SEC. 17. Section 16 of the Municipal Improvement Act of".

Amendment No. 17

On page 11 of the printed bill, as amended, strike out line 37, and insert "SEC. 18. Section 17 of the Municipal Improvement Act of".

Amendment No. 18

On page 12 of the printed bill, as amended, strike out line 1, and insert "SEC. 19. Section 18 of the Municipal Improvement Act".

Amendment No. 19

On page 13 of the printed bill, as amended, strike out line 3, and insert "SEC. 20. Section 19 of the Municipal Improvement Act"

Amendment No. 20

On page 13, line 18, of the printed bill, as amended, strike out "20", and insert "21".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1702—An act to add Sections 1034 and 1035 to the Political Code, declaring it to be unlawful for officers or employees of the State or any county, city, district, or other political subdivision of the State to secure the performance of, or to approve of the performance of, professional or vocational services, for the performance of which a license or registration is required, by unlicensed or unregistered persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "shall", insert "knowingly"

Amendment No. 2

On page 1, line 10, of the printed bill, after "hired," insert "or was not, at the time of the last issuance of an official directory,".

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "is", and insert "was when the service was rendered".

Amendment No. 4

On page 1, line 22, of the printed bill, strike out "accept or approve in any form," and insert "gives official approval to".

Amendment No. 5

On page 2, line 5, of the printed bill, strike out "are", and insert "were at the time of the performance of the activities in question or at the time of the last issuance of an official directory".

Amendment No. 6

On page 2, line 9, of the printed bill, strike out "accept or approve", and insert "give official approval to".

Amendment No. 7

On page 2, line 15, of the printed bill, strike out "accepted or approved", and insert "given official approval to".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2291—An act to amend Sections 8c and 78 of the State Employees' Retirement System, meluding city policemen and county and city firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "An act to amend Sections 8c and 78 of", and insert "An act to amend the title and Sections 8c and 78 of, and to add Sections 3e and 38f to"

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, strike out "county and city firemen", *and insert "city, county, and fire protection district firemen, and officers and* employees of county forestry and county fire-warden departments"

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. The title of the State Employees' Retirement Act is hereby amended to read as follows:

An act to provide for the creation, establishment and adjustment with other such systems of a retirement system for employees of the State of California and of such *counties*, cities, school districts, and [counties] *other districts or political subdivisions* as may elect to include their employees pursuant to contract with the Board of Administration of such system, and making an appropriation therefor.

SEC. 2. *Section 3e is hereby added to the act cited in the title hereof, to read as follows:*

Sec. 3e. "Fire protection district" shall mean any district functioning under Part 3 of Division 12 of the Health and Safety Code, and "contracting fire protec

tion district" shall mean any fire protection district which has elected to have all or any part of its employees become a part of the Retirement System and which has contracted with the board for such purpose. For the purpose of applying the provisions of this act to fire protection districts, whenever in this act reference is made to "city," "contracting city," "city employee," or "municipal corporation" such words shall be construed to read, respectively, as "fire protection district," "contracting fire protection district," "fire protection district employee," or "fire protection district," and whenever reference is made in this act to "legislative body" or "city clerk" of any city or municipal corporation, such words shall be construed to read, respectively, as "board of fire commissioners" or the "person acting as the clerk of the board of fire commissioners" with respect to a fire protection district functioning under Chapter 1, Part 3, Division 12, of the Health and Safety Code, as "initiating body" or "clerk of the initiating body" with respect to a fire protection district functioning under Chapter 1a of the same part, as "board of supervisors" or "county clerk" with respect to a fire protection district functioning under Chapter 2, of the same part, and as "board of directors" or "secretary" with respect to a fire protection district functioning under Chapter 3 of the same part of the Health and Safety Code

SEC. 4. Section 8c of the act cited in the title hereof"

Amendment No. 4

On page 1 of the printed bill, strike out lines 4 and 5, and insert "of a fire department of a contracting city, any officer or employee of a county forestry department or county fire department of a contracting county, and any officer or employee of a contracting fire"

Amendment No. 5

On page 1, line 7, of the printed bill, after "department", insert "or district"

Amendment No. 6

On page 1, line 13, of the printed bill, after "department", insert "or district"

Amendment No. 7

On page 1 of the printed bill, strike out line 15, and insert

"SEC. 5. Section 38f is hereby added to the act cited in the title hereof, to read as follows:

Sec. 38f. Any fire protection district may participate in the State Employees' Retirement System, making all or some of its employees members of such system by contract entered into between the Board of Administration of the Retirement System and the board of fire commissioners, if the district is functioning under Chapter 1, Part 3, Division 12 of the Health and Safety Code, the initiating body, if the district is functioning under Chapter 1a of the same part, the board of supervisors, if the district is functioning under Chapter 2 of the same part, or the board of directors, if the district is functioning under Chapter 3 of the same part of the Health and Safety Code. The provisions of this act relating to cities, employees of cities, the entering into contracts between cities and the board, the method of computing benefits and the benefits payable to city employees, and all other provisions of this act which relate to cities which elect to include employees under the State Employees' Retirement System shall also apply to fire protection districts in the same manner, to the same extent, and with the same effect as if fire protection districts instead of cities were expressly referred to in such provisions.

SEC. 6. Section 78 of the act cited in the title hereof is".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1128—An act to add Sections 990.5, 990.6 and 994 to the Fish and Game Code, relating to persons applying for or holding commercial fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "990.5, 990.6 and 994", and insert "990.4, 990.5, 990.6, 990.7, 994 and 995".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "persons applying for or holding".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "990.5", and insert "990.4".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"990.4. The application shall contain a statement of the applicant's age, race, height, and weight, a description of his complexion and color of eyes and hair, and a statement as to whether or not he is a citizen of the United States, and, if not, the name of the country of which he is a citizen and whether he has duly made a declaration of intention to become a citizen of the United States, as provided by law.

SEC. 1.5. Section 990.5 is hereby added to said code, to read as follows:

990.5. Each applicant for a commercial fishing license shall furnish the commission *with two photographs of himself taken within six months prior to the* date of the filing of his application. Each such photograph shall be of a size and be made of such material and in such manner as shall be prescribed by the commission and as shall provide a ready means of identification. One such photograph shall be attached by the commission to any license issued to the applicant, and one shall be placed in the files of the commission."

Amendment No. 5

On page 1 of the printed bill, strike out lines 11 to 15, inclusive, and insert

"990.6. Each applicant for a commercial fishing license shall consent to the taking of his fingerprints by the commission as a condition to the issuance of the license.

Every fingerprint record made pursuant to this section shall be secret and confidential, and shall be made available only to such persons and agencies as may be designated by the commission, with the consent of the Attorney General.

SEC. 3. *Section 990.7 is hereby added to said code, to read as follows:*

990.7. Each commercial fishing license issued by the commission shall set forth the distinguishing number assigned to the licensee, the expiration date of the license, the licensee's name and residence address, a brief description of the licensee for the purpose of identification.

The name of the licensee shall be written legibly on the license by the licensee in a space provided for that purpose in the presence of the commission or one of its duly authorized officers or employees, in such manner that a portion of such name shall be inscribed on the photograph required to be attached to the license pursuant to Section 990.5, and a portion on the license proper.

In addition to the foregoing, each commercial fishing license shall contain a space sufficient for recording the thumb and index finger prints of the licensee. Such prints shall not, however, be recorded in such space unless the licensee freely and voluntarily consents to the taking of such prints for such purpose."

Amendment No. 6

On page 1, line 16, of the printed bill, strike out "Sec. 3", and insert "Sec. 4".

Amendment No. 7

On page 1 of the printed bill, strike out lines 18 to 25, inclusive, and insert

"994. The commission may revoke the commercial fishing license of any licensee *who operates a vessel in waters within the territorial jurisdiction of the State of* California and

(a) Within 500 yards of any vessel owned or operated by the United States Government or any department or agency thereof, except when necessary to comply with the laws and rules of navigation governing the safe movement of vessels; or

(b) So close to any vessel owned or operated by the United States or any department or agency thereof and engaged in transporting Naval or Military equipment or personnel as to interfere with such transportation or to enable the observation thereof, except when necessary to comply with the laws and rules of navigation governing the safe movement of vessels.

SEC. 5. Section 995 is hereby added to said code, to read as follows:

995. No license shall be revoked pursuant to Section 994 until after a reasonable notice and hearing to be prescribed by the commission, and only after the filing of a complaint with the commission by any of the following:

(a) The commanding officer of a vessel owned or operated by the United States or any department or agency thereof.

(b) Any other officer of any such vessel who is authorized by his commanding officer to file such complaint.

(c) Any commanding officer of any Military or Naval activity affected by the licensee's operation of a vessel, or any other officer of such activity authorized by such commanding officer to file a complaint."

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 411—An act to amend the heading of Article 4 of Chapter 1 of Part 2 of Division 4 and Sections 581 and 588 of the Fish and Game Code, relating to kelp and other aquatic plants.

Bill read second time, and ordered to third reading.

Senate Bill No. 312—An act to add Section 802.5 to the Fish and Game Code, relating to abalones in Marin County.

Bill read second time, and ordered to third reading.

Senate Bill No. 313—An act to amend Section 810 of, and to add Section 810.5 to, the Fish and Game Code, relating to clams

Bill read second time, and ordered to third reading.

Senate Bill No. 519—An act to repeal Sections 424, 425 and 426 of and to add Sections 407, 408 and 409 to the Fish and Game Code, relating to license agents, compensation for sale and bonding of agents.

Bill read second time, and ordered to third reading.

Senate Bill No. 60—An act to amend Sections 660 and 660.5 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 564—An act to amend Section 653 of the Fish and Game Code, relating to salmon in Districts 2 and 2¼.

Bill read second time, and ordered to third reading.

Senate Bill No. 522—An act to amend Section 2837 of the Elections Code, relating to county central committees.

Bill read second time, and ordered to third reading.

Senate Bill No. 123—An act to repeal School Code Section 2.1095 and to add Section 2.998 to said code, both relating to the traveling expenses of governing boards of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "unless"; and strike out all of line 10; and in line 11, strike out "Warrants", and insert "except for travel required in excess of 10 miles to attend any such meeting. Orders".

Amendment read and adopted.

Bill ordered printed, and to third reading

Senate Bill No. 1052—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority, authorizing the Authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the

development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein; declaring this act to be an urgency measure and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 44, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 3.3" and all of the balance of line 44 to line 52, inclusive; and on page 4, strike out all of lines 1 to line 10, inclusive, and insert

"Sec. 3.3. The territorial jurisdiction of the authority is limited to the following sections in Townships 3, 4, and 5 South, Ranges 3 and 4 East, S. B. B. & M.

Sections 28, 29, 30, 31, 32, 33, 34 and 35, Township 3 South, Range 3 East, S. B. B. & M.

Sections 1 to 36, inclusive, Township 4 S., R. 3 E., S. B. B. & M.

Sections 3, 4, 5, 6, 7, and 8, Township 4 South, Range 4 East, S. B. B. & M.

Sections 1, 2, 3, 4, 6, 9, 10, 11, 12, 13, 14, N½ 15 and N½ 16, Township 5 S., R. 3 E., S. B. B. & M.

The territorial limits of the authority shall not be diminished or decreased so long as any bonds issued under this act are outstanding and unpaid."

Amendment No. 2

On page 5 of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 4.4", being all of lines 28 to 42, inclusive, and insert

"Sec. 4.4. The authority may acquire, construct or complete roads, highways, trams, tramways, aerial cableways, up-skis, ski-lifts, parking areas, skiing areas, areas for tobogganing, coasting, snow shoeing, sledding, ice skating, ski huts, hotels, pensions, lodges, restaurants, buses, buildings, and all other works, properties and structures necessary, convenient or useful for the development of winter sports, and any other recreational facilities in Mount San Jacinto State Park and adjacent areas. It may also acquire or construct and operate and maintain water supplies, and power and drainage systems, necessary, convenient or useful to the project purposes of the authority, but only where water supply, power or drainage facilities are not then available from established private utilities operating under the jurisdiction of the California Railroad Commission; provided, that such facilities for auxiliary or standby service may be acquired, constructed, operated and maintained to supplement service from such established private utilities. It may operate and maintain said improvements and also all cars, engines, machinery, cables, tramways, buses, and other transportation facilities necessary or convenient to make accessible to the public the winter snow area of Mount San Jacinto, and may exercise all rights and privileges necessary or incidental thereto."

Amendment No. 3

On page 6, line 25, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 4.8" and all of the balance of said line; and strike out lines 26 to 35, inclusive, and insert

"Sec. 4.8. The authority may exercise the right of eminent domain for the condemnation of private property or any right or interest therein for its use. It may take any property necessary for the purposes set forth in this act, but lands belonging to the State of California, and private property already appropriated to public use, which use is available to the authority from an established private utility under the Rules and Regulations of the California Railroad Commission, shall not be subject to condemnation hereunder. The use of any property, or rights or interests therein, necessary or useful for the purposes of the authority, within and adjacent to Mount San Jacinto State Park is hereby declared to be a superior and permanent right and necessity, and a more necessary use and purpose than the use or purpose to which such property has already been appropriated or dedicated, except a public use or purpose already served by an established private utility or utilities operating under the jurisdiction of the California Railroad Commission."

Amendment No. 4

On page 8, line 8, of the printed bill, as amended in the Senate March 25, 1941, strike out the period and insert a comma after "act", and insert "provided that the

total amount of bonds outstanding shall not be in excess of three million dollars ($3,000,000) at any one time."

Amendment No. 5

On page 15 of the printed bill, as amended in the Senate March 25, 1941, strike out all of lines 13 to 37, inclusive, which includes all of Section 6 5.

Amendment No. 6

On page 15, line 38, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 6 6", and insert "Sec. 6 5".

Amendment No. 7

On page 16, line 11, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 6 7", and insert "Sec 6.6".

Amendment No. 8

On page 16, line 24, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec 6 8", and insert "Sec 6 7".

Amendment No. 9

On page 16, line 34, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 6 9", and insert "Sec 6 8"

Amendment No. 10

On page 16, line 42, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 6 10", and insert "Sec 6 9"

Amendment No. 11

On page 16, line 46, of the printed bill, as amended in the Senate March 25, 1941, strike out "Sec. 6 11", and insert "Sec 6 10"

Amendments read and adopted

Bill ordered printed, and to third reading

CONSIDERATION OF SPECIAL ORDER

The hour of 2 p.m. having arrived, Assembly Bill No. 2575 was taken up.

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time.

Motion to Continue Assembly Bill No. 2575

Mr. George D Collins moved that further consideration of Assembly Bill No 2575 be continued until Thursday, April 24, 1941, at 2 p.m.

Motion seconded by Mr. O'Day.

Demand for Previous Question

Messrs Lyon, Houser, Frederick F, Watson, Pfaff and Stream demanded the previous question.

Demand for previous question sustained by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F N, Kellems, Kepple, Knight, John B, Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, and Weybret—40

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Donnelly, Gaffney, Gallagher, Green, Gunlock,

Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, O'Day, Russell, Salsman, Thomas, Welch, and Wollenberg—29.

The question being on the motion by Mr. George D. Collins that Assembly Bill No. 2575 be continued until Thursday, April 24, 1941, at 2 p.m.

Roll Call Demanded

Messrs. O'Day, Welch and Gallagher demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. George D. Collins moved a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, Millington, O'Day, Phillips, Salsman, Sawallisch, Thomas, Welch, and Wollenberg—31.

NOES—Allen, Andreas, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thurman, Turner, Waters, Watson, and Weybret—38

The roll was called, and the motion to continue Assembly Bill No. 2575 as a special order lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Kilpatrick, Lowrey, Maloney, McCollister, Meehan, O'Day, Phillips, Robertson, Salsman, Sawallisch, Thomas, Voigt, Welch, and Wollenberg—36

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, King, Knight, John B., Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, and Weybret—37

Further Consideration of Assembly Bill No. 2575

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time.

Motion to Amend

Messrs. Gallagher, Collins, George D., O'Day, Welch, Maloney, Wollenberg, Cronin, Gaffney and Green moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended, strike out lines 40 to 51, inclusive and strike out page 5, and on page 6, strike out lines 1 to 22, inclusive, and insert "19 All that portion of the City and County of San Francisco bounded and described as follows

Commencing at the intersection of Arguello Boulevard and the southerly boundary line of the Presidio Military Reservation, thence along the center lines of the following streets Arguello Boulevard to California, California to Presidio Avenue, Presidio Avenue to Geary, Geary to Broderick, Broderick to Fell, Fell to Stanyan, Stanyan to Fulton, Fulton to the shoreline of the Pacific Ocean, northerly and easterly along said shoreline to the center line of Lobos Creek, Lobos Creek to

the southerly boundary line of the Presidio Military Reservation, easterly along said boundary line to Arguello Boulevard and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Powell, Powell to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco, thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco, thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Taylor, Taylor to Filbert, Filbert to Van Ness Avenue, Van Ness Avenue to Bush, Bush to Presidio Avenue, Presidio Avenue to California, California to Arguello Boulevard, Arguello Boulevard to the southerly boundary line of the Presidio Military Reservation, westerly along said boundary line to Lobos Creek, the center line of Lobos Creek to the shoreline of the Pacific Ocean; thence northerly along said shoreline of the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District.

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Taylor Street with the center line of Columbus Avenue; thence along the center lines of the following streets: Columbus Avenue to Powell, Powell to Market, Market to Van Ness Avenue, Van Ness Avenue to O'Farrell, O'Farrell to Gough, Gough to Geary, Geary to Presidio Avenue, Presidio Avenue to Bush, Bush to Van Ness Avenue, Van Ness Avenue to Filbert, Filbert to Taylor, Taylor to Columbus Avenue and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of O'Farrell Street with the center line of Van Ness Avenue; thence along the center lines of the following streets: Van Ness Avenue to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Twenty-fourth, Twenty-fourth to Mission, Mission to Twenty-first, Twenty-first to Dolores, Dolores to Market, Market to Duboce Avenue, Duboce Avenue to Fillmore, Fillmore to Fell, Fell to Broderick, Broderick to Geary, Geary to Gough, Gough to O'Farrell, O'Farrell to Van Ness Avenue and the point of commencement, shall constitute the Twenty-third Assembly District.

24. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Twenty-second Street with the center line of Castro Street, thence along the center lines of the following streets: Castro to Twenty-fourth, Twenty-fourth to Dolores, Dolores to Twenty-ninth, Twenty-ninth to Mission, Mission to Brazil, Brazil to La Grande Avenue, La Grande Avenue to the northerly and easterly boundary line of the Amazon Tract Playground and Reservoir site along said easterly boundary line to Geneva Avenue, Geneva Avenue to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shore line of the Pacific Ocean, northerly along said shore line to Sloat Boulevard, Sloat Boulevard to Nineteenth Avenue, Nineteenth Avenue to Holloway Avenue, Holloway Avenue to Ashton Avenue, Ashton Avenue to Ocean Avenue, Ocean Avenue to Faxon Avenue, Faxon Avenue to Yerba Buena Avenue, Yerba Buena Avenue to Miraloma Drive, Miraloma Drive to Portola Drive, Portola Drive to Burnett Avenue, Burnett Avenue to Dixie Alley, Dixie Alley to Grand View Avenue, Grand View Avenue to Twenty-second, Twenty-second to Castro and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Fulton Street with the center line of Stanyan Street, thence along the center lines of the following streets: Stanyan to Fell, Fell to Masonic Avenue, Masonic Avenue to Piedmont, Piedmont to Ashbury, Ashbury to Clayton, Clayton to Twin Peaks Boulevard, Twin Peaks Boulevard to Burnett Avenue, Burnett Avenue to Portola Drive, Portola Drive to

Miraloma Drive, Miraloma Drive to Yerba Buena Avenue, Yerba Buena Avenue to Faxon Avenue, Faxon Avenue to Ocean Avenue, Ocean Avenue to Ashton Avenue, Ashton Avenue to Holloway Avenue, Holloway Avenue to Nineteenth Avenue, Nineteenth Avenue to Sloat Boulevard, Sloat Boulevard to the shoreline of the Pacific Ocean, northerly along said shoreline to Fulton Street, Fulton Street to Stanyan and the point of commencement, shall constitute the Twenty-fifth Assembly District.

26. All that portion of the City and County of San Francisco, bounded and described as follows:

Commencing at the point of intersection of the center line of Fell Street with the center line of Fillmore Street, thence along the center lines of the following streets: Fillmore to Duboce Avenue, Duboce Avenue to Market, Market to Dolores, Dolores to Twenty-first, Twenty-first to Mission, Mission to Twenty-fourth, Twenty-fourth to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the center line of Geneva Avenue, Geneva Avenue to the easterly boundary line of the Amazon Tract Playground and Reservoir site, northerly along said boundary line to La Grande Avenue, La Grande Avenue to Brazil, Brazil to Mission, Mission to Twenty-ninth, Twenty-ninth to Dolores, Dolores to Twenty-fourth, Twenty-fourth to Castro, Castro to Twenty-second, Twenty-second to Grand View Avenue, Grand View Avenue to Dixie Alley, Dixie Alley to Burnett Avenue, Burnett Avenue to Twin Peaks Boulevard, Twin Peaks Boulevard to Clayton, Clayton to Ashbury, Ashbury to Piedmont, Piedmont to Masonic Avenue, Masonic Avenue to Fell, Fell to Fillmore and the point of commencement, shall constitute the Twenty-sixth Assembly District.

27. The County of San Mateo shall constitute the Twenty-seventh Assembly District.

28. All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos. 1 and 2, Fruitvale, Jefferson Nos. 1 and 2, Linda Vista Nos. 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos. 1 and 2, Miramonte, Mount Hamilton Nos. 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos. 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos. 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos. 1 to 9, inclusive, San Tomas, Saratoga Nos. 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District, as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District.

30. The County of Stanislaus shall constitute the Thirtieth Assembly District.

31. The Counties of Merced and Madera shall constitute the Thirty-first Assembly District.

32. The Counties of San Benito and Santa Cruz shall constitute the Thirty-second Assembly District.

33. The Counties of Monterey and San Luis Obispo shall constitute the Thirty-third Assembly District.

34. All that portion of the County of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue, westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning shall constitute the Thirty-fourth Assembly District.

35. All that portion of the County of Fresno not included in the Thirty-fourth Assembly District shall constitute the Thirty-fifth Assembly District.

36. The Counties of Kings and Tulare shall constitute the Thirty-sixth Assembly District.

37. The County of Santa Barbara shall constitute the Thirty-seventh Assembly District.

38. The County of Ventura shall constitute the Thirty-eighth Assembly District.

39. The County of Kern shall constitute the Thirty-ninth Assembly District."

Amendment read

Roll Call Demanded

Messrs. Gallagher, O'Day, Welch and Green demanded a roll call.

Call of the Assembly

Pending the announcement of the vote, Mr. Gallagher moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Johnson, Kilpatrick, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Millington, O'Day, Phillips, Richie, Robertson, Salsman, Sawallisch, Sheridan, Thomas, Thurman, Welch, and Wollenberg—39.

NOES—Allen, Burkhalter, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Lyon, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, and Weybret—34

Time, 2 02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 2 03 p m., Hon Gordon H Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2575

At 2 04 p.m., on motion of Mr Lyon, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr Gallagher moved a call of the Assembly.

Roll Call Demanded

Messrs. Maloney, Gallagher and O'Day demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Maloney, McCollister, Meehan, O'Day, Phillips, Richie, Robertson, Salsman, Sawallisch, Sheridan, Thomas, Thurman, Welch, Wollenberg, and Mr Speaker—37

NOES—Allen, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Lyon, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, and Weybret—33.

Motion carried. Time 2.05 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2091—An act to amend Section 542.1 of the Political Code, relating to charges for State printing.

Bill read third time.

Motion to Amend

Mr Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1 Section 542 1 of the Political Code is hereby amended to read as follows:".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 808—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25.1, 27, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 19, line 35, of the printed bill, as amended, strike out the remainder of the line after "reorganization", and strike out lines 36 to 52, inclusive, and insert

"(A) The net income of the transferor from the business or property so transferred to any bank or corporation for the taxable year in which the transfer occurs, shall be included in the measure of the tax on the transferee for the taxable year succeeding the taxable year in which the transfer occurs if the taxable year of the transferee in which the transfer occurs ends at the same time as or before the time the taxable year of the transferor in which the transfer occurs ends Income of the transferor so included in the measure of the tax on the transferee shall be considered the income of the transferee for the purposes of this act.

(B) If the taxable year of the transferee in which the transfer occurs ends after the taxable year of the transferor in which the transfer occurs ends, the transferee shall, within two months and 15 days after the close of the taxable year of the transferor in which the transfer occurs, file a return disclosing the net income of the transferor from the business or property transferred for the taxable year in which the transfer occurs, and pay a tax measured by such income."

Amendment No. 2

On page 20 of the printed bill, as amended, strike out lines 1 to 10, and insert

"(2) If, at the time of any of the transfers referred to in the preceding Subdivision (1), the transferor has not become subject to a tax measured by its income for a taxable year preceding the taxable year in which the transfer occurs, the transferee shall within two months and 15 days after the close of the month in which the transfer occurs file a return disclosing the net income of the transferor for such preceding year and pay a tax measured by such income"

Amendment No. 3

On page 20, line 11, of the printed bill, as amended, change "(2)" to "(3)"; and after "(3)" and before "The", insert

"Whenever under this subsection the transferee is required to pay a tax measured by the income of the transferor, the rate of tax applicable to the transferee shall apply"

Amendment No. 4

On page 38, line 1, of the printed bill, as amended, after "shall", insert "(unless otherwise agreed between the commissioner and the taxpayer)".

Amendment No. 5

On page 42, line 7, of the printed bill, as amended, after "16", strike out "or", and insert a comma; and after "25", insert "or 28".

Amendment No. 6

On page 42, line 12, of the printed bill, as amended, after "16", strike out "or", and insert a comma; and after "25", insert "or 28".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 809—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Waters moved the adoption of the following amendments

Amendment No. 1

On page 11 of the printed bill, as amended, strike out lines 27 to 29, inclusive.

Amendment No. 2

On page 29, line 25, of the printed bill, as amended, after "shall", insert "(unless otherwise agreed between the commissioner and the taxpayer)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs Tenney, Maloney, Cronin and Gunlock:

House Resolution No. 135

Congratulating Edward D Vandeleur and Gladys Sullivan upon their marriage

WHEREAS, Edward D. Vandeleur, Secretary-Treasurer and Legislative Representative of the California State Federation of Labor and Gladys Sullivan were recently joined in the bonds of matrimony; and

WHEREAS, Mr. Vandeleur has attended the sessions of the Legislature for a great many years and has earned the well deserved confidence and respect of the members of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends its heartiest congratulations to the bride and groom and its sincerest and best wishes for their unbounded joy and happiness; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward suitable copies of this resolution to Mr and Mrs Edward D. Vandeleur.

Request for Unanimous Consent

Mr Tenney asked for, and was granted, unanimous consent to take up House Resolution No. 135, at this time, without reference to committee

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1845—An act to amend Section 12422 of the Insurance Code, relating to mortgage insurers.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out ", assessments, or taxes", and insert ", or assessments".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 383—An act to add Section 5 to, and repeal Section 844 of, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

Bill read third time

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "865,".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out lines 17 to 27, inclusive.

Amendment No. 3

On page 4, line 28, of the printed bill, as amended, strike out "Sec. 21", and insert "Sec. 20".

Amendment No. 4

On page 4, line 40, of the printed bill, as amended, strike out "Sec. 22", and insert "Sec 21".

Amendment No. 5

On page 4, line 45, of the printed bill, as amended, strike out "Sec. 23", and insert "Sec 22".

Amendment No. 6

On page 5, line 1, of the printed bill, as amended, strike out "Sec 24", and insert "Sec. 23".

Amendment No. 7

On page 5, line 8, of the printed bill, as amended, strike out "Sec 25", and insert "Sec. 24".

Amendment No. 8

On page 5, line 14, of the printed bill, as amended, strike out "Sec. 26", and insert "Sec. 25".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1478—An act to add a section to the School Code, to be numbered 5 798b, Division 5, Part 3, Chapter 9, relating to the procedure for lay-off of classified employees.

Bill read third time.

Motion to Amend

Mr Poole moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Division 5, Part 3, Chapter 9,".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "Division 5, Part 3, Chapter 9,".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2365—Relating to persons licensed as real estate brokers entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Dilworth moved the adoption of the following amendment:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "brokers", insert "and real estate salesmen".

Amendment read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 369—An act to add Section 1619 to the Penal Code, relating to discharge of prisoners from the county jail.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1619", and insert "4024".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "1619", and insert "4024".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "1619", and insert "4024".

Amendments read and adopted.
Bill ordered reprinted and re-engrossed

Assembly Bill No. 1931—An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pensions systems, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "including moneys"; strike out line 6; and in line 7, strike out "priated,"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert "used by Santa Barbara State College, except money, the transfer of which is otherwise provided for by law, are".

Amendment No. 3

On page 1, line 11, of the printed bill, as amended, strike out "support", and insert "use".

Amendment No. 4

On page 1, line 16, of the printed bill, as amended, strike out "said", and insert "any".

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 956—An act to amend Sections 4901, 4905, 4909 and 4910 of the Water Code, relating to joint use of conduits, wells and pumping plants.

Bill read third time.

Motion to Amend

Mr. Russell moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "4901, 4905, 4909 and 4910 of the Water Code", and insert "842 and 844 of the Civil Code".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 842 of the Civil Code is hereby amended to read as follows:

842. When two or more persons are associated by agreement in the use of a ditch, flume, pipe line, or other conduit, *or well, or pumping plant*, for the conveyance *or obtaining* of water, or are using such ditch, flume, pipe line, [or other] conduit, *well or pumping plant*, or any part thereof, [for the irrigation of land or] for any [other] lawful purpose, to the construction of which they or their grantors have contributed, he is liable, *in the absence of any agreement to the contrary*, to the others for the reasonable expenses of maintaining and repairing the same [, and of distributing such water in proportion to the share to which he is entitled in the use of the water] *proportionately to the use actually made of the water*.

SEC. 2. *Section 844 of the Civil Code is hereby amended to read as follows:*

844. When two or more persons are using any ditch, flume, pipe line, [or other] conduit, *well or pumping plant* for the conveyance of water or any part thereof for the irrigation of land or for any other lawful purpose, to the construction of which they or their grantors have contributed, and which is not under the control or management of any public agency or authority, [a majority of such users, who have the right to the use of more than 50 per centum of the water in such ditch, flume, pipe line or other conduit,] *any one or more of them* may bring an action in the superior court of the county in which said ditch, flume, pipe line, [or other] conduit, *well or pumping plant* [for the conveyance of water], or some part thereof, is situated, for a declaration of the respective rights of the users of water in such ditch, flume, pipe line, [or other] conduit, *well or pumping plant*; including a determination of the manner in which such ditch, flume, pipe line, [or other] conduit, *well or pumping plant* [for the conveyance of water] shall be administered *with respect to repair, upkeep, improvement and otherwise*. The decree or judgment in said action shall include a determination of the proportionate amount which all users shall contribute to the maintenance, repair, improvement and otherwise of said ditch, flume, pipe line, [or other] conduit, *well or pumping plant*. The court shall determine the manner in which all improvements, repairs, maintenance and otherwise shall be authorized, and thereafter no user of such ditch, flume, pipe line, [or other] conduit, *well or pumping plant* may make claim for any funds expended for improvements, repairs, maintenance and otherwise except as determined by the court in said action. No authorization for such claim shall be valid except as made under the authority set forth by the decree or judgment of the court.

The complaint must contain the name of all users, if known, or a statement that they are unknown, who must be styled defendants.

The summons must contain the names of the parties, and an order to the defendants to appear and show cause why the determination of rights as prayed for in the complaint should not be granted. In all other particulars it must be in the form of a summons in civil actions, and must be served in like manner."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 27, inclusive, and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 957—An act to amend Section 105 of the Water Code, relating to storage of water underground.

Bill read third time.

Motion to Amend

Mr. Russell moved the adoption of the following amendments.

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended, and insert "An act to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 12, inclusive

Amendment No. 3

On page 1, line 13, of the printed bill, as amended, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 13 to 17, inclusive

Amendments read and adopted

Bill ordered reprinted and re-engrossed

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 136

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable as hereinafter specified, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same

Commencing Monday April 14, 1941, to April 15, 1941, both dates inclusive:

	Per day
Leal Norton, Page	$2 50
Harry H Hastain, Page	Without pay

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Allen, Andreas, Bennett Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L. Cooke, Cronin, Crowley, Del Mutelo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green Gunlock, Hastain Hawkins Heisinger, Houser, Frederick F Howser, F N, Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan Stream, Tenney, Thomas, Thurman, Turner Voigt, Waters, Welch, Weybret Wollenberg, and Mr Speaker—66.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 14 1941

MR. SPEAKER: Your Committee on Rules, to which were referred

Senate Bill No 1292

Senate Concurrent Resolution No 24

Has had the same under consideration and reports the same back with the recommendation That Senate Bill No 1292 do pass and that Senate Concurrent Resolution No. 24 be adopted

LYON, Chairman

Above reported bills ordered to second reading

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 1292, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 1292

Senate Bill No. 1292—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 1292 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1292

Senate Bill No. 1292—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Senate Bill No. 1292—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney,

Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1292

Mr. Bennett gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1292 was this day passed.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 24, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 24

Senate Concurrent Resolution No. 24—Expressing appreciation to members of the Committee on State Organization, also known as the Interim Committee of Twenty-five of the California Conference on Government and Taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Watson—1.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2575

At 2.08 p.m., on motion of Mr. Gallagher, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments to Assembly Bill No. 2575 refused adoption by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Johnson, King, Leonard, Maloney, McCollister, Meehan, O'Day, Phillips, Salsman, Sawallisch, Sheridan, Welch, and Wollenberg—30

NOES—Allen, Bennett, Burkhalter, Call, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Middough, Miller, Millington, Pelletier, Pfaft, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weybret—44

Further Consideration of Assembly Bill No. 2575

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative

representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time.

Motion to Amend

Messrs O'Day, Collins, George D, Green, Gallagher, Cronin, Welch, Wollenberg, Maloney and Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended, strike out lines 40 to 51, inclusive, and on page 5, strike out lines 1 to 9, inclusive, and insert

"19 All that portion of the City and County of San Francisco bounded and described as follows.

Commencing at the intersection of Arguello Boulevard and the southerly boundary line of the Presidio Military Reservation, thence along the center lines of the following streets: Arguello Boulevard to California, California to Presidio Avenue, Presidio Avenue to Geary, Geary to Broderick, Broderick to Fell, Fell to Stanyan, Stanyan to Fulton, Fulton to the shore line of the Pacific Ocean, northerly and easterly along said shore line to the center line of Lobos Creek, Lobos Creek to the southerly boundary line of the Presidio Military Reservation, easterly along said boundary line to Arguello Boulevard and the point of commencement, shall constitute the Nineteenth Assembly District

20 All that portion of the City and County of San Francisco bounded and described as follows

Commencing at the point of intersection of the center line of Leavenworth Street and the shore line of the Bay of San Francisco, thence along the center lines of the following streets, Leavenworth to Columbus Avenue, Columbus Avenue to Powell, Powell to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shore line of the Bay of San Francisco, thence northerly and westerly along said shore line to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District.

21 All that portion of the City and County of San Francisco bounded and described as follows.

Commencing at the intersection of the center line of Leavenworth Street and the shore line of the Bay of San Francisco, thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Taylor, Taylor to Filbert, Filbert to Van Ness Avenue, Van Ness Avenue to Bush, Bush to Presidio Avenue, Presidio Avenue to California, California to Arguello Boulevard, Arguello Boulevard to the southerly boundary line of the Presidio Military Reservation, westerly along said boundary line to Lobos Creek, the center line of Lobos Creek to the shore line of the Pacific Ocean, thence northerly along said shore line to the shore line of the Bay of San Francisco, easterly along said shore line of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District.

22 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Taylor Street with the center line of Columbus Avenue, thence along the center lines of the following streets Columbus Avenue to Powell, Powell to Market, Market to Van Ness Avenue, Van Ness Avenue to O'Farrell, O'Farrell to Gough, Gough to Geary, Geary to Presidio Avenue, Presidio Avenue to Bush, Bush to Van Ness Avenue, Van Ness Avenue to Filbert, Filbert to Taylor, Taylor to Columbus Avenue and the point of commencement, shall constitute the Twenty-second Assembly District.

23 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of O'Farrell Street with the center line of Van Ness Avenue, thence along the center lines of the following streets Van Ness Avenue to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Twenty-fourth, Twenty-fourth to Mission, Mission to Twenty-first, Twenty-first to Dolores, Dolores to Market, Market to Duboce Avenue, Duboce Avenue to Fillmore, Fillmore to Fell, Fell to Broderick, Broderick to Geary, Geary to Gough, Gough to O'Farrell, O'Farrell to Van Ness Avenue and the point of commencement, shall constitute the Twenty-third Assembly District

24 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Twenty-second Street with the center line of Castro Street, thence along the center lines of the following streets Castro to Twenty-fourth, Twenty-fourth to Dolores, Dolores to Twenty-ninth, Twenty-ninth to Mission, Mission to Brazil, Brazil to La Grande Avenue, La Grande Avenue to the northerly and easterly boundary line of the Amazon Tract Playground and Reservoir Site along said easterly boundary line to Geneva Avenue, Geneva Avenue to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shore line of the Pacific Ocean, northerly along said shore line to Sloat Boulevard, Sloat Boulevard to Nineteenth Avenue, Nineteenth Avenue to Holloway Avenue, Holloway Avenue to Ashton Avenue, Ashton Avenue to Ocean Avenue, Ocean Avenue to Faxon Avenue, Faxon Avenue to Yerba Buena Avenue, Yerba Buena Avenue to Miraloma Drive, Miraloma Drive to Portola Drive, Portola Drive to Burnett Avenue, Burnett Avenue to Dixie Alley, Dixie Alley to Grand View Avenue, Grand View Avenue to Twenty-second, Twenty-second to Castro and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Fulton Street with the center line of Stanyan Street, thence along the center lines of the following streets: Stanyan to Fell, Fell to Masonic Avenue, Masonic Avenue to Piedmont, Piedmont to Ashbury, Ashbury to Clayton, Clayton to Twin Peaks Boulevard, Twin Peaks Boulevard to Burnett Avenue, Burnett Avenue to Portola Drive, Portola Drive to Miraloma Drive, Miraloma Drive to Yerba Buena Avenue, Yerba Buena Avenue to Faxon Avenue, Faxon Avenue to Ocean Avenue, Ocean Avenue to Ashton Avenue, Ashton Avenue to Holloway Avenue, Holloway Avenue to Nineteenth Avenue, Nineteenth Avenue to Sloat Boulevard, Sloat Boulevard to the shore line of the Pacific Ocean, northerly along said shore line to Fulton Street, Fulton Street to Stanyan and the point of commencement, shall constitute the Twenty-fifth Assembly District.

26 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Fell Street with the center line of Fillmore Street, thence along the center lines of the following streets Fillmore to Duboce Avenue, Duboce Avenue to Market, Market to Dolores, Dolores to Twenty-first, Twenty-first to Mission, Mission to Twenty-fourth, Twenty-fourth to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the center line of Geneva Avenue, Geneva Avenue to the easterly boundary line of the Amazon Tract Playground and Reservoir Site, northerly along said boundary line to La Grande Avenue, La Grande Avenue to Brazil, Brazil to Mission, Mission to Twenty-ninth, Twenty-ninth to Dolores, Dolores to Twenty-fourth, Twenty-fourth to Castro, Castro to Twenty-second, Twenty-second to Grand View Avenue, Grand View Avenue to Dixie Alley, Dixie Alley to Burnett Avenue, Burnett Avenue to Twin Peaks Boulevard, Twin Peaks Boulevard to Clayton, Clayton to Ashbury, Ashbury to Piedmont, Piedmont to Masonic Avenue, Masonic Avenue to Fell, Fell to Fillmore and the point of commencement, shall constitute the Twenty-sixth Assembly District."

Amendment No. 2

On page 5 of the printed bill, as amended, strike out lines 10 and 11, and insert "27 The County of San Mateo shall constitute the Twenty-seventh Assembly District."

Amendment No. 3

On page 5, line 12, of the printed bill, as amended, strike out "27", and insert "28".

Amendment No. 4

On page 5, line 25, of the printed bill, as amended, strike out "Twenty-seventh", and insert "Twenty-eighth".

Amendment No. 5

On page 5, line 26, of the printed bill, as amended, strike out "28", and insert "29".

Amendment No. 6

On page 5, line 27, of the printed bill, as amended, strike out "Twenty-seventh", and insert "Twenty-eighth".

Amendment No. 7

On page 5, line 28, of the printed bill, as amended, strike out "Twenty-eighth", and insert "Twenty-ninth".

Amendment No. 8

On page 5 of the printed bill, as amended, strike out line 30; and in line 31, strike out "ninth", and insert

"30 The County of Stanislaus shall constitute the Thirtieth".

Amendment No. 9

On page 5, line 32, of the printed bill, as amended, strike out "30", and insert "31".

Amendment No. 10

On page 5, line 33, of the printed bill, as amended, strike out "Thirtieth", and insert "Thirty-first".

Amendment No. 11

On page 5, line 34, of the printed bill, as amended, strike out "31", and insert "32".

Amendment No. 12

On page 5, line 35, of the printed bill, as amended, strike out "Thirty-first", and insert "Thirty-second"

Amendment No. 13

On page 5, line 36, of the printed bill, as amended, strike out "32", and insert "33".

Amendment No. 14

On page 5, line 37, of the printed bill, as amended, strike out "Thirty-second", and insert "Thirty-third"

Amendment No. 15

On page 5, line 38, of the printed bill, as amended, strike out "33", and insert "34".

Amendment No. 16

On page 5, lines 51 and 52, of the printed bill, as amended, strike out "Thirty-third", and insert "Thirty-fourth".

Amendment No. 17

On page 6, line 1, of the printed bill, as amended, strike out "34", and insert "35".

Amendment No. 17a

On page 6, line 2, of the printed bill, as amended, strike out "Thirty-third", and insert "Thirty-fourth".

Amendment No. 18

On page 6, line 3, of the printed bill, as amended, strike out "Thirty-fourth", and insert "Thirty-fifth".

Amendment No. 19

On page 6, line 4, of the printed bill, as amended, strike out "35", and insert "36".

Amendment No. 20

On page 6, line 5, of the printed bill, as amended, strike out "Thirty-fifth", and insert "Thirty-sixth".

Amendment No. 21

On page 6, line 6, of the printed bill, as amended, strike out "36", and insert "37".

Amendment No. 22

On page 6, line 7, of the printed bill, as amended, strike out "Thirty-sixth", and insert "Thirty-seventh".

Amendment No. 23

On page 6, line 8, of the printed bill, as amended, strike out "37", and insert "38".

Amendment No. 24

On page 6, lines 8 and 9, of the printed bill, as amended, strike out "Thirty-seventh", and insert "Thirty-eighth".

Amendment No. 25

On page 6, line 10, of the printed bill, as amended, strike out "38", and insert "39".

Amendment No. 26

On page 6, line 18, of the printed bill, as amended, strike out "Thirty-eighth", and insert "Thirty-ninth".

Amendment No. 27

On page 6, line 19, of the printed bill, as amended, strike out "39", and insert "40".

Amendment No. 27a

On page 6, line 20, of the printed bill, as amended, strike out "Thirty-eighth", and insert "Thirty-ninth".

Amendment No. 28

On page 6, line 21, of the printed bill, as amended, strike out "Thirty-ninth", and insert "Fortieth".

Amendment No. 29

On page 6, line 23, of the printed bill, as amended, strike out "40", and insert "41".

Amendment No. 30

On page 6, line 47, of the printed bill, as amended, strike out "Fortieth", and insert "Forty-first".

Amendment No. 31

On page 6, line 48, of the printed bill, as amended, strike out "41", and insert "42".

Amendment No. 32

On page 8, line 22, of the printed bill, as amended, strike out "Forty-first", and insert "Forty-second".

Amendment No. 33

On page 8, line 23, of the printed bill, as amended, strike out "42", and insert "43"

Amendment No. 34

On page 10, lines 15 and 16, of the printed bill, as amended, strike out "Forty-second", and insert "Forty-third".

Amendment No. 35

On page 10, line 17, of the printed bill, as amended, strike out "43", and insert "44".

Amendment No. 36

On page 10, line 27, of the printed bill, as amended, strike out "Forty-third", and insert "Forty-fourth".

Amendment No. 37

On page 10, line 28, of the printed bill, as amended, strike out "44", and insert "45".

Amendment No. 38

On page 12, line 11, of the printed bill, as amended, strike out "Forty-fourth", and insert "Forty-fifth".

Amendment No. 39

On page 12, line 12, of the printed bill, as amended, strike out "45", and insert "46".

Amendment No. 40

On page 13, line 31, of the printed bill, as amended, strike out "Forty-fifth", and insert "Forty-sixth"

Amendment No. 41

On page 13, line 33, of the printed bill, as amended, strike out "46", and insert "47".

Amendment No. 42

On page 14, line 46, of the printed bill, as amended, strike out "Forty-sixth", and insert "Forty-seventh".

Amendment No. 43

On page 14, line 48, of the printed bill, as amended, strike out "47", and insert "48".

Amendment No. 44

On page 15, line 25, of the printed bill, as amended, strike out "Forty-seventh", and insert "Forty-eighth".

Amendment No. 45

On page 15, line 27, of the printed bill, as amended, strike out "48", and insert "49".

Amendment No. 46

On page 16, line 48, of the printed bill, as amended, strike out "Forty-eighth", and insert "Forty-ninth".

Amendment No. 47

On page 16, line 49, of the printed bill, as amended, strike out "49", and insert "50".

Amendment No. 48

On page 18, line 20, of the printed bill, as amended, strike out "Forty-ninth", and insert "Fiftieth".

Amendment No. 49

On page 18, line 22, of the printed bill, as amended, strike out "50", and insert "51".

Amendment No. 50

On page 20, line 15, of the printed bill, as amended, strike out "Fiftieth", and insert "Fifty-first".

Amendment No. 51

On page 20, line 17, of the printed bill, as amended, strike out "51", and insert "52"

Amendment No. 52

On page 20, line 49, of the printed bill, as amended, strike out "Fifty-first", and insert "Fifty-second"

Amendment No. 53

On page 20, line 50, of the printed bill, as amended, strike out "52", and insert "53".

Amendment No. 54

On page 22, line 7, of the printed bill, as amended, strike out "Fifty-second", and insert "Fifty-third"

Amendment No. 55

On page 22, line 8, of the printed bill, as amended, strike out "53", and insert "54".

Amendment No. 56

On page 23, line 5, of the printed bill, as amended, strike out "Fifty-third", and insert "Fifty-fourth".

Amendment No. 57

On page 23, line 6, of the printed bill, as amended, strike out "54", and insert "55".

Amendment No. 58

On page 24, line 12, of the printed bill, as amended, strike out "Fifty-fourth", and insert "Fifty-fifth".

Amendment No. 59

On page 24, line 14, of the printed bill, as amended, strike out "55", and insert "56".

Amendment No. 60

On page 25, line 12, of the printed bill, as amended, strike out "Fifty-fifth", and insert "Fifty-sixth".

Amendment No. 61

On page 25, line 13, of the printed bill, as amended, strike out "56", and insert "57".

Amendment No. 62

On page 26, line 36, of the printed bill, as amended, strike out "Fifty-sixth", and insert "Fifty-seventh".

Amendment No. 63

On page 26, line 37, of the printed bill, as amended, strike out "57", and insert "58".

Amendment No. 64

On page 28, line 1, of the printed bill, as amended, strike out "Fifty-seventh", and insert "Fifty-eighth"

Amendment No. 65

On page 28, line 3, of the printed bill, as amended, strike out "58", and insert "59".

Amendment No. 66

On page 28, line 32, of the printed bill, as amended, strike out "Fifty-eighth", and insert "Fifty-ninth".

Amendment No. 67

On page 28, line 33, of the printed bill, as amended, strike out "59", and insert "60".

Amendment No. 68

On page 29, line 50, of the printed bill, as amended, strike out "Fifty-ninth", and insert "Sixtieth"

Amendment No. 69

On page 30, line 1, of the printed bill, as amended, strike out "60", and insert "61".

Amendment No. 70

On page 30, line 43, of the printed bill, as amended, strike out "Sixtieth", and insert "Sixty-first".

Amendment No. 71

On page 30, line 45, of the printed bill, as amended, strike out "61", and insert "62".

Amendment No. 72

On page 31, line 48, of the printed bill, as amended, strike out "Sixty-first", and insert "Sixty-second".

Amendment No. 73

On page 31, line 49, of the printed bill, as amended, strike out "62", and insert "63".

Amendment No. 74

On page 32, line 25, of the printed bill, as amended, strike out "Sixty-second", and insert "Sixty-third".

Amendment No. 75

On page 32, line 26, of the printed bill, as amended, strike out "63", and insert "64".

Amendment No. 76

On page 33, line 42, of the printed bill, as amended, strike out "Sixty-third", and insert "Sixty-fourth".

Amendment No. 77

On page 33, line 44, of the printed bill, as amended, strike out "64", and insert "65".

Amendment No. 78

On page 34, line 42, of the printed bill, as amended, strike out "Sixty-fourth", and insert "Sixty-fifth".

Amendment No. 79

On page 34, line 44, of the printed bill, as amended, strike out "65", and insert "66".

Amendment No. 80

On page 35, line 34, of the printed bill, as amended, strike out "Sixty-fifth", and insert "Sixty-sixth".

Amendment No. 81

On page 35, line 36, of the printed bill, as amended, strike out "66", and insert "67".

Amendment No. 82

On page 36, lines 13 and 14, of the printed bill, as amended, strike out "Sixty-sixth", and insert "Sixty-seventh".

Amendment No. 83

On page 36, line 15, of the printed bill, as amended, strike out "67", and insert "68".

Amendment No. 84

On page 37, line 43, of the printed bill, as amended, strike out "Sixty-seventh", and insert "Sixty-eighth".

Amendment No. 85

On page 37, line 44, of the printed bill, as amended, strike out "68", and insert "69".

Amendment No. 86

On page 38, line 43, of the printed bill, as amended, strike out "Sixty-eighth", and insert "Sixty-ninth".

Amendment No. 87

On page 38, line 44, of the printed bill, as amended, strike out "69", and insert "70".

Amendment No. 88

On page 40, line 16, of the printed bill, as amended, strike out "Sixty-ninth", and insert "Seventieth".

Amendment No. 89

On page 40, line 17, of the printed bill, as amended, strike out "70", and insert "71".

Amendment No. 90

On page 41, line 18, of the printed bill, as amended, strike out "Seventieth", and insert "Seventy-first".

Amendment No. 91

On page 41, line 19, of the printed bill, as amended, strike out "71", and insert "72".

Amendment No. 92

On page 42, line 24, of the printed bill, as amended, strike out "Seventy-first", and insert "Seventy-second".

Amendment No. 93

On page 42, line 25, of the printed bill, as amended, strike out "72", and insert "73".

Amendment No. 94

On page 42, line 51, of the printed bill, as amended, strike out "Seventy-second", and insert "Seventy-third"

Amendment No. 95

On page 43, line 1, of the printed bill, as amended, strike out "73", and insert "74"

Amendment No. 95a

On page 43, line 2, of the printed bill, as amended, strike out "Seventy-second", and insert "Seventy-third".

Amendment No. 96

On page 43, lines 3 and 4, of the printed bill, as amended, strike out "Seventy-third", and insert "Seventy-fourth".

Amendment No. 97

On page 43 of the printed bill, as amended, strike out lines 5 to 13, inclusive, and insert

"75. The County of Orange shall constitute the Seventy-fifth Assembly District."

Amendment No. 98

On page 44 of the printed bill, as amended, strike out line 39 and insert "ing the Fiftieth, Fifty-first and Fifty-fourth Assembly Dis-"

Amendment No. 99

On page 44 of the printed bill, as amended, strike out line 42, and insert "ing the Forty-sixth, Fifty-fifth and Fifty-seventh Assembly Dis-".

Amendment No. 100

On page 44 of the printed bill, as amended, strike out line 45, and in line 46, strike out "fourth", and insert "ing the Forty-fifth, Fifty-sixth, Sixty-third and Sixty-fifth".

Amendment No. 101

On page 44 of the printed bill, as amended, strike out line 49, and in line 50, strike out "fifth", and insert "ing the Fifty-eighth, Fifty-ninth, Sixty-fourth and Sixty-sixth".

Amendment No. 102

On page 45 of the printed bill, as amended, strike out line 2, and insert "ing the Sixtieth, Sixty-first and Sixty-second Assembly Dis-"

Amendment No. 103

On page 45 of the printed bill, as amended, strike out line 5; and in line 6, strike out "eighth", and insert "ing the Forty-seventh, Sixty-seventh, Sixty-eighth and Sixty-ninth".

Amendment No. 104

On page 45 of the printed bill, as amended, strike out line 9, and insert "ing the Seventieth, Seventy-first and Seventy-second Assembly".

Amendment No. 105

On page 45 of the printed bill, as amended, strike out line 13, and insert "ing the Forty-first, Fifty-second and Fifty-third Assembly Dis-".

Amendment No. 106

On page 45 of the printed bill, as amended, strike out line 16; and in line 17, strike out "eighth", and insert "ing the Forty-third, Forty-fourth, Forty-eighth and Forty-ninth".

Amendment No. 107

On page 45, line 20, of the printed bill, as amended strike out "Forty-first", and insert "Forty-second".

Amendments read

Motion to Lay Amendments on the Table

Mr. Lyon moved that the amendments be laid on the table.

Mr. Frederick F. Houser seconded the motion.

Roll Call Demanded

Messrs. O'Day, Gaffney and Welch demanded a roll call.

The roll was called, and the amendments to Assembly Bill No. 2575 laid on the table by the following vote:

AYES—Allen, Andreas, Clarke, Collins, Sam L., Daley, Dills, Dilworth, Doyle, Evans, Field, Hastam, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Middough, Miller Millington, Pelletier,

Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weybret—39.

NOES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Donnelly, Gaffney, Gallagher, Green, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, O'Day, Richie, Salsman, Sawallisch, Sheridan, Thomas, Welch, and Wollenberg—32

Notice of Motion to Reconsider Amendments to Assembly Bill No. 2575

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 2575 were this day laid on the table.

Motion by Mr. Field

Mr. Field moved that the Assembly immediately consider the notice of motion to reconsider by Mr. O'Day.

Mr. Frederick F. Houser seconded the motion.

Motion to Adjourn

Mr. Lowrey moved that the Assembly do now adjourn until 2 p.m. Tuesday, April 15th.

Mr. Cooke seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, O'Day, Salsman, Sawallisch, Welch, and Wollenberg—31

NOES—Allen, Bennett, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dills, Dilworth, Doyle, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—42

The question being on the motion by Mr. Field.

Point of Order

Mr. O'Day arose to the following point of order: That Mr. Field's motion was out of order.

The Speaker ruled the point of order not well taken.

The question being on the motion by Mr. Field.

The roll was called, and the motion carried by the following vote.

AYES—Allen, Andreas, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weybret, and Mr. Speaker—40

NOES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Kilpatrick, Lowrey, Maloney, McCollister, Meehan, O'Day, Salsman, Sawallisch, Sheridan, Thomas, Welch, and Wollenberg—30

Motion to Reconsider Amendments to Assembly Bill No. 2575

In compliance with a notice given, Mr. O'Day moved that the vote whereby the amendments to Assembly Bill No. 2575 were laid on the table be reconsidered.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Evans, Gaffney,

Gallagher, Green, Gunlock, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, O'Day, Robertson, Salsman, Sheridan, Thomas, Welch, and Wollenberg—33

NOES—Allen, Andreas, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dills, Dilworth, Doyle, Field, Hastam, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weybret—39.

Further Consideration of Assembly Bill No. 2575

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time

Motion to Amend

Messrs. Maloney, Green, Wollenberg and Cronin moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 41, of the printed bill, as amended, after the semicolon, insert "Beginning at the point of intersection of the center line of Leavenworth Street and the shore line of the Bay of San Francisco, thence along the center lines of the following streets, to wit:

Leavenworth Street to Columbus Avenue; Columbus Avenue to Mason Street; Mason Street to Filbert Street; Filbert Street to Van Ness Avenue; Van Ness Avenue to Pine Street, Pine Street to Divisadero Street; Divisadero Street to Ellis Street; Ellis Street to Van Ness Avenue; Van Ness Avenue to Market Street; Market Street to The Embarcadero; The Embarcadero to the southerly line of Pier No. 1 extended; the southerly line of Pier No. 1 to the shore line of the Bay of San Francisco, along said shore line to Leavenworth Street and the point of beginning and including the odd numbered Piers 1 to 45 adjacent thereto,".

Amendment No. 2

On page 4, line 44, of the printed bill, as amended, after the semicolon, insert "Beginning at the point of intersection of the southerly line of Pier No. 1 and the shore line of the Bay of San Francisco; thence to the center line of The Embarcadero; thence along the center line of the following streets, to wit

The Embarcadero to Market Street; Market Street to Eleventh Street; Eleventh Street to Harrison Street, Harrison Street to Seventeenth Street, Seventeenth Street to Dolores Street, Dolores Street to Army Street; Army Street to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo; easterly along said boundary line to the shore line of the Bay of San Francisco; along said shore line to the southerly line of Pier No. 1 and the point of beginning; together with all piers adjacent thereto and all islands in the Bay of San Francisco lying east of a line running due north from the southeast end of Pier No. 1 which are within the boundaries of the City and County of San Francisco."

Amendment No. 3

On page 4, line 47, of the printed bill, as amended, after the semicolon, insert "Beginning at the intersection of the center line of Army Street and Bay Shore Boulevard, thence along the center lines of the following streets, to wit

Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo; thence westerly along said boundary line to Junipero Serra Boulevard; Junipero Serra Boulevard to Holloway Avenue, Holloway Avenue to Miramar Avenue; Miramar Avenue to Monterey Boulevard, Monterey Boulevard to Yerba Buena Avenue, Yerba Buena Avenue to Casitas Avenue; Casitas Avenue to Landsdale Avenue; Landsdale Avenue to Juanita Way; Juanita Way to Del Sur Avenue, Del Sur Avenue to Chaves Avenue; Chaves Avenue to Evelyn Way; Evelyn Way to Teresita Boulevard, Teresita Boulevard to Portola Drive; Portola Drive to Army Street, Army Street to Castro Street, Castro Street to Twenty-fourth Street; Twenty-fourth Street to Dolores Street; Dolores Street to Army Street, Army Street to Bay Shore Boulevard and the point of beginning."

Amendment No. 4

On page 4, line 50, of the printed bill, as amended, after the semicolon, insert "Beginning at the point of intersection of the center lines of Masonic Avenue and Fulton Street, thence along the center lines of the following streets:

Masonic Avenue to Upper Terrace, Upper Terrace to Seventeenth Street; Seventeenth Street to Clayton Street, Clayton Street to Twin Peaks Boulevard; Twin Peaks Boulevard and the easterly drives thereof to Portola Drive, Portola Drive to Teresita Boulevard, Teresita Boulevard to Evelyn Way, Evelyn Way to Chaves Avenue; Chaves Avenue to Del Sur Avenue; Del Sur Avenue to Juanita Way, Juanita Way to Landsdale Avenue, Landsdale Avenue to Casitas Avenue; Casitas Avenue to Yerba Buena Avenue, Yerba Buena Avenue to Monterey Boulevard, Monterey Boulevard to Miramar Avenue, Miramar Avenue to Holloway Avenue, Holloway Avenue to Junipero Serra Boulevard, Junipero Serra Boulevard to the boundary line which separates the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shore line of the Pacific Ocean, northerly along said shore line of the Pacific Ocean to the center line of Fulton Street; Fulton Street to Masonic Avenue and the point of beginning.".

Amendment No. 5

On page 5, line 2 of the printed bill, as amended, after the semicolon insert "Beginning at the point of intersection of the center line of Ellis Street and Van Ness Avenue; thence along the center lines of the following streets, to wit

Van Ness Avenue to Market Street; Market Street to Eleventh Street; Eleventh Street to Harrison Street; Harrison Street to Seventeenth Street; Seventeenth Street to Dolores Street, Dolores Street to Twenty-fourth Street; Twenty-fourth Street to Castro Street; Castro Street to Army Street; Army Street to Portola Drive; Portola Drive to Twin Peaks Boulevard; Twin Peaks Boulevard and the easterly drives thereof to Clayton Street; Clayton Street to Seventeenth Street, Seventeenth to Upper Terrace, Upper Terrace to Masonic Avenue; Masonic Avenue to Fell Street, Fell Street to Divisadero Street Divisadero Street to Ellis Street; Ellis Street to Van Ness Avenue and the point of beginning."

Amendment No. 6

On page 5, line 5, of the printed bill, as amended, after the semicolon insert "Beginning at the point of intersection of the center line of Fulton Street and the shore line of the Pacific Ocean; thence along the center lines of the following streets, to wit:

Fulton Street to Masonic Avenue; Masonic Avenue to Fell Street; Fell Street to Divisadero Street, Divisadero Street to Pine Street; Pine Street to Presidio Avenue to California Street; California Street to Arguello Boulevard; Arguello Boulevard to the southern boundary line of the Presidio Reservation; along said boundary line to the center line of Lobos Creek; Lobos Creek to the shore line of the Pacific Ocean; along said shore line to the center line of Fulton Street and the point of beginning."

Amendment No. 7

On page 5, line 8, of the printed bill, as amended, after the semicolon insert "Beginning at the point of intersection of the center line of Leavenworth Street and the shore line of the Bay of San Francisco, thence along the center lines of the following streets, to wit

Leavenworth Street to Columbus Avenue, Columbus Avenue to Mason Street; Mason Street to Filbert Street; Filbert Street to Van Ness Avenue; Van Ness Avenue to Pine Street; Pine Street to Presidio Avenue; Presidio Avenue to California Street, California Street to Arguello Boulevard; Arguello Boulevard to the southerly boundary line of the Presidio Reservation; along said boundary line to the center line of Lobos Creek, Lobos Creek to the shore line of the Pacific Ocean and along said shore line to the shore line of the Bay of San Francisco and to the center line of Leavenworth Street and the point of beginning, including the wharves and piers adjacent thereto; also including Alcatraz Island and the islands of the Pacific known as the Farallon Islands."

Amendments read.

Demand for Previous Question

Messrs. Allen, Tenney, Robertson, Watson and Collins, Sam L., demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the amendments.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Call, Carlson, Cassidy, Clarke Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—37.

NOES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Thomas, Turner, Voigt, and Welch—31.

Motion to Further Amend Assembly Bill No. 2575

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 44, line 17, of the printed bill, as amended, strike out "following Assembly districts ", and insert "Nineteenth, Twentieth, Twenty-fourth and Twenty-fifth Assembly Districts,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.10 p.m. having arrived, Senate Bill No. 180 was taken up.

Senate Bill No. 180—An act to protect property by making criminal certain unlawful entries on, injuries to and interference with property, authorizing the closing of streets, and to provide penalties for the violation thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—Burkhalter, Kilpatrick, and Richie—3.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Kilpatrick moved that the record be expunged, and the action rescinded whereby Senate Bill No 180 was this day passed.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Collins, George D, Gaffney, Kilpatrick, Richie, Russell, Thomas, and Waters—9

NOES—Allen, Andreas, Burns, Hugh M, Carlson, Clarke, Cooke, Cronin, Crowley Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Houser, Frederick F, Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, O'Day, Pfaff, Poole, Potter, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr Speaker —42.

Explanations of Vote

I voted "aye" on Senate Bill No. 180 with the understanding that none of labor's rights are violated by the passage of this bill.

J. B. COOKE

We voted against Senate Bill No. 180 believing that organized labor and liberals generally were still opposed to it. After roll was taken learned that labor is now supporting the measure and we were denied the right to change our vote or have the record expunged Hence our statement here that we desire to be recorded as voting "aye"

(Signed)

EVERETT G. BURKHALTER
VERNON KILPATRICK

I voted "no" on the so-called anti-sabotage bill, Senate Bill No 180, applying to defense industry because I believe ample law exists at present; and if any further law is needed, I believe it should be Federal rather than State law

PAUL RICHIE

We, the undersigned, have voted for the above bill, Senate Bill No 180, because Edward Vandeleur, secretary of the State Federation of Labor, states he has no objections to it as amended

WM I GUNLOCK
GEORGE D COLLINS, JR
DAN GALLAGHER
EDWARD F O'DAY
EDWARD M. GAFFNEY
T. A. MALONEY

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SANTA ROSA, CALIFORNIA, April 12, 1941

Assemblyman State Capitol

Respectfully request your support for passage of Senate Bill 180, Sabotage Prevention Act, without further amendments

TOLAND C McGETTIGAN, District Attorney
CHARLES J. McGOLDRICK, Assistant District Attorney

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No 530.
Assembly Bill No. 531.
Assembly Bill No. 532

ASSEMBLY BILL NO. 2404 WITHDRAWN AND STRICKEN FROM FILE

Mr Allen moved that Assembly Bill No 2404 be withdrawn and stricken from the file.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1970

Mr Maloney moved that Assembly Bill No 1970 be withdrawn from the file, and re-referred to the Committee on Municipal Corporations.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER: Your Committee on Military Affairs, to which was referred

Assembly Bill No 151

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

KING, Chairman

Above reported bill ordered to second reading

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER Your Committee on Insurance, to which was referred.

Assembly Bill No 2332

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 2457
Assembly Bill No. 2299
Assembly Bill No. 1065

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CRONIN, Chairman

Above reported bills ordered to second reading

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER Your Committee on Insurance, to which was referred

Assembly Bill No. 1514

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bill ordered to second reading

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR SPEAKER: Your Committee on Civil Service, to which were referred.

Assembly Bill No 287
Senate Bill No. 181
Senate Bill No 1138
Senate Bill No 918

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred

Assembly Bill No. 1516
Assembly Bill No. 1519
Assembly Bill No. 2244

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bills ordered to second reading

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1941

MR. SPEAKER: Your Committee on Civil Service, to which were referred:

Assembly Bill No. 720
Assembly Bill No. 1339
Senate Bill No. 1184

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BASHORE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 2382
Assembly Bill No. 1156

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Senate Bill No 1154
Senate Bill No. 889
Senate Bill No. 341

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 1839
Assembly Bill No 1842
Assembly Bill No. 316

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBLR, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 351

Respectfully reports the same back without recommendation.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 23—Relative to memorializing the President and Congress to increase the import excise on foreign eggs and egg products;

Assembly Joint Resolution No. 32—Relative to Kings River flood control;

Assembly Joint Resolution No. 39—Relative to memorializing the President and the Secretary of State of the United States in regard to reciprocal border rights of American citizens and Mexican citizens;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1941, at 4 p.m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 54—An act to amend Sections 79 and 83a of the State Employees' Retirement Act, relating to the retirement of members of the California Highway Patrol;

Assembly Bill No. 271—An act providing for the registration of certain societies, corporations, associations, camps, groups, bands, political parties, assemblies and other bodies and organizations;

Assembly Bill No. 1155—An act to add Section 10253.7 to the Health and Safety Code, *relating to birth certificates of children born in California and adopted elsewhere*;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1262—An act to amend Sections 7055, 7350, 7355, 7402, 7406, 7407, 7501 and repeal Sections 7408, 7409, 7550, 7551, 7552, 7553, 7554, 7555, 7556, 7557, 7558 and 7559 of the Health and Safety Code, relating to dead human remains and permits concerning them;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1941, at 4 p.m

JOHN B. KNIGHT, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1064 re-referred to Committee on Education.

Assembly Bill No. 1938 re-referred to Committee on Education

Assembly Bill No. 2152 re-referred to Committee on Education

Assembly Bill No 2154 re-referred to Committee on Education.

Assembly Bill No. 207 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 2463 re-referred to Committee on Social Service and Welfare

Assembly Bill No 925 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 926 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 927 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 1535 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2167 re-referred to Committee on River Navigation, Reclamation, and Flood Control.

Assembly Bill No. 1768 re-referred to Committee on Public Morals

Assembly Bill No 1302 re-referred to Committee on Municipal Corporations.

Assembly Bill No 1179 re-referred to Committee on Public Morals.

Assembly Bill No. 1119 re-referred to Committee on Agriculture.

Assembly Bill No 911 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 209 re-referred to Committee on Public Morals.

Assembly Bill No. 1688 re-referred to Committee on Ways and Means

Assembly Bill No 1670 re-referred to Committee on Public Health and Quarantine.

REPORT ORDERED PRINTED IN THE JOURNAL

The following Partial Report of the Joint Legislative Fact-Finding Committee on Employment was ordered printed in the Journal:

Partial Report of the Joint Legislative Fact-Finding Committee on Employment—Accepting the Report, of the Legislative Advisory Committee on Defense and Employment, "On Natural Resources of California and the Tributary Pacific Slope Region"

The Joint Legislative Fact-Finding Committee on Employment (consisting of 17 members, nine from the Assembly and eight from the Senate) was created by Senate Concurrent Resolution No. 10, February 24, 1940, for the purpose of securing factual data relating to gainful employment.

The Fact-Finding Committee was supplemented by the creation of an Advisory Committee of "15 nonlegislator members," to be appointed by it, under the authority of Assembly Concurrent Resolution No. 26, May 23, 1940, to secure data and information on "all phases of the industrial, manufacturing and transportation processes and facilities."

Later, an "Industrial Committee" was created through Senate Concurrent Resolution No. 23, September 21, 1940, to determine the availability of the results of a complete industrial survey and report on California and the tributary area.

Both the Legislative Advisory Committee and the Industrial Committee recommended to the Fact-Finding Committee that copies of the industrial report being prepared by the Industrial West, Inc., a nonprofit fact-finding and research organization, be purchased and made available for an industrial program in the interest of employment.

The Joint Legislative Fact-Finding Committee, created under Senate Concurrent Resolution No. 10, February 24, 1940, at a special meeting in Sacramento, March 14, 1941, concurs in and approves the report of the Advisory Committee hereto attached.

JEANETTE E. DALBY, Vice Chairman

Report on Natural Resources—California and the Tributary Pacific Slope Region (11 Western States)

A new approach to the relief and unemployment problems through new industrial development

The Subcommittee of the Joint Legislative Advisory Committee, appointed to investigate and report on the Industrial Survey of Natural Resources on the Pacific Slope (11 Western States), made by Industrial West, Inc., has the following report to submit:

At a special session of the State Legislature, September 21, last, there was created by Joint Resolution No. 23, an "Industrial Committee", consisting of three members—Messrs. Paul C. Smith, Editor and General Manager, the Chronicle, H. C. MacGinn, Calaveras Cement Co. and Geo. W. Malone, Consulting Engineer-Manager, The Industrial West, Inc. The Industrial Committee has expressed a desire to work with and through this Legislative Advisory Committee. In making this report, The Industrial Committee was fully consulted.

Objective

To so develop and utilize the natural resources—raw materials—of California and the Pacific Slope Tributary Region or to make this Nation independent of foreign countries as a source of their raw materials. This objective should have in mind not alone the providing of "strategic" materials for war purposes in times of emergency—but as a long range plan to carry on during the period following, when a natural depression, or letdown in production is an aftermath of wartime expansion. It is a new approach, through sound industrial development, to the relief and unemployment problems.

Obtaining Objective

It is obvious that in order to obtain the desired objective a great amount of research is necessary. This would take time—from two to three years—and money. Also, as the time element is an important factor, the information making up a coordinated industrial survey must be had as early as possible. Fortunately, this is available through the "factual inventory" which has been made during the past three years by The Industrial West, Inc., directed by Mr. Geo. W. Malone, a consulting engineer. This report is contained in what is termed "The Industrial Survey-Encyclopedia of Western Resources" and includes the entire Pacific Slope Tributary Region (11 Western States). This survey took two and one-half years to complete at a cost of $150,000.

It may be asked why should we be interested particularly in the entire Pacific Slope Region, other than just the State of California The answer is fourfold

1 Raw materials are found in, and will be drawn from the other States for some of the most important new industries. It is necessary to know their location and extent

2. To stabilize labor, as migrants and reliefers would otherwise be drawn to California from this tributary area

3 The cooperation of the other States is necessary in bringing about the adjustments affecting the feasibility of industry.

4 Ninety-five per cent of the economic problems of the Pacific Slope area (11 Western States) are common, and can be adjusted through such cooperation.

The subcommittee has reviewed in a general way the industrial survey 'Encyclopedia of Resources" and finds it very complete. It is, of course, not entirely cross-indexed, and much more work will have to be done to make it readily accessible and convenient, and to furnish sufficient copies for the use of the Legislature and committees However, the material has all been collected, catalogued and coordinated into the necessary manuscript, maps, charts, et cetera—it only remains to complete the work For the benefit of the committee there follows herewith a general outline of what this industrial survey and report contains.

Scope

The industrial survey is a factual inventory of the available raw materials in the 11 Western States, including the mineral, agricultural and forestry fields, together with their location, extent and availability.

A section of the industrial report is also devoted to each of the major "plant factors," *in addition to the raw materials, affecting the feasibility of industry, including* transportation; railroads, highways, intercoastal shipping, inland waterways and airlines; power: where generated, location of transmission systems and cost; trade balance: in the major groups of 157 commodities—amount shipped into and out of each State, population trends; labor and taxes Sections are also devoted to some specific products having the earmarks of feasibility, such as the new method of electrolytic reduction of low-grade manganese, increased rayon production, et cetera.

The Industrial Survey and Report—Encyclopedia of Western Resources

This basic industrial report consists of 12 well-indexed sections, approximately 2,000 pages, including 200 graphs, charts and maps This work will be up-to-date and sufficient copies furnished for the "Advisory" and "Fact-Finding" committees, and for the Legislature

Advisers and Consultants

The Mining Bureaus, Schools of Mines, State Engineers, Railroad Commissions, Planning Boards and Directors of Agricultural Extension Service of the 11 Western States acted as advisers and consultants in their respective fields in the preparation of the work, *together with the United States Geological Survey, the Federal Bureau* of Mines and the Federal Power Commission.

Object of Survey

The objective is a new approach to the relief-unemployment and National defense problems, through the creation of new permanent industries, based on the raw materials of the region. There will be furnished full time, top wage jobs, and many of the products in which this Nation's markets are now deficient, including many of the so-called "strategic" minerals, will be produced.

New opportunities for private investment will be made available This will in turn create much additional taxable property needed by the Pacific Slope States to assist in carrying the load.

Raw Materials

Minerals, including fuels—their specific location and extent.
Agricultural products—location, extent and trends
Forestry products—location, extent and trends.

Plant Factors

Transportation
Power
Trade balance (markets)
Manufactures
Population trends
Labor
Taxes
Water supply
Financial

New and Expanded Industries**

Minerals—The seven leading strategic minerals of chrome, manganese mercury (quicksilver), tungsten, antimony, nickel and tin, together with many minerals of lesser importance.

Electro-chemical and electro-metallurgical industries, including the steel alloys

Agriculture—Vegetable oils, fiber flax, linseed oil, sugar (sugar beets), meats and other products

Forestry—Rayon, newsprint and plastics, in addition to the regular lumber and other miscellaneous products.

It is stated by the Industrial Committee that the cost of completing and furnishing the required number of copies of the basic industrial report (12 indexed sections) and the brief specific recommendations for new industries, together with an outline of the necessary adjustments in the basic work, will amount to $25,000. As stated previously already $150,000 has been expended in making the survey and report.

If the required funds are made available early in January, a preliminary report can be submitted at the beginning of the last half of the session, and the completed basic report—and brief report of specific recommendations as outlined—presented prior to the adjourning of the session. Approximately four months time will be required.

The brief report pointing out the specific industries and products that are or can be made, feasible of production in California and the tributary area, together with the necessary adjustments, will be prepared and submitted to the "Fact-Finding Committee"—cross-indexed with the basic industrial report of 12 sections for reference to supporting data and information.

General Assumptions

In general the future profitable increased production of the Pacific Slope must be based on the products in which this Nation's markets are deficient. In such production the Western States are entitled to an adjustment in the cost of production differentials, based on our *domestic* standards of living, as compared to foreign standards. But, naturally, this increment of adjustment must not unduly affect the cost to the consumer, other considerations, including relief and unemployment costs must more than offset such effect.

Some of the necessary adjustments include tariffs, subsidies, and quotas, which have been built up during the past 50 years by Congressional and executive action. Increased production in other lines may be brought about through publicity, and emphasis by official bodies on the changing economic factors making such increase economically feasible.

The survey discloses that the Pacific Slope is peculiarly fitted—with its available raw materials, transportation systems, power, etc., to produce many products in which this Nation's markets are deficient, and points out the specific adjustments necessary to such production.

A *specific example* of the possibilities of a *new industry* is given in the case of chromite on attached sheet.

Recommendations

In view of the far-reaching possibilities disclosed by this industrial survey, the subcommittee is of the opinion that it should be carried to completion. It then could be made readily available to the State Legislature. As far as can be determined there has never been as complete and composite an industrial survey of raw materials, with the attending "plant factors," made for the region. Every advantage should be taken of it. It forms the foundation for a specific industrial program as a new approach to the relief and unemployment problems.

We therefore recommend to the full committee

1. That a sum, not exceeding twenty-five thousand dollars ($25,000) be appropriated for the purchase of the *basic work*, and the brief specific report, as already outlined.

2. That the Legislatures and proper authorities of the other 10 States in the Pacific Slope Tributary Region be informed of any action taken.

NOTE.—Arguments supporting recommendations will be given at the meeting of the full committee in San Francisco on January 4, 1941.

H. W. OSTERHAUS, for Subcommittee.

Report Adopted by Full Advisory Committee

At a meeting of the entire Legislative Advisory Committee held in San Francisco, in December, 1940, this subcommittee report was unanimously accepted and approved and recommended for adoption by the Legislative Fact-Finding Committee.

**Some examples of possibilities.

Specific Examples of a New Industry

Chromite

Chromite is one of the seven principal "strategic" minerals, and is used in the manufacture of stainless steel, steel alloys, refractories, and in the chemical field. This mineral is extensively used in airplane and battleship armor steel, on account of its strength, light weight, and rustless qualities.

Over a period of 25 years its use has increased from 65,000 tons in 1915, to an estimated 400,000 tons for 1940

The United States is the largest consumer of this material in the world, and the smallest producer. We produce less than 1 per cent of our domestic consumption The price per ton for that period has averaged approximately $19 per ton, except for the war years of 1916 and 1917 to 1918, when imports were threatened. The price averaged $44 per ton during the year 1918, and the domestic production jumped to 45 per cent of the Nation's consumption

The latest price quoted in the Mining & Engineering Journal was $34 to $36 per ton f o b Atlantic ports—if the "Buy American" clause (foreign price plus 25 per cent) could be invoked, and "stockpiled" on the Pacific Coast and the specifications properly written, there is little doubt *that the United States could be made self-sufficient* in this "strategic" mineral

The industrial survey discloses that there are 265 deposits of this "strategic" mineral in five Western States—most of them in California

When full production is reached, an estimated minimum of 5,000 men would be directly employed in the mining and milling operations in this one raw material producing operation alone As raw material producing industries form the base of the pyramid of employment—for every man directly employed in such an industry on a full time, top-wage job, the record shows that at least 10 persons are directly or indirectly supported in the processing and service industries. In this one industry, production of chromite, only *one* of the "strategic" minerals in the mineral field, an estimated 50,000 persons would ultimately gain their support.

This is cited as an example of the possibilities of the new approach to the relief, unemployment and National defense problems through new industries. The Nation gets security through domestic production of a necessary mineral The Pacific Slope gets a new industry, thereby creating employment, new private investments, and additional taxable property.

Joint Legislative Fact-Finding Committee on Employment

Created by Senate Concurrent Resolution No 10, First Extra Session of 1940

Senators

Charles Brown, Shoshone
Charles H Deuel, Chico
Jesse M Mayo, Angels Camp
Frank W. Mixter, 303 E Palm Street, Exeter
*Roy J Nielsen, Bank of America Bldg., Sacramento.
*Jerrold L Seawell, 303 Mariposa Ave., Roseville
J I Wagy, 1909 Second Street, Bakersfield
*John Phillips, Chairman, 65 No 4th Street, Banning

Assemblymen

*Jeanette E Daley 4430 Boundary Street, San Diego
*C Don Field, 1552 Ridgeway Drive, Glendale
*Gordon H Garland, Woodlake
*Frederick F. Houser, 19 West Pine Street, Alhambra.
Elmer E Lore, 6304 Radford, North Hollywood
Edward F O'Day, Hearst Bldg., San Francisco
Norris Poulson, 7329 Tracy Street, Los Angeles.
Clyde A Watson, 273 N Harwood Street, Orange
*Albert C. Wollenberg, Flood Bldg., San Francisco

Citizens Advisory Committee Appointed by Joint Legislative Fact-Finding Committee on Employment

Pursuant to Assembly Concurrent Resolution No 26, First Extra Session of 1940

1. John C. Austin, Los Angeles, Past President, Southern California Economic Council, architect
2. Byrnn Belvea, 6800 South Alameda Street, Los Angeles, Chairman, Council of Motor Truck Association, truck operator
3. Richard F Connor, 3208 Alma Ave., Manhattan Beach, radio coordinator
4. Col Arthur S Crites, Bakersfield, former Colonel of California National Guard, finance and oil.
5. Donald Douglas, Santa Monica, President, Douglas Aircraft, Inc

* Members of Special Subcommittee on Home Defense.

6. Captain Allen Griffin, Monterey, Publisher Monterey Herald
7. Walter A. Haas, 98 Battery St., San Francisco, President, San Francisco Chamber of Commerce, industrialist.
8. C. J. Haggerty, 538 Maple Ave., Los Angeles, President, California State Federation of Labor
9. Hon. William Gibbs McAdoo, Santa Barbara, President, United States President Lines.
10. Col. E. W. Mason, San Francisco, Vice President and General Manager of Western Pacific Railroad.
11. Dr. Robert A. Millikan, San Marino, President, California Institute of Technology, Pasadena.
12. Admiral Hugo W. Osterhaus, 2275 Broadway, San Francisco, Rear Admiral, U.S.N., retired.
13. Col. John H. Price, County Court House, Riverside, U.S.A., retired, former Commanding Officer of Army Air Field
14. Mrs. Mildred Prince, 3421 Pacific Ave., San Francisco, member, San Francisco County Welfare Commission, attorney
15. Alexander Watchman, 200 Guerrero Street, San Francisco, President, Building Trades Council.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, April 7, 1941; Tuesday, April 8, 1941; Wednesday, April 9, 1941; Thursday, April 10, 1941, and Friday, April 11, 1941, were approved as corrected by the Minute Clerk.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 1247.
Assembly Bill No. 1075.
Assembly Bill No. 1643.
Assembly Bill No. 245.
Senate Bill No. 318

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1306 WAIVED

Mr. Dills waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1306 was passed

Assembly Bill No. 1306 ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Constitutional Amendment No. 60: By Mr. Thomas—Proposed amendment to Article IV of the Constitution, by adding Section 22b, relating to a bonus for California men drafted into the Selective Service of the United States.

Referred to Committee on Constitutional Amendments.

RECESS

By order of the Speaker, the Assembly recessed to hear from Will Rogers, Jr., son of the late Will Rogers, writer and philosopher.

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H Garland, Speaker of the Assembly, presiding

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

CALIFORNIA STATE RELIEF COMMISSION
LOS ANGELES, CALIFORNIA, April 11, 1941

Mr Arthur A. Ohnimus, Chief Clerk, California Assembly
State Capitol, Sacramento, California

DEAR MR OHNIMUS Under separate cover I am forwarding to you copies of Preliminary Report to the State Relief Commission, March 18, 1941, by Ralph J Wakefield, Acting Administrator, California State Relief Administration, together with mimeographed letter, a copy of which is enclosed herewith.

Will you kindly distribute a copy of this report and a copy of the letter to each member of the Assembly?

Thanking you, I am

Very truly yours,

HELEN KEMBLE
Secretary to Relief Commission

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, April 14, 1941

MR SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their names:

San Jose Mercury Herald—Peggy Ferris
San Jose Mercury Herald—Milton Ferris

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Report of Joint Legislative Committee on State Buildings at Sacramento

The following Report of the Joint Legislative Committee on State Buildings at Sacramento was received, and ordered printed in the Journal:

Committee Report Pursuant to Assembly Concurrent Resolution No. 17

Mr. Speaker, and Members of the Assembly

The committee appointed pursuant to Assembly Concurrent Resolution No. 17, and composed of the following persons: Senators Frank L Gordon and John Harold Swan, and Assemblymen Earl D. Desmond, John E Cain and S L Heisinger, to consider the matters contained in the resolution, part of which is as follows:

WHEREAS, A number of State office buildings have been constructed at Sacramento within recent years and, in addition thereto, the State finds it necessary to rent office space in order to provide adequate room for its officers and employees, and

WHEREAS, There is pending before the Legislature a bill making an appropriation for the construction of a Social Welfare Building; and

WHEREAS, The State has never undertaken a comprehensive review of governmental functions for the purpose of developing an Orderly Building Program in Sacramento and has no official building plan properly related to the needs of the State and the trends of development of the City of Sacramento; and

WHEREAS, The existing Capitol in Sacramento is not only a fitting symbol of the dignity of State Government but is a distinguishing landmark and a primary center of interest in the city; and

WHEREAS, It is desirable that consideration be given to the relationship of the various State office buildings to each other in the interests of efficiency and economy; and

WHEREAS, Proper consideration in any State building program should be given to the economic relationship of the State office buildings to the business interests of the city; and

WHEREAS, Various plans have been proposed for the development and extension of the State office buildings, among which is the plan for the beautification of Capitol Avenue and the development of a plan for the creation of a mall along Capitol Avenue from Tower Bridge to the State Capitol; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That there is hereby created a Joint Legislative Committee on State Buildings at Sacramento, which committee shall study, ascertain, collate and appraise all facts and matters relating to the foregoing with particular reference to the study of a permanent plan for the development of the aforesaid mall as said plan has been developed and promoted by the City Planning Commission of the City of Sacramento and various civic bodies interested in the development of State buildings and the beautification of the City of Sacramento to the end that it may prepare and recommend to the Legislature a complete and coordinated program for State office building construction at Sacramento which will be for the best interests of the State and of the City of Sacramento; and be it further

Resolved, That the committee shall consist of three members of the Assembly appointed by the Speaker and two members of the Senate appointed by the Committee on Rules

The committee realizing that no plan has ever been adopted for development of a building program of State buildings made necessary by the growth of State business, held hearings in the Capitol in Sacramento, on February 25 and 26, 1941, to consider the matters contained in the above resolution

The committee had before it recommendations of the State Planning Board, the State Architect, and also recommendations by the Planning Commission of the City of Sacramento. These recommendations embraced maps and charts and numerous other documents, bringing to the attention of the committee the proposals relative to a permanent plan for erection of State buildings

In considering the matter of a permanent plan of State buildings, reference was made to the following reports based upon surveys made upon previous occasions:

Report of Chas Mulford Robinson, "The Improvement of Sacramento," November, 1908
Report of Dr. Werner Hegemann, October 30, 1913.
Report of the State Capitol Planning Commission to the Governor, September 1, 1916.
Report of the State Capitol Planning Commission to the Governor, November 26, 1917
Report of Dr. John Nolen, 1915
Report of Dr John Nolen, October 30, 1916
Report of Harland Bartholomew & Associates, March 31, 1929

These reports secured after considerable study, and at the expense of the city and State, appeared to have been largely ignored, and as a result, State buildings have been erected from time to time without a definite policy or plan.

The following persons representing State boards and Sacramento civic organizations appeared before the committee:

Mr L. Deming Tilton, Administrative Officer of the State Planning Board.
Mr H H Jaqueth, City Planning Commission and traffic engineer
Mr. Anson Boyd, State Architect
Dr. Willis Miller, Chief Planning Technician, State Planning Board
Mr George C Conover, manager of Hale Brothers, and Chamber of Commerce director.
Mr. Arthur S Dudley, secretary-treasurer, Chamber of Commerce
Mr. Fred Klaus, city engineer, and acting city manager
Mr Harry Wanzer, city councilman and president, Chamber of Commerce
Mr Roy Cothrin, managing director, Down Town Association.
Mr Chris Jones, president Jones, Braud and Hullin, and Chamber of Commerce
Mr John T Skelton, president, Down Town Association
Mr Bart W Cavanaugh, city civil service board
Dr R B Giffen, president, city planning commission

Mr Tilton, Administrative Officer of the State Planning Board, and Mr. Anson Boyd, State Architect, testified concerning the future development of State buildings in Sacramento Mr Boyd presented exhibits to the committee showing that sites had been considered for the erection of a Social Security Building which would have as its purpose the housing of all State functions relating to the administration of Social Security Laws, such as unemployment insurance, Social Welfare Department, orphan aid, and aid to needy children.

Mr Boyd testified that the erection of a Social Security Building was being urgently requested by the Federal Government for the proper protection of valuable records and proper housing of offices to carry out the duties provided in the Federal Social Security Act, and that it was the desire of the administration, the Planning Board, and the State Architect to erect a structure capable of housing some 3,500 employees, and requiring a floor space of 250,000 square feet These witnesses advocated the construction of a building along architectural lines that would give it a prominent place in the State Building Program in Sacramento

Both Mr. Tilton and Mr. Boyd presented exhibits to the committee, which exhibits showed that they had studied various sites for the erection of the Social Security Building, and also exhibits showing their studies of a Permanent Building Program of State Buildings in Sacramento.

In view of the fact that it was desirable to erect a large structure designed along lines reflecting the present interest of government in social security, Mr. Tilton reported that the State Planning Board recommended the site in the blocks between 15th and 16th Streets and L and N Streets.

The proposed Social Security Building, embracing as it will certain Federal functions, would, without doubt, be the largest building constructed under this plan. From a financial point of view, it is proposed that the State appropriate the sum of $1,500,000 for the purchase of the site and construction of the building, under a plan whereby the Federal Government, over a period of 10 years, would reimburse the State of California for the total amount appropriated for the purchase of the site and the erection of the building.

Mr. Boyd testified that from an architectural standpoint, a building of the contemplated size and architectural beauty required a commodious site and especially one that would permit of subsequent expansion of the Social Security Building.

It was proposed to close M Street between 15th and 16th, so that the Social Security Building could occupy a site larger than one entire city block. Furthermore, Mr. Tilton and Mr. Boyd, in contemplation of other exhibits showing the proposed extension of State buildings in Sacramento along N Street, and south from N Street between the block of 10th and 11th, concluded that any additional State buildings should be erected to the west of the present State Capitol, and that by erecting the Social Security Building upon the above site, it would automatically stop extension of State building beyond 16th Street.

Civic leaders and city officials evidenced their interest in the location of the Social Security Building by reason of traffic conditions that might result from the establishment of this building in an improper location, but all agreed that they would cooperate in any way possible in the erection of a Social Security Building upon whatever site was chosen by the State Planning Board and the State Architect in line with their studies.

In view of these facts and circumstances, the city officials present agreed to cooperate with the State in the closing of Capitol Avenue between 15th and 16th Streets, in order that the State could secure this additional ground area without cost for the Social Security Building.

Mr. Tilton was especially concerned in regard to the lack of planning in future development of State buildings in Sacramento, and pointed out the need of additional buildings by reason of the fact that present State buildings were inadequate to house all the State departments now located in Sacramento.

Mr. Tilton and Mr. Boyd testified that the planning authorities felt there was a definite need for a long range plan for future State building construction in Sacramento. They supported the Capitol Avenue Mall Plan as the most logical plan to adopt for future development for major State buildings in Sacramento. This plan would also contemplate the erection of State buildings, as and when they were needed, of a factory type such as the State Printing Office, to the south of N Street, from 10th to 11th Streets. This permanent plan of building development was concurred in by the various civic groups and city officials represented at the hearing.

Mr. Tilton pointed out to the committee that if the present grounds immediately east of the Capitol were improved, it would enhance the appearance of the Capitol. This would create an impressive view from both the Capitol and the Social Security Building at the east end of Capitol Park.

The various civic leaders and public officials present, who were primarily interested in the utility and beautification of State buildings and grounds have at heart the beautification of the City of Sacramento, as well as the utility and architectural designs of State buildings, agreed to cooperate in every way with any permanent plan established by the State Planning Commission, and recommended by this committee to the State Legislature.

This committee, recognizing the continual growth of the State of California, and the necessity of erecting additional State buildings in Sacramento, feels that it is vital to the welfare of the State that the Legislature establish a permanent policy governing future construction of State buildings in Sacramento. In considering this permanent plan, your committee is also convinced that it is extremely important that such a plan should take into consideration the wishes of the citizens of Sacramento, and the plans prepared for the orderly development and beautification of the city.

In an effort to accomplish this desirable result, both for the benefit of the State, and of the city, your committee is assured that the city and county officials of Sacramento, the Chamber of Commerce, and all public leaders of Sacramento, will give their wholehearted support and cooperation. Such cooperation will be necessary in order that transportation and traffic problems can be met and solved. The City Planning Commission, in order to facilitate execution of a Permanent State Building Plan, has assured your committee that certain zoning restrictions

will be established in that area of the city covered by any proposed plan for additional State buildings.

Mr Jacqueth, Secretary of the City Planning Commission, and Traffic Engineer, presented to the committee city plans calling for the removal of the car tracks on Capitol Avenue, the widening of Capitol Avenue, and a possible building "set back" plan. He also explained that the city is planning to extend 5th Street, south of Broadway to provide a wide arterial for traffic entering the downtown section from the area south of Broadway, and expressed his hope that the State could adopt a definite plan of State buildings in Sacramento, so that the City of Sacramento and its officials could adapt the city plan to a permanent State plan

In connection with the matter of traffic, Mr. Tilton of the Planning Board, pointed out the very objectionable congestion and traffic hazards now surrounding the State Capitol. He recommended that the permanent plan include, if possible, the opening of 12th Street through the Capitol Park from L to N Street by way of a subway under a widened terrace on the easterly side of the Capitol.

The committee and those appearing before it discussed also the remodeling of the present historic Capitol In considering this particular problem, the committee noted the fact that certain bills have been introduced in the Legislature to either erect a new Capitol, or to enlarge it by additions. Your committee feels that California now has one of the most beautiful and imposing Capitol buildings in America. Any additions to the Capitol would destroy its symmetrical lines and beauty. The existing Capitol, because of its sturdy construction, will last for many years, and we feel that any exterior additions or alterations are unnecessary and impractical. We also feel that a new building in place of this structure is unneeded and would be a waste of public money.

In this connection, your committee is of the opinion that the present Capitol should be used primarily for legislative and executive purposes. There is not sufficient office space for members of the Legislature. Moreover, the executive offices require more space and a more convenient arrangement

Provision should be made in the present Capitol for offices for the Lieutenant Governor, President pro tempore of the Senate, Speaker and Speaker pro tempore of the Assembly Proper and suitable offices should be provided for all ranking legislative leaders.

It is recommended, therefore, that the Legislature instruct the State Planning Board and the State Architect to make a survey of the Capitol and ascertain if Government agencies now occupying space in this building could not be transferred to other quarters, so that there would be ample room for the Governor, Lieutenant Governor, and officials of the Assembly and Senate, and their assistants, in order to expedite the work of the executive and legislative branches of State Government.

We also recommend that interior alteration of the Capitol be undertaken to carry out the above purposes, and in connection therewith, that an additional elevator be installed in the Assembly side of the Capitol for the convenience of the public and to relieve the congestion during legislative sessions

Further, we recommend that larger and more commodious committee rooms be provided in order that the many citizens of California who appear before committees in connection with legislation may have better accommodations. It is also recommended that the State Architect undertake a study of the ventilation of the Assembly and Senate Chambers as well as committee rooms, so that proper air conditioning may be installed

At the present time the Department of Agriculture is housed in several buildings for which the State is required to pay considerable rental This department is growing by leaps and bounds by reason of additional duties imposed by law upon the Director of Agriculture and the department It is inconvenient and inefficient to have the various departments and divisions of any department scattered throughout the city The Department of Agriculture is now desirous of constructing a new building in Sacramento so that all of its activities could be concentrated under one roof

Mr Jess Hession, Deputy Attorney General, appeared before the committee and testified that the Attorney General's Department desired additional room He stated that if sufficient room could be provided Attorney General Warren would move the greater part of his office staff from San Francisco to Sacramento Mr Hession also suggested that the upper floor of the Library and Courts Building be vacated by the departments now occupying that space, so that the entire floor could be used by the Attorney General.

The above are but two instances of the present need for space that will result in additional buildings in Sacramento, and proves the necessity for a Permanent Plan for State Buildings This necessity, together with the opinions of the State Planning Board and the State Architect impresses upon your committee the urgent need for the development of the Capitol Avenue Mall idea

In this connection it should be noted that the State of California owns the garage property located on the southwest corner of 9th and L Streets Space in this garage does not, at the present time, furnish sufficient room for parking of State cars It was also pointed out to the committee that traffic hazards and congestion are caused by the parking of automobiles upon the streets surrounding

present State office buildings Moreover considerable traffic congestion is created at certain times of the day by the thousands of employees going to and from State buildings by automobiles

In order to solve the problems of parking, traffic hazards and congestion, and as a means of advancing development of the Capitol Avenue Mall your committee suggests the timely and advantageous purchase of properties between 8th and 9th, L to N Streets. Your committee is impressed with the idea that if this policy is followed a profit might accrue to the State In any event assurance would be given that the Capitol Avenue Mall would be ultimately developed These properties could be held by the State, be put to a utilitarian use and additional State buildings erected thereon when and as needed

During the discussion before the committee, it became evident that it would be desirable that this committee undertake studies of State Building Programs for buildings and branch office buildings in such cities as San Francisco, Oakland, Fresno, Los Angeles and San Diego, since it is obvious that State buildings are necessary in these cities for the conduct of State business

We recommend, therefore, that the resolution creating this committee be amended to give the committee power to continue its studies in the above named cities, and that your committee should be supplied with sufficient funds to carry into effect the full purpose of the resolution creating it

In view of the above, and in accordance with sound city and State planning, your committee makes the following definite recommendations

1 That the Legislature adopt a permanent policy for a program of State building construction in the City of Sacramento, and other cities throughout the State where State buildings are necessary; that this plan be a definite plan binding as far as possible upon future State Administrations and Legislatures

2 That the recommendations of the State Planning Board and the State Architect for the construction of a Social Security Building in the blocks between 15th and 16th Streets, and the alley L and M Streets to the alley M and N Streets, be approved, and that the Legislature immediately appropriate the sum of $1,500,000 for the purpose of purchasing the site and for the erection of said building; that the Legislature adopt such other legislation which may be necessary to provide for the reimbursement to the State for the money spent for said site and said building

3 That future State buildings on N Street facing Capitol Park be deferred pending development of the Capitol Avenue Mall

4 That no buildings of any nature be erected within the confines of Capitol Park proper

5 That the State Architect undertake a study for the alteration of the present Capitol in accordance with the recommendations set forth in this report.

6 That the Capitol Avenue Mall be established as part of the State Building Program in Sacramento, and that future State buildings of suitable scale, type and use be constructed upon said Capitol Avenue Mall.

7 That as funds become available for the construction of a building for the Department of Agriculture, said building be constructed on the Capitol Avenue Mall.

8 That further study be given by the State Planning Board, the State Architect and city officials to the extension of 12th Street through Capitol Park in order to eliminate traffic movement and parking around the Capitol.

9 That the State Planning Board and the State Architect cooperate in every way possible with the city officials and civic leaders of the City of Sacramento to the end that the State Building Plan as proposed herein be carried out.

Respectfully submitted.

EARL D DESMOND, Chairman
JOHN EDWARD CAIN
F L GORDON
S L HEISINGER
JOHN HAROLD SWAN

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day and the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Helen, Mary, Mathew and Peter Gaffney and Theresa Biernacki of San Francisco.

On request of Mr Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jane M Romeyn of the Fifty-ninth Assembly District, Los Angeles

On request of Mr Hugh M. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Al. Radka, Hal Beatty, Ernie Beuch, Douglas Beetleston of Fresno State College.

On request of Messrs Garland, Voigt, Lyon, Potter and Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Will Rogers and Will Rogers, Jr., both of Los Angeles

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Charles Powers, former Supervisor of San Francisco, and Mr Ira Solomon of San Francisco.

On request of Mr Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Grace I. Church of Inglewood and Mrs. Clyde Harriss of Sacramento

On request of Mr. Wollenberg and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following teachers and students of Sarah Dix Hamlin School of San Francisco: Seniors—Mary Beringer, Patricia Biggar, Genevieve Caroe, Patricia Charlton, Marcia Cochran, Cora Cummings, Rita Dreher, Suzanne Field, Barbara Fritze, Frances Greenberg, Luey Harding, Jean Hearn, Ann Homer, Persis Horner, Betty Jungblut, Jane McClements, Patsy McEwen, Sally Moffatt, Valara Myers, Barbara Ann Rice, Marilyn Roberts, Janet Tillson and Barbara Ann Tupman; Juniors—Barbara Ayer, Barbara Bagley, Patricia Deasy, Gwendolyn Dunn, Charlotte Geary, Betty Grubb, Jane Heron, Janet Hettman, Joan Hubbard, Dorothy Huff, Irene Jansen, Doris Knipscher, Janet Knipscher, Juliet Knowles, Beth Martin, Olive Redmond, Debby Reichert, Barbara Shepardson, Daphne Smith, Benka Strickler, Patsy Ward, Patricia Young and Patricia Van Hoosear; Sophomores—Doris Bryant, Constance Roberts, Lolira Coblentz, Patsy Ehrman, La Verne Hecker, Barbara L'angevin, Dickie Shainwald, Page Hoelscher, Georgia Korbel, June Vinson, Donna Claire Sullivan; and Helen Ayerigg, Leonore Byrne, Dorothy Ann Hughes, Geraldine Stowell, Jean Murray, Dorothy Manners, and chaperones—Mrs Edward B Stanwood, Miss Bryce and Mrs George C. Ashley Eighth Grade—Patsy Brown, Carol Blood, Barbara McClintock and Gail St Aubyn; Seventh Grade—Coralie Cofer, Janice Hecker, Margaret Morrison, Nancy Sloss, Patricia Kenyon, Beverly Huff and Margarita Harrison.

ADJOURNMENT

At 6.45 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Tuesday, April 15, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY
ONE HUNDREDTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 15, 1941

The Assembly met at 1 30 p.m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names.

Andreas, Bashore, Bennett, Burkhalter, Burns Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips Poole, Potter, Poulson Richie, Robertson, Russell Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

Quorum present

PRAYER

Prayer was offered by the Chaplain, Rev Thomas H Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Crowley

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 44
Assembly Bill No. 821
Assembly Bill No 988
Assembly Bill No 989
Assembly Bill No. 1189

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2575
And reports the same correctly re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred
Assembly Bill No. 2508
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Oil Industries

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Oil Industries, to which were referred
Assembly Bill No. 946
Assembly Bill No. 947
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DILLS, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Constitutional Amendment No. 15

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:
Assembly Bill No. 149
Assembly Bill No. 549
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Joint Resolution No. 28

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Assembly Bill No. 265
Assembly Bill No. 701
Assembly Bill No. 1316

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 72
Senate Bill No. 74
Senate Bill No. 76
Senate Bill No. 82
Senate Bill No 283
Senate Bill No 554
Senate Bill No 729
Senate Bill No. 1003
Senate Bill No 1296
Senate Bill No 1301
Senate Bill No 1304
Senate Bill No. 1306

J A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution by adding Section 29 to Article IV of the Constitution, relating to State money.

Referred to Committee on Constitutional Amendments.

Senate Bill No. 72—An act to add Sections 408 and 467 to the Revenue and Taxation Code, relating to property taxation, including inspection of information and records in the county assessor's office, and the filing of statements pertaining to specified property subject to taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 74—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation and the determination of the actual value of intangibles, to take effect immediately

Referred to Committee on Revenue and Taxation.

Senate Bill No. 76—An act to add Section 500.5 to, and to amend Section 501 of, the Agricultural Code, relating to inspection of dairies, milk and milk products and the fees to be paid therefor

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 82—An act to amend Section 1 of, to add Section 8 to, and to repeal Section 6 of an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Section 5 of and to add Section 9 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 283—An act to add Section 2160.7 to the Welfare and Institutions Code, relating to the aged confined in county institutions.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 554—An act to amend Section 78 of the Fish and Game Code, relating to Fish and Game Districts 12 and 12b

Referred to Committee on Fish and Game

Senate Bill No. 729—An act to amend Sections 794, 828.2 and 829.1 of the Agricultural Code, relating to cherries and containers thereof, declaring the urgency thereof and that this act take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 1003—An act to amend Sections 195 and 203 of, and to add Sections 205 and 206 to, the Streets and Highways Code, relating to the expenditure of moneys from the State Highway Fund within cities.

Referred to Committee on Roads and Highways.

Senate Bill No. 1296—An act to amend Section 492 of the Fish and Game Code, relating to mutilation of fish

Referred to Committee on Fish and Game.

Senate Bill No. 1301—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund, to take effect immediately.

Referred to Committee on Natural Resources.

Senate Bill No. 1304—An act to amend Section 724.5 of the Fish and Game Code, relating to catfish in District 2¼.

Referred to Committee on Fish and Game.

Senate Bill No. 1306—An act to provide for the alteration of the existing boundary lines between counties, for the transfer of territory from one county to another county and for the adjustment and fulfillment of the rights and obligations arising between such counties.

Referred to Committee on County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 287—An act to amend Section 112 of the State Civil Service Act, relating to certifications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1839—An act to amend Section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1842—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 316—An act to amend Section 241 of the Code of Civil Procedure, relating to grand juries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2457—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 2299—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on medicine on optometry.

Bill read second time, and ordered re-engrossed.

Assembly Bill No. 1065—An act to amend Sections 551 and 556 of the Business and Professions Code, relating to the prevention of blindness at childbirth.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1181—An act to add Section 136d to the Bank Act, relating to the disposition of the assets of a bank in the process of liquidating which assets are impressed with a trust and the beneficiaries of which are unknown or can not be located.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the assets of a bank in the process of liquidating which assets are impressed with a trust and the beneficiaries of which are unknown or can not be located.", and insert "property held by a bank or trust company in process of liquidation as trustee or in safekeeping, and the persons entitled thereto are unknown or can not be found and authorizing delivery of such property to persons establishing right thereto."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 3 to 13, inclusive, and insert "Sec. 136d. Upon liquidating of any trust company or any bank or trust department of any bank, or upon the discontinuance of trust business by any trust company, bank or title insurance company, if said trust company, bank or title insurance company has in its possession money or other property held by such trust company, bank or title insurance company, in trust or in safekeeping and the beneficiaries or persons entitled to such money or other property are unknown, or can not be found, upon the approval of the superior court of the county in which the liquidation proceedings are pending or the principal office of such trust company, bank or title insurance company is situated, it may deposit such money or other property with the State Treasurer together with all documents relating thereto, who shall issue a receipt for the same and said receipt shall be deemed a voucher in favor of the bank, trust company or title insurance company the same as though executed by the beneficiary or other person entitled to said property.

When any person appears and claims the money or other property so deposited with the Treasurer, the court approving the deposit of such money or other property with the Treasurer must inquire into such claim and if satisfied that such claimant is entitled to such money, or property, other than money, shall grant him an order to that effect, which order shall specify the amount of money or describe the property other than money, and upon presentation of a certified copy thereof, the Controller shall draw his warrant on the Treasurer for the amount of money covered by the order. In case said order covers property other than money, a certified copy of the order filed with the Treasurer shall be a sufficient authorization to the Treasurer for delivery of the property to the claimant.

Money or other property deposited with the Treasurer under the provisions of this section, if not claimed by the person or persons entitled thereto within five (5) years from the date of such deposit, shall become the property of the State of

California by escheat and the Attorney General shall commence a proceeding on behalf of the State in the Superior Court for Sacramento County in accordance with Section 1268 of the Code of Civil Procedure to have it adjudged that the title to such property has vested in the State.

Upon the liquidating of any trust company or any bank or trust department of any bank, or upon the discontinuance of trust business by any trust company, bank or title insurance company, if said trust company, bank or title insurance company has in its possession money or other property held by such trust company, bank or title insurance company, in trust or in safekeeping, and a new or substituted trustee for such trust company, bank or title insurance company can not be obtained, the superior court of the county in which the liquidation proceedings are pending or the principal office of such trust company, bank or title insurance company is situated, may designate the State Treasurer to act as a new or substituted trustee for such trust company, bank or title insurance company."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1381—An act to amend Sections 61 and 105 of the Bank Act, relating to the investment of trust funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Banking:

Amendment No. 1

On page 9, line 10, of the printed bill, as amended, strike out the semicolon, and insert a comma.

Amendment No. 2

On page 9 of the printed bill, as amended, strike out all of lines 11 to 20, and insert "unless the terms or provisions of the trust of which such funds constitute a part contain a specific agreement or provision to the contrary or unless it is otherwise ordered by the court in connection with any court trust."

Amendment No. 3

On page 10 of the printed bill, as amended, following line 19, insert

"SEC. 3. Section 1 of this act, in so far as it provides for amendment to Subdivision 5 of Section 61 of the Bank Act, is hereby declared to be a positive expression of a continuing legislative intent with respect to the provisions of said Subdivision 5 since the first enactment thereof."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 16 and 17, and insert

"11613. The commissioner after hearing upon reasonable notice may make reasonable rules and regulations necessary for the interpretation and enforcement of this article. This article does not confer any authority upon the commissioner to fix rates for insurance subject to the provisions".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 720—An act to add Section 154.5 to the State Civil Service Act, relating to medical examinations of State employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out the period, and insert a comma, and "except that members of the California Highway Patrol may be required by the appointing power to annually submit to mental and physical examinations"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1339—An act to add a new section to the State Civil Service Act, to be numbered 57 2, relating to the officers and employees of the State Board of Prison Directors or any warden of a State prison.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period at the end of said line, and insert a colon, and

"(1) One person holding a confidential position to the State Board of Prison Directors.

(2) The warden or person holding a similar position of any State prison or correctional institution.

(3) *One person holding a confidential position to each such warden or person* holding a similar position.

(4) Inmate help in any correctional institution subject to the jurisdiction of the State Board of Prison Directors."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

On page 5 of the printed bill, as amended, between lines 3 and 4, insert

"1731.5. After certification to the Governor as provided in this article and until January 1, 1944, a court shall commit to the authority any person convicted of a public offense whom the authority believes can be materially benefited by the procedure herein provided for, and for whose care and maintenance there exists, in the opinion of the authority, proper and adequate facilities, and who

(a) Is found to be less than 23 years of age at the time of apprehension;

(b) Is not sentenced to death, imprisonment for life, imprisonment for not more than 90 days, or the payment of a fine."

Amendment No. 2

On page 5, line 6, of the printed bill, as amended, after "offense", insert "after January 1, 1944,".

Amendment No. 3

On page 10 of the printed bill, as amended, between lines 8 and 9, insert

"1772 Every person discharged from control by the authority who has not, during the period of control by the authority, been placed by the authority in a State prison may petition the court which committed him, and the court may upon such petition set aside the verdict of guilty and dismiss the accusation or information against the petitioner who shall thereafter be released from all penalties and disabilities resulting from the offense or crime for which he was committed.

Every person discharged from control by the authority shall be informed of this privilege in writing at the time of discharge."

Amendment No. 4

On page 10, line 39, of the printed bill, as amended, after "authority.", insert "The State Board of Prison Directors may, upon the recommendation of the authority, allow any such person time credit reductions from his term of confinement according to the table set forth in Section 2920 of the Penal Code for the time during which such person was under the control of the authority."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1516—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875, 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650 and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 20 to 39, inclusive, and insert "chapter shall within 10 days after making any management or general agency contract, file a true copy thereof with the commissioner".

Amendment No. 2

On page 4 of the printed bill, as amended, between lines 28 and 29, insert "This chapter does not authorize the commissioner to solicit, receive or vote proxies except pursuant to order of court."

Amendment No. 3

On page 7 of the printed bill, as amended, between lines 5 and 6, insert

"SEC. 9 5. In the case of an insurer in conservatorship, it shall have 90 days or such further time as may be granted by the court, to meet the increased reserve requirements effected by this act."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4061, 4062, 4063, 4064, 4080, 4082, 4084, 4085 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4, Part 1, Division 2 of the Insurance Code and to add Sections 4065 and 5001 thereto, all relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, after "4085", insert a comma and "5000".

Amendment No. 2

In line 6 of the title of the printed bill, strike out "Sections 4065 and 5001", and insert "Section 4065".

Amendment No. 3

On page 2, line 7. of the printed bill, strike out "thus accumulated", and insert "accumulated pursuant to Section 4022".

Amendment No. 4

On page 3 of the printed bill, strike out lines 22 to 24, inclusive, and insert "exceeding five years".

Amendment No. 5

On page 4 of the printed bill, strike out lines 15 to 31, inclusive, and insert "such an insurer until it has on hand at least two hundred thousand dollars ($200,000) in cash, at least one hundred fifty thousand dollars ($150,000) of which shall be in excess of all liabilities including as a liability the reserve for unearned premiums."

Amendment No. 6

On page 4 of the printed bill, strike out lines 51 and 52, and insert "have been made to it and subscribed for by at least 500 applicants upon at least 500 motor vehicles."

Amendment No. 7

On page 5, line 6, of the printed bill, strike out "30", and insert "35".

Amendment No. 8

On page 5 of the printed bill, strike out lines 47 to 51, inclusive; and on page 6, strike out lines 1 to 4, inclusive, and insert

"SEC. 19. Section 5000 of the Insurance Code is hereby amended to read as follows:

5000. A foreign mutual fire insurer which has been admitted to transact insurance under this chapter prior to January 1, 1941, may continue to transact insurance in accordance with the provisions of this chapter as they existed on that date and until July 1, 1943, at which time the provisions of this chapter as they then or may thereafter exist are applicable to such an insurer. Any such insurer may, prior to July 1, 1943, elect by written notice to the commissioner to transact insurance under the provisions of this chapter as they exist after January 1, 1941. Upon the filing of such written election with the commissioner, specifying the date upon which it is to be effective, such an insurer is subject to all the provisions of this chapter as so amended from and after the date specified in the notice of election."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2244—An act to repeal Section 1151 of the Insurance Code, relating to the disposal of real estate by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the disposal of real estate by insurers", and insert "insurance".

Amendment No. 3

On page 1 of the printed bill, strike out all of line 2, and insert "amended to read as follows:

1151. The commissioner, after a hearing may order an insurer to dispose of any parcel or parcels of real estate, at any time after five years from the date it is acquired in a manner specified in subsections (c), (d), (e), (f) or (g) of Section 1150 if he is satisfied (a) that the insurer has failed for six months after notice

to do so to take account of possible loss upon sale of any such real estate either (1) by creating a contingency reserve or (2) by reducing the book value of such real estate and (b) that such real estate may be disposed of without undue hardship to such insurer. The amount of the reserve which may be required upon any parcel or parcels of real estate may be an amount not greater than the difference between the value of such real estate as determined by an appraisement and the insurer's book value thereof.

For the purpose of enabling him to determine upon the issuance of an order to create such a reserve, or reduce such book value, the commissioner, if he is not satisfied with the appraisal furnished at his request by the insurer, may appraise such real estate at the expense of the insurer."

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "of", and the underscoring following it, and insert "by the people of Assembly".

Amendment No. 5

On page 1, line 5, of the printed bill, strike out the underscoring after "No."; and strike out "introduced into", and insert "53 of".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2382—An act to amend Section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "1440", and insert "1580".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "the appointment of".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "1440", and insert "1580".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out line 3, and insert

"1580. A guardian *heretofore or hereafter* appointed by will or deed or by the court may be removed by the court for any of the following causes:

(1) For waste or mismanagement of the estate, or abuse of his trust;

(2) For failure to file an inventory or to render an account within the time allowed by law, or for continued failure to perform his duties;

(3) For incapacity to perform his duties suitably;

(4) For gross immorality;

(5) For having an interest adverse to the faithful performance of his duties;

(6) For removal from the State;

(7) In the case of a guardian of the property, for insolvency; [or]

(8) Whenever it shall appear to the court to be for the best interest of the ward or his estate; or

[(8)] *(9)* When it is no longer necessary that the ward should be under guardianship."

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 4 to 21, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1156—An act to amend Section 1203a of the Penal Code, relating to probation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1203a", and insert "1203b".

Amendment No. 2

In line 2 of the title of the printed bill, before "probation", insert "suspension of sentence without".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "1203a", and insert "1203b".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, and insert "1203b. All courts having jurisdiction to impose punishment in [misdemeanor] *criminal* cases shall have the power to [grant probation summarily in misdemeanor cases without referring such cases to the probation officers.] *suspend the execution or imposition of sentence summarily in any case punishable by not more than six months in the county jail or a fine of five hundred dollars ($500) or by both such imprisonment and fine. The period of suspension may be for any period not exceeding two years, and during such period the court shall have jurisdiction, in its discretion, to revoke its order suspending imposition or execution of sentence and to impose sentence or to issue its commitment upon the sentence previously imposed. If, however, the order suspending imposition or execution of sentence is not revoked during the period thereof, then upon the expiration of said period the judgment shall be fully satisfied and the defendant freed from any further liabilities or penalties arising from his conviction.*

Suspension of sentence under the provisions of this section shall not constitute a grant of probation, but sentence may not be suspended in any case hereunder where probation is prohibited by law."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 151—An act to add Sections 556.1, 556.2 and 556.3 to the Military and Veterans Code, all relating to the organization of the State Guard, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 556.1, 556.2 and 556.3", and insert "Section 556.1".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "all".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out line 7, and insert "persons and not to exceed such maximum numerical strength as the Governor may prescribe."

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 8 to 20, inclusive; and on page 2, strike out lines 1 to 3.

Amendment No. 5

On page 2 of the printed bill, as amended, strike out line 4, and insert "SEC. 2. The sum of two hundred fifty thousand dollars ($250,-".

Amendment No. 6

On page 2, line 13, of the printed bill, as amended, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 7

On page 2, line 34, of the printed bill, as amended, strike out "SEC. 6", and insert "SEC. 4".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 181—An act to add Section 72 to the State Civil Service Act, relating to adjustment of compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 918—An act to amend Section 40 of the State Civil Service Act, relating to hearings and subpenas.

Bill read second time, and ordered to third reading.

Senate Bill No. 1138—An act to amend Section 172 of the State Civil Service Act, relating to lay-offs.

Bill read second time, and ordered to third reading.

Senate Bill No. 351—An act to repeal Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation proceedings.

Bill read second time, and ordered to third reading.

Senate Bill No. 1154—An act to amend Sections 673 and 674 of the Penal Code, relating to civil rights of persons sentenced to State prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "674", insert "or Sections 2600, 2601, and 3055,".

Amendment No. 2

On page 2 of the printed bill, after line 35 insert

"SEC. 3. Section 2600 of said code is hereby amended to read as follows:

2600. A sentence of imprisonment in a State prison for any term less than life suspends all the civil rights of the person so sentenced, and forfeits all public offices and all private trusts, authority, or power during such imprisonment. *But the board may restore to said person during his imprisonment such civil rights as the board may deem proper, except the right to act as a trustee, or hold public office or exercise the privilege of an elector or give a general power of attorney.*

SEC. 4. Section 2601 of said code is hereby amended to read as follows:

2601. A person sentenced to imprisonment in the State prison for life is thereafter deemed civilly dead. *But the board may restore to such person during his imprisonment such civil rights as the board may deem proper, except the right to act as a trustee, or hold public office, or exercise the privilege of an elector, or give a general power of attorney.*

SEC. 5. Section 3055 of said code is hereby amended to read as follows:

3055. The board shall, at the time of permitting such civil rights, make a permanent record thereof, [and give such paroled person a duly authenticated copy of such order or orders,] and such record shall be a public record for the benefit of all persons requiring information in that behalf

SEC. 6. Sections 3, 4, and 5 of this act shall take effect only if Section 673 and 674 of the Penal Code are repealed, and their provisions incorporated into Part 3 of the Penal Code by an act entitled "An act to repeal Part 3, except Section 1595, to repeal certain other sections of the Penal Code, to amend Sections 107, 109, 110, 171, 171a, 171b, 273b, 606, 644, 667, 681, 1168, 1202a, to repeal other acts and parts of acts specified herein, and to add Part 3 to the Penal Code, relating to prisons, jails, prisoners, terms and conditions of imprisonment, the death penalty, parole, reprieves, commutations, pardons, and convict-made goods" enacted at the regular session of the Fifty-fourth Legislature; at which time Sections 673 and 674 of the Penal Code as amended by this act, are hereby repealed."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1184—An act to add Section 1.5 to the State Civil Service Act, relating to intermittent employment by the State and the rights of persons so employed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, before "1.5", insert "Sec."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 12 and 13, and insert "character for which a license is required under the provisions of Chapter 9 of Division 3 of the Business and Professions Code, the performance of".

Amendment No. 3

On page 1, line 15, of the printed bill, as amended, strike out "The deter-", and strike out lines 16 to 23, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 889—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1060.15 to, the Code of Civil Procedure, relating to declaratory relief.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "to,", insert "and to amend Section 1062a of,".

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 45 and 46, insert

"SEC. 16.5. Section 1062a of said code is hereby amended to read as follows:

1062a. Actions brought under the provisions of this chapter shall be set for trial, *and for hearing on any appeal* at the earliest possible date and shall take precedence of all other cases, except older matters of the same character and matters to which special precedence may be given by law."

Amendments read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 341—An act to add Section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out "compensation for", and insert "sum for compensation and for".

Amendment read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 543—An act to add Sections 3.123, 3.174, 3.302 and 3.372 to the School Code, all relating to the admission of persons to the public schools of this State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 543?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "are", and insert "may or may not be".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "and apportionments," and strike out line 14, and in line 15, strike out "person".

Amendment No. 3

On page 1, line 22, of the printed bill, after "year.", insert "The attendance of such pupil shall not be included in computing the average daily attendance of a kindergarten for the purpose of obtaining apportionment of State funds."

Amendment No. 4

On page 2, line 1, of the printed bill, strike out "are", and insert "may or may not be".

Amendment No. 5

On page 2, lines 10 and 11, of the printed bill, strike out "and apportionments received from the State on account of the attendance of such person".

Amendment No. 6

On page 2, line 18, of the printed bill, after "year.", insert "The attendance of such pupil shall not be included in computing the average daily attendance of an elementary school for the purpose of obtaining apportionment of State funds"

Amendment No. 7

On page 2, line 23, of the printed bill, strike out "are", and insert "may or may not be".

Amendment No. 8

On page 2, lines 31 and 32, of the printed bill, strike out "and apportionments received from the State on account of the attendance of such person".

Amendment No. 9

On page 2, line 39, of the printed bill, after "year.", insert "The attendance of such pupil shall not be included in computing the average daily attendance of a high school for the purpose of obtaining apportionment of State funds."

Amendment No. 10

On page 2, line 44, of the printed bill, strike out "are", and insert "may or may not be".

Amendment No. 11

On page 2, line 52, and on page 3, line 1, of the printed bill, strike out "and apportionment received from the State on account of the attendance of such person".

Amendment No. 12

On page 3, line 8, of the printed bill, after "year.", insert "The attendance of such pupil shall not be included in computing the average daily attendance of a junior college for the purpose of obtaining apportionment of State funds."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 543 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 543 ordered enrolled.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.

Speaker Pro Tempore Presiding

At 1.40 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour of 1.45 p.m. having arrived, Assembly Bill No. 2575 was taken up.

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time.

Motion to Continue Assembly Bill No. 2575 as Special Order

Mr. O'Day moved that the consideration of Assembly Bill No. 2575 be continued as a special order until Friday, April 25, 1941, at 2 p.m.

Mr. Gallagher seconded the motion.

Roll Call Demanded

Messrs. O'Day, Gallagher and Gaffney demanded a roll call.

The roll was called, and the motion to continue Assembly Bill No. 2575 as a special order was lost by the following vote:

AYES—Andreas, Burns, Hugh M., Cain, Call, Cassidy, Collins, George D., Cronin, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Lowrey, Maloney, McCollister, Meehan, O'Day, Phillips, Salsman, Sawallisch, Sheridan, Welch, and Wollenberg—27.

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dills, Dilworth, Doyle, Field, Hastain,

Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Weybret—46.

Further Consideration of Assembly Bill No. 2575

Assembly Bill No. 2575—An act to add Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Section 117, of the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of Assemblymen and Representatives in Congress.

Bill read third time.

Demand for Previous Question

Messrs. Lyon, Robertson, Pfaff, Waters and Kellems demanded the previous question.

Demand for previous question sustained.

The question being on the final passage of Assembly Bill No. 2575.

The roll was called, and Assembly Bill No. 2575 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—54.

NOES—Burkhalter, Cain, Call, Cassidy, Collins, George D., Cronin, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Heisinger, Johnson, Maloney, McCollister, Meehan, O'Day, Salsman, Sawallisch, Sheridan, Weber, Welch, and Wollenberg—24.

Bill ordered transmitted to the Senate.

Explanation of Vote

During the debate on Assembly Bill No. 2575, I was called into the Sergeant-at-Arms' Room in the Assembly Chamber to answer a long distance telephone call, and while I was talking, the vote was taken on the bill and the vote announced, thereby preventing me from voting. Had I been allowed to vote, I would have voted "aye" on this bill.

CECIL R. KING

THIRD READING OF SENATE BILLS

Senate Bill No. 402—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposits of money belonging to or in the custody of the State.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Donnelly, Knight, T. Fenton; and Lowrey—3.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Donnelly, Knight, T. Fenton; and Lowrey—3

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 59 FROM COMMITTEE

Mr. Richie gave notice that on April 17, 1941, he would move to withdraw Assembly Constitutional Amendment No. 59 from the Committee on Constitutional Amendments, and have it placed upon the file.

CONSIDERATION OF SPECIAL ORDER

The hour of 2 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Hon. Nelson Dilworth Presiding

At 3.50 p.m., Hon Nelson Dilworth, member of the Assembly from the Seventy-sixth District, presiding.

Consideration of Amendments

The following amendments were considered seriatim:

Motion to Amend

Mr. Robertson moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out all of lines 10 to 31, inclusive, and insert

"Item 14—For support of Supreme Court, four hundred eighteen thousand four hundred eighty dollars.....$418,480 00".

Amendment read.

Demand for Previous Question

Messrs. Call, Kellems, Robertson, Stream and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1 to Assembly Bill No. 1800.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Roll Call Demanded

Messrs. Bennett, Robertson and Thomas demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—58.

NOES—Andreas, Bennett, Burkhalter, Cooke, Heisinger, Kilpatrick, Knight, T. Fenton; McCollister, Meehan, Middough, and Richie—11.

Time, 4.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

Mr. Millington asked for unanimous consent to have Assembly Rule No. 33 temporarily suspended to allow the placing of more than one call of the Assembly.

Mr. Bennett withheld his consent.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 1613, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 1613

Assembly Bill No. 1613—An act to add Section 24.25 to the Alcoholic Beverage Control Act and to amend Section 27a of said act with reference to sale and excise tax collections on alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns offered the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "with", and insert "within".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1311—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Bill read third time.

Motion to Amend

Mr. Stream moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out "or other persons standing in the place of", and insert a period.

Amendment No. 2

On page 2, line 1, of the printed bill, strike out "parents."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1987—An act to amend Section 11160 of the Health and Safety Code, relating to narcotics and the use, prescribing, possession, or transporting thereof.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 11160 of", and insert "add Section 11331.5 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 11331.5 is hereby added to the Health and Safety Code, to read as follows:

11331.5. In order to provide a supply of narcotics as may be necessary".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 21 to 26, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1800

At 4.28 p.m., on motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 1 by Mr. Robertson to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Lowrey, Maloney, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, Waters, Welch, and Wollenberg—38.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Mr. Speaker—41.

Motion to Amend

Mr. Robertson moved the adoption of the following amendment:

Amendment No. 2

On page 3 of the printed bill, as amended, strike out all of lines 32 to 52, inclusive; and on page 4, strike out all of lines 1 to 10, inclusive, and insert

"Item 15—For support of Judicial Council and for extra compensation and traveling expenses of judges assigned by the Judicial Council, seventy-eight thousand five hundred fifty dollars_____$78,550.00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Thomas, and Welch—29.

NOES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Doyle, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—45.

Mr. Robertson moved the adoption of the following amendment:

Amendment No. 3

On page 4, of the printed bill, as amended, strike out all of lines 11 to 35, inclusive, and insert

"Item 16—For support of the First District Court of Appeal, two hundred twenty-one thousand six hundred dollars_____$221,600.00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Cain, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher Gunlock, Hawkins, Johnson, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, O'Day, Pelletier, Richie, Robertson, Sawallisch, Tenney, Thomas, and Welch—29.

NOES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—47

Motion to Defer Action

Mr. Lyon moved that further action on the amendments to Assembly Bill No. 1800 be deferred until 1 p.m., Wednesday, April 16, 1941.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 822
Assembly Bill No. 1272
Assembly Bill No. 2326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1011
Assembly Bill No. 1579
Assembly Bill No. 1754
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:
Assembly Bill No. 1024
Assembly Bill No. 2251
Assembly Bill No. 368
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 1047
Assembly Bill No. 900
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1071
Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1119	Senate Bill No. 649
Assembly Bill No. 1088	Senate Bill No. 468
Senate Bill No. 661	Senate Bill No. 467
Senate Bill No. 90	Senate Bill No. 659

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 955
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1012
Assembly Bill No. 1128
Assembly Bill No. 1935
Assembly Bill No. 2291

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1263—An act to amend Sections 10008, 10118, 10200, 10325, 10327, 10328, 10330, 10375, 10427, 10451 and 10475 and repeal Sections 10004, 10005, 10006, 10007 and 10326, of the Health and Safety Code, relating to vital statistics;

Assembly Bill No. 1614—An act to add Section 38.5 to the Alcoholic Beverage Control Act, relating to certificates of compliance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 131

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman.

Above reported resolution ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 854
Senate Bill No. 10
Senate Bill No. 1016

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No. 2326

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 777

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman.

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Garland and Burns, Hugh M.:

House Resolution No. 137

WHEREAS, In the year 1921 when our esteemed colleague S. L. Heisinger commenced his service as a member of the Legislature, his son, S. L. Heisinger, Jr., was about to finish high school and to enter college; and

WHEREAS, S. L. Heisinger, Jr., subsequently graduated from Hastings Law School and entered upon a successful career as an attorney and a public servant, having served as City Attorney of the City of Reedley for several years, and for the past six years as Deputy District Attorney of Fresno County; and

WHEREAS, During that period he also found time to obtain training for service in the Military Forces and has now been called into active service with the rank of Captain to serve in the Philippine Islands; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Assembly hereby commend Captain S. L. Heisinger, Jr., for his devotion to public service and extend to him their best wishes for continued success and a safe return home; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send a suitably prepared copy of this resolution to Captain S. L. Heisinger, Jr., and also a copy to his wife and to his three sons.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 137, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Call:

House Resolution No. 138

WHEREAS, The Assembly of the State of California has learned of the passing of the Honorable Charles A. Shurtleff, a former Associate Justice of the Supreme Court of California; and

WHEREAS, Judge Shurtleff, born in Shasta County, served the people and the legal profession in many capacities, attaining the high position of Associate Justice of our Supreme Court, which he held from 1921 to 1923; was an Assistant United States Attorney, a member of the State Board of Bar Examiners, a trustee of Stanford University, Hastings Law College, College of the Pacific and Children's Hospital, a former president of the California Bar Association, and San Francisco Bar Association, and of the Legal Aid Society of San Francisco; and

WHEREAS, In his long career, during which he was a practicing attorney for 49 years, he earned the respect and esteem of not only the legal profession but also of the people of our State, and his death leaves all who knew him with a deep sense of sorrow; now, therefore, be it

Resolved by the Assembly of the State of California, That the death of Judge Shurtleff is a real loss to our State for which we express our sorrow and heartfelt sympathy; and be it further

Resolved, That when this Assembly adjourns today, it do so out of respect to the memory of Honorable Charles A. Shurtleff; and be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to Roy Shurtleff, of Alameda, the nephew of Judge Shurtleff.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up House Resolution No. 138, at this time, without reference to committee.

Resolution read and adopted unanimously.

COMMUNICATIONS

A communication from Department of Public Works, relative to filing State Engineer's Reports, was presented by Mr. A. D. Edmunston and ordered filed with the Secretary of State.

EXPLANATION OF VOTE

Being called out of the Assembly before Senate Bill No. 180 was taken up, I missed the opportunity of voting for same. Had I been present I would have voted "aye" with the understanding that Edward Vandeleur, Secretary of the State Federation of Labor, was in favor of the amended bill.

JOHN EDWARD CAIN

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 245.
Assembly Bill No. 1075.
Assembly Bill No. 1247.
Assembly Bill No. 1643.
Senate Bill No. 318.
Senate Bill No. 1292.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1935 re-referred to Committee on Natural Resources.

Assembly Bill No. 1579 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2291 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1128 re-referred to Committee on Fish and Game.

Assembly Bill No. 777 re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 15—Relative to the improvement of the Harbor of Crescent City, California.

Request for Unanimous Consent

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 15, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 15

Senate Joint Resolution No. 15—Relative to the improvement of the harbor at Crescent City, California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson,

Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Waters, Weber, Weybret, and Wollenberg—60.
NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 88
Assembly Bill No. 141
Assembly Bill No 1226
Assembly Bill No. 243
Assembly Bill No. 885
Assembly Bill No. 1489
Assembly Bill No. 1224
Assembly Bill No. 1225
Assembly Bill No. 1227

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Joint Resolution No. 21

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 1161

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Everett C. Parrish and Maxine O. Parrish, teachers; Mrs. William P. Jorgenson, wife of a member of the board of trustees, and the following pupils of the Gustine Union Elementary School, eighth grade students: Geraldine Aguiar, Gloria Baffa, Virgil Calonico, John Carvalho, Evelyn Coelho, Manuel Coelho, Nancy Conner, Alfred Cosentino, Leonard De Grendele, Le Roy De Grendele, John Di Giorno, Laura Fontes, Jerome Gomes, Jerry Gomes, Wilmar Jensen, Jim La Cava, Nancy Lee, Kenneth Lindgren, Marvin Matton, Beau McBride, Mary Medeiras, Marietta Mendonca, Joe Nunes, Louis Paslay, Betty Pettit, John Pugliese, Marjorie Reese, Patrick Ribiero, Clarence Rodriques, Mary Alice Rocha, Richard Ryder, Adeline Silva, Joe Borges Silva, Manuel Silveira, Frank Souza, Lorraine Souza, Donna Sterling, Emily Timmerman, Virginia Travis, Flora Tucci, Barbara Wickham, Robert Williams, Joyce Pugh and Ambrose Simas.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following officers

and cadets of the California Maritime Academy: Officers—Capt. Claude B. Mayo, Superintendent Commander; Barnett M. Dodson, Executive Officer; R. C. Dwyer, Chief Engineer; E. C. Miller, Watch Officer; and J. M. Cadwell, Commissary Officer; Cadets—Philip C. Marton, R. Owens, G. W. Towar, W. F. Russon, L. M. Weeks, D. S. Peaslee, M. C. Dunn, R. M. McCullam, F. C. Lucksinger, S E Hargrave, G. O. Robinson, E. F. Oliver, L. R. Petersen, J. E. McDermott, John Hansen, Theron C. Maland, L. L. Gregory, Bob C. Welch, R. F. Huldtquist, E. T. Horn, P. Haertel, Fred Feuille II, H. L. Kubel, N. B. Martin, H. O. Hall, H. A. Flood, L. Heller, R F. Durning, R. L. Smith, W. Weldon, G. Haas, J. L. Zenor, F. A. Ried, R. W. McAllister, H. C. Karr, L. H. Erickson, W. Geandrot, C. Lafrenz, R. L. Moore, Earl Medina, W. Dorcey, Italo A. Canepa, R. W. Dasso, L. M. Meairs, R. L. Young, S. J. Stendahl, W. D. McCaffrey, R. L. Rhoads, Frank D. Guertin, Ben R. Carlson, E. B. Berryman, John A. Cleborne, G. Warren Prada, C. R. Anderson, J. I. Carter, A. K. Hulme, Alan L Harvie, Ronald H. Muirhead, R. M. Davidson, Alan Dougall, R. P. Calou, J. P. Anderson, J. T. Barrett, Jr., D. N. Kofoid, O G. Rutherford, W. E. Crutcher, P. W. Newman, L. D. Woods, R. T. Cavins, C F. Smith, R. L. Aker, I. C. Dietrich, R. Clayton, J. E. Gates, B. Schoenkleer, P. W. Heard, J. E. McCarthy, Jr., F. A. Fillipow, J. P. Cleary, M. N. Quinn, F. R. Petersen, F. J. Petersen, B. J. Fennick, and A. S. Behm, Jr.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Eben K. Smart of Grass Valley.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joe Perumean of Artesia.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lincoln Hutchinson of Berkeley and Mrs. S. G. Hanson of Sacramento.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ena Marston of Portland, Oregon.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Inspector John Cannon of the San Francisco Police Department.

ADJOURNMENT

At 5.30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1 p.m., Wednesday, April 16, 1941, out of respect to the memory of the Honorable Charles A. Shurtleff.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY
ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 16, 1941

The Assembly met at 1 p m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker —57.

Quorum present.

PRAYER

Upon invitation of the Speaker, prayer was offered by Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Gallagher.

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Senate Bill No. 142
Senate Bill No 584
Senate Bill No 1302

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 369
Assembly Bill No. 956
Assembly Bill No. 957
Assembly Bill No. 808
Assembly Bill No. 809
Assembly Bill No 1478
Assembly Bill No. 1845
Assembly Bill No 1931
Assembly Bill No. 2091
Assembly Bill No. 2365

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Senate Bill No. 1162

Has had the same under consideration, and respectfully reports the same back with the recommendation: Do pass.

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on County Government.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 383

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1702

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 915

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 756
Senate Bill No. 757
Assembly Bill No. 2587

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8
Senate Bill No. 226
Senate Bill No. 480
Senate Bill No. 606
Senate Bill No. 613
Senate Bill No. 982
Senate Bill No. 1047

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 8—An act to add Section 603 to the Penal Code, relating to unlawful entry.

Referred to Committee on Judiciary General.

Senate Bill No. 226—An act to amend Sections 92 and 146 of, and to add Section 108 to, the Civil Code, relating to divorce actions.

Referred to Committee on Judiciary General.

Senate Bill No. 480—An act to add a new section to the Agricultural Code, to be numbered 737.6-1, relative to sales of milk for cash.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 606—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall, before or after the execution of each contract or contracts, have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes

for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, and repealing Chapter 17 of the Statutes of 1935.

Referred to Committee on Irrigation.

Senate Bill No. 613—An act to amend Section 737jj of the Political Code, relating to salaries of superior court judges of San Bernardino County.

Referred to Committee on County Government.

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1047—An act to amend Section 5.546 of the School Code, relating to teachers reports.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 27

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 26—Relative to opinions of the Legislative Counsel Bureau concerning legislation.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 27—Approving a certain amendment to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the first day of April, 1941.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 27, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 27

Senate Concurrent Resolution No. 27—Approving a certain amendment to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the first day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 30: By Mr. Field—Relative to the approval of amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on April 8, 1941.

Request for Unanimous Consent

Mr Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 30, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 30

Assembly Concurrent Resolution No. 30—Relative to the approval of amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on April 8, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 854—An act to amend Section 531 of the Vehicle Code, and to add Section 531.5 thereto, relating to following other vehicles too closely, and to vehicles being operated in caravan.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1119—An act to add Section 120.5 to the Agricultural Code, relating to seed dealers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1088—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning and threshing equipment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2326—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 822—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243.5, 244, 245, 245.5, 246, 246.5, 247 and 248 to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235.5 thereof, relating to the wrecking and dismantling of vehicles including the business of automobile wreckers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 15 and 16, and insert "dental dismantling or wrecking of vehicles, by dealers who have secured dealers plates from the department for the current year whose principal".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 12 to 19, inclusive, and insert "vehicle. In the event the applicant for a certificate of dismantling is unable to furnish the certificate of ownership, registration card, and license plate or plates last issued for the vehicle, or any of them, the department may receive such application, examine into the circumstances of the case; and may require the filing of suitable affidavits or other information or documents. When satisfied that applicant is entitled to a certificate of dismantling, the department may issue such certificate. No duplicate certificate of ownership nor any".

Amendment No. 3

On page 3, line 42, of the printed bill, as amended, after "issue", insert "without charge".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 26, of the printed bill, after "128.5.", insert "Books and Documents."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1071—An act to amend Sections 26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false

advertising and sale of foods and the powers of the State Department of Public Health in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 4, line 27, of the printed bill, strike out the period after "agency", and insert "provided, however, that the provisions of this section shall not apply to wine."

Amendment No. 2

On page 4, line 10, of the printed bill, as amended, after "wine", insert "; provided, that the board shall not prescribe requirements respecting the size or type of containers for wine".

Amendment No. 3

On page 3, line 22, after "chapter", insert "for a violation of any provision thereof, if (1) such dealer has not after receipt thereof changed the constituency of the food or altered the label under which such food was received and sold by such dealer, unless such dealer refuses to furnish on request of an officer or employee duly designated by the board the name and address of the person from whom he purchased or received such article and copies of all documents, if any there be, pertaining to the delivery of the article to such dealer, or (2)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2508—An act to add Section 1650 to the Labor Code, relating to charges and fees for giving information of, and placing people in, employment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1 of the printed bill, following line 22, insert "The provisions of this section shall not apply to a nonprofit corporation, membership in which is confined to persons connected with, or interested in, educational work and maintaining a placement service for its members exclusively."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 946—An act to add Section 50 to the State Lands Act of 1938, to permit drilling of oil and gas wells under certain conditions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Oil Industries:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 6879 to the Public Resources Code, relating to State lands,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1, 2 and 3, and insert
"SECTION 1. Section 6879 is hereby added to the Public Resources Code, to read as follows:
6879. Notwithstanding the provisions of this article, the commission may authorize and provide for lateral or slant drilling of wells for oil and gas into".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 947—An act to add Section 50.1 to the State Lands Act of 1938, to empower the commission to drill lands for production of oil and gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Oil Industries:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 6811.5 to the Public Resources Code, relating to State lands and the extraction of oil and gas therefrom,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2; and in line 3, strike out "Sec. 50.1.", and insert
"SECTION 1. Section 6811.5 is hereby added to the Public Resources Code, to read as follows:
6811.5."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1047—An act to add Sections 1352.5 and 1352.6 to the Fish and Game Code, relating to frogs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In the title of the printed bill, strike out "and 1352.6."

Amendment No. 2

On page 1, line 4, of the printed bill, following "unlawful," insert "between the hour of sunset and the hour of sunrise".

Amendment No. 3

On page 1 of the printed bill, strike out lines 6 to 12, inclusive.

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 900—An act to add Section 1272 and to repeal Sections 1270 and 1270.5 of the Fish and Game Code, relating to deer seasons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "1272. In Districts 1§, 2, 2½, 2½, 2¾, 3, 3½ and 4½, deer may be taken between August 5 and September 10. Elsewhere in the State deer may be taken between September 16 and October 15."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1024—An act to add Section 812 to the Health and Safety Code, relating to the regulation of plumbing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", strike out "to add Section 812", and insert "to renumber and amend Section 800 to be Section 800.5 and to add Section 800".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 8, inclusive, and insert "SECTION 1. Section 800 of the Health and Safety Code is hereby renumbered and amended to be Section 800.5, to read as follows:

800.5. It is unlawful for any person to carry on business, or labor as a master or journeyman plumber, in any city unless he has obtained from the board of health of the city a license authorizing him to carry on that business, or to labor as such mechanic."

Amendment No. 3

On page 1 of the printed bill, after line 8, insert "SEC. 2. Section 800 is hereby added to the Health and Safety Code, to read as follows:

800. The provisions of this chapter shall not apply to any city which has prescribed, or does hereafter prescribe, by ordinance its own system for the licensing of plumbers and the regulation of plumbing within such city by its health or building departments."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2251—An act to amend Sections 7619 and 7631 of the Business and Professions Code and to repeal an act entitled "An act providing for the licensing of persons by the State Board of Funeral Directors and Embalmers," approved May 4, 1939, relating to funeral directors and embalmers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 7619 and 7631", and insert "Section 7666."

Amendment No. 2

In the title of the printed bill, strike out all of lines 2, 3, 4 and 5, and insert "professions code, relating to apprentices for funeral directors and embalmers."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "7619", and insert "7666".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3, and insert

"7666. The term of apprenticeship shall be two years. An apprentice shall be entitled to two weeks' vacation each year without leave of absence from the board.

The board may grant leaves of absence and extensions thereof to registered apprentices. No credit shall be given to an apprentice upon his apprenticeship for the period during which he is absent from duty on leave

Not more than an aggregate of 12 months' leave of absence shall be granted to any apprentice during the term of his apprenticeship, *except that the board shall give an apprentice a leave of absence during the time he is absent in Military Service and the time of such absence shall not be taken into consideration in arriving at such aggregate.*"

Amendment No. 5

On page 1 of the printed bill, strike out all lines 4 to 24, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 368—An act to amend Sections 7301, 7303, 7314, 7315, 7393 and 7400 of, and to add Sections 7385, 7414 and 7417 to, the Business and Professions Code, relating to the practice, the training for, and the government of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7303, 7314", and insert "7302, 7303".

Amendment No. 2

On page 1 of the printed bill, between lines 8 and 9, insert

"SEC. 1.5. Section 7302 of said code is hereby amended to read as follows:

7302. No person is eligible for appointment as a member of the board:

(a) Who is not registered as a hairdresser and cosmetician or cosmetologist under this chapter.

(b) Who is connected, directly or indirectly, with any school of cosmetology, or was so connected while previously serving as a member of the board.

(c) Who is not, at the time of appointment, either actually engaged in conducting a cosmetological establishment, or actually engaged in a branch of cosmetology.

(d) Who is not of good moral character.

(e) Who is connected, directly or indirectly, in the wholesale business of the manufacture, rental, sale or distribution of cosmetological appliances or supplies.

(f) Who has not had at least five years experience in the actual practice of all branches of cosmetology, except electrology.

(g) Who is not at least 25 years of age.

(h) Who has not completed the twelfth grade or its equivalent.

At all times the personnel of the board shall be so constituted that two graduates of the same school of cosmetology shall not be members at the same time"

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 10 to 24, inclusive.

Amendment No. 4

On page 4, lines 41 and 42, of the printed bill, strike out: "and materials rendered and used in such clinical work", and insert "rendered in such clinical work, but the school may charge for the actual cost of materials and supplies used in such clinical work. No student, who is engaged in clinical work, shall work more than four hours in one day upon the general public"

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 10—An act to add Section 180.5 to the Vehicle Code, relating to transfers of title or interest in motor vehicles, includ-

ing the rights obtained by persons who lend money or extend credit to dealers under certificates of ownership delivered to them by the latter.

Bill read second time, and ordered to third reading.

Senate Bill No. 1016—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Bill read second time, and ordered to third reading.

Senate Bill No. 467—An act to amend Section 1032 of the Agricultural Code, relating to agricultural minerals.

Bill read second time, and ordered to third reading.

Senate Bill No. 468—An act to amend Section 1030 of the Agricultural Code, relating to registration of fertilizing materials.

Bill read second time, and ordered to third reading.

Senate Bill No. 659—An act to amend Sections 821, 822, 823, 826 and 827 of, and to add Sections 821.3 and 821.6 to the Agricultural Code, relating to standards for apples.

Bill read second time, and ordered to third reading.

Senate Bill No. 661—An act to add Section 787.5 to the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Bill read second time, and ordered to third reading.

Senate Bill No. 90—An act to add Sections 775 and 776 to the Agricultural Code, relating to grapes for by-products purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 649—An act to amend Section 1011 of the Agricultural Code, relating to spray residue.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge.

Bill read third time.

Motion to Amend

Mr. F. N. Howser moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert "and the furnishing of secretarial and stenographic services to such assistants".

Amendment No. 2

On page 2 of the printed bill, strike out line 5, and insert "elsewhere than at the county seat:

(1) The presiding judge shall".

Amendment No. 3

On page 1 of the printed bill, after line 11, insert

"(2) Such an assistant presiding judge may employ persons to perform such secretarial and stenographic services as are necessary to assist the court with respect to the business of the additional session.

The salaries of such persons shall be paid in monthly installments out of the salary fund of the county, or city and county, or if there be no salary fund, then

out of such funds as other salary demands against the county, or city and county, are paid, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour of 1 p m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Amendments

The following amendments were considered seriatim:

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 4

On page 4 of the printed bill, as amended, strike out lines 15 to 17, inclusive, and insert

"Court of Appeal, two hundred three thousand two hundred dollars___$203,200.00".

Amendment No. 5

On page 4 of the printed bill, as amended, strike out lines 31 to 33, inclusive, and insert

"Bailiff _____$4,800.00".

Amendments read.

Amendments Nos. 4 and 5 passed temporarily.

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 6

On page 6 of the printed bill, as amended, strike out all of lines 21 to 38, inclusive, and insert

"Item 24—For salary and support of Lieutenant Governor, sixteen thousand two hundred eighty dollars_____ $16,280.00".

Amendment read.

Demand for Previous Question

Messrs. Middough, Allen, Howser, F. N., Robertson and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 6 to Assembly Bill No. 1800.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, and Welch—26.

NOES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton;

Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—45.

Mr. Cain moved the adoption of the following amendment:

Amendment No. 7

On page 6 of the printed bill, as amended, strike out all of lines 42 to 51, inclusive; and on page 7, strike out all of lines 1 to 8, inclusive, and insert
"Item 25—For support of Attorney General five hundred forty-one thousand two hundred thirty-five dollars ..... $541,235.00".

Amendment read.

Motion to Table Amendment

Mr. Field moved that Amendment No. 7 be laid on the table.

The roll was called, and the motion to lay Amendment No. 7 on the table carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Welch, Wollenberg, and Mr. Speaker—60

NOES—Bennett, Collins, George D., Donnelly, Gaffney, Hawkins, Heisinger, and Thomas—7.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 8

On page 6 of the printed bill, as amended, strike out all of lines 45 and 46, and insert
"five hundred thirty-seven thousand nine hundred fifteen dollars ..... $537,915.00".

Amendment No. 9

On page 7 of the printed bill, as amended, strike out all of line 8, and insert
"Automobile ..... $3,300.00".

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion lost.

Amendments Nos. 8 and 9 refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Meehan, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Sawallisch, Tenney, Thomas, and Welch—33.

NOES—Allen, Burns, Michael J., Call, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—43.

Hon. Michael J. Burns Presiding

At 2.45 p.m., Hon Michael J. Burns, member of the Assembly from the First District, presiding.

Mr. Waters moved the adoption of the following amendment:

Amendment No. 10

On page 7 of the printed bill, as amended in the Assembly on April 9, 1941, between lines 8 and 9, insert

"Item 25½—To be expended by the Attorney General in the payment of expenses in the case brought by the Attorney General in the Court of Claims of the United States on behalf of certain Indians of the State of California, pursuant to an act of the Legislature of 1927, Statutes of 1927, Chapter 643, nine thousand eighteen and 16/100 dollars.....$9,018 16".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Donnelly, Gaffney, Gallagher, Lowrey, Meehan, O'Day, Robertson, Sawalhsch, and Waters—17.

NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Daley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—48.

Mr. Waters moved the adoption of the following amendments:

Amendment No. 11

On page 6 of the printed bill, as amended in the Assembly on April 9, 1941, strike out all of lines 45 and 46, and insert "six hundred fifty-five thousand two hundred twenty-three dollars.....$655,223 00".

Amendment No. 12

On page 6 of the printed bill, as amended in the Assembly on April 9, 1941, strike out all of lines 47 to 51, inclusive.

Amendment No. 13

On page 7 of the printed bill, as amended in the Assembly on April 9, 1941, strike out all of lines 1 to 8, inclusive.

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Cain, Cassidy, Del Mutolo, Dilworth, Gaffney, Hawkins, Howser, F. N., Meehan, O'Day, Poulson, Robertson, Tenney, and Waters—13.

NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—57.

Mr. Cain moved the adoption of the following amendment:

Amendment No. 14

On page 7 of the printed bill, as amended, strike out all of lines 9 to 49, inclusive, and insert

"Item 26—For support of State Controller, eight hundred seventy-three thousand eight hundred twenty-four dollars.....$873,824 00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Meehan, Middough, O'Day, Robertson, Russell, Thomas, and Waters—27.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Doyle, Field, Green, Hastain, Hawkins, Heisinger, Houser,

Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—40.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 15

On page 7 of the printed bill, as amended, strike out all of lines 13 and 14, and insert

"eight hundred fifty-seven thousand forty-four dollars_____ $857,044.00".

Amendment No. 16

On page 7 of the printed bill, as amended, strike out all of line 49, and insert

"Automobile _____ $500.00".

Amendments read.

Demand for Previous Question

Messrs. Potter, Pfaff, Allen, Collins, Sam L., and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendments Nos. 15 and 16 to Assembly Bill No. 1800.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., King, Lowrey, Maloney, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, and Thomas—33

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Doyle, Field, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—39.

Mr. George D. Collins offered the following amendments:

Amendment No. 17

On page 7 of the printed bill, as amended, strike out all of lines 13 and 14, and insert

"four hundred forty-six thousand eight hundred sixty dollars_____ $446,860 00".

Amendment No. 18

On page 7, of the printed bill, as amended, strike out all of lines 30 to 35, inclusive, and insert

"Inheritance and Gift Tax Division_____ Nothing

No money appropriated by this act is available for the expenditure for support of the Inheritance and Gift Tax Division, State Controller."

Amendment No. 19

On page 7 of the printed bill, as amended, strike out all of lines 42 to 49, inclusive, and insert

"Tax Collection Division_____ Nothing

No money appropriated by this act is available for expenditure for the support of the Tax Collection Division, State Controller."

Amendments read.

Motion to Table Amendment

Mr. Field moved that Amendment No. 17 be laid on the table.

Mr. Pfaff seconded the motion.

The roll was called, and the motion to lay Amendment No. 17 on the table carried by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Green, Hastain, Houser, Frederick F.,

Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—48.

NOES—Bennett, Burkhalter, Cain, Cassidy, Cooke, Del Mutolo, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, Lowrey, O'Day, Richie, Robertson, and Thomas—17.

Motion to Table Amendment

Mr. Field moved that Amendment No. 18 be laid on the table.

Mr. Pfaff seconded the motion.

The roll was called, and the motion to lay Amendment No. 18 on the table carried by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Doyle, Evans, Field, Green, Hastam, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—45.

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, Lowrey, Meehan, O'Day, Richie, Thomas, and Welch—19.

Motion to Table Amendment

Mr. Field moved that Amendment No. 19 be laid on the table.

Mr. Pfaff seconded the motion.

The roll was called, and the motion to lay Amendment No. 19 on the table carried by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Green, Hastam, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—47.

NOES—Andreas, Bennett, Burkhalter, Cassidy, Collins, George D., Cooke, Donnelly, Gaffney, Gallagher, Heisinger, Kilpatrick, Lowrey, Meehan, O'Day, Richie, Thomas, and Welch—17.

Mr. Waters moved adoption of the following amendment:

Amendment No. 20

On page 7 of the printed bill, as amended, after line 49, insert

"Item 26½—For additional support of State Controller (exempt from the provisions of Sections 13 and 13.5 of this act), two hundred thousand dollars ..... $200,000.00".

Amendment read.

Motion to Postpone Indefinitely

Mr. Waters moved that further consideration of Amendment No. 20 be postponed indefinitely.

Motion carried.

Mr. Cain moved the adoption of the following amendment:

Amendment No. 21

On page 8 of the printed bill, as amended, strike out all of lines 5 to 33, inclusive, and insert

"Item No. 28—For support of Motor Vehicle Fuel Tax Refund Division, State Controller, one hundred thirty-seven thousand one hundred twenty-five dollars payable from the Motor Vehicle Fuel Fund ..... $137,125.00".

Amendment read.

Motion to Postpone Indefinitely

Mr. Cain moved that further consideration of Amendment No. 21 be postponed indefinitely.

Motion carried.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 22

On page 8 of the printed bill, as amended, strike out all of lines 12 to 14, inclusive, and insert

"sand nine hundred seventy-three dollars, payable from the Motor Vehicle Fuel Fund ..... $132,973.00".

Amendment No. 23

On page 8 of the printed bill, as amended, strike out all of line 33, and insert

"Automobile ..... $500.00".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, McCollister, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Thomas, Voigt, and Welch—31.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—40.

Mr. Cain moved the adoption of the following amendment:

Amendment No. 24

On page 8 of the printed bill, as amended, strike out all of lines 34 to 47, inclusive; and on page 9, strike out all of lines 1 to 22, inclusive, and insert

"Item 29—For support of Redemption Tax Division, State Controller, two hundred sixty thousand one hundred forty dollars, payable from Tax-deeded Land Rental Fund ..... $260,140.00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Gaffney, Gunlock, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, and Thomas—19.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Donnelly, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, and Wollenberg—46.

Mr. Cain moved the adoption of the following amendment:

Amendment No. 25

On page 9 of the printed bill, as amended, strike out all of lines 23 to 42, inclusive, and insert

"Item 30—For support of Board of Administration of the State Employees' Retirement System, seventy-six thousand one hundred sixteen dollars ..... $76,116 00".

Amendment read.

Motion to Table Amendment

Mr. Maloney moved that Amendment No. 25 be laid on the table.

Mr. Field seconded the motion.

Motion carried.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 26

On page 9 of the printed bill, as amended, strike out all of lines 47 to 49, inclusive, and insert

"Equalization, one million thirty-nine thousand eight hundred ninety-nine dollars ---------- $1,039,899.00".

Amendment No. 27

On page 10 of the printed bill, as amended, strike out all of line 18, and insert

"Automobile ---------- $1,025.00".

Amendment No. 28

On page 10 of the printed bill, as amended, strike out all of line 29, and insert

"Automobile ---------- $1,100.00".

Amendment No. 29

On page 10 of the printed bill, as amended, strike out all of line 51, and insert

"Automobile ---------- $1,100.00".

Amendments read.

Demand for Previous Question

Messrs. Field, Waters, Potter, Dilworth and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendments Nos. 26, 27, 28 and 29 to Assembly Bill No. 1800.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Maloney, McCollister, Meehan, Middough, O'Day, Richie, Russell, Sheridan, Tenney, Thomas, and Voigt—30

NOES—Allen, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dilworth, Field, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—41.

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 30

On page 9 of the printed bill, as amended, strike out all of lines 47 to 49, inclusive, and insert

"Equalization, three hundred fifty-six thousand one hundred sixty-three $356,163.00".

Amendment No. 31

On page 10 of the printed bill, as amended, strike out all of lines 19 to 21, and insert

"Division of Research and Statistics---------- Nothing

No money appropriated by this act is available for support of the Division of Research and Statistics, State Board of Equalization."

Amendment No. 32

On page 10 of the printed bill, as amended, strike out all of lines 37 to 51, inclusive, and insert

"Motor Transportation License Tax Division---------- Nothing

No money appropriated by this act is available for expenditure for the support of the Motor Transportation License Tax Division, State Board of Equalization."

Amendment No. 33

On page 10 of the printed bill, as amended, following line 51, insert
"Pro rata charges for services rendered by Sales Tax Division_____ Nothing
No money appropriated by this act is available for payment of pro rata charges for services rendered by Sales Tax Division, State Board of Equalization."

Amendment No. 34

On page 11 of the printed bill, as amended, strike out all of lines 6 to 8, inclusive, and insert "Equalization, payable".

Amendment No. 35

On page 11 of the printed bill, as amended, strike out all of line 20, and insert "fund _____ Nothing".

Amendment No. 36

On page 11 of the printed bill, as amended, strike out all of lines 23 to 48, inclusive, and insert "support of the Retail Sales Tax Division, State Board of Equalization".

Amendment No. 37

On page 12 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive, and insert
"Control Division, two million one hundred eighty-four thousand one hundred sixty-nine dollars, payable from the Alcohol Beverage Control Fund_____ $2,184,169.00".

Amendment No. 38

On page 12 of the printed bill, as amended, strike out all of lines 35 to 43, inclusive, and insert
"Tax Assessment _____ Nothing
No money appropriated by this act is available for expenditure for support of tax assessment, Alcoholic Beverage Control Division, State Board of Equalization."

Amendment No. 39

On page 12 of the printed bill, as amended, strike out all of lines 48 to 52, inclusive, and insert
"ization, payable from the Motor Vehicle Fuel Fund_____ Nothing".

Amendment No. 40

On page 13 of the printed bill, as amended, strike out all of lines 3 to 28, inclusive, and insert "the support of the Motor Vehicle Fuel Tax Division, State Board of Equalization".

Amendments read.

Motion to Table Amendments

Mr Field moved that Amendments Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 be laid on the table.

Mr. Maloney seconded the motion.

Motion carried.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 41

On page 11 of the printed bill, as amended, strike out all of lines 7 and 8, and insert "dred eighty-five thousand one hundred forty-nine dollars, payable"

Amendment No. 42

On page 11 of the printed bill, as amended, strike out all of line 20, and insert "fund) _____ $5,885,149.00".

Amendment No. 43

On page 11 of the printed bill, as amended, strike out all of line 38, and insert "Automobile _____ $750.00".

Amendment No. 44

On page 11 of the printed bill, as amended, strike out all of line 48, and insert "Automobile _____ $6,050.00".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Maloney, McCollister, Meehan, O'Day, Richie, Russell, Tenney, Thomas, and Voigt—26.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Cronin, Daley, Desmond, Dilworth, Doyle, Field, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—40.

Speaker Pro Tempore Presiding

At 4.45 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Motion to Defer Action

Mr. Field moved that further action on the amendments to Assembly Bill No. 1800 be deferred until 1.30 p.m., Thursday, April 17, 1941.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1516 re-referred to Committee on Insurance.
Assembly Bill No. 1519 re-referred to Committee on Insurance.
Assembly Bill No. 2244 re-referred to Committee on Insurance.
Assembly Bill No. 2382 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 1156 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 151 re-referred to Committee on Military Affairs.
Assembly Bill No. 1702 re-referred to Committee on Governmental Efficiency and Economy.

COMMUNICATIONS

The following communications were received and read and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

*Arcadia Tribune*_____F. Harold Roach

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Statement by Messrs. Kilpatrick and Welch

WHEREAS, The Joint Legislative Fact-Finding Committee on Employment created by Senate Concurrent Resolution No. 10 of the First Extraordinary Session of the Legislature of 1940 filed a partial report on April 14, 1941, which report was printed in the Assembly Journal for the said date, we have prepared this statement for the purpose of pointing out that the said report is the Report of the Joint Fact-Finding Committee on Employment as previously constituted, and is not a report of the present Joint Legislative Fact-Finding Committee on Employment of which we are members.

VERNON KILPATRICK
JOHN D. WELCH

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 151
Assembly Bill No. 720
Assembly Bill No. 1381
Assembly Bill No. 1516
Assembly Bill No. 1613
Assembly Bill No. 1987
Assembly Bill No. 2382

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1311

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2332

And reports the same correctly re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1498
Senate Bill No. 658
Senate Bill No. 657
Senate Bill No. 656
Senate Bill No. 532

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1032
Assembly Bill No. 1025
Assembly Bill No. 1026

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Senate Bill No. 76
Senate Bill No. 258
Senate Bill No. 652
Senate Bill No. 653
Senate Bill No. 654
Senate Bill No. 1056

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred.

Assembly Bill No. 2074
Assembly Bill No. 463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 777
Assembly Bill No. 1070

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 143
Assembly Bill No. 1078

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1716

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 1924
Senate Bill No. 655

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1174

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1231

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR SPEAKER: Your Committee on Roads and Highways, to which were referred:

Assembly Bill No. 344
Senate Bill No. 423

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 316
Assembly Bill No. 1065
Assembly Bill No. 1156
Assembly Bill No. 1181
Assembly Bill No. 1339
Assembly Bill No. 1519
Assembly Bill No 1839
Assembly Bill No. 1842
Assembly Bill No. 2244

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1073
Assembly Bill No. 1122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 2197
Senate Bill No. 1253
Senate Bill No. 1124

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 367

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 179
Senate Bill No. 748

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 11

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 500

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 245.
Assembly Bill No. 1247.
Assembly Bill No. 1643.
Assembly Bill No. 1075.
Senate Bill No. 318.
Senate Bill No. 1292.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 349
Assembly Bill No. 417
Assembly Bill No. 721

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 16, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 19

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 19—Memorializing the President and Congress to provide for the dredging of Bodega Bay and to reestablish harbor facilities thereat.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 19, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 19

Senate Joint Resolution No. 19—Memorializing the President and Congress to provide for the dredging of Bodega Bay and to reestablish harbor facilities thereat.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—62.
NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 345
Senate Bill No. 346
Senate Bill No. 424
Senate Bill No. 745
Senate Bill No 1151

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 345—An act to amend Section 949 of the Fish and Game Code, relating to fish nets.

Referred to Committee on Fish and Game.

Senate Bill No. 346—An act to amend Section 723 of the Fish and Game Code, relating to the taking of catfish.

Referred to Committee on Fish and Game.

Senate Bill No. 424—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Referred to Committee on County Government.

Senate Bill No. 745—An act to add Section 465.7 to the Vehicle Code, relating to signs.

Referred to Committee on Motor Vehicles.

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison.

Referred to Committee on Prisons and Reformatories.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 416
Assembly Bill No. 1632
Assembly Bill No 1805

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 139

Relative to an amendment to Assembly Standing Rule No. 23

Resolved by the Assembly of the State of California, That Assembly Standing Rule No. 23 be amended to read as follows:

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding except that the author of a bill or resolution, or the mover of a question shall have the right to close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon No member shall yield to any other member the time for which he is entitled to speak on any matter.

Resolution read, and ordered placed on file.

By Mr. Desmond:

House Resolution No. 140

WHEREAS, Edward Nathan, Assistant Sergeant-at-Arms of the Assembly, today is celebrating the thirtieth anniversary of his marriage to Alice Leddy; and

WHEREAS, The attainment of three decades of wedded life exemplifies the great devotion and love of one for the other in the sacred institution of marriage, as beautiful as the pearl which is its symbol; now, therefore, be it

Resolved by this Assembly, That we extend to Edward Nathan, and his wife Alice, our sincere congratulations for this the pearl anniversary of their marriage and our best wishes for many many more years of wedded happiness; and be it further

Resolved, That the Chief Clerk of the Assembly present to Edward and Alice Nathan a suitably engrossed copy of this resolution.

Request for Unanimous Consent

Mr Michael J. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 140, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF SENATE BILLS

Senate Bill No. 1052—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority; authorizing the Authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein; declaring this act to be an urgency measure and providing that it shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 7, line 31, of the printed bill, as amended, strike out "within and".

Amendment No. 2

On page 18 of the printed bill, as amended, strike out lines 38, 39 and 40, and insert "ing parties, but no such lease".

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 287—An act to amend Section 112 of the State Civil Service Act, relating to certifications.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert

"Sec. 112 (a) In the case of a position of which the minimum salary is more than one hundred fifty dollars ($150), there shall be certified to the appointing power the names and addresses of the three persons standing highest on the employment list for the class in which the position belongs except as hereinafter provided and who have indicated their willingness to accept appointment under the conditions of employment certified. In case there are fewer than three names on such list there shall be certified the number thereon. In such case, however, the appointing power may demand certification of three names whereupon examinations as provided in this act shall be conducted until three names may be certified. The appointing power shall fill the position by the appointment of one of the persons certified.

(b) In the case of a position of which the minimum salary is one hundred fifty dollars ($150) or less, there shall be certified to the appointing power the name and address of the person standing highest on the employment list for the class in which the position belongs and who has indicated his willingness to accept appointment under the conditions of employment certified. The appointing power shall fill the position by the appointment of the person certified.

(c) In any case, if appointment is from a departmental reemployment list the one person standing highest shall be certified and appointed."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "into execution after the lapse of five years from the date of its entry, by leave of the".

Amendment No. 2

On page 1 of the printed bill, strike out lines 13, 14 and 15, and insert "execution after the lapse of five years from the date of its entry, by judgment for that purpose founded upon supplemental proceedings. But in no case and by no method can a judgment be enforced or carried into execution after the lapse of 10 years from the date of its entry."

Amendment No. 3

On page 1, line 16, of the printed bill, strike out the first letter "n", and insert "N".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 959—An act to add Section 845.5 to the Fish and Game Code, relating to nets seized or violations of law.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "845.5", and insert "845.2".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "845.5", and insert "845.2".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "845.5", and insert "845.2".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Cronin and the San Francisco Delegation:

House Resolution No. 141

Relative to golden wedding anniversary of Mr. and Mrs. Joseph Troy of San Francisco

WHEREAS, The thirtieth day of March, 1941, marked the fiftieth anniversary of the marriage of Mr. and Mrs. Joseph Troy of San Francisco; and

WHEREAS, Their union has been blessed with eight children, four sons and four daughters, all of whom are living and able to rejoice with their parents on this happy occasion; and

WHEREAS, The people and the Assembly of the State of California have learned with pleasure of this joyous event in the lives of Mr. and Mrs. Troy; now, therefore, be it

Resolved by the Assembly of the State of California, That its members congratulate Mr. and Mrs. Troy on the attainment of their golden wedding anniversary and on their lives of devoted companionship and mutual esteem; and be it further

Resolved, That the Members of this Assembly take this opportunity of expressing their heartiest and best wishes for the future and increasing happiness of Mr. and Mrs. Troy; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to forward a suitably engrossed copy of this resolution to Mr. and Mrs. Joseph Troy.

Request for Unanimous Consent

Mr. Cronin asked for, and was granted, unanimous consent to take up House Resolution No. 141, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1411—An act to add Section 3842 to the Revenue and Taxation Code, relating to actions to quiet title against the State.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "3842", and insert "162".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "3842", and insert "162".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 3 to 16, inclusive, and insert

"162. Any taxing agency other than the State which acquires real property in any manner may bring suit against the State to quiet the title to all or any portion of the property and prosecute it to final judgment. In any action against the State to quiet title under this section, service of process shall be made on the State Controller."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Poole, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Myer Pransky of Los Angeles.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles R. Schwanenberg, City Manager, City of Alameda.

On request of Messrs. Field and Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. L. Lawson, Assistant City Attorney of Glendale.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dudley W. Frost of Oakland.

On request of Mr. F. N. Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. E. H. Horn of Long Beach and Mrs. Henry Chapin of Stockton.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ethel B. Bernier, principal; Anna Marchi, vice principal, and the following students of Vine Hill School: Fred Dilbeck, Wanda Dilbeck, Virginia Marchi, Ralph Marcus, Laurie Bartolomei, George Chiappino, Florence Kimmel, Richard MacDougal, Anna Belle Wright and Donald Wright, and Davida Wright, president, Vine Hill Improvement Club; M E. Rogers, principal, and the following students of Byron Grammar School: Nellie Root, Daniel Cabral and Roy Hiratsuka; H. L. Johnston, teacher, and the following students of Excelsior School: Norman Pereira, Robert Hudson, Dorothy Gonsalves and Imogene Keith; the following students

from the Liberty School, Brentwood: Jane Hanson and Norma Ghiozzi; and the following students from the Hot Springs School, Byron Hot Springs: Patrick Hanifin and Gladys Ricioli.

On request of Mr Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. J. Spindt, principal, and the following students of West Side Union High, Los Banos: Jack Antone, Guido Balatti, Dorothy Bambauer, Robert Becker, Rose Bellizio, Brian Bird, Ralph Bove, Phyllis Blomgren, John Brandi, Jeanette Buffuna, Katherine Caput, Cecelia Carano, Ethel Carter, Lolita Castro, Dorothy Celano, Alta Cook, Tony Costa, Frank Correia, Louis Cuiffo, Joel Criswell, Josephine Cunha, Tony Cunha, Robert Falasco, Anthony Ferro, William Ferro, Carl Freeman, Matilda Freitas, Norman Fulwider, Mary Galatro, Mary Gill, Robert Hickey, John Impeartrice, Leroy Jordan, Marie Janis, Sybil Kaljian, Dominic La Rossa, Dominic Latronica, John Martin, Elizabeth Mattias, Mary Mazzeo, Tony Mellillo, Irene Paradiso, Maria Passarelli, Milton Persson, Rita Piccinini, Alice Pierini, Florine Puccinelli, Rose Pugliese, John Roselli, Marvin Scott, Grace Setaro, Frank Toscano and Charlotte Weedmark.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following from San Benito County Adult Center: Americanization Class—Oleta M. Brewington, instructor; Mary Avalli, Amerlia Vuklovich, Paul Matulich, Steve Bealessio, Marie Azevedo, Manuel Meneze, Vencenza Rovero, Isabelle Mendoza, Nina Falconi, Eulojia Sanchez, Mary Martin, Mary Faria, Mary Marcus, Susie Debout, Marie Goringer, Mrs. C. Podesta, Mrs. A. Lucchelli and William Parker, principal, Adult Center; High School Class (History)—Gile Tiffany, Leonard Sperber, Bob Nyland, Bruce Dunning, Betty Hill, Jean Hill and Lee Hull; Junior College Class (American Government)—Ed. Martin, Tony Mornazzo, Frances Palmtag, Don Bryan, and Bill Lynn.

ADJOURNMENT

At 5 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 1.30 p.m., Thursday, April 17, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY
ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 17, 1941

The Assembly met at 1.30 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Bennett, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Ptaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Waters, Watson, Weber, and Mr. Speaker—48.

Quorum present.

Call of the Assembly

Mr. Field moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

PRAYER

Upon invitation of the Speaker, prayer was offered by Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Robertson.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Middough, on motion of Mr. F. N. Howser.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2587—An act to amend Sections 3.90 and 3.101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1498—An act to amend Section 830 of, and to add Sections 830.1 and 830.2 to the Agricultural Code, relating to by-products disposal.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1174—An act to add Section 2 to an act entitled "An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school," approved June 12, 1931.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2197—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts, and auto and trailer camps.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1231—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Humboldt State College.

Bill read second time, and ordered engrossed.

Assembly Bill No. 344—An act to add Section 623 to the Streets and Highways Code, relating to State highway routes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 11, line 25, of the printed bill, as amended, following "Authority", insert "during the Ninety-third and Ninety-fourth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted and re-re-engrossed.

Assembly Bill No. 2074—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "fifteen cents"; and strike out lines 13 and 14, and insert "ten cents ($0.10) for each request for information in its records concerning any vehicle. This subdivision does".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 463—An act to add Section 686.7 to the Vehicle Code, relating to designations on State-owned vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "18", and insert "14".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 367—An act to amend Sections 2, 13 and 15 of, and to add Section 12.5 to, the Subdivision Map Act, relating to subdivisions and to the examination of maps by public officers and charging fees therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In line 2 of the title of the printed bill, after "tion", insert "s".

Amendment No. 2

In line 2 of the title of the printed bill, after "12.5", insert "and 16.1".

Amendment No. 3

On page 3, line 10, of the printed bill, after the comma, insert "and signatures of parties owning rights of way, easements, or other interest, none of which can ripen into a fee, and which signatures are not required by the governing body,".

Amendment No. 4

On page 3, line 13, of the printed bill, after "preventing", insert "or making unnecessary".

Amendment No. 5

On page 4, line 47, of the printed bill, after "maps", insert "and such field check, if any".

Amendment No. 6

On page 4, line 49, of the printed bill, strike out "13", and insert "15".

Amendment No. 7

On page 4 of the printed bill, following line 51, insert

"SEC. 5. Section 16.1 is hereby added to said act, to read as follows:

Sec. 16.1. If the land being subdivided is a portion of a larger parcel shown on the last preceding tax roll as a unit, the bond or deposit for payment of taxes need be only for such sum as may be determined by the board of supervisors to be sufficient to pay the taxes on the land being subdivided, together with all accrued penalties and costs if such taxes are allowed to become delinquent. If the land being subdivided is sold for taxes it may be redeemed from such sale without the redemption of the remainder of the larger parcel of which it is a part pursuant to

the provisions of the Revenue and Taxation Code as if it were held in ownership separate from and other than the ownership of the remainder."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1025—An act to amend the Agricultural Code by adding a new section thereto to be numbered Section 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "828.92", and insert "796.2".

Amendment No. 2

On page 2, line 2, of the printed bill, strike out "828.92", and insert "796.2".

Amendment No. 3

On page 2, line 3, of the printed bill, strike out "828.92", and insert "796.2".

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 7 to 18, inclusive, and insert "shall be uniform in size. As used in this section the term "regularly packed throughout" means that the individual fruits shall be packed in the container in straight rows; and the term "uniform in size" shall mean that not more than 5 per cent, by count, of the fruits in any one container may be more than 15 per cent larger or smaller in diameter than the average diameter of the fruit in the container as marked on the outside end thereof, and that none thereof may be more than 20 per cent larger or smaller in diameter than such average diameter as so marked.

The provisions of this section shall not apply to (1) the sale, marketing or transportation for sale or marketing of oranges, grapefruit or lemons for charitable purposes, unemployment relief or for use by the United States Government or its agencies for relief distribution, or (2) the sale, marketing or transportation for sale or marketing of oranges, grapefruit or lemons in closed containers intended for sale to the consumer in their unbroken form and the net contents of which do not exceed 15 pounds."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1026—An act to amend the Agricultural Code by adding a new section thereto to be numbered 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "828.92", and insert "796.3".

Amendment No. 2

On page 1, line 21, of the printed bill, strike out "828.92", and insert "796.3".

Amendment No. 3

On page 1, line 22, of the printed bill, strike out "828.92", and insert "796.3".

Amendment No. 4

On page 1, line 22, of the printed bill, between "to" and "market", insert "sell, to".

Amendment No. 5

On page 1, line 23, of the printed bill, between "of" and "marketing" insert "selling or".

Amendment No. 6

On page 2 of the printed bill, strike out all of lines 3 to 22, inclusive, and insert "such fruit so packed be uniform in size. As used in this section the term "regularly packed throughout" means that the individual fruits shall be packed in the container in straight rows, and the term "uniform in size" means that not more than 5 per cent, by count, of the fruits in any one container may be more than 15 per cent larger or smaller in diameter than the average diameter of the fruit in the container as marked on the outside end thereof, and that none thereof may be more than 20 per cent larger or smaller in diameter than such average diameter as so marked.

The provisions of this section shall not apply to (1) the sale, marketing or transportation for sale or marketing of oranges, grapefruit or lemons for charitable purposes, unemployment relief or for use by the United States Government or its agencies for relief distribution, (2) the sale, marketing or transportation for sale or marketing of oranges, grapefruit or lemons in closed containers intended for sale to the consumer in their unbroken form and the net contents of which do not exceed 15 pounds, (3) the sale or marketing of oranges, grapefruit or lemons at retail or the transportation thereof after such sale or marketing at retail, (4) the sale or transportation of oranges, grapefruit or lemons to a by-product plant for conversion into by-products, (5) transportation for disposition by dumping, (6) sale or transportation from the grove to the first packing house or processing plant to which the oranges, grapefruit or lemons are being delivered, (7) the sale or marketing of oranges, grapefruit or lemons to the consumer by a grower immediately adjacent to or on the grove where such fruit was produced, or the transportation thereof after such sale or marketing."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1032—An act to amend the Agricultural Code by amending Sections 795, 828.5, 828.85 and 829.1 thereof, by adding new sections thereto to be numbered 795.1, 795.2, 795.3, 795.4, 828.9 and 828.91, and by repealing Sections 796 and 797 thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof to provide for mandatory standard containers for citrus fruits and the marketing thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

Strike out all of the title of the printed bill, and insert

"An act to amend the Agricultural Code by amending Sections 795, 828.5, 828.85, 829.1 thereof, by adding new sections thereto to be numbered 795.1, 795.2, 796, 796.1, 828.83, and by repealing Sections 796 and 797 thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof, to provide for mandatory standard containers for citrus fruits and the marking thereof."

Amendment No. 2

On page 3 of the printed bill, strike out all of lines 19 to 52, inclusive.

Amendment No. 3

On page 4 of the printed bill, strike out all of lines 1 to 52, inclusive.

Amendment No. 4

On page 5 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert

"795. Oranges, lemons and limes shall be mature and free from decay; free from serious damage due to freezing, drying at the stem or blossom end (resulting from causes other than freezing), splits, bruises or punctures, and in addition lemons shall be free from serious damage due to sunburn or internal decline. Damage by drying at the stem or blossom end of all oranges, lemons and limes (resulting

from causes other than freezing), and by internal decline or drying due to sunburn of lemons, is not serious unless 20 per cent or more of the pulp shows staining, drying or desiccation. Damage from freezing to any one fruit is not serious unless (a) it causes a drying or desiccation in 20 per cent or more of the exposed pulp as shown on a transverse cut through the center or (b) it causes, before the drying process develops, a water-soaked appearance, or evidence of previous water soaking, or the presence of crystals or crystalline deposit, on the two surface membranes of each of two or more segments as shown on the separation of two or more segments of a section, which section shall not be less than one inch or more than one and one-half inches in thickness, obtained from the central portion of the fruit by cutting off a portion of each end—such evidence of freezing injury to show for the entire length but not necessarily the entire area of the surface membranes.

The percentage of serious damage to oranges, lemons and limes in containers, or in bulk, may be established by inspection of a representative sample which shall consist of not less than 100 fruits Damage caused by splits, bruises, or punctures in any citrus fruit is not serious if the injury is well healed and free from mold or decay. Damage other than drying, caused by sunburn to lemons, is not serious unless it affects the edible portion of the fruit.

With the exception of serious damage caused by freezing, not more than 10 per cent, by count, of the oranges, lemons and limes in any one container or bulk lot may be below these requirements but with the exception of serious damage by sunburn and internal decline of lemons, or by drying at the stem or blossom end of all citrus fruits (resulting from causes other than freezing), not to exceed one-half of this tolerance shall be allowed for any one cause. In the case of serious damage by freezing injury, when the determination of serious freezing damage is based on a water-soaked appearance, or evidence of previous water soaking, or the presence of crystals or crystalline deposit, on the surface membranes of the segments, as herein defined, and before the drying process develops, not more than 15 per cent, by count, of the oranges, lemons and limes in any one container or bulk lot may be below these requirements After the drying process develops and the determination of serious freezing damage is based on a transverse cut, as herein defined, not more than 15 per cent, by count, of the oranges, lemons and limes in any one container or bulk lot may be below these requirements, but not to exceed one-third of this tolerance shall be allowed for oranges, lemons and limes which show a drying or desiccation in 40 per cent or more of the exposed pulp, as shown on a transverse cut through the center. The total tolerance for a combination of defects shall not exceed the tolerance permitted for any one cause by more than 5 per cent, by count."

Amendment No. 5

On page 5 of the printed bill, strike out all of lines 13 to 32, inclusive.

Amendment No. 6

On page 6 of the printed bill, strike out all of lines 1 to 32, inclusive.

Amendment No. 7

On page 7 of the printed bill, strike out all of lines 1 to 4, inclusive, and insert "795.1. Oranges, except bloods, tangerines and Mandarins, shall not be considered mature unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of eight parts to every part of acid contained in the juice (the acidity of the juice to be calculated as citric acid without water of crystallization), and unless, before picking, they have attained at least 25 per cent of characteristic color.

"Twenty-five per cent of characteristic color" in the case of oranges is defined as that color designated by the Munsell color notation as hue one and fourteen one-hundredths green-yellow, value five and twenty-three one-hundredths chroma four and three-tenths (1.14GY5.23/4.3). Oranges shall be considered as having exceeded 25 per cent color if the average hue of the surface of each fruit is numerically less than one and fourteen-hundredths green-yellow, regardless of the other components of the color."

Amendment No. 8

On page 7 of the printed bill, strike out all of lines 7 to 32, inclusive.

Amendment No. 9

On page 8 of the printed bill, strike out all of lines 1 to 24, inclusive, and insert "795.2. Lemons shall not be considered mature unless they have reached that stage of ripeness which will insure the proper completion of the ripening process after they have been picked from the tree."

Amendment No. 10

On page 8 of the printed bill, strike out all of lines 25 to 49, inclusive, and insert "SEC. 4. Section 796 of the Agricultural Code is hereby repealed.

SEC. 5. A new section is hereby added to the Agricultural Code, to be numbered Section 796 and to read as follows:

796 Grapefruit shall be (1) mature, (2) free from serious decay, (3) free from serious damage by freezing or drying due to any cause, (4) free from serious injury due to any cause, (5) free from serious scars, including those caused by insects, (6) free from serious scale, (7) free from serious dirt, smudge stain, sooty mold, rot residues or other foreign material, (8) free from serious staining, (9) free from serious greenish or brownish rind oil spots, (10) free from serious spotting or pitting, (11) free from serious roughness, (12) free from serious aging, (13) free from serious softness, (14) free from serious sunburn, (15) free from serious sheepnose.

The following standards shall be applied in determining whether or not grapefruit meet the requirements of this section.

(1) Grapefruit are not mature unless (a) at the time of picking and at all times thereafter the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five and one-half parts to every part of acid contained in the juice (the acidity of the juice to be calculated as citric acid without water of crystallization), except that in view of differences in climatic conditions prevailing south and east of San Gorgonio Pass, which result in the grapefruit grown in that area having, at maturity, a higher percentage of soluble solids to acid than the mature grapefruit grown in the area north and west of said San Gorgonio Pass, grapefruit produced in the area south and east of San Gorgonio Pass are considered mature if at the time of picking and at all times thereafter the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of six parts to every part of acid contained in the juice (the acidity of the juice to be calculated as citric acid without water of crystallization), and (b) 90 per cent or more of the grapefruit, by count, at time of picking and at all times thereafter have attained, on at least two-thirds of the fruit surface, at least a minimum characteristic yellow or grapefruit color, as indicated by Color Plate No 19 L3 in "Dictionary of Color," Maerz & Paul first edition 1930. Grapefruit produced outside of this State under climatic conditions similar to those prevailing in the area south and east of San Gorgonio Pass and offered for sale in this State shall meet the same maturity standard as that prescribed for grapefruit produced south and east of said San Gorgonio Pass.

(2) Decay is serious if any part of the grapefruit is affected with decay.

(3) Damage by freezing or drying due to any cause is serious if 20 per cent or more of the pulp or edible portion of the grapefruit shows evidence of drying or a mushy condition; and damage by freezing or drying due to any cause is very serious if 40 per cent or more of the pulp or edible portion of the grapefruit shows evidence of drying or a mushy condition. Evidence of damage shall be determined by as many cuts of each individual grapefruit as are necessary.

(4) Injury due to any cause is serious if the skin (rind) is broken and the injury is not healed.

(5) Scars, including those caused by insects, are serious if they are dark, or rough, or deep and if they aggregate 25 per cent or more of the fruit surface.

(6) Scale is serious if 50 per cent or more of the fruit surface shows scale infestation in excess of 50 scales per square inch.

(7) Dirt, smudge stain, sooty mold, rot residues, or other foreign material are serious if an aggregate area of 25 per cent or more of the fruit surface is affected.

(8) Staining of the skin (rind) is serious if 50 per cent or more of the fruit surface is affected with a pronounced discoloration.

(9) Greenish or brownish rind oil spots are serious if they cover an aggregate area of 25 per cent or more of the fruit surface.

(10) Spotting or pitting is serious if the spots or pits are sunken and cover an aggregate area of 10 per cent or more of the fruit surface.

(11) Roughness is serious if 90 per cent or more of the fruit surface is rough and coarse, or lumpy.

(12) Aging is serious if one-third or more of the surface of the grapefruit is dried and hard.

(13) Softness is serious if the grapefruit is flabby.

(14) Sunburn is serious if it causes decided flattening of the fruit and drying and discoloration of the skin (rind) affecting more than one-third of the fruit surface.

(15) Sheepnose is serious if the stem end of the grapefruit protrudes decidedly.

The compliance or noncompliance with the standards for grapefruit prescribed in this chapter, except as to maturity, may be determined from a representative sample taken as follows:

(a) When in containers the sample shall consist of not less than 10 per cent, by count, of the grapefruit in each of the containers selected as the sample.

(b) When in bulk the sample shall consist of not less than 100 grapefruit, except that where the total number of grapefruit in the bulk lot is less than 1,000 grapefruit a representative sample shall consist of 10 per cent of the grapefruit.

Each individual grapefruit may be examined for one or all of the defects, except as to maturity, but only one defect shall be counted or scored against any individual grapefruit.

The official sample for testing for maturity of grapefruit shall consist of not less than 30 grapefruit.

Any such sample so taken shall constitute prima facie evidence of the character of the entire lot from which such sample was taken, as provided in Section 782 of this code.

Tolerances to be applied to certain of the foregoing standards are hereby established. The grapefruit in any one container or bulk lot shall be deemed as a whole to meet the requirements of standards numbers 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of this section so long as not over 10 per cent, by count, of the individual grapefruit in such container or bulk lot are below said standards, and so long as not over 5 per cent, by count, thereof are below any one of said standards. The grapefruit in any one container or bulk lot shall be deemed, as a whole, to meet the requirements of standard number 3 of this section so long as not more than 15 per cent, by count, of the individual grapefruit in such container or bulk lot are seriously damaged by freezing or drying due to any cause, but not to exceed one-third of this tolerance shall be allowed for very serious damage by freezing or drying due to any cause.

It shall be unlawful to mix or blend any lot of grapefruit which fails to conform to the requirements of this chapter with other lots which conform to such requirements, for the purpose of selling, marketing or transporting the fruit which has thus failed to conform to the requirements of this chapter.

SEC. 6. A new section is hereby added to the Agricultural Code, to be numbered 796.1 and to read as follows:

796.1. No lot of citrus fruit failing to conform to the requirements because of serious damage caused by freezing injury may be mixed or blended with other lots of citrus fruit which conform to these requirements, resulting in the concealment of inferior fruit, thereby reducing the percentage of defective fruits in the seriously damaged lots to within the tolerance which is permitted for errors in grading only.

Any packed, wrapped citrus fruit which has been in storage or after being shipped fails to meet the requirements of this standard only by reason of brown rot, blue mold, or green mold which has occurred after packing, shall not be held for violation of the provisions of this chapter on account of such deterioration.

Oranges (except tangerines and Mandarins), and grapefruit when packed shall be in standard containers numbers 53, 54 or 55, and lemons when packed shall be in standard containers numbers 56, 57, 58 or 59.

For the purpose of permitting to be used up lemon box shook manufactured or contracted for to comply with former standards, containers numbers 58 and 59 shall be considered as standard for lemons only until December 31, 1942, and after that date containers numbers 56 and 57 shall be the only standard containers for lemons.

All containers of packed citrus fruits when packed and lidded shall bear upon them in plain sight and in plainly legible letters on one outside end: The name of the packer thereof together with a sufficiently explicit address to permit ready location of such packer; the number and average diameter of the citrus fruit in the container, except that containers of tangerines, Mandarins and limes when not regularly packed, may instead be marked with the cubical capacity of the container; in the case of oranges and grapefruit the name of the variety, if known, and when not known, the words "unknown variety" or "seedlings." "

Amendment No. 11

On page 9 of the printed bill, after line 34, insert

"5. Oranges and grapefruit, numbers 53, 54 and 55; lemons, numbers 56, 57, 58 or 59."

Amendment No. 12

On page 10 of the printed bill, strike out lines 1 to 36, inclusive, and insert

"SEC. 11. A new section is hereby added to the Agricultural Code to be numbered Section 828 83 and to read as follows:

828 83.	53	Standard 2 compartment orange or grapefruit box, each compartment to be	11½	11½	12
	54	Standard 1 compartment orange or grapefruit box	11½	11½	24
	55	Standard 2 compartment half orange or grapefruit box, each compartment to be	5¾	11½	12
	56	Standard 2 compartment lemon box, each compartment to be	9⅞	13	12½
	57	Standard 2 compartment half lemon box, each compartment to be	4 15/16	13	12½
	58	Standard 2 compartment lemon box, each compartment to be	10	13	12½
	59	Standard 2 compartment half lemon box, each compartment to be	5	13	12½

To allow for reasonable variations in the size of packing containers by reason of manufacturing variations, atmospheric conditions and other factors affecting the size

of such containers, the following tolerances from the foregoing dimensions are hereby permitted.

The total inside length of the two compartments of the standard two compartment orange or grapefruit box, or the standard two compartment half orange or grapefruit box, shall not be less than 23⅛ inches nor more than 24⅛ inches;

The total inside length of the standard one compartment orange or grapefruit box shall not be less than 23⅜ inches nor more than 24⅜ inches;

The total inside length of the two compartments of the standard two compartment lemon box, or the standard two compartment half lemon box, shall not be less than 24⅛ inches nor more than 25⅛ inches;

If made of wood, tolerance of one-eighth of an inch is hereby permitted in width or depth of any of said standard containers "across the grain" of the wood used in the manufacture thereof, over or under the sizes above specified, and a tolerance of one-thirty-second of an inch over or under such sizes in width or depth "with the grain."

On and after March 1, 1942, lids for the above standard orange or grapefruit boxes shall not exceed 26⅛ inches in length, and for the above standard lemon boxes shall not exceed 27⅛ inches in length."

Amendment No. 13

On page 10, line 37, of the printed bill, strike out "SEC. 13.", and insert "SEC. 12."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1122—An act to amend Section 1 of, and to add Sections 1a, 2e, 2f and 2g, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of the persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 26, of the printed bill, after "sold", and before "in", insert "other than in bulk, bag or cellophane wrapper".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1073—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs

and devices, and to the powers of the State Department of Public Health in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, after "made", insert "on the label".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1322—An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "of", insert "approximately 93.79 acres of land consisting of".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, following the comma after "Diego", insert "and approximately 14 acres immediately west and attached to said 79.79 acres hereinbefore described,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1924—An act to add Section 291.5 to the Agricultural Code, relating to dairies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 643.5 to the Agricultural Code, relating to dairies, and the exemption of dairies with six cows or less producing milk for manufacturing purposes only from certain requirements concerning equipment and facilities"

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 643.5 is hereby added to the Agricul-".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 and 4, and insert

"643.5 Any dairy in which there are six cows or less which produces milk for manufacturing purposes only".

Amendment No. 4

On page 1, line 6, of the printed bill, before the period, insert "shall not be required to have a mechanical sterilizer, a mechanical cooler, or a milk house or room".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1070—An act to add Section 249 to, and to amend Sections 250, 257, and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended, following "($100,000)", insert ", or so much thereof as may be necessary,"; and following "expended", insert "during the Ninety-third and Ninety-fourth Fiscal Years".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 500—An act appropriating money for the purchase of a California Bell to be installed in the Washington Memorial National Carillon at Valley Forge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, after "money", strike out the rest of the line; and strike out lines 2 and 3, and insert "to pay the claim of the Washington Memorial Chapel."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "defray the"; and strike out lines 4 to 9, inclusive, and insert "pay the claim of the Washington Memorial Chapel."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 143—An act to amend Section 56 of the Labor Code and to add to Division 1 thereof Chapter 6, consisting of Sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 56 of the Labor Code and to".

Amendment No. 2

In line 1 of the title of the printed bill, strike out the third word "to", and insert "Article 9a to Chapter 1 of Part 4, of Division 3, of the School Code,".

Amendment No. 3

Strike out lines 2 to 4, both inclusive, of the title of the printed bill, and insert "relating to the providing of special services for the deaf, and making an appro-".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 1 to 24, inclusive; and on page 2, strike out all of lines 1 to 28, inclusive, and insert

"SECTION 1. Article 9a is hereby added to Chapter 1, Part 4, Division 3, of the School Code, to read as follows:

Article 9a Special Services for the Deaf

3 517. The State Board for Vocational Education is hereby directed, through the Bureau of Vocational Rehabilitation in the State Department of Education, to provide for the deaf special services including social and vocational counseling, interpreting, training and placement The said Bureau of Vocational Rehabilitation and the California State Employment Service shall coordinate their respective placement activities through agreement

3 518 To carry out the purposes of this act there shall be employed by the bureau service officers qualified by education, training, experience and ability to communicate with deaf persons by all methods of communication generally used among such persons to deal with them effectively.

3 519. The Bureau of Vocational Rehabilitation shall, in rendering the special services hereinbefore referred to, collect and disseminate information relating to the deaf and their employment in industry and elsewhere, and status as insurance risks, discover or create new lines of endeavor for the employment of such persons, eliminate discrimination against the employment of such persons, as a class in industry and elsewhere, and carry on other activities looking toward the economic welfare of the deaf.

3 520 All State departments, divisions, agencies and officers shall cooperate with the bureau to the end that deaf persons shall be employed in such positions in State service as they can fill as efficiently as other persons

3 520-1. As used in this act the term "deaf" shall be interpreted to mean persons who have no usable hearing whatsoever.

3 520-2. The sum of twenty-five thousand dollars ($25,000), or as much thereof as is necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated for carrying out the provisions and purposes of this act during the Ninety-third and Ninety-fourth Fiscal Years."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1078—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "construction", insert "and equipment".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, strike out "and for", and insert "for the purchase of furniture and equipment, for".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out line 4, and insert "of two million five hundred thousand dollars ($2,500,000) or".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "which", and insert "that"

Amendment No. 2

On page 2, line 6, of the printed bill, strike out "which", and insert "that".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 8 to 11, inclusive, and insert "teurized milk;" "homogenized milk," "condensed milk," "evaporated milk," and "modified milk," that is prepared from whole fluid milk which is not packaged in hermetically sealed containers; fluid milk containing added vitamins or flavoring, that portion of fluid milk used as whole milk in any combination of fluid milk and fluid cream".

Amendment No. 4

On page 2, line 16, of the printed bill, strike out "from such", and insert "therefrom".

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 17 and 18, and insert "that is sold or disposed of by distributors for consumption as cream, as cream is defined in this code, including cream in any combination of fluid milk and fluid cream containing a milk fat content in excess of 6.0 per cent and less than the minimum statutory requirements for cream;".

Amendment No. 6

On page 2, line 19, of the printed bill, strike out "from such", and insert "therefrom,".

Amendment No. 7

On page 2 of the printed bill, strike out all of lines 20 to 22, inclusive, and insert "as cream is defined in this code, that is sold or disposed of by distributors in any form not included in Classes 1, 2 or 4;".

Amendment No. 8

On page 2, line 23, of the printed bill, strike out "from such", and insert "therefrom,".

Amendment No. 9

On page 2 of the printed bill, strike out all of lines 24 and 25, and insert "as cream is defined in this code, that is used by distributors in the manufacture of butter, creamed cheese, jack cheese and other hard cheese"

Amendment No. 10

On page 2, line 39, of the printed bill, strike out "which", and insert "that".

Amendment No. 11

On page 4, line 1, of the printed bill, strike out "of", and insert "of either of"

Amendment No. 12

On page 4, line 4, of the printed bill, strike out "for sale or resale".

Amendment No. 13

On page 4 of the printed bill, strike out all of lines 10 to 14, inclusive, and insert "or fluid cream; provided, however, that the actual physical possession alone by any bona fide employee of a distributor of fluid milk, or fluid cream, or dairy products, shall be deemed to be the product of his employer and shall not constitute "purchase" or "sale" as such terms are herein defined."

Amendment No. 14

On page 4, line 15, of the printed bill, strike out "or".

Amendment No. 15

On page 4, line 16, of the printed bill, strike out "its equivalent".

Amendment No. 16

On page 4, of the printed bill, between lines 24 and 25, insert

"Nothing herein contained shall prevent a cooperative association organized under the provisions of Chapter 4, Division 6 of the Agricultural Code, the membership of which consists entirely of producers as such term is defined in this section, from blending the net proceeds of fluid milk, fluid cream, or dairy products used in all classifications and making distribution to its members of the net proceeds derived from the sale of such products; and provided further, that such cooperative association may withhold authorized sums from payments due to such producer-members for the sole purposes of:

(a) Providing a reserve fund for working capital;
(b) Providing for necessary operating expenses;
(c) Making authorized adjustments for variation in quality of the products received from such members;
(d) Providing for contingencies;
(e) Providing for operating deficiencies sustained from the sale or distribution of fluid milk, fluid cream, or dairy products derived from such fluid milk produced by said producer-members and distributed by a cooperative association, composed wholly of producers as said term is defined in this section or distributed by another cooperative corporation or association composed wholly of, and controlled by, producers of milk of which said producers' cooperative association is a member.

For the purposes of this section, the terms "cooperative corporation" or "cooperative association" mean and include only a nonprofit cooperative marketing association of milk producers qualified and operating under the provisions of Chapter 4, Division 6 of this code.

Deductions from payments due producer-members shall be clearly shown and accounted for by the association on a written statement to be rendered monthly to each producer-member.

The aggregate amount of said deductions shall be duly apportioned and accurately recorded on the books of said association for inspection by the director, his agents, and the producer-members of said association.

The findings of the director, after investigation and hearing, shall be prima facie evidence of the qualifications of a cooperative association of producers."

Amendment No. 17

On page 6, line 12, of the printed bill, immediately following "securing", insert "or retaining".

Amendment No. 18

On page 6, line 20, of the printed bill, strike out "100", and insert "200".

Amendment No. 19

On page 6 of the printed bill, strike out all of lines 36 to 38, inclusive, and insert "to deliver in any calendar month fluid milk to be paid for at the minimum price for fluid milk that is used for Class 4, as said class is defined in Section 735.3 of this code. A".

Amendment No. 20

On page 6, line 43, of the printed bill, strike out "transportation", and insert "transporting".

Amendment No. 21

On page 6 of the printed bill, strike out all of lines 51 and 52, and insert

"(7) The purchasing or receiving by distributors from producers of any fluid milk for distribution outside an established marketing area or areas for less than the established price for fluid milk for such marketing area or areas in which the distributor's plant is located or in which sales are made."

Amendment No. 22

On page 7 of the printed bill, strike out all of lines 1 to 15, inclusive.

Amendment No. 23

On page 9 of the printed bill, between lines 8 and 9, insert "mean prices at which fluid milk or fluid cream or both or any combination of fluid milk and fluid cream containing a milk fat content in excess of 6.0 per cent and less than the minimum statutory requirements for fluid cream shall".

Amendment No. 24

On page 9, line 17, of the printed bill, immediately preceding "shall", insert "or any combination of fluid milk and fluid cream containing a milk fat content in excess of 6.0 per cent and less than the minimum statutory requirements for cream,".

Amendment No. 25

On page 10, line 16, of the printed bill, strike out "except".

Amendment No. 26

On page 12, lines 50 and 51, of the printed bill, strike out "or of any other order, rule or regulation".

Amendment No. 27

On page 13, lines 33 and 34, of the printed bill, strike out "or of any other order, rule or regulation".

Amendment No. 28

On page 15 of the printed bill, strike out all of lines 4 and 5, and insert "shall be good and sufficient".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 108—An act to add Section 944.5 to the Streets and Highways Code, relating to improvement and repair of privately owned roads.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "944.5", and insert "969.5".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "944.5", and insert "969.5".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "944.5", and insert "969.5".

Amendment No. 4

On page 1 of the printed bill, between lines 12 and 13, insert "By the same authorization the board may rent to the owner of land over which such a road has been open to the public for more than five years the machinery and equipment necessary to repair such road and the approaches thereto and any protecting embankments there may be, charging therefor by way of rental the cost of labor and other necessary expenses in addition to a reasonable allowance for depreciation of machinery."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1724—An act to amend the title of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," and to amend Section 28 of said act, relating to the dissolution of such districts, and to add a new Section 30 to said act, relating to cooperative contracts with the United States, and to add thereto new Sections 31, 32 and 33, relating to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors other than taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend the title and Section 28 of, and to add Sections 30 and 31 to an act entitled "An act to provide for the organiza-".

Amendment No. 2

In line 7 of the title of the printed bill, after the quotation marks, strike out the balance of the title, and insert "approved May 23, 1921, as amended, relating to the dissolution of such districts, to cooperation and contract with the United States, and to authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "referred to", and insert "cited".

Amendment No. 4

On page 1, line 11, of the printed bill, strike out "other than taxes".

Amendment No. 5

On page 3, line 38, of the printed bill, after "Sec. 30.", strike out the balance of said line; and strike out all of lines 39 to 52, both inclusive; and on page 4, strike out lines 1 to 52, both inclusive, and insert

"Any municipal utility district heretofore or hereafter organized pursuant to this act is authorized and empowered to cooperate and contract with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, or any other act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation or contract for purposes of construction of works, whether for the use of water for domestic and municipal purposes, or for the development, transmission, sale, use and distribution of electric or other power, or for the acquisition, purchase, lease, extension, operation or maintenance of such works, or for a water and power supply, or any or all thereof, or for any other purpose authorized by this act, and to carry out and perform the terms of any contract so made"

Amendment No. 6

On page 5 of the printed bill, strike out the comma at the end of line 38; strike out line 39, and in line 40, strike out "Commission".

Amendment No. 7

On page 5, line 46, of the printed bill, after "also", strike out the comma and the balance of the line; and in line 47, strike out "commission,".

Amendment No. 8

On page 6, line 1, of the printed bill, after "said", strike out the balance of the line, and insert "board of directors".

Amendment No. 9

On page 6, line 6, of the printed bill, after "district", strike out ", with the consent of said commission,".

Amendment No. 10

On page 6 of the printed bill, strike out lines 14 and 15; and in line 16, strike out "Sec. 32."

Amendment No. 11

On page 6, line 19, of the printed bill, strike out the comma at the end of said line; strike out all of line 20, and in line 21, strike out "Commission".

Amendment No. 12

On page 6, line 31, of the printed bill, after "board", strike out the balance of said line; and in line 32, strike out "Commission"

Amendment No. 13

On page 6 of the printed bill, strike out lines 38 to 52, both inclusive; and on page 7, strike out lines 1 to 15, both inclusive, and insert

"A proposal to issue bonds pursuant to this section may be initiated and authorized in all respects as provided by Section 15 of this act to the extent the provisions thereof are not inconsistent with this section and a majority vote of the electors shall be sufficient to authorize the issuance of such bonds."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 13—An act to repeal Section 902, to amend Sections 904, 906, 915 and 925 of, and to add Section 942 to, the Penal Code and to amend Section 241 of the Code of Civil Procedure, all relating to grand juries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "894, 895,".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "and 925 and 928, and to add Sections 896 and 942 to, the Penal Code, and".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "Section 241", and insert "Sections 204, 204d, 208, 209, 211, 241 and 242".

Amendment No. 3a

In line 4 of the title of the printed bill, strike out "grand".

Amendment No. 4

On page 1, line 3, of the printed bill, after "SEC. 2", insert 'Section 894 of the Penal Code is hereby amended to read as follows

894 [Before accepting a person drawn as a grand juror, the court must be satisfied that such person is duly qualified to act as such juror, but when drawn and found qualified he must be accepted unless the court, on the application of the juror and before he is sworn, shall excuse him from such service for any of the reasons prescribed in Chapter 1, Title 3, Part 1 (Sections 190-254) of the Code of Civil Procedure.] *Before selecting a person for a grand juror, as provided in Section 211 of the Code of Civil Procedure, the judge or judges making such selection shall be satisfied that said person is duly qualified and not exempt from jury service in accordance with the provisions of Sections 198, 199 and 200 of the Code of Civil Procedure and Section 895 of this code. When a person is drawn as a grand juror in accordance with the provisions of Section 242 of said code he must be accepted as a grand juror unless he has been challenged, as hereinafter provided.*

SEC. 3. Section 895 of the Penal Code is hereby amended to read as follows:

895 [No challenge shall be made or allowed to the panel from which the grand jury is drawn, nor to an individual grand juror, unless when made by the court for want of qualification, as prescribed in the next preceding section.] *A challenge to any person selected on the grand jury list may be made by any citizen, a registered voter in the county wherein the grand jury is to be impaneled in the manner hereinafter provided, upon any of the following grounds:*

1. A want of any of the qualifications prescribed by the Code of Civil Procedure to render a person competent as a juror.

2. Consanguinity or affinity within the fourth degree to any officer or office holder of a county, city and county, incorporated city or town, or other political subdivision of a county, or other public body within the county which is subject to investigation by the grand jury according to law.

3. Standing in the relation of guardian and ward, master and servant, employer and employee, principal and agent, debtor and creditor, or landlord and tenant, to any officer or office holder mentioned in Subdivision 2 hereof.

4. Interest through business or financial relationship on the part of the juror, except his general interest as a member or citizen or taxpayer of the county, city and county, incorporated city or town or other political subdivision of a county, in the administration of the duties of any officer or office holder mentioned in Subdivision 2 hereof.

5. Bias in favor of or prejudice against any officer or office holder mentioned in Subdivision 2 hereof, or in favor of or against the manner in which he administers his duties.

6. Having an unqualified opinion or belief as to the merits of any officer or office holder mentioned in Subdivision 2 hereof, or as to the manner in which he administers his duties, which said opinion or belief is predicated upon knowledge of material facts concerning said officer or office holder, or the administration of his duties.

SEC. 4. Section 896 is hereby added to the Penal Code, to read as follows:

896 A challenge on any ground hereinabove set forth shall be made by filing with the county clerk following the making of the order provided in Section 241 of the Code of Civil Procedure and not less than one week prior to the day therein fixed for the drawing of grand jurors, two copies in writing under oath of a statement setting forth the grounds of the challenge and the facts upon which said challenge is predicated, including the affidavits of others, if necessary. Said copies shall be separately inclosed in sealed envelopes upon which is designated the proceedings to which said challenge is directed, the name of the person thereby challenged, and the name of the person making the challenge. The county clerk shall thereupon deliver one sealed copy thereof to the person so challenged, and one sealed copy shall be held by him and delivered to the presiding judge on the date of the drawing. In the event the person challenged shall be drawn as a grand juror, the presiding judge shall open said challenge and proceed as provided in Section 242 of the Code of Civil Procedure. In the event the person so challenged is not drawn the sealed copy shall be returned to the person making the challenge and no further proceedings shall be had therewith. The county clerk shall keep a record of the

challenges filed, the disposition thereof, and keep of record challenges opened and presented to persons whose names are drawn.

SEC. 5."

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "3", and insert "6".

Amendment No. 6

On page 1, line 15, of the printed bill, strike out "4", and insert "7".

Amendment No. 7

On page 1, line 23, of the printed bill, strike out "5", and insert "8".

Amendment No. 7a

On page 3 of the printed bill, between lines 42 and 43, insert

"SEC. 9. Section 928 of the Penal Code is hereby amended to read as follows:

928. It shall be the duty of the grand jury annually to make a careful and complete examination of the books, records and accounts of all the officers of the county, and of every city board of education within the county, and especially those pertaining to the revenue, and report as to the facts they have found, with such recommendations as they may deem proper and fit; and if, in their judgment, the services of an expert are necessary, they shall have power to employ one, at an agreed compensation, to be first approved by the court; and if, in their judgment, the services of assistants to such expert are required, they shall have power to employ such, at a compensation to be agreed upon and approved by the court. *The grand jury shall cause a copy of such report and such recommendations to be transmitted to the board of supervisors and to the legislative or governing body of each city or district affected by such recommendations and the board of supervisors and such governing bodies shall hold open hearings to consider such recommendations, within a reasonable length of time from the receipt of such report.*

It shall be the duty of [every] *the* grand jury first impaneled [in even numbered years] *annually* to investigate and report upon the needs of all county officers in its county, including increase or decrease in salaries, number of officers, deputies or employees, the abolition [of] *or* creation of offices and the equipment for, or the method or system of performing the duties of, the several offices, and it shall cause a copy of such report to be transmitted to each member of the Legislature representing the county in which it has been impaneled [before the commencement of the regular session of the Legislature in odd numbered years.], *and to each member of the board of supervisors of the county. It shall be the duty of the board of supervisors to hold an open hearing to consider the recommendations of the grand jury contained in such report within a reasonable length of time from the receipt of such report.*

It shall be the duty of the grand jury, when making an examination of the books, records, and accounts of all the officers of the county and when investigating and reporting upon the needs of all county officers in its county, to include an examination and report upon all the books, records and accounts of all the officers of such county which are kept in their ex officio capacity, as incumbents or officers of any special legislative district or other district created by or under the laws of the State of California, in their respective counties.

The judge, on impanelment of the grand jury shall charge them especially as to their duties under this section; *provided*, that if any grand jury, shall, in the report above mentioned, comment upon any person or official who has not been indicted by the said grand jury the said comments shall not be deemed to be privileged.

Any and all expenses incurred under this section, and also the per diem and mileage where allowed by law, of the grand jurors, shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in said county."

Amendment No. 8

On page 3, line 43, of the printed bill, strike out "6", and insert "10".

Amendment No. 9

On page 4 of the printed bill, after line 5, insert

"SEC. 11. Section 204 of the Code of Civil Procedure is hereby amended to read as follows:

204. In the month of January in each year it shall be the duty of the superior court in each of the counties of this State to make an order designating the estimated number of grand jurors and also the number of trial jurors, that will, in the opinion of said court, be required for the transaction of the business of the court, and the trial of causes therein, during the ensuing year; and immediately after said order designating the estimated number of grand jurors *and trial jurors* shall be made, the court shall select and list the [grand] *total number of* jurors required by said order to serve as grand jurors *and as trial jurors* in said superior court during the ensuing year, or until new lists [or] *of* jurors shall be provided,

and said selections and listings shall be made of men and women suitable and competent to serve as jurors, as set forth and required in Sections 205 and 206 of this code, which list of persons so selected shall at once be placed in the possession of the county clerk [;] . [and immediately after said order designating the estimated number of trial jurors shall be made, the board of supervisors shall select, as provided in Sections 205 and 206 of this code, a list of men and women to serve as trial jurors in the superior court of said county during the ensuing year, or until a new list of jurors shall be provided]

In counties and cities and counties having a population of 80,000 inhabitants or over, such selection shall be made by a majority of the judges of the superior court; provided further, that in counties of the first class, where a session or sessions of the superior court are held in cities other than the county seat, it shall be the duty of the judge presiding in each such respective session, to make an order in the manner and within the time above specified designating the estimated number of trial jurors that will, in his opinion, be required for the transaction of the business of said session of said court and the trial of causes therein during the ensuing year, or until new lists of jurors shall be provided, and it shall also be the duty of said judge to make such selections and listings of men and women suitable and competent to serve as jurors from men and women residing within the township within which said city is located [.] *: provided further, that of the total estimated number of grand jurors for said counties of the first class a portion, based upon the estimated number of trial jurors for each respective session held in cities other than the county seat shall be selected and listed by the judge presiding in each such respective session.*

Provided further, that in counties and cities and counties having a population of 300,000 inhabitants or over, such order designating the number of trial jurors, and such selections and listings of men and women suitable and competent to serve as trial jurors, shall be made by a majority of the judges of the superior court and shall be made in the months of January and July of each year.

SEC. 12. Section 204d of the Code of Civil Procedure is hereby amended to read as follows:

204d. Pursuant to the rules and instructions adopted by a majority of the judges of the court, the jury commissioner shall return to the judges the lists of persons recommended by him for jury duty. The judges of said superior court shall examine the jury lists so returned and from such lists a majority of said judges may select, to serve as trial jurors and grand jurors [, respectively,] in the superior court of said county or city and county during the ensuing year, or until a new list of jurors is required, such persons as, in their opinion, should be selected for such jury duties; provided, however, that the persons so selected shall, in the opinion of the judges selecting the same, be persons suitable and competent to serve as jurors, as set forth and required in this code. The judges, however, shall not be bound to select any names from said lists, but may, if in their judgment the due administration of justice requires, make all or any selections from among the body of persons in the county or city and county suitable and competent to serve as jurors regardless of the lists returned by the jury commissioner.

SEC. 13. Section 208 of the Code of Civil Procedure is hereby amended to read as follows:

208. A certified list of the persons selected to serve as trial jurors *and grand jurors* shall at once be placed in the possession of and filed with the clerk of the superior court.

SEC. 14. Section 209 of the Code of Civil Procedure is hereby amended to read as follows:

209. On receiving such list [s] the county clerk shall file the same in his office, and write down the names contained thereon on separate pieces of paper, of the same size and appearance, and fold each piece so as to conceal the name thereon. He shall deposit the pieces of paper having on them the names of the persons selected to serve as [grand] jurors in a box to be called the " [grand] jury box [,] ." [and those having on them the names of persons selected to serve as trial jurors in a box to be called the "trial jury box "]

Following the deposit in the "jury box" of the names of all jurors, including in counties of the first class the names of jurors for all sessions, the clerk in open court in the presence of the presiding judge shall draw not less than 40 names from the "jury box"; provided, however, that in counties where there are two or more judges of the superior court said number shall be divisible by the number of judges therein, and shall in no event be less than four times the number of said judges. The names of the jurors so drawn shall constitute the grand jury list, and a copy thereof certified by the presiding judge shall be placed in the possession of and filed with the clerk of the superior court. The remainder of the names shall constitute the trial jury list, and shall be placed in a box to be called the "trial jury box"; provided, however, that in counties of the first class the remainder of the names shall be apportioned to the respective sessions of the superior court held in cities other than the county seat wherein they were originally listed for service as jurors.

SEC. 15. Section 211 of the Code of Civil Procedure is hereby amended to read as follows:

211. *From the grand jury box the judge or judges of the superior court, as the case may be, shall select not less than 25 names; provided, however, that in counties where there are two or more judges of the superior court each judge shall select not less than one name, and no judge shall select more names than any other judge. The names so selected shall be placed in a box to be called the "grand jury box."*

The names of persons drawn for grand jurors shall be drawn from the "grand jury box," and the names of persons for trial jurors shall be drawn from the "trial jury box"; and if, at the end of the year, there shall be the names of persons in either of the said jury boxes who may not have been drawn during the year to serve, and have not served as jurors, the names of such persons may be placed on the list of jurors drawn for the succeeding year.

SEC. 16. Section 241 of the Code of Civil Procedure is hereby amended to read as follows:

241. *In every county the superior court in the first week of December and June, respectively, must make and file with the county clerk an order directing grand jurors to be drawn. Such order must designate the time at which such drawing will take place, which shall be not less than 30 nor more than 45 days after the date of said order.*

The county clerk shall immediately cause to be posted in not less than three public places within the county or city and county, and to be published at least once a week for three successive weeks in some newspaper of general circulation printed and published within the county or city and county a copy of said order together with a list of the names then in the grand jury box indicating thereon the name of the judge or judges of the superior court by whom said names were selected.

Said jurors shall be summoned as provided for summoning trial jurors.

[Every superior court, whenever in the opinion of the court the public interest requires it, must make and file with the county clerk, an order directing a jury to be drawn, and designate the number, which, in case of a grand jury, shall not be less than 25 nor more than 30. In all counties there shall be at least one grand jury drawn and impaneled in each year. Such order must designate the time at which the drawing will take place. The names of such jurors shall be drawn, the list of names certified and summoned, as provided for drawing and summoning trial jurors; and the names of any persons drawn, who may not be impaneled upon the grand jury, may be again placed in the grand jury box.]

SEC. 17. Section 242 of the Code of Civil Procedure is hereby amended to read as follows.

242. *Upon the date set forth in the order mentioned in the preceding section the presiding judge shall examine such persons, if any, as may have claimed a right to be excused from jury service as provided in Section 201 of this code, and determine whether or not such person should be excused. The clerk shall then write the names of all persons summoned, not so excused, on separate ballots, which he must fold so that the names can not be seen, place them in a box, and draw out 10 names in January, and nine names in July of each year; provided, however, that in January, 1942, 19 names shall be so drawn. If a challenge has been interposed to any person so drawn pursuant to the provisions of Sections 895 and 896 of the Penal Code, the presiding judge shall thereupon unseal said challenge, read it to said person, interrogate said person upon the subject matter of said challenge, and thereupon determine the fitness of said person for grand jury service in accordance with said provisions. If said challenge is upheld a new name shall be drawn from the grand jury box. When 10 or nine names, as the case may be, are drawn and accepted, the persons so drawn shall serve for one year as grand jurors; provided, however, that in January, 1942, 19 persons shall be so drawn and the last nine names so drawn and accepted shall serve but for six months, and shall be discharged upon the impanelment, in the manner aforesaid, of nine jurors to succeed them in July of 1942.*

[When, of the persons summoned as grand jurors and not excused, 19 are present, they shall constitute the grand jury. If more than 19 of such persons are present, the clerk shall write their names on separate ballots, which he must fold so that the names can not be seen, place them in a box, and draw out 19 of them, and the persons whose names are on the ballots so drawn shall constitute the grand jury. If less than 19 of such persons are present, the panel may be filled as provided in Section 226 of this code. And whenever, of the persons summoned to complete a grand jury, more shall attend than are required, the requisite number shall be obtained by writing the names of those summoned and not excused on ballots, depositing them in a box, and drawing as above provided.]"

Amendments read and adopted

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 142—An act to amend Section 862a of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to organization, incorporation and government of cities of the sixth class.

Bill read second time, and ordered to third reading

Senate Bill No. 584—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties," by amending Section 1 thereof to provide for the joint exercise of powers by public agencies and defining public agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 1302—An act to amend Section 718 of the Civil Code, relating to the leasing by municipalities, or departments or boards thereof, of property owned thereby, or held thereby, or under the management and control thereof.

Bill read second time, and ordered to third reading

Senate Bill No. 1162—An act to amend Sections 4 and 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to loans by and between credit unions

Bill read second time, and ordered to third reading.

Senate Bill No. 756—An act to add Section 2.1521 to the School Code, relating to educational societies.

Bill read second time, and ordered to third reading.

Senate Bill No. 757—An act to add a new article to Chapter 1 of Part 2 of Division 2 of the School Code, to be known as Article 10, relating to the attendance of school members of governing boards of school districts of State-wide educational meetings.

Bill read second time, and ordered to third reading.

Senate Bill No. 76—An act to amend Section 492 of the Agricultural Code, relating to inspection of dairies, milk and milk products and the fees to be paid therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 653—An act to amend Section 336 of the Agricultural Code, relating to live stock brands.

Bill read second time, and ordered to third reading.

Senate Bill No. 652—An act to add Section 334.5 to the Agricultural Code, relating to the branding of live stock.

Bill read second time, and ordered to third reading.

Senate Bill No. 1124—An act to amend Sections 1205, 1212 and 1214 of the Health and Safety Code, relating to clinics and dispensaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1253—An act to amend Section 10551 of the Health and Safety Code, relating to evidentiary effect of copies of birth, marriage or death records.

Bill read second time, and ordered to third reading.

Senate Bill No. 423—An act to add Article 2.5 (comprising Sections 90 to 90.6, inclusive) to Chapter 1, Division 1 of the Streets and Highways Code, relating to the budgeting of State highway funds, specifying the powers and duties of the California Highway Commission and the State Highway Engineer in connection therewith, and providing for the making and distribution of reports thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1056—An act to amend Sections 347 and 363.2 of the Agricultural Code, relating to live stock sold or slaughtered without consent of the owner.

Bill read second time, and ordered to third reading.

Senate Bill No. 654—An act to amend Section 344 of the Agricultural Code, relating to live stock inspection.

Bill read second time, and ordered to third reading.

Senate Bill No. 532—An act to repeal Chapter 7 of Division 6 of the Agricultural Code, relating to deciduous fruit dealers.

Bill read second time, and ordered to third reading

Senate Bill No. 656—An act to amend Section 1300.3 of the Agricultural Code, relating to processors.

Bill read second time, and ordered to third reading.

Senate Bill No. 657—An act to amend Sections 1268, 1268.1, 1268.5 and 1269 of the Agricultural Code, relating to produce dealers.

Bill read second time, and ordered to third reading.

Senate Bill No. 658—An act to amend Sections 1299.18, 1299.20 and 1300.4 of, and to add a new section, to be numbered 1300.4a, to the Agricultural Code, relating to processors.

Bill read second time, and ordered to third reading.

Senate Bill No. 258—An act to amend Section 366 of the Agricultural Code, relating to live stock inspection.

Bill read second time, and ordered to third reading.

Senate Bill No. 915—An act to amend Sections 5.500 and 5.501 of the School Code, relating to persons employed by school districts in positions requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "schools", strike out the comma.

Amendment No. 2

On page 1, line 15, of the printed bill, as amended, after the second comma, insert "maintaining eight or more schools lying not less than six miles apart,".

Amendment No. 3

On page 2, line 25, of the printed bill, as amended, strike out "Every", and insert "Except as otherwise herein provided, every".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Concurrent Resolution No. 11—Relative to providing for the appointment of a Joint Committee to study and to report upon the water problems of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, as amended, strike out lines 44 to 48, inclusive, and insert "as the Joint Committee on Water Problems, consisting of the Speaker of the Assembly and five members of the Assembly appointed by the Speaker, and the President pro tempore of the Senate and four members of the Senate appointed by the Committee on Committees thereof, is hereby created, to make a thorough".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 655—An act to amend Section 363 of the Agricultural Code, relating to bills of sale for live stock.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 and 16, and insert "to the buyer shall have no effect upon the validity of any sale or contract of sale of bovine animals nor upon the rights of either the buyer or seller thereunder."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 179—An act to repeal Section 791, and to amend section and renumber Section 791.5 to be 791, of the Fish and Game Code, relating to crabs, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 8, of the printed bill, after the word "not", strike out "less than one hundred".

Amendment No. 2

On page 2, line 9, of the printed bill, strike out "dollars ($100) nor".

Amendment No. 3

On page 2, line 10, of the printed bill, strike out "less than 50".

Amendment No. 4

On page 2, line 11, of the printed bill, strike out "days nor".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 748—An act to amend Section 670 of the Fish and Game Code, relating to sale of canned salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 to 7, inclusive, and insert

"668. Salmon taken by commercial fishermen in Districts 12, 12B, 12C and 13, shall not be canned."

Amendment No. 2

On page 1, line 16, of the printed bill, strike out "less".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "than fifty dollars ($50) nor".

Amendment No. 4

On page 1, line 18, of the printed bill, strike out the period, and insert ", or by imprisonment in the county jail for not more than six (6) months or by both such fine and imprisonment."

Amendments read and adopted.

Bill ordered reprinted and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 854

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 88—An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations;

Assembly Bill No. 141—An act to amend Sections 6526, 6585, 6586, 6604 and 6618 of the Business and Professions Code, relating to the practice of barbering;

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 265—An act to amend Sections 103.5 and 103.6 of the Fish and Game Code, relating to Fish and Game Districts 103.5 and 103.6;

Assembly Bill No. 543—An act to add Sections 3.123, 3.174, 3.302 and 3.372 to the School Code, all relating to the admission of persons to the public schools of this State;

Assembly Bill No. 701—An act to add Section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 9 a.m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 885—An act to amend Section 4041.1 of the Political Code, relating to the powers of supervisors;

Assembly Bill No. 1224—An act to add Section 17 to an act entitled "An act to establish courts in cities of the second class, to fix their jurisdiction, and provide for officers of said court, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to extra sessions of such police courts;

Assembly Bill No. 1225—An act to amend Section 6 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, to provide for officers of said court, to fix compensation of certain officers," approved March 23, 1901, relating to police courts in cities of the second class, the term of office of clerk, providing for assistant clerks, and relating to payment of fines, forfeitures, penalties and moneys deposited as bail;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1226—An act to amend Section 103k of the Code of Civil Procedure, relating to justices' clerks, assistant clerks and payment of fines, forfeitures, penalties or moneys deposited as bail in justice courts of cities of the second class;

Assembly Bill No. 1227—An act to add Section 103m to the Code of Civil Procedure, relating to extra sessions of justices courts in cities of the second class;

Assembly Bill No. 1316—An act to amend Section 669 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1489—An act to amend Section 201 and to add Section 211 to the Health and Safety Code, relating to special investigations by, and the reporting of cases of epilepsy to, the State Department of Public Health, and the State Department of Motor Vehicles, as a means of reducing motor vehicle traffic hazards;

Assembly Joint Resolution No. 28—Relative to encouragement of sugar beet production in the United States;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Assembly Bill No. 1652

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Irrigation, to which were referred:

Senate Bill No. 606
Senate Bill No. 1043
Senate Bill No. 1045

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 432
Assembly Bill No. 822
Assembly Bill No. 959
Assembly Bill No. 1071
Assembly Bill No. 1411
Assembly Bill No. 2214

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 287
Assembly Bill No. 368
Assembly Bill No. 946
Assembly Bill No. 947
Assembly Bill No. 1024
Assembly Bill No. 1047
Assembly Bill No. 1272
Assembly Bill No. 2251
Assembly Bill No. 2508
Assembly Bill No. 900

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

CONSIDERATION OF HOUSE RESOLUTION NO. 139

House Resolution No. 139

Relative to an amendment to Assembly Standing Rule No 23

Resolved by the Assembly of the State of California, That Assembly Standing Rule No 23 be amended to read as follows

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding except that *the author of a bill or resolution, or the mover of a question* shall have the right to close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and 5 minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than 5 minutes thereon No member shall yield to any other member the time for which he is entitled to speak on any matter.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff,

Poole, Potter, Salsman, Sawallisch, Stream, Tenney, Thurman, Waters, Watson Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Del Mutolo, Dills, Hawkins, Houser, Frederick F., Lowrey, O'Day, Richie, and Thomas—8.

REQUEST FOR UNANIMOUS CONSENT

Mr Hugh M. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 1299, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 1299

Senate Bill No. 1299—An act to amend Sections 6.9, 24, 24.2, 24.3, 27, 33e, 34, 51 and 67 5, and to repeal 24.5, 24.7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24.1, 24.5, 24.6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 14, line 41, of the printed bill, as amended April 7, 1941, after "made", insert "It is further provided that a railroad, sleeping car, boat or steamship company carrying interstate or foreign passengers on trains or boats shall not be deemed to be importers or subject to an importer's license for bringing into this State from without this State alcoholic beverages for the purpose of sale within this State on the trains, cars or boats on which the same are brought into this State, exclusively to passengers or employees, and carrying the same or any unsold portion thereof out of this State in due course of operation."

Amendment read and adopted.

Bill ordered printed, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 564, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 564

Senate Bill No. 564—An act to amend Section 653 of the Fish and Game Code, relating to salmon in Districts 2 and 2½.

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, following "Salmon", insert "taken in District 2½".

Amendment No. 2

On page 1, line 7, of the printed bill, following "districts", insert a period, and strike out the balance of the line; and strike out all of line 8.

Amendments read and adopted.

Bill ordered printed, and to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 245.
Assembly Bill No. 1643.
Assembly Bill No. 1247.
Assembly Bill No. 1075.
Senate Bill No. 1292.
Senate Bill No. 318.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Constitutional Amendment No. 59.

CONSIDERATION OF SPECIAL ORDER

The hour of 1.30 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Amendments

The following amendments were considered seriatim:

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 45

On page 12 of the printed bill, as amended, strike out all of lines 2 to 6, inclusive, *and insert*

"hundred forty-eight thousand three hundred eighty-five dollars, payable from the Alcohol Beverage Control Fund ---------- $2,648,385 00"

Amendment No. 46

On page 12 of the printed bill, as amended, strike out all of line 34, and insert

"Automobile ---------- $14,850.00"

Amendments read, and refused adoption.

Motion to Take Roll Call

Mr. Bennett moved to record by roll call the vote whereby Amendments Nos. 45 and 46 were refused adoption.

Mr. Thomas seconded the motion.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Heisinger, Kilpatrick, King, Maloney, McCollister, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—30

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Miller, Millington, Pfaff, Phillips, Poole, Potter, Salsman, Stream, Thurman, Turner, Waters, Weber, Wollenberg, and Mr. Speaker—40.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 47

On page 12 of the printed bill, as amended, strike out all of lines 48 to 52, inclusive, and insert

"ization, three hundred thousand two hundred fifty-five dollars, payable from the Motor Vehicle Fuel Fund---------- $300,255.00"

Amendment No. 48

On page 13 of the printed bill, as amended, strike out all of line 28, and insert

"Automobile ---------- $550.00"

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Heisinger, Howser, F. N., Kilpatrick, King, Maloney, McCollister, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—32.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Miller, Millington, Pfaff, Phillips, Poole, Potter, Salsman, Stream, Thurman, Turner, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—41.

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 49

On page 13 of the printed bill, as amended, strike out all of lines 29 to 52, inclusive; and on page 14, strike out all of lines 1 to 14, inclusive, and insert

"Item 35—For support of Franchise Tax Commissioner, three hundred forty-one thousand five hundred forty-four dollars------- $341,544.00".

Amendment read.

Motion to Table Amendment

Mr. Waters moved that Amendment No. 49 be laid on the table.

Mr. Millington seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Wollenberg and Mr. Speaker—43.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cooke, Dills, Donnelly, Gallagher, Gunlock, Heisinger, Kilpatrick, Lowrey, O'Day, Pelletier, Poole, Richie, Robertson, Sawallisch, Thomas, and Voigt—23.

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 50

On page 13 of the printed bill, as amended, strike out all of lines 33 to 35, inclusive, and insert

"missioner ---------- Nothing"

Amendment No. 51

On page 13 of the printed bill, as amended, strike out all of lines 38 to 52, inclusive, and insert "the support of the Franchise Tax Commissioner."

Amendment No. 52

On page 14 of the printed bill, as amended, strike out all of lines 1 to 14, inclusive

Amendment No. 53

On page 14 of the printed bill, as amended, strike out all of lines 19 to 21, inclusive, and insert "missioner, payable from the".

Amendment No. 54

On page 14 of the printed bill, as amended, strike out all of line 28, and insert "of 1935 ---------- Nothing".

Amendment No. 55

On page 14 of the printed bill, as amended, strike out all of lines 31 to 52, inclusive, and insert "the support of the Franchise Tax Commissioner."

Amendments read.

Motion to Table Amendments

Mr. Waters moved that Amendments Nos. 51, 52, 53, 54 and 55 be laid on the table.

Mr. Field seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—51.

NOES—Andreas, Bennett, Burkhalter, Cassidy, Collins, George D., Donnelly, Evans, Gaffney, Hawkins, Kilpatrick, King, Lowrey, Meehan, O'Day, Richie, and Thomas—16.

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 56

On page 14 of the printed bill, as amended, strike out all of lines 15 to 52, inclusive, and insert

"Item 36—For the support of Franchise Tax Commissioner, one million six hundred forty thousand five hundred sixty-three dollars, payable from the Personal Income Tax Fund (which amount may be augmented as provided by Section 661 of the Political Code subject to the provisions of The Personal Income Tax Act of 1935) ---------- $1,640,563 00".

Amendment read.

Motion to Table Amendment

Mr. Waters moved that Amendment No. 56 be laid on the table.

Mr. Field seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Field, Green, Hastain, Houser, Frederick F., Kellems, Kepple, Leonard, Lyon, Maloney, McCollister, Miller, Pfaff, Phillips, Potter, Salsman, Stream, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—30.

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Clarke, Collins, George D., Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock,

Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Lowrey, Meehan, Millington, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, Thurman, and Turner—35.

The question being on the adoption of Amendment No. 56.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Lowrey, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, and Thomas—24.

NOES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Tenney, Thurman, Voigt, Waters, Weber, Wollenberg, and Mr. Speaker—41.

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 57

On page 14 of the printed bill, as amended, strike out all of line 20, and insert "thirteen thousand six hundred".

Amendment No. 58

On page 14 of the printed bill, as amended, strike out all of line 28, and insert "of 1935---------- $1,613,690 00".

Amendment No. 59

On page 14 of the printed bill, as amended, strike out all of line 52, and insert "Automobile ---------- $500.00".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Meehan, O'Day, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, and Voigt—34

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Cronin, Daley, Desmond, Dickey, Doyle, Field, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—36.

Hon. T. Fenton Knight Presiding

At 3.30 p.m., Hon. T. Fenton Knight, member of the Assembly from the Forty-eighth District, presiding.

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 60

On page 15 of the printed bill, as amended, strike out all of lines 21 to 31, inclusive; strike out all of page 16; and on page 17, strike out all of lines 1 to 21, inclusive, and insert

"Item 38—For support of State Personnel Board, six hundred sixty-four thousand eight hundred eighty-two dollars---------- $664,882.00".

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time 4.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 4 12 p.m., Hon Gordon H. Garland, Speaker of the Assembly, presiding.

Motion to Dispense With Further Proceedings Under Call of the Assembly on Amendment No. 60

At 4.25 p m , Mr. Bennett moved that further proceedings under the call of the Assembly be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 60

At 4.40 p m., on motion of Mr Millington, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 60 refused adoption by the following vote·

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, McCollister, Meehan, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Tenney, Thomas, Voigt, Welch, and Wollenberg—36.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Doyle Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—42.

Motion to Defer Action

Mr. Lyon moved that further action on the amendments to Assembly Bill No. 1800 be deferred until 1.30 p m., Monday, April 21, 1941.

Motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—68.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1635
Assembly Bill No. 1982

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 165

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 1066
Assembly Bill No. 1067

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred.

Assembly Bill No. 852

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bill ordered to second reading

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No. 973
Assembly Bill No 974
Assembly Bill No 1617
Assembly Bill No. 1175

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 2579

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

MILLER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Education, to which were referred

Senate Bill No. 117
Senate Bill No. 171
Senate Bill No 517
Assembly Bill No 1305

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 344
Assembly Bill No. 2587

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 349—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer;

Assembly Bill No. 417—An act to add Section 739.1 to the Vehicle Code, relating to notices to appear in court and to the filing of complaints and amended complaints charging offenses under said code;

Assembly Bill No. 721—An act to add Section 104.8 to the Streets and Highways Code, relating to the custody of evidences of title to property acquired for State highway purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 798
Assembly Bill No. 1079
Assembly Bill No. 301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 656
Assembly Bill No. 1713
Assembly Bill No. 2431
Senate Bill No. 327

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 1905
Assembly Bill No. 469
Assembly Bill No. 1708
Assembly Bill No. 1019

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 943
Assembly Bill No. 1167
Senate Bill No. 1182

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1731
Assembly Bill No. 1882

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 120
Assembly Bill No 948
Assembly Bill No. 952
Assembly Bill No. 1541
Assembly Bill No. 1577
Assembly Bill No. 1885
Assembly Bill No. 2111
Assembly Bill No 2514
Senate Bill No. 908

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2130
Assembly Bill No 2589
Senate Bill No. 360
Senate Bill No. 1287
Senate Bill No. 363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1871
Assembly Bill No. 240

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2524
Assembly Bill No 2580
Assembly Bill No. 2133
Senate Bill No 502
Senate Bill No. 667
Senate Bill No. 495
Senate Bill No 496
Senate Bill No 366
Senate Bill No. 668
Senate Bill No. 674
Senate Bill No. 675
Senate Bill No. 743
Senate Bill No. 882
Senate Bill No. 883

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 1036
Assembly Bill No. 1631
Assembly Bill No. 2228
Assembly Bill No. 2386
Assembly Bill No. 2578
Senate Bill No. 1306
Senate Bill No. 1276
Senate Bill No. 613

Has had the same under consideration, and reports the same back with the recommendation: Do pass

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 1034
Assembly Bill No. 1875

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred

Assembly Bill No. 1608

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 925
Assembly Bill No 926
Senate Bill No 295
Senate Bill No 498

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred.

Assembly Bill No 1602

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER Your Committee on Public Morals, to which were referred:

Assembly Bill No 209
Senate Bill No. 563

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 937
Assembly Bill No 1433
Assembly Bill No 1555
Assembly Bill No. 1728

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 151

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

KING, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 2094

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

KING, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 1384
Assembly Bill No. 1919

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No 529

Has had the same under consideration, and reports the same back with the recommendation. Do pass, as amended, and be re-referred to Committee on Ways and Means.

KING, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 562

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2584 FROM COMMITTEE

Mr. Crowley gave notice that on Monday, April 21, 1941, he would move to withdraw Assembly Bill No. 2584 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 26, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 26

Senate Concurrent Resolution No. 26—Relative to opinions of the Legislative Counsel Bureau concerning legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Augustus F. Hawkins Presiding

At 4.47 p.m., Hon. Augustus F. Hawkins, member of the Assembly from the Sixty-second District, presiding.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Meehan, Salsman and Garland:

House Resolution No. 142

WHEREAS, Our colleague, M. G. Del Mutolo, and his charming wife, Dolores, are today celebrating the ninth anniversary of their marriage; and

WHEREAS, The occasion is for them one of joy and happiness; now, therefore, be it

Resolved, That the Assembly extends to the happy couple sincere congratulations and wishes for them many more years of marital bliss; and, be it further

Resolved, That the Chief Clerk of the Assembly present to Mr. and Mrs. M. G. Del Mutolo a suitably engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Bashore:

House Resolution No. 143

WHEREAS, The distribution and accommodation of traffic in the communities of Pasadena, San Marino, Arcadia, Monrovia, Glendora, Azusa and the adjoining metropolitan area is of interest to the State at large;

WHEREAS, It is the belief of many that not only local, but through traffic as well, will be better served and communications enhanced;

WHEREAS, The State Division of Highways has the facilities and organization to make the necessary investigation and studies of potential traffic arteries;

Resolved by the Assembly of the State of California, That the Division of Highways of the Department of Public Works is hereby authorized and directed to make a study and reconnaissance survey of the best possible and feasible routing for traffic in the following described area lying in the County of Los Angeles.

From U. S. Highway No. 66, State Highway Route 205, the Arroyo Seco Freeway, in the vicinity of Fair Oaks Avenue to State Highway Route 161, Colorado Avenue and to Huntington Drive near the Santa Anita Race Track; and be it further

Resolved, That a report of such study and survey be prepared and presented to the Fifty-fifth Session of the California Legislature.

Resolution read, and referred to Committee on Roads and Highways.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 43: By Mr. Frederick F. Houser—Relative to memorializing the President and Congress to enact legislation prohibiting sale of alcoholic beverages on Military property and in zones around Army camps.

Referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 31: By Mr. Lyon—Relative to approving three certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the first day of April, 1941.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 31, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

Assembly Concurrent Resolution No. 31—Relative to approving three certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the first day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 32: By Messrs. Dilworth, Desmond, Stream, Houser, Frederick F., and Mrs. Daley—Relative to providing suitable space and facilities for the office of the Legislative Counsel.

Referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 42—Relative to memorializing the United States Department of Interior, Fish and Wild Life Service, to permit controlled feeding of migratory wild fowl on hunting clubs in the State of California, and to provide for the feeding of grain on migratory wild fowl refuges in this State, in order to relieve farmers from severe losses to grain crops caused annually by such wild fowl.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 4 50 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1775—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out "18", and insert "that portion of District 18 lying south of a line running east and west through Piedras Blancas Light".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Thorp, Desmond, McCollister, Burns, Michael J., and Dills:

House Resolution No. 144

WHEREAS, The Committee on Live Stock and Dairies, created by House Resolution No. 45 of this session to study the problem of milk production and distribution, and swine diseases, has not completed its investigation, although its funds are nearly exhausted, and it is necessary that the investigation be completed so that the Legislature may have facts upon which to base legislative action; now, therefore, be it

Resolved, That the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, in addition to any other moneys heretofore made available, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Committee on Live Stock and Dairies and its members, and for any charges, expenses or claims that the committee may incur under House Resolution No. 45, to be disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 891

Mr. Stream moved that Assembly Bill No. 891 be withdrawn from the file, and re-referred to the Committee on River Navigation, Reclamation, and Flood Control.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1080—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers licenses.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, following "manufacturer's", insert ", manufacturer's agent's".

Amendment No. 2

On page 2 of the printed bill, between lines 11 and 12, insert

"(c) A rectifier's license authorizes the person to whom issued to cut, blend, rectify, mix, flavor and color distilled spirits and wine upon which the excise tax imposed by Section 23 has been paid, and, whether so cut, blended, mixed, flavored or colored by him or any other person, to package, label, export and to sell such products to persons holding licenses issued by the board authorizing the sale of distilled spirits."

Amendment No. 3

On page 2, line 49, of the printed bill, following "be", strike out "issued or renewed", and insert "renewed or issued".

Amendment No. 4

On page 3, line 2, of the printed bill, strike out "by", and insert "to".

Amendment No. 5

On page 3, line 5, of the printed bill, strike out "and a distilled spirits whole-"; strike out lines 6 through 13, inclusive; and in line 14, strike out "United States currency or its equivalent".

Amendment No. 6

On page 3, line 51, of the printed bill, strike out "sale", and insert "purchase".

Amendment No. 7

On page 4, line 13, of the printed bill, strike out "broker's,".

Amendment No. 8

On page 4, line 17, of the printed bill, strike out "broker's,".

Amendment No. 9

On page 4, line 23, of the printed bill, strike out "broker's,".

Amendment No. 10

On page 4, line 42, of the printed bill, strike out "agents' ", and insert "agent's".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2272—An act to add Section 48.2 to the State Lands Act of 1938, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas.

Bill read third time.

Motion to Amend

Mr. Carlson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "1938," insert "and to add Section 6900 to the Public Resources Code,".

Amendment No. 2

On page 1 of the printed bill, after line 10, insert

"SEC. 2. Section 6900 is hereby added to the Public Resources Code, to read as follows:

6900. Notwithstanding the provisions of Section 6890, the commission may, when it appears to be in the public interest, grant leases for the extraction of minerals other than oil and gas by competitive bidding from tide and submerged lands of the State whenever it appears that the execution of such leases and the operations thereunder will not interfere with the trust upon which such lands are held or substantially impair the public rights to navigation and fishing.

SEC. 3. Section 2 of this act shall take effect only if Division 6 of the Public Resources Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time said Division 6 takes effect, at which time Section 48.2 of the State Lands Act of 1938 is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 187—An act to amend Section 162 of the Probate Code, relating to interest on deferred legacies.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, after "time", insert "on and after the effective date of this act".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 411
Assembly Bill No. 1753

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1461
Assembly Bill No. 1981

J. A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 444
Senate Bill No. 779
Senate Bill No. 796
Senate Bill No. 808
Senate Bill No. 831
Senate Bill No. 1088
Senate Bill No. 1313

J A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 444—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

Referred to Committee on Motor Vehicles.

Senate Bill No. 779—An act to add Chapter 8 to Part 1 of Division 3 of the School Code, which chapter shall consist of Section 3.107, relating to insurance premium deductions from salaries.

Referred to Committee on Education.

Senate Bill No. 796—An act to amend Sections 970 and 971 and to add Sections 970.1 and 971.1 to the Fish and Game Code, relating to crab and lobster traps.

Referred to Committee on Fish and Game.

Senate Bill No. 808—An act to amend Section 3070 of the Labor Code, relating to compensation of members of the Apprenticeship Council.

Referred to Committee on Judiciary Codes.

Senate Bill No. 831—An act to amend Section 5287 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1088—An act to amend Section 376b of the Political Code, Section 11100 of the Health and Safety Code, and Section 4808 of the Penal Code, relating to the Division of Criminal Identification and Investigation and the Division of Narcotic Enforcement in the Department of Penology.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1313—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health and Quarantine.

MOTION BY MR. LYON

Mr. Lyon moved that the Sergeant-at-Arms place one set of Assembly bills and one set of Senate bills to each two desks.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2508 re-referred to Committee on Labor and Capital.

Assembly Bill No. 946 re-referred to Committee on Oil Industries.

Assembly Bill No. 947 re-referred to Committee on Oil Industries.

Assembly Bill No. 1047 re-referred to Committee on Fish and Game.

Assembly Bill No. 900 re-referred to Committee on Fish and Game.

Assembly Bill No. 1024 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2251 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No 368 re-referred to Committee on Public Health and Quarantine.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Carlson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following teachers and students of Roosevelt High School of Oakland: Miss Keller, Bob Abrams, Ray Rose, Don Winslow, Lawrence Lowman, Donald Nelson, Rusty Sargent, Ray

Foote, Nora Hagberg, Al Carvalho, Kathryn Holt, Marion Nishmura, Norman Leon, Jean Hodges, Phyllis Eddington, Dorothy Nelson, Melba David, Lorraine Jefferis, Rudy Anderson, Marion Oishi, Barbara Frankfurth, Lloyd Gentry, Caryl Palin, Vernon Repose, Wesley Harrington, Bill McGeough, Martha Lofkos, Dick Newell, Dorothy Trumpp, Mary Pagonis, John Lawrence, Bessie Nicholas; Mrs. Palin, Edwin Crane, Jim Raun, Eleanor Morris, Virginia Sams, Helen Mills, Jane Lee, Henry Alameda, Jack Regan, Lorraine Gomes, Lorraine Souza, Jane Lee, Helen Mills, Eleanor Morris, Virginia Sams, M. Wolf, Marie Raffeto, Jean Wilson, Juanita Rosales, Pete Kostal, John Lawrence, Frank Smith, Joseph Rosales, Norman Leon, Phil Brant, Jr., Jim Crane, Jack Davis, George Camara, Bill Adams, Ronald Brown, Margree Robinson, Bill Roth, Bob Helmcamp, Douglas Thompson, Amy Koyama, Tsuyako Inonye, Bernice Kishon, Peggy Collier, Agnes Snow, Teresa Alexander, Violet Reif, Walt Frates, Billy Roth; Miss Mitchell, Agnes Snow, Marie Raffeto, Margaret Wolfe, Terryako Inonye, Sytha Webb, Juanita Rosales, Jack Davis, Margie Robinson, Peggy Collier, Bernice Kishon, Joseph Rosales, Lorraine Souza, Teresa Alexander, Gloria Morley, Dale Palm, George Samera, Jim Crane; Miss McRae, Lorraine Gomes, Jack Regan, Frank Smith, Phil Brant, Violet Reif, Bill Adamo, Nulbert Swan, Henry Alameda, Billy Roth, Irving Beron, Ronald Brown, Bob Helmcamp, Blaso La Conte, Walt Frates, Mrs. Foote, Jean Wilson, Amy Koyama, Peter Koskal, Douglas Thompson, Eleanor Morris, Jane Lee, Helen Mills, John Lawrence, Virginia Sams, John Lawrence and Norman Foote.

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. J. Heuerman, Malibu Lakeside, Los Angeles.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Reese, coach of the Los Angeles Baseball Club.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elwyn Gallagher, principal; Mrs. Pearl Gallagher, assistant; and the following eighth grade students of Bryte Elementary School, Yolo County: De Los Murphy, Carlo Collela, Edenia Clark, James Foorman, Juanita Williams, Candia Andrade, Augusta Pina, Joanne Marston, Isabel Ortega, William Morriese, Henry Vargas, Frank Ramirez, Tom Guebara, Pat Kennedy, John Tonseca, Richard Shumacker, Daryl Coons, George Dozet, Daniel Fonseca, Carlos Cervantes, Emil Borghesi, Mary Padilla, Frances Pina, Mary Chavez, Lily Inouye, Jean Tierney, Lee Edwards, Junior Hill, Rose Vargas, Katherine Andrade, John Ramos, Frank Morrison, Michael Williams, William Lavender, John Carmona, Una Ray and Florence Barton.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George N. Hale, George Hale, Jr., Mary Corey and Jean Dowds of Tustin.

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chas. F. Jaeger of Merced.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the University Young Democrats: Margaret Truebridge, Harold Johnson, James Bell, Robert Nisbet, Sam Wainwright, III; Joan Lockwood, and Rod Rogaway, all of Berkeley.

ADJOURNMENT

At 5.20 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a m., Friday, April 18, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY
ONE HUNDRED THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 18, 1941

The Assembly met at 10 a m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Doyle, Houser, Frederick F., Kilpatrick, Knight, John B., Maloney, McCollister, Meehan, Miller, Pelletier, Phillips, Tenney, Thomas, Thorp, Turner, Waters, and Welch—28.

Call of the Assembly

Mr. Call moved a call of the Assembly.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 10.10 a.m., on motion of Mr. Call, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Maloney, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Richie, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, and Welch—42.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kepple, on motion of Mr. T. Fenton Knight.
Mr. Potter, on motion of Mr. T. Fenton Knight.
Mr. Hastain, on motion of Mr. T. Fenton Knight.
Mr. Evans, on motion of Mr. T. Fenton Knight.
Mr. Middough, on motion of Mr. T. Fenton Knight.

Call of the Assembly

Mr. Call moved a call of the Assembly.

Motion carried. Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1305—An act to add Section 3.93 to the School Code, relating to the maintenance of public school classes on Saturday.

Bill read second time, and ordered engrossed.

Assembly Bill No. 120—An act to add Section 205 to the State Civil Service Act, relating to resignations of civil service employees and others, prohibiting appointing powers from using their authority or influence or discriminating against persons in order to obtain undated or postdated resignations or resignations effective at a future date and imposing penalties for violations thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 948—An act to add Section 50.2 to the State Lands Act of 1938, to empower the commission to apply to the United States of America for patents to public lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 952—An act to repeal Sections 4000, 4001, 3820-3881, inclusive, and 3500-3511, inclusive, of the Harbors and Navigation Code.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1541—An act to amend Sections 15151, 15253 and 15255 of the Health and Safety Code, relating to the application and enforcement of the State Housing Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 656—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustees affecting real property.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2514—An act to amend Section 5 of the State Contract Act, relating to bids.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2111—An act to amend Sections 4.962 and 4.973 of the School Code and to add Section 4.978 thereto, relating to school bonds, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1885—An act to amend Section 4060 of the Public Resources Code, relating to the State Board of Forestry Fire Prevention Fund, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1577—An act to amend Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1631—An act to add Sections 1550.1, 1550.2 and 1550.3 to the Streets and Highways Code, relating to the powers of the county board of supervisors to levy road taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1036—An act to amend Section 737o of the Political Code, relating to salaries of the judges of the Superior Court of Kern County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 926—An act to add Article 3, consisting of Section 5180, to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to the refund of penalties, interest or costs on taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 925—An act to repeal Sections 5136, 5137, 5138, 5139 and 5140 of the Revenue and Taxation Code, and to add Sections 5136, 5137, 5138, 5139, 5140, 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest

Bill read second time, and ordered to third reading

Assembly Bill No. 2431—An act to add Section 689.5 to the Code of Civil Procedure, relating to third party claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1713—An act to amend Section 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1937, relating to the regulation of credit unions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2133—An act to amend Sections 376 and 377 of the Code of Civil Procedure, all relating to actions for wrongful injury and death.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2580—An act to add Chapter 3, comprising Sections 259, 259.1 and 259.2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2524—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2578—An act to add Sections 8.1, 8.2 and 8.3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2386—An act to add Section 15.5 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, relating to the establishment of systems for the retirement and pension of certain county and county fire protection district officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2228—An act to amend Section 1143 of the Penal Code, relating to jurors' fees and mileage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1384—An act to add Section 395.4 to the Military and Veterans Code, relating to State employees engaged in military or naval duties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1919—An act to amend Section 1031 of the Military and Veterans Code, relating to the Veterans' Home of California, and abolishing the Veterans' Home of California Federal Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1708—An act to amend Section 20763 of the Business and Professions Code, relating to renewal of licenses to sell petroleum products at retail.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "July 1st", and insert "at midnight of June 30th".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 469—An act to add Section 4132.5 to the Political Code, relating to the indexing of instruments or documents recorded.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

Strike out all of lines 3 to 14, inclusive, and all of line 15 preceding the period, and insert

"4132.5. Any instrument or document presented for recordation which contains thereon an indorsement or indorsements indicating a way or ways in which such instrument or document shall be indexed, shall, when accepted for recordation, upon payment of his legal fees, be indexed by the recorder in every way indicated by such indorsements."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1905—An act to amend Sections 1333 and 1567 of, and to add Section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "1333 and 1567 of, and to add Section 1567a" and insert "1995 and 1997 of the Code of Civil Procedure, and to repeal Sections 2620, 2621, 2622, 2623 and 2624 of, and to add Sections 2620, 2621, 2622 and 2623".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Sections 2620, 2621, 2622, 2623 and 2624 of the Penal Code are hereby repealed.

SEC. 2. Section 2620 is hereby added to the Penal Code, to read as follows:

2620. When it is necessary to have a person imprisoned in the State prison brought before any court to be tried for an offense triable in the superior court, or for an examination before a grand jury or magistrate preliminary to such trial, or for the purpose of hearing a motion or other proceeding, to vacate the judgment, an order for his temporary removal from said prison, and for his production before such court, grand jury or magistrate, must be made by the superior court of the county in which said action, motion, or examination is pending or by a judge thereof; such order shall be made only upon the affidavit of the district attorney or defense attorney, stating the purpose for which said person is to be brought before the court, grand jury or magistrate. The order shall be executed by the sheriff of the county in which it shall be made, whose duty it shall be to bring the prisoner before the proper court, grand jury or magistrate, to safely keep him, and when his presence is no longer required to return him to the prison from whence he was taken; the expense of executing such order shall be a proper charge against and shall be paid by, the county in which the order shall be made.

Such order shall be signed by the judge making the order and sealed with the seal of the court. The order must be to the following effect:

County of_____(as the case may be).

The people of the State of California to the warden of_____.

An order having been made this day by me, that A. B. be produced in the _____court (or before the grand jury, as the case may be) to be prosecuted or examined for the crime of _____, an offense triable in the superior court, you are commanded to deliver him into the custody of_____.

Dated this____day of_____, 19__.

When a prisoner is removed from a State prison under this section he shall remain in the constructive custody of the warden thereof and any order affecting his status in any manner whatever, other than that provided for in the affidavit, may only be made after due notice to the warden. During the prisoner's absence from the State prison he shall not be permitted to testify in any other proceeding or appear in any other court for any purpose whatever other than that stated in the affidavit causing his removal.

SEC. 3. Section 2621 is hereby added to the Penal Code, to read as follows:

2621. When the testimony of a material witness is required in a criminal action, before a court of record in this State, or in an examination before a grand jury or magistrate for an offense triable in the superior court and such witness is a prisoner in a State prison, an order for his temporary removal from such prison, and for his production before such court, grand jury or magistrate, may be made by the superior court of the county in which such action or examination is pending or by a judge thereof; but in case the prison is out of the county in which the application is made, such order shall be made only upon the affidavit of the district attorney or prosecutor, or of the defendant or of his counsel, stating that the testimony is material and necessary; and even then the granting of the order shall be in the discretion of said superior court or a judge thereof. The order shall be executed by the sheriff of the county in which it shall be made, whose duty it shall be to bring the prisoner before the proper court, grand jury or magistrate, to safely keep him, and when he is no longer required as a witness, to return him to the prison whence he was taken; the expense of executing such order shall be a proper charge against, and shall be paid by, the county in which the order shall be made.

Such orders shall be signed by the magistrate or judge making the order, and sealed with the seal of the court, if any.

Such order must be to the following effect:

County of_____(as the case may be).

The people of the State of California to the warden of_____.

An order having been made this day by me, that A. B. be produced in this court as witness in the case of_____, you are commanded to deliver him into the custody of_____.

Dated this____day of_____, 19__.

When a prisoner is removed from a State prison under this section he shall remain in the constructive custody of the warden thereof, and any order affecting his status in any manner whatever, other than that provided for in the affidavit may only be made after due notice to the warden. During the prisoner's absence from the State prison he shall not be permitted to testify in any other proceeding or appear in any other court for any purpose whatever other than that stated in the affidavit causing his removal.

SEC. 4. Section 2622 is hereby added to the Penal Code, to read as follows:

2622. When the order for personal appearance is not made pursuant to Section 2620 or Section 2621 the deposition of the prisoner may be taken in the manner provided for in the case of a witness who is sick, and the provisions of the Penal Code, commencing with Section 1335 and ending with Section 1345, shall, so far as applicable, govern in the application for and in the taking and use of such deposition. Such deposition may be taken before any magistrate or notary public of the county in which the prison is situated; or in case the defendant is unable to pay for taking the deposition, before an officer of the prison designated by the board,

whose duty it shall be to act without compensation. Every officer, before whom testimony shall be taken by virtue hereof, shall have authority to administer, and shall administer, an oath to the witness that his testimony shall be the truth, the whole truth, and nothing but the truth

SEC. 5. Section 2623 is hereby added to the Penal Code, to read as follows:

2623. If in a civil action or special proceeding a witness be a prisoner, confined in a State prison within this State, an order for his examination in the prison by deposition, for the purpose of being orally examined, may be made:

1. By the court itself in which the action or special proceeding is pending, unless it be a justice's court.

2. By a justice of the Supreme Court, or a judge of the superior court of the county where the action or proceeding is pending, if pending before a justice's court or before a judge or other person out of court

Such order can only be made on the motion of a party, upon affidavit showing the nature of the action or proceeding, the testimony expected from the witness, and its materiality. The deposition, when ordered, shall be taken in accordance with Section 2622

SEC 6. Section 1995 of the Code of Civil Procedure is hereby amended to read as follows:

1995. If the witness be a prisoner, confined in a jail [or prison] within this State, an order for his examination in the [prison] *jail* upon deposition, or for his temporary removal and production before a court or officer, for the purpose of being orally examined, may be made as follows:

1. By the court itself in which the action or special proceeding is pending, unless it be a justices' court.

2. By a justice of the Supreme Court, or a judge of the superior court of the county where the action or proceeding is pending, if pending before a justice's court, or before a judge or other person out of court

SEC 7. Section 1997 of the Code of Civil Procedure is hereby amended to read as follows:

1997. If the witness be imprisoned in *a jail in* the county where the action or proceeding is pending, his production may be required In all other cases his examination, when allowed, must be taken upon deposition"

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 27, inclusive, and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1882—An act to amend Section 2814 of the Business and Professions Code, relating to the Board of Nurse Examiners Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, after "chapter", insert a comma and "and the promotion of nursing education in this State."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, following "improvement", insert "and the portion of the work which will be done by each such subcontractor".

Amendment No. 2

On page 1, line 18, of the printed bill, as amended, following the period after "subcontractor", insert "Any subcontractor aggrieved by the substitution of any person in place of himself may bring an action to recover from the contractor his damages thereby incurred."

Amendment No. 3

On page 2 of the printed bill, as amended, following line 1, insert

"The failure on the part of a contractor to comply with any provision of this act shall not constitute a defense to such contractor in any action brought against him by a subcontractor.

This act shall not apply to contracts for the construction or improvement or repair of State highways, including bridges."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1875—An act to amend Sections 1, 2 and 3 of an act entitled "An act authorizing any incorporated city within the State to adopt by ordinance a retirement or pension system for the retirement of officers and employees; providing for the creation of a retirement board and for the delegation of certain powers to such board; authorizing the creation of a pension and retirement fund and the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contributions to said fund by officers and employees and the city; authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act," approved May 19, 1937, relating to municipal retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

On page 2 of the printed bill, strike out lines 6 to 22, inclusive, and insert

"SEC. 2. The city council shall adopt a resolution giving notice of intention to adopt such an ordinance, which resolution shall contain a summary of the major provisions of the proposed retirement system. The ordinance shall not be adopted unless and until an election has been held to permit the employees proposed to be included in the retirement system to express by secret ballot their approval or disapproval of said retirement proposal. The ballot of such election **shall include** the summary of the retirement system as set forth in the foregoing resolution. The election shall be conducted in such a manner as to permit the firemen, the policemen, and the other city employees proposed to be included in the system separately to express their approval or disapproval thereof. Said election shall be conducted in such manner as shall be prescribed by the legislative body of the city. The ordinance shall not include in the retirement system any of the three groups above mentioned a majority of whose members voted to disapprove the proposed system. In the event of approval by a majority of any of the three groups, membership in the system shall be compulsory for all members of that group."

Amendment No. 2

On page 2, line 46, of the printed bill, after "fund", insert a comma and "which, exclusive of contributions paid on account of service rendered prior to the effective date of the ordinance, shall not exceed the total contribution paid to the pension and retirement fund by the officers and employees."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1034—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 5, line 47, of the printed bill, strike out "_____dollars", and insert "six thousand dollars".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1982—An act to amend Section 2 of the Personal Income Tax Act, relating to the definition of residents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended, after "State", insert ", and this fact is evidenced by a legal adjudication of incompetency either before or after he came into this State,".

Amendment No. 2

On page 2, line 38, of the printed bill, as amended, after the period, insert "The word "State" shall include the Territories of Alaska and Hawaii, the District of Columbia, and the possessions of the United States."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1635—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 7 and 8, and insert "4101.5. If tax sold or tax-deeded property was sold to the State on or before July 6, 1940, and is redeemed on or before 90 days after".

Amendment No. 2

On page 1 of the printed bill, as amended, between lines 13 and 14, insert "The amount necessary to redeem under this section shall not constitute the "redemption amount" within the meaning of Section 4216."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1019—An act to add a new section to the Probate Code to be numbered 1027 and to amend Section 1201a of the Probate Code and to repeal Sections 530 and 530.1 of the Probate Code, all

relating to assignments and transfers of an interest in the estate of a decedent by heirs, devisees and legatees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "1027", and insert "1020 1".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "1027", and insert "1020.1".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "1027", and insert "1020.1".

Amendment No. 4

On page 1, line 10, of the printed bill, following "administrator", insert "or on its own motion".

Amendment No. 5

On page 2, line 9, of the printed bill, strike out "is", and insert "consists of an interest in real property".

Amendment No. 6

On page 2, line 11, of the printed bill, strike out the period, and insert ", shall be filed with the clerk of the court in which the estate proceedings are pending and placed in the files of the estate, and if of real property or of any interest therein shall be subject to the recording statutes If the conveyance or mortgage is of personal property, or any interest therein, the same shall be recorded in the office of the county recorder of the county in which the proceedings for the probate of the estate are pending and if not so recorded such conveyance or mortgage shall be void as against any subsequent purchaser or mortgagee of such interest, or any part thereof, in good faith and for valuable consideration whose conveyance is first so recorded."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2094—An act to repeal Section 184 of the Military and Veterans Code, relating to purchases of property by The Adjutant General.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 2, and insert "is hereby amended to read as follows:

184. Purchases of property not exceeding five hundred dollars ($500) in value shall be made in the manner The Adjutant General directs. If such purchases require an expenditure of a sum exceeding five hundred dollars ($500), he shall secure at least three bids on such property unless such number of bids is not obtainable. He shall, if the Governor approves, contract with the lowest responsible bidder to furnish such property. All proposals and contracts made under the authority hereby conferred shall be filed in the office of The Adjutant General."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 165—An act to amend Section 159 of the Code of Civil Procedure, relating to justices of the peace.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "and township".

Amendment No. 2

On page 1, line 8, of the printed bill, after "appointment.", insert "In counties of the first class, every justice of the peace shall also have been a resident of the township in which he is to serve for one year next preceding his election or appointment."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 209—An act to add Section 61.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof that persons to whom such beverages are served or sold are over the age of 21 years.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "or", and insert ", or any".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 8, and insert "documentary evidence of majority and identity of such person, shall".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2589—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "Two", and insert "Five".

Amendment No. 2

On page 2, line 9, of the printed bill, strike out "Seven", and insert "Five".

Amendment No. 3

On page 2, line 12, of the printed bill, strike out "three hundred", and insert "two hundred seventy-five".

Amendment No. 4

On page 2, line 16, of the printed bill, strike out "twenty-five".

Amendment No. 5

On page 2, line 18, of the printed bill, strike out "two hundred", and insert "one hundred eighty-five".

Amendment No. 6

On page 2, line 20, of the printed bill, strike out "eighty-five" and "sixty-five".

Amendment No. 7

On page 2, line 21, of the printed bill, strike out "Five", and insert "Three".

Amendment No. 8

On page 2, line 22, of the printed bill, strike out "sixty-five", and insert "fifty".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2130—An act to add an article heading for Article 1, and Article 2, comprising Sections 955 and 956, to Chapter 1 of Title 2 of Part 3 of Division 2 of, and Section 3333.5 to, the Civil Code, and Section 1880 to the Code of Civil Procedure, and to amend Section 573 of the Probate Code, relating to survival of personal injury actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "Code," insert "to amend Section 1880 of the Code of Civil Procedure,".

Amendment No. 2

On page 2, line 17, of the printed bill, as amended, insert

"SEC. 2.5. Section 1880 of the Code of Civil Procedure is hereby amended to read as follows:

1880. The following persons can not be witnesses:

1. Those who are of unsound mind at the time of their production for examination.

2. Children under 10 years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly.

3. Parties or assignors of parties to an action or proceeding, or persons in whose behalf an action or proceeding is prosecuted, against an executor or administrator upon a claim, or demand against the estate of a deceased person, as to any matter or fact occurring before the death of such deceased person. *The words "claim or demand" as used in this section include injuries to the person or to property.*"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1067—An act to amend School Code Section 5.490 and to repeal School Code Sections 5.491 and 5.492, relating to the employment of lecturers in public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5.490", and insert "Sections 5.490 and 5.491,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Sections 5.491 and 5.492", and insert "Section 5.492".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "The", and insert "Except as otherwise provided in this article, the".

Amendment No. 4

On page 1 of the printed bill, between lines 12 and 13, insert

"SEC. 2. School Code Section 5.491 is hereby amended to read as follows:

5.491. The principal of any [high] *day or evening secondary* school in which there are special day and evening classes, [or the principal of any evening high school] at his discretion may employ when so directed by the governing board of the school district, special lecturers well qualified in their subjects to speak before such classes, without any such lecturer being required to hold a teacher's certificate. *Such lecturer can not be employed in any school for more than four lectures each year.*"

Amendment No. 5

On page 1, line 13, of the printed bill, strike out "Sections 5.491 and 5.492 are", and insert "Section 5.492 is".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1066—An act to amend School Code Sections 5.652 and 5.653, relating to permanent employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended, beginning in line 4, strike out "other than incompetency due to physical or mental disability".

Amendment No. 2

On page 1, line 14, of the printed bill, as amended, after "incompetency", insert "particularly".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1652—An act to amend Section 15 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Irrigation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 15 of", and insert "add Section 15.1 to".

Amendment No. 2

In line 2 of the title of the printed bill, after "districts", insert ", authorizing them to acquire and improve land for airports or aviation schools and operate and lease the same, declaring the urgency hereof, and to take effect immediately".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 28, inclusive; and on page 2, strike out lines 1 to 31, inclusive, and insert

"SECTION 1. Section 15.1 is hereby added to the act cited in the title hereof, to follow immediately after Section 15, and to read as follows:

Sec. 15.1. The board of directors may also purchase, lease, exchange other property for, take by gift, condemn, or otherwise acquire land, or use land already acquired, for an airport or aviation school or both and may improve such land

for any of said purposes, including the erection of buildings or other structures thereon, or may sponsor any project undertaken by the United States or any agency thereof for the improvement of any such land for any of said purposes if all of the following are true:

(a) None of the land that may be outside of the district is more than seven miles from the nearest part of the boundaries of the district.

(b) The United States or any agency thereof shall agree to improve or contribute money for the improvement of the land for airport or aviation school purposes.

(c) The board finds that there is no other public agency able and willing to cooperate with the United States or its agency in the improvement of the land proposed for either or both of said purposes.

But no irrigation district shall ever issue any bonds to acquire or improve any land for any of such purposes, nor shall it incur any indebtedness therefor which can not be paid out of revenue to be derived from such airport or aviation school or the leasing thereof.

The board may accept the appropriation of any funds by the United States or any agency thereof for the improvement of the land for an airport or aviation school on any conditions imposed by the United States or its agency if the use of such airport for commercial purposes is not thereby precluded

Said board may operate any such airport or aviation school or may lease either or both of them on such terms as it deems proper.

Any irrigation district having acquired an airport or aviation school or both pursuant to the provisions of this section may accept contributions of money or property or both to be used in connection with the airport or aviation school or both.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall take effect immediately.

The following is a statement of facts constituting such necessity:

The defense of the United States and of this State is seriously threatened by a lack of airports and air training schools on the Pacific Coast. It is essential that the State of California and its agencies cooperate with the United States in carrying out plans for the establishment of airports and air training schools In many localities irrigation districts are the only State agencies in a position immediately to undertake this vital work for our common defense. If this work is not immediately undertaken it will prolong the vulnerability of this State and of our Nation to attack from without."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 798—An act relating to monopolies; declaring to be unlawful monopoly and its purposes to be in restraint of trade, any combination of persons, firms or corporations which fixes and determines the amount of money to be paid to it or to its members for the privilege of rendering privately or publicly for profit within this State copyrighted vocal or instrumental musical compositions, when such combination is composed of a substantial number of all musical composition copyright owners or their heirs, successors or assigns; to require each composer and each author of vocal or instrumental copyrighted musical compositions to act independently of each other and of any combination as herein declared unlawful in determining license fees and other rights within this State; to require the author, composer, printer and publisher to specify upon the musical composition the selling price thereof for all uses that may be made thereof, including public performance for profit within this State; to declare that any purchaser thereof, who pays such price therefor, shall have the right to render such music privately or publicly for profit within this State; to declare all existing agreements requiring license fees or other exactions for the privilege of rendering copyrighted musical compositions publicly for profit within this State with any combination of persons, firms or corporations herein declared unlawful to be void and nonenforceable; to permit the present owners, possessors and users of such copyrighted

music to render the same privately or publicly for profit within this State without interference by such unlawful combination; to provide for the appointment of a receiver and injunctive relief and the dissolution of such combination as here declared unlawful; to determine in such action the legal owner of such copyrighted musical compositions; to adjust and fix in such action the license fee to be paid, if any, and the terms for the use of such musical compositions in this State; to provide for the protection of theaters, moving picture houses, hotels, places for education and public performance or amusement, radio broadcasting, radio receiving and radio rebroadcasting stations affiliated with other persons, firms or corporations outside the State of California against the collection of license fees or other exactions by such out-of-the-State affiliates for or on account of any combination declared unlawful under Section 1 hereof; to provide that the responsibility and all liability for any infringement of copyrighted musical compositions conveyed by radio broadcast, air, wire, electrical transcription, or sound production apparatus, or by personal performance coming from outside this State, and used herein, to rest entirely with the out-of-the-State person, firm or corporation originally emanating or sending the same into this State for use herein; to provide penalties for the violation hereof; to empower the district attorneys and the Attorney General, upon complaint of any party aggrieved by any violation hereof, to proceed to enforce the penalties hereof against such combination and any of its representatives, members or agents, and against the property of such unlawful combination within this State; to define the method of service of process upon such combination as herein declared illegal; to empower any party aggrieved by any violation hereof to proceed in his own right hereunder; to define the legal procedure required to carry out the provisions hereof; to provide for the recovery of costs, expenses and attorney's fees; to provide for the filing of each said composition in the office of the Secretary of State before selling or disposing of the same, together with the amount of filing fee therefor; to provide that the terms of this act shall be cumulative; to provide that any part of this act declared illegal shall not affect the validity of the remaining parts hereof; and to declare an urgency.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 4, line 13, of the printed bill, after "State", insert a period; strike out ", and the author, composer or"; strike out lines 14 to 52, inclusive; and on page 5, strike out lines 1 to 27, inclusive.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2579—An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "5 870a", and insert "5.870-1".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert "5850. Each member of the retirement system shall contribute to the permanent fund, twelve dollars ($12) for each year of service credited to such person rendered between December 31, 1913, and July 1, 1935, twenty-four dollars ($24) for each year of such service rendered between June 30, 1935, and July 1, 1941; and sixty dollars ($60) for each year of such service rendered after June 30, 1941. Contributions for service of less than one year, shall bear the same ratio to the respective contributions required for one year, that the fractional year bears to one year."

Amendment No. 3

On page 1, lines 17 and 18, of the printed bill, strike out "twenty-four dollars ($24)", and insert "sixty dollars ($60)".

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 46, inclusive, and insert "Every person retired after the effective date hereof, who at the time of retirement, and every person retired prior to the effective date hereof and who at said date shall not be credited with contributions to the permanent fund for each year of service credited to such person, as required by this section, shall pay to the retirement system such additional amount as is necessary to bring the contributions credited to such person up to the amounts required by this section. Said additional amount or the balance of it remaining unpaid at any time, may be paid in one sum by said person or in installments as a deduction from the retirement salary payable, at the rate of 10 per cent of said retirement salary.

Provided, that until that part of the contributions in arrears which is due from persons hereafter retired, because of exemption from the provisions of the retirement system, or its predecessor, or to service outside the State, is paid, such monthly installments shall be fifteen dollars ($15) if retirement is with at least 30 years of service, and ten dollars ($10) if retirement is with less than 30 years of service."

Amendment No. 5

On page 5, line 45, of the printed bill, strike out "5.870a", and insert "5.870-1".

Amendment No. 6

On page 5, line 47, of the printed bill, strike out "5.870a", and insert "5.870-1".

Amendment No. 7

On page 5, line 51, of the printed bill, strike out "attached", and insert "attained".

Amendment No. 8

On page 5, line 52, of the printed bill, after "years", insert ", or at an earlier age if 30 years of service are completed,".

Amendment No. 9

On page 6, line 15, of the printed bill, strike out "of", and insert "by".

Amendment No. 10

On page 6, line 16, of the printed bill, strike out "paid pursuant to this article", and insert "hereafter payable under this section".

Amendment No. 11

On page 6, lines 18 and 19, of the printed bill, strike out "Adjustment shall become operative", and insert "The adjustment shall be effective".

Amendment No. 12

On page 6, line 22, of the printed bill, strike out "article", and insert "section".

Amendment No. 13

On page 6, line 25, of the printed bill, strike out "article", and insert "section".

Amendment No. 14

On page 6, line 39, of the printed bill, strike out ", if a contributor to the Annuity Fund".

Amendment No. 15

On page 6, line 44, of the printed bill, strike out "of", and insert "by".

Amendment No. 16

On page 6 of the printed bill, after line 44, insert "Retirement salaries hereafter payable under this section, to persons retired prior to the effective date hereof, shall be adjusted to the basis of the retirement salary herein provided. The adjustment shall be effective on the first day of the month in which this section becomes effective. The payment of retirement salaries as provided in this section shall not affect payments from local funds now existing or established hereafter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 529—An act to add Section 1032.1 to the Military and Veterans Code, relating to veterans' bands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "veterans' bands", and insert "the band of the Veterans' Home of California".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 and 4, and insert

"1032.1. The board shall pay to each musician who plays in the Veterans' Home band a wage of not less than twenty dollars ($20)".

Amendment No. 3

In line 2 of the title of the printed bill, following "bands", insert "and making an appropriation therefor".

Amendment No. 4

On page 1 of the printed bill, following line 5, insert

"SEC. 2. Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated to the Veterans' Home of California the sum of thirteen thousand two hundred dollars ($13,200) to be expended during the Ninety-third and Ninety-fourth Fiscal Years to carry out the provisions of this act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1555—An act to amend Sections 11, 17, 18, 20, 21, 23 and 28 of an act entitled "An act imposing a tax for the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," all relating to the taxation of the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 8, line 3, of the printed bill, as amended in the Assembly April 11, 1941, after "sections", strike out the comma and insert "or, if made subsequent to such a decision, at a price fixed by a contract which became binding prior to May 1, 1941,".

Amendment No. 2

On page 8, line 5, of the printed bill, after "tax", strike out the comma and "through no fault or omission on his part", and the comma after "part", and insert "has refrained from seeking reimbursement therefor only because of the insistence of those representing the United States with respect to such transactions and".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1602—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13 of an act entitled "An act to", and insert "Sections 19483, 19530, 19532, 19533, and 19534 of, to repeal Sections 19531 and 19537 of, and to add Sections 19531 and 19532.5 to the Business and Professions Code, relating to horse racing and horse racing meetings."

Amendment No. 2

In the title of the printed bill, strike out lines 2 to 11, inclusive.

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 19483 of the Business and Professions Code is hereby amended to read as follows:

19483. Each application for a license to conduct a horse racing meeting shall be accompanied by a certified check payable to the Treasurer of the State of California, as ex officio treasurer of the board, in either of the following sums, dependent upon the classification of the county where the meeting is to be held.

Counties of the first class.....$10,000
Counties of the second class.....$10,000
Counties of the second and one-half class.....*$ 5,000*
Counties of the third class at the rate of fifty dollars ($50) per day for such racing meeting.....($50)

SEC. 2. Section 19530 of said code is hereby amended to read as follows:

19530. For the purpose of this chapter there are [three] *four* classes of counties in the State of California, as follows:

1. Counties of the first class are those having a population of 1,000,000 or over;

2. Counties of the second class are those having a population of 600,000 or over and less than 1,000,000;

2.5. Counties of the second and one-half class are those having a population of 500,000 or over and less than 600,000.

3. Counties of the third class are those counties having a population of less than [600,000] *500,000*

SEC. 3. Section 19531 of said code is hereby repealed, and a new Section 19531 is hereby added to said code, to read as follows:

19531. In each county of the first class every licensee who during his next preceding license period handled more than thirty million dollars ($30,000,000) in the pari-mutuel pool operated by him shall be entitled to conduct horse racing upon any of 50 separate days during the nine-week period beginning with the last Sunday in December. But no such licensee shall conduct horse racing on more than six days in any calendar week.

In each county of the first class every licensee who during the preceding license period handled thirty million dollars ($30,000,000) or less, but more than twenty million dollars ($20,000,000), in the pari-mutuel pool operated by him shall be entitled to conduct horse racing upon any of 50 separate days during the 10-week

period beginning with the last Sunday in May. But no such licensee shall conduct horse racing on more than five days in any calendar week.

SEC. 4. Section 19532 of said code is hereby amended to read as follows:

19532. In the area embraced within each county of the second class and such territory as may lie within 20 miles from the exterior boundaries thereof, [the board may allow not to exceed 100 racing days per year for the entire area and county.] *but not including any part of a county of the second and one-half class, every licensee who during his next preceding license period handled more than five million dollars ($5,000,000) in the pari-mutuel pool operated by him shall be entitled to conduct horse racing upon any of 50 separate days during the 10-week period beginning with the second Sunday in March, or upon any of 50 separate days during the 10-week period beginning with the second Sunday in October, in the discretion of the board. But no such licensee shall conduct horse racing upon more than five days in any calendar week.*

SEC. 5. Section 19532.5 is hereby added to said code, to read as follows:

19532.5. In counties of the second and one-half class each licensee who during his next preceding license period handled more than five hundred thousand dollars ($500,000) in the pari-mutuel pool operated by him shall be entitled to conduct horse racing upon each of 50 separate days during the 16-week period beginning with the last Sunday in May of each year. Each licensee shall conduct horse racing upon at least one day in each calendar week.

SEC 6. Section 19533 of said code is hereby amended to read as follows:

19533. In counties and areas of the first and second classes no license shall be granted to conduct a horse race meeting upon a track less than one mile in circumference or length, to any applicant except to a county fair or a rodeo

The period for which licenses may be issued under this section shall not in any such county or area exceed 14 racing days.

Racing days allowed by the board under this section in any county or area of the first or second class, shall not diminish the [100 days racing] *number of racing days* per year permitted to be allowed to tracks of one mile or more in circumference or length by the preceding sections of this article

SEC. 7. Section 19534 of said code is hereby amended to read as follows:

19534. In each county of the third class, but outside the additional area included in counties of the second class, the board may allow not to exceed 14 racing days per year in each county

[In addition,] In counties of the third class having a population of over 200,000, but outside of the additional area included in counties of the second class, [the board may allow not to exceed 25 racing days additional per year] *every licensee who during his next preceding license period handled more than three million dollars ($3,000,000) in the pari-mutuel pool operated by him shall be entitled to conduct horse racing upon each of 30 separate days during the six-week period beginning on the second Sunday in August No such licensee shall conduct horse racing on more than five days in any calendar week*

SEC. 8 Section 19537 of said code is hereby repealed"

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 18, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1871—An act to amend Section 1081 of the Probate Code, relating to determination of heirship.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out ", and if so waived", and insert "or unless a jury is not requested and the first day's fees deposited at least five days prior to the date fixed for hearing on the original petition. If the jury is so waived or not so requested and the filing fees so deposited,".

Amendment No. 2

On page 1 of the printed bill, after line 9, insert

"In any such trial the rules of procedure shall be those of the Code of Civil Procedure. Any depositions taken in accord with said code shall be admissible in evidence. Any claimant entering or reentering such proceedings shall be bound

by evidence introduced and depositions taken prior to his entry into the proceeding or during his absence therefrom, except that he may in the discretion of the court have the right to examine any witness further if it be possible so to do."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 240—An act to amend Section 1538.5 of the Probate Code, relating to leases of wards' property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out beginning with "lease" in line 5, and ending with "quantities" in line 17, and insert "lease, and may prescribe other terms and conditions, including, with respect to a lease for the purpose of production of minerals, oil, gas or other hydrocarbon substances, a provision for the payment of rental and royalty to a bank or trust company as depositary, and for the appointment of a common agent to represent the interests of all the lessors. If the lease covers additional property owned by other persons or an undivided interest of the ward or other interest of the ward less than the entire ownership in the property, it may provide for division of rental and royalty in the proportion that the land or interest of each owner bears to the total area of the land or total interests covered by such lease. The period of the lease must not be longer than 10 years except that for the purpose of production of minerals, oil, gas or other hydrocarbon substances the lease may be for a fixed period not to exceed 20 years, and so long thereafter as minerals, oil, gas or other hydrocarbon substances are produced in paying quantities from the property leased."

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 937—An act to amend Section 78 of the Gift Tax Act of 1939, relating to the deposit and appropriation of money paid and collected thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 78 of", and insert "Sections 23, 29, 29.5, 40, 43, 49, 63 and 78 of, to repeal Section 31 of, and to add Sections 2 5, 31, 36.5, 40.5 and 70 5 to".

Amendment No. 2

Strike out lines 2 and 3 of the title of the printed bill, and insert "relating to the taxation of transfers of property and making an appropriation, to take effect immediately."

Amendment No. 3

On page 1, line 1, of the printed bill, after "Section 1.", insert "Section 2 5 is hereby added to the Gift Tax Act of 1939, to read as follows:

Sec. 2.5. For purposes of this act, the wife is deemed to have the same interest in all community property whenever acquired, if the property is community because of the manner of its acquisition by the spouses, which she has in community property acquired since the effective date of Section 161a of the Civil Code.

SEC. 2. Section 23 of said act is hereby amended to read as follows:

Sec. 23. There shall be exempt from the tax imposed by this act all transfers to this State or to the United States or to societies, corporations and institutions

now or hereafter exempted by law from taxation, or to any public corporation, or to any society, corporation, institution, or association of persons *exclusively* engaged *in* or devoted to any charitable, [benevolent,] educational, public, or other like work (pecuniary profit not being its object or purpose) ; or to any person, society, corporation, institution, or association of persons in trust *exclusively* for or to be devoted *exclusively* to any charitable, [benevolent,] educational, or public purpose, by reason whereof any such person or corporation shall become beneficially entitled in possession or expectancy to any such property or to the income thereof; provided, however, that such society, corporation, institution or association be organized or existing under the laws of this State or *that it is organized solely for charitable, educational, public or other like work under the laws* of the United States or that the property transferred be limited for use within this State; provided further, that if such society, corporation, institution, or association be organized or existing under the laws of a Territory or State of the United States (other than California) or of a foreign state or country, all transfers to such society, corporation, institution or association shall be exempt if at the date of the transfer the said State or Territory or foreign state or country under the laws of which such society, corporation, institution or association was organized or existing did not impose a gift tax of any character in respect of transfers to such a society, corporation, institution or association organized or existing under the laws of this State, or if at the date of the transfer the laws of the State or Territory or foreign state or country under which such society, corporation, institution or association was organized or existing contained a reciprocal provision under which transfers to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country were exempted from gift taxes of every character providing said other State or Territory or foreign state or country allowed a similar exemption to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country.

SEC. 3. Section 29 of said act is hereby amended to read as follows

SEC. 29. In addition to the specific exemption, a transfer by gift from any donor to any [one] donee in any calendar year not exceeding four thousand dollars ($4,000) is exempt from taxation under this act [, except where the donor is an alien nonresident of the United States and] except where the transfer is [: (a)] of a future interest in property *and except as provided in Section 2 4*

SEC. 4. Section 29.5 of said act is hereby amended to read as follows:

SEC. 29.5. [Except as otherwise provided in Sections 23 and 30,] No *specific* exemption shall be allowed where the donor is an alien nonresident of the United States.

SEC. 5. Section 31 of said act is hereby repealed.

SEC. 6. Section 31 is hereby added to said act, to read as follows:

SEC. 31. (a) "Inheritance tax" means the tax levied under the Inheritance Tax Act of 1935 or other inheritance law of California, except any tax levied under Subdivision (12) of Section 2 of such act or under a similar Federal estate tax credit provision in any other Inheritance Tax Law of California.

(b) "Gift tax" means the tax levied under this act.

(c) "Includible gift" means the total gift, before allowance of any exemptions other than the intangibles or charitable exemptions, the transfer of which was subject to gift tax where the same transfer is also subject to inheritance tax at the death of the donor.

(d) The inheritance tax payable on an includible gift shall be reduced by a gift tax credit equal to the gift tax paid on the includible gift, subject to the limitations of this section.

(e) The gift tax paid in any year on the includible gift is deemed to be that proportion of the entire tax on all gifts by the donor to the donee in that year which the amount of the includible gift bears to the total gifts by the donor to such donee in that year.

(f) "Proportionate annual exemption" means the amount which bears the same proportion to the total annual exemption allowed for all gifts to the donee in the year the includible gift was made as the value of the includible gift at the date of gift or date of death, whichever is lower, bears to the total value at date of gift of all gifts by the donor to such donee in that year.

"Net includible gift" means the value of the includible gift at the date of gift or date of death, whichever is lower, less the proportionate annual exemption.

"Net reduced includible gift" means the net includible gift less the proper proportion (as determined by the Controller) of any deductions allowable under the Inheritance Tax Law and for the payment of which the net includible gift is wholly or partially liable

"Gross value of property transferred to the donee" means the value of all property transferred (within the meaning of "transfer" as defined in Subdivision (3) of Section 1 of the Inheritance Tax Act of 1935) to the donee from the donor subject to inheritance tax, after allowance of inheritance tax deductions and before allowance of inheritance tax exemptions.

The gift tax credit shall not exceed an amount which bears the same proportion to the total inheritance tax imposed because of the donor's death or transfers (within the meaning of "transfer" as defined in Subdivision (3) of Section 1 of the Inheritance Tax Act of 1935) to the donee as the net reduced includible gift bears to the gross value of property transferred to the donee.

SEC. 7. Section 36.5 is hereby added to said act, to read as follows:

Sec. 36.5. Payment of the gift tax by the donee, or agreement by the donee to pay such tax, is not consideration, for the purpose of this act, for the transfer of any property.

SEC. 8. *Section 40 of said act is hereby amended to read as follows:*

Sec. 40. Any person who makes any transfer by gift shall, on or before [the first day of March] *April 15th* following the close of the calendar year in which the gift was made, make a gift return under oath to the Controller, who may for cause shown extend the time for making the return not exceeding six months. In such cases as the Controller may by rule prescribe, no gift return need be made. *The Controller may by rule prescribe for the filing of returns by any other person for the donor when the donor is deceased or for other reason can not personally file the return within the time allowed.*

SEC. 9. Section 40.5 is hereby added to said act, to read as follows:

Sec. 40.5. If a donor dies before filing a return for any gift and it is conceded that the same transfer is also subject to inheritance tax the value of the property transferred may be determined for submission in the gift return as follows, at the option of the executor or administrator or donee:

At any time before filing of the gift return for the donor and before filing of the inheritance tax appraiser's inheritance tax report including the gift the executor or administrator in the probate proceeding, or the donee or respondent in any other proceeding, wherein the amount of inheritance tax on the transfer will be determined may file in the proceeding an "Election for Gift Tax Valuation."

The election shall show such information as may be required by the Controller and shall state that the person filing it (1) concedes that the gift is subject to inheritance tax and (2) elects that the appointed inheritance tax appraiser shall value the gift for gift tax as well as inheritance tax purposes. A copy of the election shall be served on the inheritance tax appraiser prior to or concurrently with the filing of the election or, if the appraiser has not yet been appointed when the election is filed, the copy shall be served on the appraiser immediately after his appointment.

As soon as possible after the filing and serving of such election, the inheritance tax appraiser shall without charge appraise the property as of the date of gift and send a report in the form prescribed by the Controller to the person filing the election showing the value of the gift for gift tax purposes. The original of this report shall be filed as part of the gift return and constitutes prima facie evidence of the value of the gift for gift tax purposes. If the appraiser's report is not received in time so that it can be filed as part of the gift return within the time during which the gift return may be filed without penalty, the gift return shall contain a statement of the facts and may be filed without the report, and the Controller shall in such cases by rule prescribe for the manner of filing the report thereafter or for other means of determining the value of the property.

SEC. 10. *Section 43 of said act is hereby amended to read as follows:*

Sec. 43. If no gift return is made as required by this act *or by the regulations of the Controller*, or if the return does not show all transfers subject to the tax levied by this act in the year for which the return is made, a penalty of 10 per cent attaches to the tax on the transfers not included in a return. If the failure to make a gift return or the failure to include any transfers in a gift return is the result of fraudulent intent to evade the tax, an additional penalty of 25 per cent attaches to the tax on the transfers not included in a gift return. The penalties imposed by this section attach as of the date of the gift and notice of the determination of the tax and penalty shall be sent to the donor *or to the person liable for the tax* in the same manner as any other determination of tax. These penalties shall be considered as part of the tax for the purpose of determining the date when the tax and these penalties are delinquent and for the purpose of determining the penalty for delinquency.

SEC. 11. *Section 49 of said act is hereby amended to read as follows:*

Sec. 49. The tax is due at the time the gift is made. The tax is delinquent when the determination of the Controller fixing the amount of tax becomes final. If the tax is not paid before it is delinquent it shall bear interest thereafter at the rate of 7 per cent per annum, *except that if a gift return is filed after April 15 of the year succeeding the year when the gift was made, regardless of whether extension of time for filing is obtained, the tax shall bear interest at the rate of 7 per cent per annum beginning June 15 of the year succeeding the year when the gift was made.* The Controller may postpone the date of delinquency for good cause but not beyond six months, in which case the tax shall bear interest during the period of postponement at 7 per cent per annum from the time when the tax would [otherwise be delinquent] *begin to bear interest had no postponement been allowed.*

SEC. 12. Section 63 of said act is hereby amended to read as follows:

Sec. 63. Any person required under this act *or under the regulations of the Controller* to make any return or pay any tax who wilfully fails to make such return or pay such tax[,] shall, in addition to other penalties provided by law, be subject to a penalty of one thousand dollars ($1,000), which may be collected in a civil action by the Controller brought in any court of competent jurisdiction.

SEC. 13. Section 70.5 is hereby added to said code, to read as follows:

Sec 70 5. Nothing in Section 70 shall be construed to prevent the valuation of insurance policies and annuity contracts at their market value as of the date of gift.

SEC. 14."

Amendment No. 4

On page 1, line 7, of the printed bill, before "Gift", insert "Inheritance and".

Amendment No. 5

On page 1, line 8, of the printed bill, before "Gift", insert "Inheritance and".

Amendment No. 6

On page 1, line 10, of the printed bill, after "act", insert "and, in any case where the county treasurer does not have sufficient funds in his custody for the purpose, to pay refunds authorized under the Inheritance Tax Act of 1935".

Amendment No. 7

On page 1 of the printed bill, strike out lines 19 and 20, and insert

"(b) For the support of the Inheritance and Gift Tax Department, State Controller, including but not limited to the payment of deficiencies authorized under Section 661 of the Political Code.

(c) During the Ninety-third and Ninety-fourth Fiscal Years, there may be expended from the money appropriated in subdivision (b) such sums as may be made available under Section 661 of the Political Code and in addition thereto such portion of the sum made available in the Budget Act of 1941 for the support of the State Controller as the State Controller, with the approval of the Department of Finance, may determine is necessary for the support of the Inheritance and Gift Tax Department in the Office of the State Controller, subject to any limitations imposed in the Budget Act of 1941 on expenditures for the benefit of the Inheritance Tax Division or the Inheritance and Gift Tax Department, and the appropriation in the Budget Act of 1941 for the support of the State Controller shall be reduced by an amount equal to the portion so determined.

(d) The balance of the money in the Inheritance and Gift Tax Fund shall, on order of and at times prescribed by the Controller, not less often than once a year,".

Amendment No. 8

On page 1 of the printed bill, strike out lines 22 to 27, inclusive, and insert

"SEC 15. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1433—An act to amend Sections 7678, 8306 and 8402 of the Revenue and Taxation Code, relating to the filing of reports under the Motor Vehicle Fuel License Tax Law, the revocation of licenses under the Motor Vehicle Fuel License Tax Law, and the conduct of activities without a license.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Strike out all of line 1 of the title of the printed bill after "An act to"; and strike out the remainder of the title, and insert "add a new section to be numbered 10a to the Motor Vehicle Fuel License Tax Act and a new section to be numbered 7406 to the Revenue and Taxation Code, relating to the distributions of motor vehicle fuel to certain contracts, to defer assessment and determination of motor vehicle fuel license tax in certain instances, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1, line 1. of the printed bill, after "SECTION 1.", strike out the remainder of that line; strike out lines 2 to 24, both inclusive; and on page 2, strike out lines 1 to 20, both inclusive, and insert "A new section to be numbered 10a is hereby added to the Motor Vehicle Fuel License Tax Act, to read as follows:

10a. The provisions of this act exempting motor vehicle fuel sold to the Government of the United States from the measure of the license tax imposed hereunder shall not apply to any motor vehicle fuel sold to contractors purchasing such fuel either for their own account or as the agents of the United States for use in the performance of contracts with the United States for construction of National defense facilities on a cost-plus-a-fixed-fee basis.

SEC. 2. A new section to be numbered 7406 is hereby added to the Revenue and Taxation Code, to read as follows:

7406. The provisions of Section 7401 exempting motor vehicle fuel sold to the Government of the United States from the measure of the license tax imposed hereunder shall not apply to any motor vehicle fuel sold to contractors purchasing such fuel either for their own account or as the agents of the United States for construction of National defense facilities on a cost-plus-a-fixed-fee basis

SEC. 3. Except as otherwise provided in this act, pending a final decision in a court of last resort to the effect that the license tax imposed by the Motor Vehicle Fuel License Tax Act or by Part 2 of Division 2 of the Revenue and Taxation Code, as the case may be, is applicable with respect to sales of motor vehicle fuel used in the performance of contracts with the United States for the construction of National defense facilities on a cost-plus-a-fixed-fee basis, the State Board of Equalization shall exclude such sales in computing any assessment made pursuant to Section 6 of the Motor Vehicle Fuel License Tax Act and any determination made pursuant to Section 7654 of the Revenue and Taxation Code, regardless of whether such fuel is sold to the contractors so purchasing it directly by the distributor thereof or by a consignee or vendee of such distributor.

SEC. 4. Except as otherwise provided in this act, the State Board of Equalization shall not make an assessment or determination of license tax arising out of transactions such as are described in Section 3 hereof when the distribution of the fuel is made prior to a decision such as is mentioned in said section, or when made subsequent to such a decision at a price fixed by contract which became binding prior to May 1, 1941, if it is established to the satisfaction of the board that the person liable for the license tax has refrained from seeking reimbursement therefor only because of the insistence of those representing the United States with respect to such transactions and has not been, and after reasonable effort to collect can not be, reimbursed therefor as a part of the sales price of the fuel.

SEC. 5. Unless a person liable for a license tax such as is described in Sections 3 and 4 of this act shall maintain accurate records with respect to all transactions of the type therein described and shall report the transactions to the State Board of Equalization as required by the Motor Vehicle Fuel License Tax Act or the Revenue and Taxation Code, as the case may be, said sections shall not apply to such person or to any license tax assessed against him.

SEC. 6. Nothing contained in this act shall prevent the State Board of Equalization from making such assessments or determinations of license tax with respect to transactions of the type described in Sections 3 and 4 of this act as it may deem necessary to establish the validity of assessments or determinations arising out of transactions of such kind, nor shall this act affect the power and duty of the board to make an assessment or determination if the board believes that the collection of any license tax imposed by or under the Motor Vehicle Fuel License Tax Act or Part 2 of Division 2 of the Revenue and Taxation Code will be jeopardized by delay.

SEC. 7. Any claim for refund of the amount of license tax included in the sales price of fuel sold under circumstances such as are described in Section 3 hereof may be filed with the State Controller within 60 days after the filing with that official of the assessment roll showing the license tax to be due with respect to the distribution of such fuel, notwithstanding any other provisions to the contrary in Section 11 of the Motor Vehicle License Tax Act or Section 8105 of the Revenue and Taxation Code.

SEC 8. Nothing contained in this act shall be construed as a legislative intent, interpretation, or concession to the effect that the license tax imposed under the Motor Vehicle Fuel License Tax Act or Part 2 of Division 2 of the Revenue and Taxation Code, as the case may be, is inapplicable with respect to sales of the kind mentioned herein, or that the motor vehicle fuel license tax is imposed otherwise than upon the distributor for the privilege of distributing motor vehicle fuel in this State.

SEC. 9. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portion of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 10. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of the Motor Vehicle Fuel License Tax Act as they existed on January 1, 1941, are hereby continued in force until May 1, 1941, and that the provisions hereof adding a new section to the Revenue and Taxation Code shall become operative at the same time as Part 1, Division 2, of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1617—An act to amend Section 3300 of the Health and Safety Code, relating to State aid to cities and counties for the treatment of persons suffering from tuberculosis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, after "tuberculosis", insert ", providing money therefor, to take effect immediately".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "seven", and insert "five"

Amendment No. 3

On page 1 of the printed bill, after line 17, insert

"SEC. 2. In addition to the money appropriated for subsidies to the Bureau of Tuberculosis, Department of Public Health, by Item 199 of the Budget Act of 1941, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of nine hundred eighty-three thousand three hundred thirty-three ($983,333) to be expended by the Bureau of Tuberculosis, Department of Public Health, for subsidies during the Ninety-third and Ninety-fourth Fiscal Years.

SEC. 3. This act inasmuch as it provides an appropriation for the usual current expenses of the State shall take effect immediately and become operative on July 1, 1941."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 11 to 20, inclusive, and insert "welfare purposes, a sum equal to 2 per cent of all sums reported as expended under Sections 1556, 1556.5, 2189 and 3087.3 of this code by the county as aid for welfare purposes, but in no event shall the sum so allowed exceed 50 per cent of the total cost of such administration after deducting from such cost any sums paid to the county from the sums granted or made available therefor to this State by the United States Government for such cost of administration."

Amendment No. 2

On page 3, line 7, of the printed bill, as amended, after "quarter", insert "or in the manner prescribed by the State Department of Social Welfare."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 852—An act to add Article 4.5, comprising Sections 12397 and 12398, inclusive, to Chapter 1, Part 6, Division 2, of the Insurance Code, relating to title insurance and fees and charges for title insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 28, inclusive, and insert "charged for each type of policy. Such schedule shall provide for a minimum period during which the insurer will increase the indemnities applied for without additional charge or upon an additional charge which shall be specified in the schedule.

12398. Every title insurer shall notify the applicant for or other persons known by the insurer to be beneficially interested in a title search or title insurance policy, that a copy of its schedule of rates which is on file with the Insurance Commissioner is in the office of the insurer and available for his inspection. The notice shall contain a statement that the schedule provides for holding open the order for the purpose of increasing indemnities or other change under the conditions specified in the schedule of rates."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1728—An act to add Section 5.29 to the Retail Sales Tax Act of 1933 and Section 4.18 to the Use Tax Act of 1935, relating to the exemption of property sold or used in the National Defense Program.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "An act to", strike out the rest of the line; and strike out lines 2 to 6, inclusive, and insert "defer final assessment and determination of sales and use taxes in certain instances,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Except as otherwise provided in this act, if a retailer, or other person authorized so to do, petitions in conformity with the requirements of Section 20 of the Retail Sales Tax Act of 1933, Section 12 of the Use Tax Act of 1935, or Section 6561 of the Revenue and Taxation Code for reassessment or redetermination of a tax computed on gross receipts from sales of, or the sales price of, tangible personal property used in the performance of contracts with the United States for construction of National defense facilities on a cost-plus-a-fixed-fee basis, pending a final decision in a court of last resort that the tax imposed under the Retail Sales Tax Act of 1933, the Use Tax Act of 1935, or the Revenue and Taxation Code, as the case may be, is applicable with respect to transactions of such kind, the State Board of Equalization shall not initiate action to cause the assessment or determination to become final.

SEC. 2. Except as otherwise provided in this act, the State Board of Equalization shall not make a final assessment or determination with respect to a tax which is the subject of a petition for reassessment or redetermination under the conditions described in Section 1 hereof, and which is computed on gross receipts from,

or the sales price of, a sale made prior to a decision such as is mentioned in said section if it is established that the person liable for the tax, after reasonable effort, has been unable to collect the amount of such tax from the vendee.

SEC. 3. Unless a person otherwise liable for a tax such as is described in Sections 1 and 2 of this act shall maintain accurate records with respect to all transactions of the type therein described and shall report the transactions to the State Board of Equalization as required by the Retail Sales Tax Act of 1933, the Use Tax Act of 1935, or the Revenue and Taxation Code, as the case may be, said sections shall not apply to such person or to any tax assessed against him.

SEC. 4. Nothing contained in this act shall prevent the State Board of Equalization from making such final assessments or determinations of tax with respect to transactions of the type described in Sections 1 and 2 of this act as it may deem necessary to establish the validity of assessments or determinations arising out of transactions of such kind, nor shall this act affect jeopardy assessments under Section 19 of the Retail Sales Tax Act of 1933, or jeopardy determinations under Section 11 of the Use Tax Act of 1935, or Section 6536 of the Revenue and Taxation Code.

SEC. 5. No interest shall be required of a taxpayer by the State with respect to any tax assessed or determined under the Retail Sales Tax Act of 1933 or the Use Tax Act of 1935 or the Revenue and Taxation Code, arising out of transactions described in Sections 1 and 2 of the act, if such tax is paid within 90 days after the effective date of the final decision in a court of last resort that the tax imposed under said acts is applicable, as the case may be, with respect to transactions of such kind.

SEC. 6. Nothing contained in this act shall be construed as a legislative intent, interpretation, or concession to the effect that the tax imposed under the Retail Sales Tax Act of 1933, the Use Tax Act of 1935, or the Revenue and Taxation Code, as the case may be, is inapplicable with respect to any transaction or situation mentioned herein, and the Legislature hereby declares and reaffirms that the sales tax is not imposed upon any purchaser of tangible personal property in this State, but is for the privilege of engaging in the business of selling such property at retail.

SEC. 7. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 8. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 21, inclusive; and strike out pages 2, 3 and 4.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1608—An act to establish a county merit system commission for every county, defining its powers and duties, and providing for the organization and government of a merit system for the welfare department employees in every county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "the members of which are to", and insert ", and, except as otherwise provided in the charter of any chartered county, the members thereof shall".

Amendment No. 2

On page 2 of the printed bill, between lines 13 and 14, insert

"SEC. 3.5 In lieu of the merit system commission provided for in Section 2, the board of supervisors may designate the county board of education as the merit system commission, and when so designated, the county board of education shall perform

all the duties and exercise all the powers conferred upon the merit system commission by this act.

The members of the county board of education shall not be entitled to any additional compensation for acting as the merit system commission, but the board of supervisors may authorize the payment of their necessary expenses incurred in the performance of such duties."

Amendment No. 3

On page 2, line 27, of the printed bill, strike out "ordinance", and insert "act".

Amendment No. 4

On page 4, line 43, of the printed bill, strike out "commission", and insert "board of supervisors".

Amendment No. 5

On page 5, line 12, of the printed bill, strike out "for six months next preceding", and insert "prior to January 1, 1940".

Amendment No. 6

On page 5, line 22, of the printed bill, strike out ". After", and insert ", after the".

Amendment No. 7

On page 6, line 15, of the printed bill, strike out "ordinance", and insert "act".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 301—An act to amend Sections 17050, 17083 and 17086 of, and to add Sections 17087 and 17088 to, the Business and Professions Code or to amend Sections 6 and 10 of, and to add Sections 6.2 and 6.3 to, an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to close-out sales.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

Strike out lines 1 to 4 of the title of the printed bill, and insert "An act to amend Section 17086 of the Business and Professions Code or to amend Section 10 of an act entitled "An act relating to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 17, inclusive; and on page 2, strike out lines 1 to 33, inclusive, and insert

"SECTION 1. Section 17086 of the Business and Professions".

Amendment No. 3

On page 3 of the printed bill, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 22, inclusive.

Amendment No. 4

On page 4, line 23, of the printed bill, strike out "8", and insert "2".

Amendment No. 5

On page 5 of the printed bill, strike out lines 18 to 20, inclusive, and insert a period.

Amendment No. 6

On page 5, line 17, of the printed bill, strike out the comma at the end of said line.

Amendment No. 7

On page 6, line 9, of the printed bill, strike out "SEC 9. Sections 1 to 4 inclusive", and insert "SEC. 3. Section 1".

Amendment No. 8

On page 6, line 20, of the printed bill, strike out "SEC. 10. Sections 5 to 8, inclusive,", and insert "SEC. 4. Section 2".

Amendment No. 9

On page 6, line 32, of the printed bill, strike out "11", and insert "5".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 973—An act to amend Section 2302 of the Welfare and Institutions Code, relating to inspection and licensing of institutions and boarding homes for the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, after "aged", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"2302. The State Department of Social Welfare may inspect, examine and license under this chapter or any county may establish and the State Department of Social Welfare may accredit and approve an inspection service to perform such functions under this chapter.

If any county establishes an inspection service, the inspection shall be made".

Amendment No. 3

On page 1, lines 15 and 16, of the printed bill, strike out "or other political subdivision".

Amendment No. 4

On page 1 of the printed bill, strike out lines 22 and 23; and in line 24, strike out "vision.", and insert "The costs of any inspection service undertaken by a county with the approval of the State Department of Social Welfare shall be borne by the State and the county shall file claims with the department at the time and in the manner specified by the department for reimbursement of the expenses incurred by the county."

Amendment No. 5

On page 1, line 25, of the printed bill, strike out "or other political subdivision".

Amendment No. 6

On page 1 of the printed bill, after line 26, insert

"SEC. 2. The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended by the State Department of Social Welfare during the Ninety-third and Ninety-fourth Fiscal Years for the expenses incurred by it and the counties under Chapter 2 of Division 3 of the Welfare and Institutions Code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1079—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "cloth banners and tin signs placed within the business district, as the same is defined in Section 89 of the Vehicle Code, of an unincorporated area."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1167—An act to add Section 5.750-1 to the School Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, after the comma, insert "and such additional days thereto as the governing board may allow for illness or injury,".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "may", and insert "shall".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "15 days.", and insert "20 days, or such additional days as the governing board may allow."

Amendment No. 4

On page 1, line 11, of the printed bill, strike out the comma.

Amendment No. 5

On page 1, line 13, of the printed bill, strike out the period, and insert "or to such additional days granted by the governing board."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 943—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 6215 to the Public Resources Code,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out the period, and insert ", and providing alternative methods for protecting the interests of the State in the case of lands heretofore sold with a reservation to the State of a one-sixteenth interest in the oil and gas and other minerals therein"

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 6215 is hereby added to the Public Resources Code, to read as follows:

6215. As to lands heretofore sold by the State with a reservation to the State of a one-sixteenth interest in the oil and gas or other minerals therein, pursuant to Chapter 303 of the Statutes of 1921, and where it appears that there are or may be deposits of oil and gas in such lands the commission may enter into agreements

with respect thereto in the manner provided by Section 6815 of this code with respect to lands owned by the State, or the commission may consent to the inclusion of such lands with the lands of other persons under a cooperative or unit plan of development or operation of a pool or field if it appears that the purpose of such plan is the conserving of the natural resources of any single oil or gas pool or field and if it is determined by the commission to be necessary or advisable in the public interest."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 974—An act to amend Section 1622 of the Welfare and Institutions Code, relating to the inspection and licensing of institutions for child care and home finding.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, after "finding", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"1622. The State Department of Social Welfare may inspect, examine and license under this chapter or any county may establish and the State Department of Social Welfare may accredit and approve an inspection service to perform such functions under this chapter.

If any county establishes an inspection service, the inspection shall be made".

Amendment No. 3

On page 1, lines 14 and 15, of the printed bill, strike out "or other political subdivision".

Amendment No. 4

On page 1 of the printed bill, strike out lines 21 and 22; and in line 23, strike out "division", and insert

"The costs of any inspection service undertaken by a county with the approval of the State Department of Social Welfare shall be borne by the State and the county shall file claims with the department at the time and in the manner specified by the department for reimbursement of the expenses incurred by the county".

Amendment No. 5

On page 1, line 24, of the printed bill, strike out "or other political subdivision".

Amendment No. 6

On page 1 of the printed bill, after line 25, insert

"SEC. 2. The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended by the State Department of Social Welfare during the Ninety-third and Ninety-fourth Fiscal Years for the expenses incurred by it and the counties under Chapter 1 of Part 3 of Division 2 of the Welfare and Institutions Code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1484—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 3, line 27, of the printed bill, after "minor.", insert "In any event the license of such a minor shall be deemed canceled and the employer having signed the application shall be relieved of the responsibility 10 days after any request of

the employer to be relieved of responsibility under this section shall have been deposited in the mails in an envelope addressed to the Department of Motor Vehicles, postage prepaid."

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1276—An act to amend Section 4251 of the Political Code, relating to the compensation for public services in counties of the twenty-second class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1306—An act to provide for the alteration of the existing boundary lines between counties, for the transfer of territory from one county to another county and for the adjustment and fulfillment of the rights and obligations arising between such counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 498—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 295—An act to amend Section 4986 of the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 327—An act to amend Section 1861a of the Civil Code, relating to liens.

Bill read second time, and ordered to third reading.

Senate Bill No. 908—An act to amend Section 1 of the California Nautical School Act, relating to the State Nautical School.

Bill read second time, and ordered to third reading.

Senate Bill No. 366—An act to add Section 4300 1c to the Political Code, relating to municipal court fees and costs.

Bill read second time, and ordered to third reading.

Senate Bill No. 496—An act to amend Section 164 of the Civil Code, relating to property acquired after marriage.

Bill read second time, and ordered to third reading.

Senate Bill No. 495—An act to amend Sections 396 and 439 of the Code of Civil Procedure, relating to transfer of cases.

Bill read second time, and ordered to third reading.

Senate Bill No. 667—An act to amend Section 2957 of the Civil Code, relating to mortgages of personal property.

Bill read second time, and ordered to third reading.

Senate Bill No. 502—An act to amend Section 2953 of the Civil Code, relating to agreements waiving statutory rights.

Bill read second time, and ordered to third reading.

Senate Bill No. 613—An act to amend Section 737jj of the Political Code, relating to salaries of superior court judges of San Bernardino County.

Bill read second time, and ordered to third reading.

Senate Bill No. 882—An act to amend Section 974 of the Political Code, relating to discharge of sureties.

Bill read second time, and ordered to third reading.

Senate Bill No. 883—An act to add Section 1483.3 to the Probate Code, relating to order of court substituting sureties.

Bill read second time, and ordered to third reading.

Senate Bill No. 743—An act to add Section 1483.1 to the Probate Code, relating to reduction of bond of guardian.

Bill read second time, and ordered to third reading.

Senate Bill No. 675—An act to add Section 1483.2 to the Probate Code, relating to guardian's petition for substitution and discharge of surety.

Bill read second time, and ordered to third reading.

Senate Bill No. 674—An act to add Section 1557.1 to the Probate Code, relating to the investment of funds in guardianship matters.

Bill read second time, and ordered to third reading.

Senate Bill No. 668—An act to amend Section 587 of the Probate Code, relating to the powers and duties of executors and administrators.

Bill read second time, and ordered to third reading.

Senate Bill No. 606—An act to amend the title of an act entitled "An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect," approved February 1, 1935, relating to cooperation between irrigation districts and county water districts

Bill read second time, and ordered to third reading.

Senate Bill No. 1043—An act to amend Sections 126, 1067, 1234, 1255, 1650, 2011, 2042, 2043, 2044, 2527, 2577, 2655, 2658, 2659, 2754,

2815, 2816 and 3281 of, to add Section 2041.5 to, and to repeal Sections 1652 and 2865 of, the Water Code, relating to water and the determination and administration of water rights.

Bill read second time, and ordered to third reading.

Senate Bill No. 1045—An act to amend Section 4251 of, and to add Sections 4200.5, 4300.5 and 4351.5 to, the Water Code, or to amend Sections 4, 5 and 9 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Bill read second time, and ordered to third reading.

Senate Bill No. 117—An act to repeal Sections 2.464, 2.465, 6.383 and 6.384 of, to amend Sections 2.505, 3.301 and 4.250 of, and to add Sections 3.321, 3.222, 3.323, 3.324 and 3.325 to, the School Code, all relating to the payment of the costs of providing for the education of high school pupils not residing in a high school or unified school district.

Bill read second time, and ordered to third reading.

Senate Bill No. 171—An act to amend Section 2.461 of, to repeal Sections 2.462, 2.463, 2.464 and 2.465 of, and to add a new section to be numbered 2.462 to, the School Code, all relating to annexation of elementary school districts on petition from a high school board.

Bill read second time, and ordered to third reading.

Senate Bill No. 517—An act to add Section 1.253 to the School Code, relating to assistant county supervisor of attendance.

Bill read second time, and ordered to third reading.

Senate Bill No. 360—An act to add Part 2, comprising Chapters 1 to 4, inclusive, Sections 16600 to 17101, inclusive, to Division 7, and to add Section 30028 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the preservation and regulation of competition, and repealing acts and parts of acts specified herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 6 of the printed bill, as amended, strike out lines 43 to 52, inclusive.

Amendment No. 2

On page 14, line 38, of the printed bill, as amended, strike out "1907 530 984".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1287—An act to add Section 65 to the Penal Code, relating to solicitations on behalf of initiative petitions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 5, of the printed bill, following "initiative", insert "referendum or recall".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "or if any material fact is concealed".

Amendment No. 3

On page 1, line 9, of the printed bill, following "initiative", insert "referendum or recall".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 3, line 45, of the printed bill, as amended, after "any law," insert "other than the law superseded by this chapter,".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 563—An act to amend Section 67.1 of the Alcoholic Beverage Control Act, relating to the tax on wine used for industrial purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "section", and insert "sections".

Amendment No. 2

In line 1 of the title of the printed bill, as amended, between "1" and "of", insert "and 23".

Amendment No. 3

In line 2 of the title of the printed bill, as amended, strike out "used for industrial purposes", and insert a period.

Amendment No. 4

On page 1 of the printed bill, as amended, following line 18, insert

"SEC. 2. Section 23 of the Alcoholic Beverage Control Act is hereby amended to read as follows:

Sec. 23. An excise tax is hereby imposed upon all beer and wine sold in this State by a manufacturer or importer, except as otherwise in this act provided, at the following rates:

(a) On all beer, sixty-two cents ($0.62) for every barrel containing 31 gallons, and at a proportionate rate for any other quantity; (b) on all natural dry wines one cent ($0.01) per wine gallon and at a proportionate rate for any other quantity; (c) on all other still wines two cents ($0.02) per wine gallon and at a proportionate rate for any other quantity; (d) on champagne, sparkling wine, except sparkling hard cider, whether naturally or artificially carbonated [one and one-half cents per half pint or fraction thereof, three cents per pint or fraction thereof greater than one-half pint, six cents per quart or fraction thereof greater than one pint], twenty-four cents ($0.24) per wine gallon and at a proportionate rate for any other quantity; (e) on sparkling hard cider two cents ($0.02) per wine gallon and at a proportionate rate for any other quantity."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 562—An act to amend Section 49 of the Alcoholic Beverage Control Act, relating to the importation of alcoholic beverages and consignment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 to 22, inclusive, and insert

"Sec. 49 Alcoholic beverages shall be brought into this State from without this State for delivery or use within the State only by common carriers and only when such alcoholic beverages are consigned to a licensed importer, and only when consigned to the premises of such licensed importer or to the premises of a public warehouse licensed under this act; provided, however, that a shipment shall be deemed to be consigned to a licensed importer, although originally consigned to a person not so licensed, when such shipment is, before delivery and without leaving the possession of the common carrier transporting the same, reconsigned or diverted in transit by either the consignor or the consignee or consignees to a licensed importer to whom final delivery by the common carrier is made Alcoholic beverages which are consigned to a destination within this State shall be presumed to be for delivery or use within this State. Alcoholic beverages imported into this State contrary to the provisions hereof shall be seized by the board. Every person violating the provisions of this section shall be guilty of a misdemeanor."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1182—An act to provide for the organization and government of water storage and conservation districts; to provide for the acquisition, construction, maintenance and operation of works for the purposes of such districts, including the drainage, reclamation and irrigation of land; and to prescribe and define the powers, duties, purposes and responsibilities of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 1, and insert

"FORMATION

SECTION 1. The holders of title or evidence of title to a".

Amendment No. 2

On page 2, line 8, of the printed bill, as amended, strike out "If any parcel of land is assessed on the assess-", and insert

"SEC. 2. If any parcel of land is assessed on the assess-".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 32 to 52, inclusive; and on page 3, strike out 1 to 47, inclusive, and insert

"SEC. 3 The rights, privileges and immunities created by this act in favor of any holder of title or evidence of title, including such aforesaid rights, to lands contained in the district may for his benefit and on his behalf be exercised by, and are hereby extended to, his legal representative in all cases where said legal representative is an official of said corporation owning land within the district or is a guardian, executor, or administrator of an estate who is appointed as such under the laws of this State and who as such is entitled to the possession of lands included within said water storage and conservation district belonging to the estate which he represents and who has been by the court duly authorized to exercise the particular right, privilege or immunity which he seeks to exercise; provided, however, that he must, before he casts a ballot at any election of the district, present the board of election or some clerk thereof with a certified copy of his authority, which must be kept and filed with the returns of the election."

Amendment No. 4

On page 3, line 48, of the printed bill, as amended, strike out "3", and insert "4".

Amendment No. 5

On page 4, line 27, of the printed bill, as amended, strike out "At the hearing the board shall hear all relevant evidence in", and insert

"SEC. 5. At the hearing the board shall hear all relevant evidence in".

Amendment No. 6

On page 5 of the printed bill, as amended, strike out lines 12 to 21, inclusive, and insert "board.

SEC. 6 After making and entering such an order defining and".

Amendment No. 7

On page 5 of the printed bill, as amended, strike out line 41, and insert

"SEC. 7. Where a consolidation of officers as hereinafter provided for".

Amendment No. 8

On page 5 of the printed bill, as amended, strike out line 48, and insert

"SEC 8 At such election there shall be elected a board of five".

Amendment No. 9

On page 6 of the printed bill, as amended, strike out line 22, and insert

"SEC. 9. Said board of supervisors shall then cause a copy of such".

Amendment No. 10

On page 6 of the printed bill, as amended, strike out line 28, and insert

"SEC. 10. Immediately upon the formation of the district as herein".

Amendment No. 11

On page 6 of the printed bill, as amended, strike out line 40, and insert

"SEC. 11. The officers elected at the election hereinbefore provided for".

Amendment No. 12

On page 6 of the printed bill, as amended, strike out lines 45 to 52, inclusive; and on page 7, strike out lines 1 to 6, inclusive, and insert "and qualified.

SEC 12 A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California in a quo warranto proceeding brought by the Attorney General. Any such proceeding must be commenced before the commencement of such a proceeding as is provided for in Section 13 hereof, or in any case such a proceeding must be commenced within one year after the making and entry of the said order of the board of supervisors.

SEC 13. Any district formed hereunder, in order to deter-"

Amendment No. 13

On page 7 of the printed bill, as amended, strike out lines 28 to 52, inclusive; and on page 8, strike out lines 1 to 23, and insert

"SEC. 14. If at any time after the organization of any district hereunder, the boundaries of the county in which the same was organized shall be so changed or modified as to exclude therefrom all of the lands contained in said district, then and in that event the records and documents of said district in the possession and care of the board of supervisors of said county, together with a certified copy of the proceedings had by the district under jurisdiction of said board of supervisors, shall be transferred and filed with the clerk of the board of supervisors of the county in which the greater portion of the lands contained in said district are located. All proceedings, petitions, orders or other documents which have been filed with the recorder of the county in which said district was organized, and which, or a certified

copy thereof, have not been recorded in the county to which said district is transferred, shall be certified to by said county recorder and filed for record with the county recorder of the county to which said district has been transferred, and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. From and after the transfer in the manner above specified the board of supervisors of the county to which the district is transferred shall have and exercise all of the jurisdiction, power and authority over said district as was theretofore exercised by the board of supervisors of the county wherein such district was originally formed and thereafter any act or duty which is herein required to be done by the board of supervisors or any officer of the county in which said district was organized shall be performed by the corresponding board of supervisors or other official of the county to which said district has been transferred, and in general the said district shall thereafter conduct and manage its affairs through its proper officials and in conjunction with the proper officials of each county in which any of the lands contained in said district are located as though said district was originally organized in the county to which it was transferred.

OFFICERS

SEC 15 The officers of the district shall be a board of five".

Amendment No. 14

On page 8 of the printed bill, as amended, strike out line 42, and insert

"SEC. 16 In each water storage and conservation district formed under this act there shall be an election every four years held at such time and place in the district as shall be provided in the by-laws of the district, at which election an assessor, a collector, a treasurer, and five directors shall be elected to hold office for four years and until their successors are elected and qualified. The board of directors may, in its discretion, consolidate any two or more offices of assessor, collector, and treasurer. The order of consolidation must be made at least 30 days prior to such election; provided, that the board of directors may, at least 30 days before any succeeding election of the district, where the offices have been consolidated, segregate the same.

SEC. 17. Until such time as their salaries shall have been fixed by the".

Amendment No. 15

On page 9 of the printed bill, as amended, strike out line 1, and insert

"SEC. 18. The board of directors shall choose from among its".

Amendment No. 16

On page 9 of the printed bill, as amended, strike out lines 27 to 42, inclusive, and insert

"SEC. 19 No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any construction or supply contract awarded or to be awarded by the board, or in the profits to be derived therefrom, but no other character of contract shall be invalid because of interest on the part of a director or officer, unless such director or officer participate in or influence the making or authorization of such contract on behalf of the district; and for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars ($500), or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

POWERS

SEC. 20. Any water storage and conservation district organized and established as herein provided shall have power:

1. To have perpetual succession.

2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter it at pleasure.

4. To take by grant, appropriation, purchase, gift, devise, condemnation, contract or lease, and to hold, use, enjoy, and to lease or dispose of, real and personal property of every kind, within or without the district, necessary to the full exercise of its powers.

5. To make surveys and investigations of the water supply and resources of the district; to conserve and store water by the construction of dams and reservoirs and transport such water for irrigation by means of canals, ditches, laterals, flumes, pipe lines and spread and sink the same into underground storage basins and to build, construct or acquire the necessary spreading basins, sinking wells and sinking basins therefor; to appropriate, acquire and conserve water and water rights for any useful purposes; to commence, maintain, intervene in and compromise, in the name of the district, and to assume the costs of, any action or proceeding, involving or affecting the ownership or use of water or water rights within or without the boundaries of the district, used or useful for any purpose of the district, or of common benefit to the lands situated therein; to commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference

with or diminution of the natural flow of any stream or streams, including the natural subterranean supply of waters therefrom, which may be used or useful, for any purpose of the district, or a common benefit to the lands within the district.

6. To have and exercise the right of eminent domain, in the manner provided by law for the condemnation of private property for public use

7. To cause assessments to be levied as herein provided for the purpose of paying any obligation of the district and to accomplish the purpose of this act in the manner herein provided.

8. To make contracts, leases, to employ labor, agents, engineers, attorneys, and other employees, and to do all acts necessary for the full exercise of the powers herein granted.

9 To enter into contracts with the United States and any agency therefor, under any law of the United States for a water supply, or the construction, operation, maintenance of irrigation works; and to provide the manner and method of payments to the United States under such contract and for the apportionment of assessments, and the levy thereof, upon the lands in the district to secure revenue for such payments; and to provide for the construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof

10. To issue and sell bonds and warrants of the district providing for interest at a rate of not more than 7 per cent per annum, such bonds and warrants to be repayable over a period of not more than 50 years

11 To enter into contracts with any individual, public corporation or public utility company for the use, sale and/or purchase, transportation and delivery of water for the use and benefit of the lands of the district and also to provide for the purchase of flowage rights and the joint use and maintenance of irrigation canals, dams, structures, and other irrigation facilities necessary and useful for the service of water for the irrigation of lands within the district and for any other purposes of this act.

SEC 21. The board of directors shall have the power and it".

Amendment No. 17

On page 10, line 7, of the printed bill, as amended, strike out "Said", and insert "SEC. 22. Said".

Amendment No. 18

On page 11, lines 2 and 3, of the printed bill, as amended, strike out "Bond Certification Commission.", and insert "Districts Securities Commission. SEC. 23."

Amendment No. 19

On page 11 of the printed bill, as amended, strike out line 19, and insert "SEC. 24. Said board shall have power to make conveyances, contracts,".

Amendment No. 20

On page 12 of the printed bill as amended, strike out lines 10 to 11, inclusive, and insert "the district shall be issued as provided in Sections 104 to 120, inclusive, of this act.

SEC. 25. The board of directors shall proceed to carry out the project of the district in accordance with the plans and specifications of the duly approved and adopted report of said board. When any construction work is to be done said board shall give notice by publication thereof in a newspaper of general circulation in the county in which the office of the board is located once a week for two consecutive weeks, calling for bids for the same. If less than the whole work provided for in said plans and specifications is to be done, the portion to be done must be particularly described in such notice. Said notice shall set forth that plans and specifications of the work to be done can be seen at the office of the board, and that the board will receive sealed proposals therefor, and that the contract may be let to the lowest responsible bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public; and as convenient thereafter the board may let said work either in portions or as a whole to the lowest responsible bidder, or it may reject any or all bids and make and enter into contracts with private persons or construction companies for amounts equal to or less than the lowest bid price rejected or enter into contracts upon a guaranteed unit price basis which unit price will not exceed the total overall lowest rejected bid or may proceed to construct the work under its own superintendency, provided, that in case of emergency or urgent necessity the board of directors, by unanimous vote of those present at any regular or special meeting, may award contracts without advertising for bids, but the amount of any contract so awarded shall not exceed ten thousand dollars ($10,000).

SEC 26 Contracts for the purchase of materials only shall be awarded to the lowest responsible bidder; provided, however, that the board may reject any or all bids and thereafter either readvertise for bids or solicit offers from not less than three responsible persons to furnish materials, and upon receipt of an offer or offers for a less price than that specified in the lowest rejected bid enter into a contract for

the furnishing of the materials with the person who so offers to furnish the same at the lowest price.

SEC 27. The board shall require the successful bidder to file with the board good and sufficient bonds, to be approved by the board, conditioned upon the faithful performance of the contract and upon the payment of all claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 303 of the Statutes of 1919, as amended, and to be subject to the provisions of that chapter. The work shall be done under the direction and to the satisfaction of, and be approved by the board.

SEC 28. The use of all water required for the irrigation of the lands of any district formed under the provisions of this act, and for domestic and other incidental and other beneficial uses, within such district, together with the rights of way for canals and ditches, sites for reservoirs and all other property required in fully carrying out the provisions of this act, is hereby declared to be a public use, subject to the regulation and control of the State in the manner prescribed by law.

SEC. 29. In case of condemnation proceedings, the board of directors shall proceed in the name of the district under the provisions of Title 7, Part 3 of the Code of Civil Procedure.

SEC. 30. The board of directors shall have power to construct the irrigation works across any stream of water, watercourse, street, avenue, highway, railway, canal, ditch, or flume which the route of a canal or canals of said works may intersect or cross, in such manner as to afford security for life and property; but said board shall restore the same, when so crossed or intersected, to its former state as near as may be, and shall comply with all lawful rules and regulations of the owner or agency in charge thereof; and every company whose railroad shall be intersected or crossed by said works shall unite with said board in forming said intersections and crossings and shall grant the privileges aforesaid; and if such railroad company and said board or the owners and controllers of said property, thing or franchise so to be crossed, can not agree upon the amount to be paid therefor, or the points or the manner of said crossings or intersections, the same shall be ascertained and determined in all respects as is herein provided in respect to the taking of land.

SEC. 31. A right of way is hereby given, dedicated, and set apart to locate, construct, and maintain said works over and through any of the lands which are now or may be the property of this State, except that where such land is already devoted to public use, any expense necessary to permit the joint use of such land shall be borne by the district.

SEC. 32 The district must adopt for the government and control of its affairs a code of by-laws, not inconsistent with the Constitution and laws of the State or the provisions of this act. Sixty days after they shall have qualified for office the board of directors shall prepare by-laws for the written approval of the board of supervisors of the county in which the district was organized, and, when said by-laws are approved, shall adopt the same by resolution entered in the minutes of the meeting, unless, prior thereto, by-laws shall have been adopted and filed with the secretary of the district by the written assent of the holders of title or evidence of title, including such aforesaid possessory rights, to a majority in area of the lands embraced in said district. The records in the office of the county assessor of the county in which said lands are situated shall be conclusive evidence of ownership for the purposes of this section. The by-laws shall provide for: The necessary provisions covering the operation, maintenance and management of its physical properties and the general affairs of the district; the manner of calling, and the time, place and manner of conducting all elections and the manner of giving notice thereof; the method of voting in person or by proxy; the qualifications and duties of officers, the tenure of their office, the time and manner of their appointment or election; their compensation; the place at which the office of the district shall be kept and maintained and the mode of changing the same; the mode of amending or repealing the by-laws and suitable penalties for the violation of the by-laws not to exceed in any one case two hundred dollars ($200) for any one offense. The by-laws may be repealed or amended, or new by-laws may be adopted by the assent of a majority of the total vote of the district, given either in writing or by ballot cast at an election of the district. The by-laws in their original form, and any repeal thereof, or amendment or addition thereto, must, together with the approval of the board of supervisors and the resolution of the board of directors, or the written assent thereto or a memorandum of the returns of the election at which the assent was given, be certified by a majority of the directors and the secretary of the district and must be filed for record with the county recorder of each county in which any of the lands contained in said district are located and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. Until so recorded, no by-law, addition thereto, amendment or repeal thereof, can be enforced against any person not having actual notice of the same.

SEC 33. The board of directors shall have the power and it shall be its duty to establish equitable rules and regulations for the distribution and use of water among the owners of lands within the district, which rules and regulations shall recognize and shall be subject to such priorities in the right to water between the

different consumers of the water as may legally exist. In the event that the volume of water under the control of any water storage and conservation district is in any season so diminished below normal, by reason of water shortage or otherwise, as to make it probable that all the lands within such district can not receive the full amount of water which they may need and to which they would otherwise be entitled, such deficiency shall be borne ratably by all the lands within such district except in so far as priorities in the right to water as between different lands may prevent, and the board of directors shall have the power to make rules and regulations to provide for so distributing the burden of such deficiency and also for the most economical and efficient use of the water which is or probably will be available.

After rules and regulations as above provided have been established by the board of directors, any violation thereof shall be and is hereby declared to be a misdemeanor, and the person committing the same shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars ($25) nor more than one hundred dollars ($100).

SEC. 34 The board of directors, when they deem it advisable for the best interests of the district, may regulate the amount of water in use or to be used for the purpose of irrigating crops on lands within the district when the seepage from such irrigation would damage adjacent lands or it may require, as a condition precedent to the delivery of water, the construction of adequate drainage facilities to prevent damage to adjacent lands. The board shall have power to make the necessary rules and regulations to carry out the provisions of this section.

SEC. 35 For any of the purposes of this act, including payment of interest and principal on bonds issued under this act, the board of directors of any water storage and conservation district may, in lieu (either in whole or in part) of collecting assessments as herein provided, fix and collect rates of tolls or charges for use of water which may include a stand-by or carrying charge notwithstanding the water is not actually used, or any other public use of which the district is in charge, under such reasonable rules and regulations as the board may prescribe, which may provide, in the case of water for irrigation, that tolls or charges will be payable only in case of the delivery of water in excess of a specified quantity per unit of land.

SEC 36. Unless some other time therefor is elsewhere in this act expressly provided, no action, proceeding or contest of defense whatsoever shall be brought or maintained before any court, board or other tribunal unless such action, proceeding or contest or defense be brought or maintained within the times hereinafter specified.

1 Attacking the organization of any water storage and conservation district, within three months of the date of the organization thereof

2. Attacking the inclusion of land within or the exclusion of land from any such district, within six months of the date of such inclusion or exclusion.

3 Attacking any assessment of any such district, within 90 days of the date upon which the assessment roll is filed with the county treasurer.

4. Attacking any toll or charge of any such district, within 90 days of the date upon which such toll or charge becomes payable.

5. Attacking the validity of any bonds issued by the district, within 90 days after the date of the execution and delivery of such bonds to the treasurer of the district as provided by Section 22 hereof

6 Attacking any other proceeding or action taken or thing done by said district or by the board of directors thereof under the provisions of this act, within three months of the date of such proceeding, action or thing

SEC. 37 The court, board or other tribunal before which any action, proceeding or contest whatsoever is brought in anywise involving the regularity, legality, validity, or correctness of any proceeding taken or thing done pursuant to any of the provisions of this act, shall disregard any error, irregularity or omission which does not affect the substantial rights of the parties concerned. In all actions, proceedings, or contests the rules of pleading and practice provided by the Code of Civil Procedure of California, in so far as they are not inconsistent with the provisions of this act, shall apply The costs of any action, proceeding or contest may be allowed and apportioned between the parties or taxed to the defeated party, in the discretion of the court, board or other tribunal before which the same is heard. No action, proceeding or contest or defense whatsoever shall be commenced or maintained other than within the time and manner in this act specified and in the determination thereof all findings of fact or conclusions of the State Engineer or the board of directors upon all matters shall be conclusive, unless the action, proceeding or contest or defense is instituted or maintained within three months after such findings or conclusions are made.

SEC 38 No supervisor, recorder, auditor or clerk of any county shall receive any fee for any service required to be performed by him under the provisions of this act.

The county treasurer of any county in which any of the lands contained in the district are located during the time for the collection of assessments of the district may require the board of directors of such district to provide and pay for such additional help as may be required to care for the matters relating to the collection of the said assessments.

SEC. 39. The rights of way, ditches, flumes, pipe lines, dams, water rights, reservoirs and other property of like character belonging to any district organized under this act shall not be taxed for State and county or municipal purposes.

TAXES

SEC. 40. Between 30 and 90 days after the organization".

Amendment No. 21

On page 12 of the printed bill, as amended, strike out line 22, and insert
"SEC. 41. Between the date on which the district was organized and".

Amendment No. 22

On page 12 of the printed bill, as amended, strike out line 38, and insert
"SEC. 42. Within 60 days after the said estimate and the said assess-"

Amendment No. 23

On page 13, line 7, of the printed bill, as amended, strike out "The said board of super-", and insert
"SEC. 43. The said board of super-".

Amendment No. 24

On page 13 of the printed bill, as amended, strike out line 24, and insert
"SEC. 44 The board of directors of any district hereafter organized hereunder may at their option adopt the assessment roll of the county or counties in which the land of the district is contained in so far as said assessment roll affects the lands in the district; and file with the clerk of the board of supervisors a certified copy of such assessment roll, in lieu of the assessment book mentioned in Section 41 of this act.
SEC. 45. When said statement is completed, the board of supervisors".

Amendment No. 25

On page 13, line 33, of the printed bill, as amended, strike out "Within 10 days", and insert
"SEC. 46. Within 10 days".

Amendment No. 26

On page 13 of the printed bill, as amended, strike out line 47, and insert
"SEC. 47. Within 10 days after the assessment is completed, the".

Amendment No. 27

On page 14 of the printed bill, as amended, strike out line 3, and insert
"SEC 48. The various orders of the board of supervisors made at the".

Amendment No. 28

On page 14 of the printed bill, as amended, strike out line 13, and insert
"SEC. 49. No action to determine the validity in any respect of any".

Amendment No. 29

On page 14 of the printed bill, as amended, strike out line 18, and insert
"SEC. 50. From and after the filing of the assessment book,".

Amendment No. 30

On page 14 of the printed bill, as amended, strike out line 24, and insert
"SEC. 51. Within 10 days after each tax shall have become".

Amendment No. 31

On page 14, line 32, of the printed bill, as amended, strike out the second "The", and insert
"SEC. 52. The".

Amendment No. 32

On page 14, line 39, of the printed bill, as amended, strike out "Within 30 days after the tax shall become", and insert
"SEC. 53. Within 30 days after the tax shall become".

Amendment No. 33

On page 15 of the printed bill, as amended, strike out line 3, and insert
"SEC. 54. At the time and place stated in said notice or at".

Amendment No. 34

On page 15 of the printed bill, as amended, strike out line 16, and insert
"SEC. 55. A certificate of sale shall be executed in duplicate by the".

Amendment No. 35

On page 15 of the printed bill, as amended, strike out line 28, and insert
"SEC. 56. The recorder upon receiving certificates of sale must,".

Amendment No. 36

On page 15 of the printed bill, as amended, strike out line 43, and insert "SEC. 57. Any person interested in any property sold may redeem the".

Amendment No. 37

On page 16 of the printed bill, as amended, strike out line 8, and insert "SEC 58 If no redemption shall be made within said one year, the".

Amendment No. 38

On page 16 of the printed bill, as amended, strike out line 21, and insert "SEC. 59. All property sold for taxes to the district shall subsequently".

Amendment No. 39

On page 16 of the printed bill, as amended, strike out line 25, and insert "SEC. 60. The title acquired by the district, in case it becomes the".

Amendment No. 40

On page 16 of the printed bill, as amended, strike out line 33, and insert "SEC. 61. If for any reason any tax or parcel of land con-".

Amendment No. 41

On page 16 of the printed bill, as amended, strike out line 45, and insert

"CONSTRUCTION UNDERTAKINGS

SEC. 62. The board of directors shall upon the organiza-".

Amendment No. 42

On page 17 of the printed bill, as amended, strike out line 15, and insert "SEC. 63. If the board of directors proposes to acquire any property".

Amendment No. 43

On page 17 of the printed bill, as amended, strike out line 24, and insert "SEC. 64. Except where it is proposed to be acquired by eminent domain".

Amendment No. 44

On page 17, line 29, of the printed bill, as amended, strike out "this paragraph", and insert "Section 66".

Amendment No. 45

On page 17 of the printed bill, as amended, strike out line 48, and insert "SEC. 65. Said board of directors may at their option segregate and".

Amendment No. 46

On page 18, line 3, of the printed bill, as amended, strike out "Upon the completion of said exami-", and insert

"SEC. 66. Upon the completion of said exami-".

Amendment No. 47

On page 18, line 27, of the printed bill, as amended, strike out "16", and insert "67".

Amendment No. 48

On page 18, line 33, of the printed bill, as amended, strike out "Pending final", and insert

"SEC. 68. Pending final".

Amendment No. 49

On page 18 of the printed bill, as amended, strike out line 39, and insert "SEC. 69. Immediately after making and filing such order of approval".

Amendment No. 50

On page 18, line 45, of the printed bill, as amended, strike out "Section 31", and insert "Sections 143 to 151, inclusive,".

Amendment No. 51

On page 18 of the printed bill, as amended, strike out line 48, and insert "SEC. 70. If the result of such election shows that more than one-".

Amendment No. 52

On page 19, line 3, of the printed bill, as amended, strike out "in case of the adoption of said", and insert

"SEC. 71. In case of the adoption of said".

Amendment No. 53

On page 19, line 22, of the printed bill, as amended, strike out "One of said assessors shall", and insert

"SEC. 72. One of said assessors shall".

Amendment No. 54

On page 19 of the printed bill, as amended, strike out line 39, and insert
"SEC. 73. The said assessors shall thereupon prepare and certify to the".

Amendment No. 55

On page 20 of the printed bill, as amended, strike out line 14, and insert
"SEC. 74 Said rolls when completed shall be duly certified by said".

Amendment No. 56

On page 20, line 21, of the printed bill, as amended, strike out "Thereafter the board of directors of the water", and insert
"SEC. 75. Thereafter the board of directors of the water".

Amendment No. 57

On page 20, line 44, of the printed bill, as amended, strike out "At such hearings the adjustment board shall hear such", and insert
"SEC. 76. At such hearings the adjustment board shall hear such".

Amendment No. 58

On page 21 of the printed bill, as amended, strike out line 5, and insert
"SEC. 77. Said adjustment board, after said hearings, must make".

Amendment No. 59

On page 21, line 11, of the printed bill, as amended, strike out "Two copies of said", and insert
"SEC. 78. Two copies of said".

Amendment No. 60

On page 21, line 24, of the printed bill, as amended, strike out "16a", and insert "79".

Amendment No. 61

On page 21, line 37, of the printed bill, as amended, strike out "16b", and insert "80".

Amendment No. 62

On page 22, line 5, of the printed bill, as amended, strike out "17", and insert "81".

Amendment No. 63

On page 22, line 29, of the printed bill, as amended, strike out "18", and insert "82".

Amendment No. 64

On page 22, line 36, of the printed bill, as amended, strike out "19", and insert "83".

Amendment No. 65

On page 22, line 45, of the printed bill, as amended, strike out "Unless bonds shall have been authorized as herein-", and insert
"SEC. 84. Unless bonds shall have been authorized as herein-".

Amendment No. 66

On page 23, line 3, of the printed bill, as amended, strike out the semicolon and insert a colon.

Amendment No. 67

On page 23 of the printed bill, as amended, strike out line 16, and insert
"SEC. 85. Such notice must be sent through the mail, addressed to".

Amendment No. 68

On page 23 of the printed bill, as amended, strike out line 22, and insert
"SEC. 86. If any such installment shall remain unpaid at the expira-".

Amendment No. 69

On page 23 of the printed bill, as amended, strike out line 28, and insert
"SEC. 87. Immediately after the said installment has become delin-".

Amendment No. 70

On page 23, line 39, of the printed bill, as amended, strike out "The", and insert
"SEC. 88. The".

Amendment No. 71

On page 23 of the printed bill, as amended, strike out line 45, and insert
"SEC. 89. Out of the proceeds of said sale the county treasurer must".

Amendment No. 72

On page 23, line 50, of the printed bill, as amended, strike out "Except where bonds", and insert
"SEC. 90. Except where bonds".

Amendment No. 73

On page 24, line 6, of the printed bill, as amended, strike out "A certificate of such sale shall be executed", and insert

"SEC. 91. A certificate of such sale shall be executed".

Amendment No. 74

On page 24 of the printed bill, as amended, strike out line 26, and insert

"SEC. 92. If no redemption shall be made within said one year, the".

Amendment No. 75

On page 24 of the printed bill, as amended, strike out line 40, and insert

"SEC. 93. In any district having no outstanding bonds any parcel of".

Amendment No. 76

On page 25, line 6, of the printed bill, as amended, strike out "20", and insert "94".

Amendment No. 77

On page 25 of the printed bill, as amended, strike out line 11, and insert

"SEC. 95. Each such supplementary assessment shall be spread between".

Amendment No. 78

On page 25, line 14, of the printed bill, as amended, strike out "Such supplementary assessment shall be", and insert

"SEC. 96. Such supplementary assessment shall be".

Amendment No. 79

On page 25 of the printed bill, as amended, strike out line 20, and insert

"SEC. 97. Upon making of such order, the board shall cause to be pre-".

Amendment No. 80

On page 25 line 25, of the printed bill, as amended, strike out 'Upon", and insert

"SEC. 98. Upon".

Amendment No. 81

On page 25, line 34, of the printed bill, as amended, strike out "At any time", and insert

"SEC. 99. At any time".

Amendment No. 82

On page 25, line 41, of the printed bill, as amended, strike out 'Such supplementary", and insert

"SEC. 100. Such supplementary".

Amendment No. 83

On page 25 of the printed bill, as amended, strike out line 46, and insert

"SEC. 101. The board of directors may also determine upon the acquisi-".

Amendment No. 84

On page 25, line 50, of the printed bill as amended, strike out "Section 15.", and insert "Sections 62 to 70, inclusive.

SEC. 102".

Amendment No. 85

On page 26 of the printed bill, as amended, strike out lines 14 to 52, inclusive; and on page 27, strike out lines 1 to 10, inclusive, and insert

"BONDS

SEC. 103. No water storage and conservation district organized under the terms of this act may issue bonds in excess of such an amount as may be authorized and designated by the California Districts Securities Commission or such other State commission, department or agency that may supersede said commission or succeed to its functions.

SEC. 104. Whenever in any water storage and conservation".

Amendment No. 86

On page 27 of the printed bill, as amended, strike out line 31, and insert

"SEC. 105. The notice of such special election shall be given by the".

Amendment No. 87

On page 28 of the printed bill, as amended, strike out line 13, and insert

"SEC. 106. Affidavits of publication and posting of notices of election".

Amendment No. 88

On page 28 of the printed bill, as amended, strike out line 15, and insert

"SEC. 107. Only owners of lands which have been assessed as provided".

Amendment No. 89

On page 28 of the printed bill, as amended, strike out line 20, and insert
"SEC. 108. The ballots cast at such election shall contain the words".

Amendment No. 90

On page 28, line 25, of the printed bill, as amended, strike out "At the close of", and insert
"SEC. 109. At the close of"

Amendment No. 91

On page 28, line 32, of the printed bill, as amended, strike out "The board of directors shall immediately", and insert
"SEC. 110. The board of directors shall immediately".

Amendment No. 92

On page 28 of the printed bill, as amended, strike out line 44, and insert
"SEC. 111. If a majority of the votes cast at such election are in favor".

Amendment No. 93

On page 28, line 49, of the printed bill, as amended, strike out "Said bonds shall be of the", and insert
"SEC. 112. Said bonds shall be of the".

Amendment No. 94

On page 29, line 3, of the printed bill, as amended, strike out "7", and insert "6".

Amendment No. 95

On page 29 of the printed bill, as amended, strike out line 17, and insert
"SEC. 113. Said bonds shall be substantially in the following form:".

Amendment No. 96

On page 30 of the printed bill, as amended, strike out line 27, and insert
"SEC. 114. If any district having authorized the issuance of a series of bonds shall issue an additional series of bonds based on another assessment, the dates of maturity of such additional series of bonds shall be such that the latest maturities thereof shall not exceed 50 years from the date thereof and the earliest maturity of bonds of such additional series shall be later than the latest maturity of bonds of any earlier series. All provisions of this section relative to the original issue of bonds shall apply to such additional series of bonds.
SEC. 115. The treasurer of said district shall place the bonds prepared".

Amendment No. 97

On page 30 of the printed bill, as amended, strike out line 46, and insert
"SEC. 116. Upon a sale of any of the bonds provided herein the treasurer of the district is hereby authorized to accept in payment for said bonds, either in whole or in part, outstanding warrants of such district at their face value, together with the accrued interest thereon
SEC. 117. The proceeds of sale of said bonds shall be placed in the"

Amendment No. 98

On page 30, line 51, of the printed bill, as amended, strike out "At any time within", and insert
"SEC. 118. At any time within".

Amendment No. 99

On page 31 of the printed bill, as amended, strike out line 30, and insert
"SEC. 119. All moneys collected by a county treasurer upon any assess-".

Amendment No. 100

On page 31 of the printed bill, as amended, strike out line 41, and insert
"SEC. 120. Whenever the board of directors shall by resolution declare"

Amendment No. 101

On page 31, line 46, of the printed bill, as amended, strike out "an act of the Legislature of the State"; strike out lines 47 to 51, inclusive; on page 32, strike out lines 1 to 4, inclusive; and in line 5, strike out "June 13, 1913, as amended, and as provided by".

Amendment No. 102

On page 32 of the printed bill, as amended, strike out lines 8 to 10, inclusive, and insert "certified copy of such resolution with the California Districts Securities Commission, which commission, and the State Controller in con-".

Amendment No. 103

On page 32 of the printed bill, as amended, strike out lines 20 and 21, and insert "to be legal investments for the purposes stated in the California Districts Securities Commission Act, as amended,".

Amendment No. 104

On page 32 of the printed bill, as amended, strike out line 33, and insert
"SEC. 121. The lien of any assessment upon which bonds shall have"

Amendment No. 105

On page 32 of the printed bill, as amended, strike out lines 44 to 52, inclusive; and on page 33, strike out lines 1 to 6, inclusive, and insert
"SEC. 122. Where bonds of the district have been authorized to be".

Amendment No. 106

On page 33 of the printed bill, as amended, strike out line 14, and insert
"SEC. 123. At least 90 days before any interest date of the bonds,".

Amendment No. 107

On page 33, line 47, of the printed bill, as amended, strike out "If any part of such installment or any interest", and insert
"SEC. 124. If any part of such installment or any interest".

Amendment No. 108

On page 34 of the printed bill, as amended, strike out line 1, and insert
"SEC. 125. When any installment shall have become delinquent, said"

Amendment No. 109

On page 34, line 16, of the printed bill, as amended, strike out "At the time", and insert
"SEC 126. At the time".

Amendment No. 110

On page 34 of the printed bill, as amended, strike out line 43, and insert
"SEC. 127 Any person interested in the said property may redeem the".

Amendment No. 111

On page 35, line 11, of the printed bill, as amended, strike out "Every", and insert
"SEC. 128 Every".

Amendment No. 112

On page 35, line 15, of the printed bill, as amended, strike out "The county treasurer of each county", and insert
"SEC. 129 The county treasurer of each county".

Amendment No. 113

On page 35, line 34, of the printed bill, as amended, strike out "Any parcel of land bid in", and insert
"SEC. 130 Any parcel of land bid in".

Amendment No. 114

On page 35, line 50, of the printed bill, as amended, strike out "If any land so held by a county treasurer as trustee", and insert
"SEC. 131 If any land so held by a county treasurer as trustee".

Amendment No. 115

On page 36, line 8, of the printed bill, as amended, strike out "Any balance remaining in such bond", and insert
"SEC. 132. Any balance remaining in such bond".

Amendment No. 116

On page 36, line 16, of the printed bill, as amended, strike out "22a", and insert "133".

Amendment No. 117

On page 36 of the printed bill, as amended, strike out line 30, and insert
"SEC. 134. Upon receipt of payment as above provided by the treasurer".

Amendment No. 118

On page 37 of the printed bill, as amended, strike out lines 1 to 47, inclusive, and insert

"GENERAL FINANCIAL PROVISIONS

SEC. 135 All claims against the district shall be paid by".

Amendment No. 119

On page 38, line 9, of the printed bill, as amended, strike out "24a", and insert "136".

Amendment No. 120

On page 38 of the printed bill, as amended, strike out line 27, and insert
"SEC 137. The treasurer of the district shall and it shall be his duty".

Amendment No. 121

On page 38 of the printed bill, as amended, strike out lines 42 to 52, inclusive; and on page 39, strike out lines 1 to 4, inclusive, and insert

"SEC. 138. The board of directors or other officers of the".

Amendment No. 122

On page 39 of the printed bill, as amended, strike out lines 16 to 41, inclusive, and insert

"SEC. 139. The treasurer of the district shall receive to the".

Amendment No. 123

On page 40, line 3, of the printed bill, as amended, strike out "28a", and insert "140".

Amendment No. 124

On page 40, line 19, of the printed bill, as amended, strike out "The funds of the district shall not, except for".

"SEC. 141. The funds of the district shall not, except for".

Amendment No. 125

On page 40, line 32, of the printed bill, as amended, strike out "29", and insert "142".

Amendment No. 126

On page 40 of the printed bill, as amended, strike out line 48, and insert

"ELECTIONS

SEC. 143. Except as herein otherwise provided, every"

Amendment No. 127

On page 41, line 7, of the printed bill, as amended, strike out "31", and insert "144".

Amendment No. 128

On page 41, line 17, of the printed bill, as amended, strike out "At least 10 days before", and insert

"SEC. 145 At least 10 days before"

Amendment No. 129

On page 41, line 31, of the printed bill, as amended, strike out "The polls shall", and insert

"SEC. 146. The polls shall".

Amendment No. 130

On page 41, line 39, of the printed bill, as amended, strike out "The ballots used at the elec-", and insert

"SEC. 147. The ballots used at the elec-"

Amendment No. 131

On page 41, line 51, of the printed bill, as amended, strike out "The election board shall retain and file", and insert

"SEC. 148. The election board shall retain and file"

Amendment No. 132

On page 42, line 6, of the printed bill, as amended, strike out "At the close of the polls the board of election", and insert

"SEC. 149. At the close of the polls the board of election".

Amendment No. 133

On page 42, line 21, of the printed bill, as amended, strike out "Any person interested may contest such election, within", and insert

"SEC. 150 Any person interested may contest such election, within".

Amendment No. 134

On page 42, line 26, of the printed bill, as amended, strike out "No", and insert "SEC. 151. No".

Amendment No. 135

On page 42 of the printed bill, as amended, strike out lines 38 to 52, inclusive; and on page 43, strike out lines 1 to 4, inclusive, and insert

"SEC 152. Not less than 10 days before the election, any".

Amendment No. 136

On page 43 of the printed bill, as amended, strike out lines 14 to 50, inclusive, and on page 44, strike out lines 1 to 49, inclusive, and insert

"DISSOLUTION

"SEC. 153. An action may be brought by the Attorney Gen-".

Amendment No. 137

On page 45, line 5, of the printed bill, as amended, strike out "When service has been made", and insert

"SEC. 154. When service has been made".

Amendment No. 138

On page 45, line 20, of the printed bill, as amended, strike out "On the day fixed for a hear-", and insert

"SEC. 155. On the day fixed for a hear-".

Amendment No. 139

On page 45, line 29, of the printed bill, as amended, strike out "If upon the", and insert

"SEC. 156. If upon the".

Amendment No. 140

On page 45 of the printed bill, as amended, strike out lines 40 to 52, inclusive; and on page 46, strike out lines 1 to 27, inclusive, and insert

"EXCLUSION

SEC. 157. The boundaries of any water storage and conser-".

Amendment No. 141

On page 46, line 41, of the printed bill, as amended, strike out "44", and insert "158".

Amendment No. 142

On page 47, line 6, of the printed bill, as amended, strike out "45", and insert "159".

Amendment No. 143

On page 47, line 29, of the printed bill, as amended, strike out "46", and insert "160".

Amendment No. 144

On page 48, line 1, of the printed bill, as amended, strike out "47", and insert "161"

Amendment No. 145

On page 48, line 22, of the printed bill, as amended, strike out "48. In", and insert

"162 Upon the hearing the board of directors shall exclude and only exclude land which in its judgment it believes should be excluded, and in".

Amendment No. 146

On page 48, line 39, of the printed bill, as amended, strike out "49", and insert "163".

Amendment No. 147

On page 48, line 49, of the printed bill, as amended, strike out "50", and insert "164".

Amendment No. 148

On page 49 of the printed bill, as amended, strike out line 28, and insert

"INCLUSION

SEC. 165. The boundaries of any water storage and con-".

Amendment No. 149

On page 49, line 39, of the printed bill, as amended, strike out "52", and insert "166"

Amendment No. 150

On page 50, line 5, of the printed bill, as amended, strike out "53", and insert "167".

Amendment No. 151

On page 50, line 30, of the printed bill, as amended, strike out "54", and insert "168".

Amendment No. 152

On page 50, line 47, of the printed bill, as amended, strike out "55", and insert "169".

Amendment No. 153

On page 51, line 4, of the printed bill, as amended, strike out "56", and insert "170".

Amendment No. 154

On page 52 of the printed bill, as amended, strike out line 1, and insert

"SEC. 171. When land is included within a water storage and conserva-".

Amendment No. 155

On page 52, line 24, of the printed bill, as amended, strike out "57", and insert "172".

Amendment No. 156

On page 52, line 48, of the printed bill, as amended, strike out "58", and insert "173".

Amendment No. 157

On page 53, line 14, of the printed bill, as amended, strike out "59", and insert "174".

Amendment No. 158

On page 53, line 25, of the printed bill, as amended, strike out "60", and insert "175".

Amendment No. 159

On page 53, line 36, of the printed bill, as amended, strike out "61", and insert "176".

Amendment No. 160

On page 53, line 41, of the printed bill, as amended, strike out "62", and insert "177".

Amendment No. 161

On page 53 of the printed bill, as amended, strike out line 50, and insert

"FEDERAL COOPERATION

SEC. 178. In addition to the powers with which water".

Amendment No. 162

On page 54, line 15, of the printed bill, as amended, strike out "64", and insert "179".

Amendment No. 163

On page 54 of the printed bill, as amended, strike out lines 46 and 47, and insert "hereinafter provided.

SEC. 180. Any proposal to enter into a contract with the".

Amendment No. 164

On page 55, line 30, of the printed bill, as amended, strike out "66", and insert "181".

Amendment No. 165

On page 55, line 40, of the printed bill, as amended, strike out "67", and insert "182".

Amendment No. 166

On page 55, line 47, of the printed bill, as amended, strike out "68", and insert "183".

Amendment No. 167

On page 56, line 8, of the printed bill, as amended, strike out "69", and insert "184".

Amendment No. 168

On page 56, line 18, of the printed bill, as amended, strike out "70", and insert "185".

Amendment No. 169

On page 57, line 3, of the printed bill, as amended, strike out "71", and insert "186".

Amendment No. 170

On page 57, line 16, of the printed bill, as amended, strike out "When the security underlying the indebted-", and insert

"SEC. 187. When the security underlying the indebted-".

Amendment No. 171

On page 58 of the printed bill, as amended, strike out line 33, and insert

"GENERAL PROVISIONS

SEC. 188. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each of said parts thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 189. This act does not change, modify, add to or repeal any other act or law of this State.

SEC. 190. Headings do not in any manner affect the scope, meaning, or intent of the provisions of this act.
SEC. 191. This act shall be known and cited as the "Cali-".

Amendments read and adopted
Bill ordered reprinted, and to third reading

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Phillips, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 416—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 416?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended, after the period, insert "Upon the making of such order that no further proceedings be had, all sums deposited as bail shall forthwith be paid into the city or county treasury, as the case may be."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 416 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton, Leonard, Maloney, McCollister, Meehan, Miller, O'Day, Pfaff, Phillips, Robertson, Russell, Tenney, Thomas, Thorp, Thurman, Turner, Waters, and Welch—43
NOES—None.

Assembly Bill No. 416 ordered enrolled

Assembly Bill No. 1805—An act relating to the relief of debtors and guarantors, permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1805?

Amendment No. 1

On page 6, line 17, of the printed bill, strike out "1941", and insert "1943".

Amendment No. 2

On page 6, line 29, of the printed bill, strike out "1941", and insert "1943"

Amendment No. 3

On page 9, line 12, of the printed bill, strike out "July 7", and insert "July 1".

Amendment No. 4

On page 10 of the printed bill, strike out lines 14 and 15; and in line 16, strike out "ization of", and insert "property. This will impose severe hardship upon".

Amendment No. 5

On page 8, line 24, of the printed bill, after "thereof", insert "and any judgment entered in favor of, or any sheriff's or commissioner's certificate of sale issued to the United States Government or any agency thereof in an action to foreclose any such mortgage or deed of trust".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1805 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Cassidy, Clarke, Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Phillips, Poole, Richie, Robertson, Russell, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, and Wollenberg—46.

NOES—Call, Carlson, and Collins, Sam L—3.

Assembly Bill No. 1805 ordered enrolled

Assembly Bill No. 1632—An act to amend Section 4095 of the Political Code, relating to the issuance and cancellation of county warrants

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1632?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4095", and insert "Sections 4095 and 4101"

Amendment No. 2

In line 2 of the title of the printed bill, after "issuance", insert "payment".

Amendment No. 3

On page 2 of the printed bill, after line 16, insert

"SEC. 2 Section 4101 of the Political Code is hereby amended to read as follows:

4101. The treasurer must:

1 Receive all moneys belonging to the county, and all other moneys by law directed to be paid to him, safely keep the same, and apply and pay them out, rendering the account thereof as required by law

2. File and keep the certificates of the auditor delivered to him when moneys are paid into the treasury.

3 Keep an account of the receipt and expenditures of all such moneys, in books provided for the purpose, in which must be entered the amount, the time when, from whom, and on what account all moneys were received by him; the warrant number, the amount, time when, and on what account all disbursements were made by him

4 So keep his books that the amount received and paid out on account of separate funds or specific appropriations are exhibited in separate and distinct accounts, and the whole receipts and expenditures shown in one general or cash account.

5 Enter no moneys received for the current year on his account with the county for the past fiscal year, until after his annual settlement for the past year has been made with the county auditor.

6 Disburse the county moneys and all other money placed in his custody by official authority only on county warrants issued by the county auditor, except on settlement with the State.

7 Disburse the moneys in the treasury on such warrants only when they are based on orders of the board of supervisors, or upon order of the superior court, or as otherwise provided by law, *and in the payment of such warrants he may issue his order, check or draft drawn upon the proper funds that are on deposit in any bank*"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1632 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kilpatrick,

Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Phillips, Poole, Poulson, Richie, Robertson, Russell, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Wollenberg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1632 ordered enrolled.

Assembly Bill No. 1161—An act to add Section 14450.5 to the Health and Safety Code, relating to county fire protection districts and civil service rates applying thereto.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1161?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "rates".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1161 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, and Wollenberg—49.
NOES—None.

Assembly Bill No. 1161 ordered enrolled.

Assembly Bill No. 1753—An act to add Section 10253.5 to the Health and Safety Code, relating to birth certificates of adopted children.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1753?

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the period, and strike out "If it is impracticable", and insert ", if it is practical".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "forward the copy to the State Registrar,", and strike out lines 11, 12 and 13, and insert "do so. If it is impractical for the local registrar or county recorder to forward the copy to the State Registrar, the local registrar or county recorder shall effectually seal a cover over such copy in such a manner as not to deface or destroy such copy and forward a verified statement of his action to the State Registrar. Thereafter the information contained in such copy shall be only available to any person as provided in Section 10254."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1753 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Phillips, Poole, Poulson, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Wollenberg—49.
NOES—Sam L. Collins—1.

Assembly Bill No. 1753 ordered enrolled.

Assembly Bill No. 549—An act to amend Sections 819, 828.65 and 829.45 of, to add Section 828.76 to, the Agricultural Code, relating to containers for sweet potatoes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 549?

Amendment No. 1

On page 1, line 21, of the printed bill, strike out "Untized", and insert "Special".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 549 by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Phillips, Poole, Poulson, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Wollenberg—47.

NOES—None.

Assembly Bill No. 549 ordered enrolled

RECONSIDERATION OF ASSEMBLY BILL NO. 1247

In compliance with a notice given on a previous day, Mr. Sawallisch moved that the vote whereby Assembly Bill No. 1247 was passed be reconsidered.

Substitute Motion

Miss Miller moved, as a substitute motion, that Assembly Bill No. 1247 be continued on file until the next legislative day.

The roll was called.

Call of the Assembly

Pending the announcement of the vote Mr. Sawallisch moved a call of the Assembly.

Point of Order

Mr. Turner arose to the following point of order: That Rule No. 33 had not been suspended, therefore the motion for a call of the Assembly was out of order.

The Speaker ruled the point of order well taken.

The question being on the motion by Miss Miller to continue Assembly Bill No. 1247 on file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Carlson, Clarke, Cronin, Daley, Dilworth, Donnelly, Doyle, Field, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Turner, Waters, Watson, and Wollenberg—38.

NOES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Gaffney, Gallagher, Gunlock, Lowrey, McCollister, O'Day, Sawallisch, Tenney, Thomas, Thurman, Voigt, and Welch—23.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 411—An act to add Sections 11b and 11c to the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 411?

Amendment No. 1

On page 1 of the printed bill, as amended, between lines 19 and 20, insert "One deputy clerk, who shall receive one hundred forty-five dollars ($145) per month;".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 411 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Welch—54.
NOES—None.

Assembly Bill No. 411 ordered enrolled.

Assembly Joint Resolution No. 21—Relating to conversion of fruit surpluses into alcohol.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 21?

Amendment No. 1

On page 1, line 2, of the printed bill, following "fruit", insert "and vegetable"; and in the same line, following "fruits", insert "and vegetables".

Amendment No. 2

On page 1, line 4, of the printed bill, following "Valley", insert "and throughout California".

Amendment No. 3

On page 1, line 5, of the printed bill, following "fruit", insert "and vegetables".

Amendment No. 4

On page 1, line 7, of the printed bill, following "fruit", insert "and vegetables".

Amendment No. 5

On page 1, line 14, of the printed bill, following "fruit", insert "and vegetables".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 21 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—61
NOES—None.

Assembly Joint Resolution No. 21 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr Cooke moved to expunge the record, and rescind the action whereby the Senate amendments to Assembly Bill No. 375 were concurred in.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Collins, George D, Cooke, Cronin, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Howser, F. N, Johnson, Kilpatrick, King, Leonard, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Phillips, Poole, Poulson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—43.
NOES—Bashore, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Gunlock, Heisinger, Knight, T. Fenton, Millington, Pfaff, Richie, Russell, Thorp, and Watson—15.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

Consideration of Senate Amendments to Assembly Bill No. 375

The question being on the concurrence in the Senate amendments to Assembly Bill No 375.

Amendment No. 1

On page 2, line 42, of the printed bill, as amended, after the period, insert "The notice and card shall state the name and date of birth of the minor, the name and address of the school attended by him, and the name and address of the person, firm, or corporation supplying him with newspapers, magazines, periodicals, or circulars. Immediately upon receiving the written notification, the person receiving it shall in turn notify the principal of the school attended by the minor. The principal shall at once examine the scholastic and health record of the minor."

Amendment No. 2

On page 2, line 46, of the printed bill, as amended, after 'minor", insert ", or in any case where there is neither any school physician of such school nor any superintendent of schools having jurisdiction of the school attended by such minor, then the principal of the school attended by such minor".

Amendment No. 3

On page 2, line 51, of the printed bill, as amended, after "minor", insert ", or in any case where there is no superintendent of schools having jurisdiction of the school attended by such minor, the principal of the school attended by such minor,".

Amendment No. 4

On page 3, line 5, of the printed bill, as amended, after "schools", insert "or of such principal of the school".

Amendment No. 5

On page 3, line 8, of the printed bill, as amended, after the period, insert "The certificate shall be deemed delivered to such person, firm, or corporation and to the parent or guardian when it has been deposited in the United States mail, registered, postage prepaid and (1) addressed to the parent or guardian of the minor and (2) addressed to such person, firm, or corporation."

Amendment No. 6

On page 3 of the printed bill, as amended, between lines 16 and 17, insert "Any person, firm, or corporation violating any provision of this section is guilty of a misdemeanor."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 375 by the following vote

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—50

NOES—Bennett, Cassidy, Collins, George D., Dills, Gunlock, Hawkins, King, Lowrey, Pelletier, and Richie—10.

Assembly Bill No 375 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 149—An act to add Section 20 to the California Unemployment Relief Act of 1935, relating to the support of persons in need of unemployment relief.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 149?

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "Attorney General", and insert "district attorney of the county in which the relatives reside"

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "Attorney General", and insert "district attorney".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 149 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Waters, Watson, and Welch—58.

NOES—None.

Assembly Bill No. 149 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 58—An act to amend Section 6067 of, and to add Section 6103.5 to, the Business and Professions Code, relating to attorneys at law, specifying the contents of the oath on admission, and providing additional causes for suspension and disbarment.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendment.

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 14 and 15, and insert "constitutes a cause for disbar-".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 404—An act to amend Sections 13215 and 13388 of the Health and Safety Code, relating to boilers and boiler rooms in clothes cleaning establishments.

Bill read third time.

Motion to Amend

Mr. King moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 12, of the printed bill, after "in", insert "connection with".

Amendment No. 2

On page 1 of the printed bill, strike out lines 14 and 15, and insert "(a) No boiler or steam generator of any horsepower, nor the boiler room in which it is housed, shall be placed or located within 12 feet from".

Amendment No. 3

On page 2, line 8, of the printed bill, after "building", insert "or used in connection with a clothes cleaning establishment employing any moisture-free solvent of the chlorinated hydrocarbon type.".

Amendment No. 4

On page 2, line 10, of the printed bill, after "ceiling", insert ", or some other equally fire-resistive construction".

Amendment No. 5

On page 2 of the printed bill, after line 13, insert "(d) Every boiler used in connection with a clothes cleaning establishment shall be mounted on a suitable masonry base"

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 405—An act to amend Section 13314 of the Health and Safety Code, and to add Section 13314.5 thereto, relating to clothes cleaning establishments, including licenses and license fees and penalties.

Bill read third time.

Motion to Amend

Mr. King moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, after "license", insert "to operate a clothes cleaning establishment".

Amendment No. 2

On page 1, line 8, of the printed bill, after "application", insert "or operates an establishment".

Amendment No. 3

On page 1, line 11, of the printed bill, after "application", insert "or operates an establishment".

Amendment No. 4

On page 1 of the printed bill, strike out lines 19 to 26, inclusive, and insert "13314.5. If the annual license fee for an original or renewal license required of any person who operates a clothes cleaning establishment, is not paid on or before the date it is due and payable, a penalty shall be added to the fee in accordance with the following schedule:

(a) Ten dollars ($10), if it is not paid within a period of 90 days after the date when it is due and payable

(b) Twenty dollars ($20), if it is not paid within a period of 150 days after the date it is due and payable."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 407—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates

of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Bill read third time.

Motion to Amend

Mr. King moved the adoption of the following amendments.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13340 to 13352", and insert "13330 to 13342".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "add Section 13405 thereto", and insert "amend Section 13450 thereof".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "13340", and insert "13330".

Amendment No. 4

On page 1, line 2, of the printed bill, strike out "13352", and insert "13342".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "13340", and insert "13330"

Amendment No. 6

On page 1, line 11, of the printed bill, strike out "13341 Any", and insert "13331 Unless otherwise provided in this article, any".

Amendment No. 7

On page 1, line 19, of the printed bill, strike out "13342", and insert "13332".

Amendment No. 8

On page 2, line 1, of the printed bill, strike out "13343", and insert "13333".

Amendment No. 9

On page 2, line 8, of the printed bill, strike out "13344", and insert "13334".

Amendment No. 10

On page 2, line 12, of the printed bill, strike out "13345", and insert "13335".

Amendment No. 11

On page 2, line 18, of the printed bill, strike out "13346", and insert "13336".

Amendment No. 12

On page 2, line 21, of the printed bill, strike out "13347", and insert "13337".

Amendment No. 13

On page 2, line 29, of the printed bill, strike out "municipal", and insert "county or city"

Amendment No. 14

On page 2, line 32, of the printed bill, strike out "13348", and insert "13338".

Amendment No. 15

On page 2, line 36, of the printed bill, strike out "13349", and insert "13339".

Amendment No. 16

On page 2, line 41, of the printed bill, strike out "13350", and insert "13340".

Amendment No. 17

On page 2 of the printed bill, strike out lines 44 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"13341. (a) Any person actively engaged in business as the owner of a clothes cleaning establishment at the effective date of this article, and who was so engaged for a continuous period of three months immediately prior to such date, may, upon application filed with the Fire Marshal on or before the expiration of 150 days from and after such date, be granted a certificate of competency without an examination.

(b) Any person actively engaged in business as the manager of a clothes cleaning establishment at the effective date of this article, who was so engaged for a continuous period of three months immediately prior to such date, and whose competency is certified to by the owner of the establishment by whom he is employed, may, upon application filed with the Fire Marshal on or before the expiration of 150 days from and after such date, be granted a certificate of competency without an examination"

Amendment No. 18

On page 3, line 3, of the printed bill, strike out "13352", and insert "13342".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which *should appear in strikeout type in the following amendments* is indicated by being inclosed within brackets

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Amendment No. 19

On page 3 of the printed bill, strike out lines 6 to 12, inclusive, and insert

"SEC. 2. Section 13450 of said code is hereby amended to read as follows:

13450. Any person who commits any of the following acts is guilty of a misdemeanor:

(a) Violates any provision of this chapter

(b) Violates or fails to comply with any order, rule, or regulation made pursuant to this chapter

(c) Constructs a clothes cleaning establishment in violation of a blueprint or statement submitted to and approved by the State Fire Marshal

(d) Violates the terms of any license [or] , permit *or certificate of competency* issued pursuant to this chapter

Any person who commits more than one of the acts specified in this section is guilty of a separate misdemeanor for each such commission."

Amendments read and adopted

Bill ordered reprinted and re-engrossed

THIRD READING OF SENATE BILLS

Senate Bill No. 98—An act to amend the County Water District Act, as amended, by amending Section 12, relating to powers of districts, amending Section 18, relating to rights of way, Section 19, relating to water rates, and Section 25, relating to additions to districts; repealing Sections 12.1 and 22a, repealing and reenacting Section 52; and by adding Section 1.1 declaring districts public agencies, 19.1, relating to contracts between districts and their officers or directors, 12.1 to 12.15, inclusive, relating to powers of districts, 14.1, relating to oaths, 14.2, relating to investment of funds, 16b, relating to callable bonds, 28.1, relating to findings on additions and exclusions of land and 66 to 71, inclusive, relating to dissolution of districts, declaring the urgency of this act and providing that it shall take effect immediately

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended, strike out "to 12.15, inclusive", and insert ", 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.8¼, 12.9, 12.10, 12.11, 12.12, 12.13, 12.14, and 12.15".

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 25 and 26, insert

"SEC. 12.5. A new section is hereby added to said act as amended, to be numbered 12.8¼ and to read as follows:

Sec. 12.8¼. To transfer, sell, lease, or convey to any municipal water district existing pursuant to the Municipal Water District Act of 1911 upon such terms and conditions as may be agreed upon by the board of directors of the county water district and the board of directors of the municipal water district any works, land, or structures within any improvement district formed pursuant to any of the provisions of this act, or to transfer to such a municipal water district upon like terms and conditions the proceeds of any bonds theretofore authorized by or for the improvement district;"

Amendments read and adopted.

Bill ordered printed, and to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Bashore moved that the Rule be temporarily suspended regarding time limit on debate, at this time.

Motion for temporary suspension of the Rule carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetration of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read third time.

Motion to Defer Action

On motion of Mr. Bashore, further action on Assembly Bill No. 1104 was deferred until 1 30 p m., Friday, April 18, 1941.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 12.10 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

RECESS

At 12.11 p m , on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m , the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Call of the Assembly

Mr. Thurman moved a call of the Assembly.

Motion carried. Time, 1.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF ASSEMBLY BILL NO. 1104

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetration of such unfair labor practices and

defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read third time.

Motion to Pass Assembly Bill No. 1104 on File

Mr. Bashore moved that Assembly Bill No. 1104 be passed on file, and that the bill hold its place upon the file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 383—An act to add Section 5 to, and repeal Section 844 of, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1207—An act to provide for the formation of districts within municipalities, for the providing of parking space for automobiles; for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public highways, roads, streets, lanes, alleys, public auto parks, and public right of ways within such districts necessary or convenient therefor; for the condemnation of property or of any interest therein necessary or convenient therefor; for work in or upon any such places including property over which possession and right of use has been obtained under the provisions of Section 14, of Article I, of the Constitution in such districts; for the acquisition and construction of public improvements, works, equipment necessary or convenient therefor; for the maintenance of such districts and the public improvements, works, and equipment thereof; for the issuance, sale, and payment of bonds of such districts to meet the cost thereof; for the levy of assessments; and providing for aid from any county, municipality, State, or the Federal Government, or any department thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Pelletier, Pfaff, Poole, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—50

NOES—Bashore, Field, Heisinger, and Houser, Frederick F.—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1613—An act to add Section 24.25 to the Alcoholic Beverage Control Act, and to amend Section 27a of said act with reference to sale and excise tax collections on alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Howser, F. N., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Millington, O'Day, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thurman, Voigt, Waters, Weber, Welch, and Weybret—43.

NOES—Bennett, Carlson, Collins, George D., Daley, Dilworth, Field, Heisinger, Johnson, Kellems, Knight, T. Fenton; Miller, Stream, Watson, and Wollenberg—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 83—An act to add Section 108 to the Harbors and Navigation Code, relating to obstructions in navigable waters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 845—An act to add Section 5.789 to the School Code, relating to leave of absence for noncertificated employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, King, Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Lyon moved to expunge the record and rescind the action whereby Assembly Bill No. 1900 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—53.

NOES—Bashore, Burkhalter, Pelletier, and Russell—4.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1729—An act to amend Section 2.446 of, and to add Section 2.447 to, the School Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Salsman, Stream, Thurman, Waters, Watson, Weber, Welch, and Weybret—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2496—An act to add Section 1140.1 to the Probate Code, relating to the Public Administrator.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Houser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thurman, Waters, Watson, Weber, Welch, and Weybret—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 398—An act to add Section 1985.5 to the Code of Civil Procedure, relating to subpena.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton;, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Stream, Thurman, Waters, Watson, Weber, Welch, and Weybret—53.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 398

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 398 was this day passed.

Assembly Bill No. 399—An act to amend Section 1991 of the Code of Civil Procedure, relating to disobedience of subpena.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Thurman, Waters, Watson, Weber, Welch, and Weybret—51

NOES—George D. Collins—1.

Notice of Motion to Reconsider Assembly Bill No. 399

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 399 was this day passed.

Speaker Presiding

At 3.30 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 425—An act to amend Section 454 of, and to add Sections 455.1 and 455.2 to, the Code of Civil Procedure, relating to bills of particulars, pleading and evidence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Salsman, Sawallisch, Stream, Thurman, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—53.

NOES—George D. Collins—1.

Notice of Motion to Reconsider Assembly Bill No. 425

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 425 was this day passed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Garland and Burns, Hugh M.:

House Resolution No. 145

WHEREAS, David V. Oliver, who has served as Minute Clerk of this Assembly during the legislative session of 1935 to date, has resigned his position; and

WHEREAS, This Assembly is appreciative of the efficient manner in which he discharged the duties of his office and of the many courtesies which he extended to all members during the years he has been identified with the Legislature of California; now, therefore, be it

Resolved, That the members of the Assembly join in commending David V. Oliver for his good work as Minute Clerk and though they deeply regret that he finds it necessary to sever his connection with the Assembly, yet they extend to him every good wish for continued success in his new endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly present a suitably engrossed copy of this resolution to David V. Oliver.

Request for Unanimous Consent

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 145, at this time, without reference to committee.

Resolution read and adopted unanimously.

STATEMENT ORDERED PRINTED IN THE JOURNAL

By order of the Speaker, the following statement was ordered printed in the Journal:

WHEREAS, Thirty-five years ago today, on the eighteenth day of April, 1906, the City and County of San Francisco was the victim of a major catastrophe which caused widespread ruin and destruction and rendered thousands of her citizens homeless and destitute; and

WHEREAS, In response to a plea of the Mayor of the City and County of San Francisco and the Governor of the State of California, people residing in other sections of this State and of the Nation at large wholeheartedly and generously furnished the people of the City and County of San Francisco with sorely needed medicines, food, clothing and other necessities of life, and thereby contributed in no small measure towards the warding off of disease and hunger and towards the rehabilitation of the community; now, therefore, be it

Resolved, That the members of the Assembly from the districts included within the City and County of San Francisco, for and in behalf of the citizens of that community, hereby express their sincere and undying gratitude and appreciation to all the people of the State of California and of the Nation for their generous assistance to the people of the City and County of San Francisco in that hour of need 35 years ago today.

(Signed)

EDWARD F. O'DAY
MELVYN I. CRONIN
ALBERT C. WOLLENBERG
ROBERT MILLER GREEN
THOMAS A. MALONEY
DAN GALLAGHER
GEORGE D. COLLINS, JR.
JOHN D. WELCH
EDWARD M. GAFFNEY

RESOLUTIONS

The following resolution was offered:

By Messrs. Johnson, Cooke and Houser, Frederick F.:

House Resolution No. 146

WHEREAS, This date marks the thirty-fifth anniversary of the appalling disaster which practically destroyed the City of San Francisco in the year 1906; and

WHEREAS, The extent and amount of the destruction was so great as to appall the stoutest hearts; and

WHEREAS, The people of this great community, animated by the dauntless and indomitable spirit of the pioneers, spared neither time nor strength nor money in

rebuilding a mighty metropolis upon the ruins and ashes of the city they had loved and lost; and

WHEREAS, Throughout the years the people of the City and County of San Francisco continue to give fresh evidence of their vision and their courage; now, therefore be it

Resolved by the Assembly of the State of California, That we hereby record our unbounded admiration of the city which as Bret Harte truly said, "serene, indifferent of fate thou sittest at the western gate,"; and be it further

Resolved, That we congratulate the people of San Francisco on their convincing demonstration of courage, pride, and patriotism, and their exemplification of the rugged energy and fortitude engendered by their heritage from their pioneer forebears; and be it further

Resolved, That we extend our hearty congratulations on their successful past, with an equal measure of good wishes for their successful future.

Request for Unanimous Consent

Messrs. Johnson, Cooke and Houser, Frederick F., asked for, and were granted, unanimous consent to take up House Resolution No. 146, at this time, without reference to committee.

Resolution read and adopted unanimously.

Hon. Jeanette E. Daley Presiding

At 4.25 p.m., Hon. Jeanette E. Daley, member of the Assembly from the Seventy-eighth District, presiding.

MOTION TO APPOINT SPECIAL COMMITTEE

Mr. Lyon moved that Miss Miller and Mrs. Daley be appointed as a Special Committee to arrange for a special program for Mother's Day, and that they be allowed to expend a sum not to exceed fifty dollars ($50).

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 147

WHEREAS, There will soon be printed a 1941 edition of the Deering Civil, Civil Procedure, Probate and Penal Codes; and

WHEREAS, The addition of these codes to those already purchased will bring up to date those codes and will thereby greatly expedite the work of the members; now, therefore be it

Resolved, That the Chief Clerk be and he is hereby authorized and directed to purchase 81 sets of the 1941 edition of Deering Codes of the State of California consisting of the following:

Civil Code	1 volume
Code of Civil Procedure and Probate Code	1 volume
Penal Code	1 volume

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one copy of each of the codes to each member of the Assembly and one copy to the Chief Clerk of the Assembly.

Resolved further, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of Bancroft, Whitney Company in the sum of two hundred forty-three dollars ($243) and the State Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poulson, Richie, Robertson,

Russell, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, and Weybret—53.
NOES—None.

By Mr. Maloney:

House Resolution No. 148

WHEREAS, The Honorable Fred E. Stewart, Second District member of the State Board of Equalization, today is celebrating his thirty-first wedding anniversary, and

WHEREAS, Mr. and Mrs. Fred E Stewart are the parents of a fine family of three sons and two daughters, as well as the grandparents of three grandchildren, and

WHEREAS, Mr. and Mrs. Fred E. Stewart represent an outstanding example of the best in American family life, and

WHEREAS, Fred E. Stewart, with the constant help of his wife, has been an able public servant as a member of the State Board of Equalization for the past 15 years; now, therefore, be it

Resolved by members of the California State Assembly in session in Sacramento, Friday, April 18, 1941, That we hereby do offer our heartiest congratulations to Mr. and Mrs Fred E. Stewart; and be it further

Resolved, That the members of the Assembly do hereby express the sincere wish that Mr. and Mrs Fred E. Stewart have the opportunity to enjoy many more years of marital happiness.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 148, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1921—An act to amend Section 940 of the Code of Civil Procedure, relating to notice of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen Burkhalter, Burns, Hugh M., Carlson, Cassidy, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Green, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—42.
NOES—Bennett, Cain, Collins, George D., Crowley, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, O'Day, Richie, Tenney, and Voigt—14

Bill ordered transmitted to the Senate.

Assembly Bill No. 956—An act to amend Sections 4901, 4905, 4909 and 4910 of the Water Code, relating to joint use of conduits, wells and pumping plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—53.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1795—An act to add Section 28.5 to the California Irrigation District Act, relating to the manner of selecting directors of certain irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Heisinger, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—49.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2203—An act to amend Section 11 of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to the determination of the ratio of assessed value to true value.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 4.30 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 994—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond,

Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2027—An act to amend Section 403d of the Civil Code, relating to unclaimed and disputed shares and debts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. F. Ray Bennett Presiding

At 4.37 p.m., Hon. F. Ray Bennett, member of the Assembly from the Fifty-first District, presiding.

Assembly Bill No. 1003—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks and their deputies in cities and towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Russell, Salsman, Sawallisch, Stream, Thomas, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—45

NOES—Daley, and Poulson—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1004—An act to amend Section 103 of the Code of Civil Procedure, relating to justices' courts in townships.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Green, Heisinger, Johnson, Kellems, Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, and Weybret—43

NOES—Dilworth, Field, Houser, Frederick F., and Knight, T. Fenton—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 38—An act to add Sections 741.1, 741.3, 741.5, 741.7, 741.8 and 741.9 to the Code of Civil Procedure, all relating to compensation for taxes paid and improvements made by occupying claimants of real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—47.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 116

House Resolution No. 116—Requests bridge construction in Los Angeles County.

Resolution read and adopted.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

In line 21 of the printed measure, as amended, after the period, insert "The Governor shall, on the first day of the first regular or special session of the Legislature that follows such interim appointment, submit the same to the Senate for confirmation, and if such appointment be rejected by the Senate, said nominee shall not be eligible for reappointment"

Amendment read and adopted.

Resolution ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 583
Senate Bill No. 345
Senate Bill No. 346
Senate Bill No. 554
Senate Bill No. 504

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2291
Senate Bill No. 558
Senate Bill No. 1092

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1085
Assembly Bill No. 2055
Senate Bill No. 741

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 645
Assembly Bill No. 646
Assembly Bill No 650
Assembly Bill No 1545

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 2229
Assembly Bill No. 2281
Senate Bill No. 746
Senate Bill No. 838
Senate Bill No. 1062

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2059
Assembly Bill No. 886
Assembly Bill No 887
Assembly Bill No 888

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 1379

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 1349
Assembly Bill No. 2247

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No 1047
Assembly Bill No. 525

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which were referred:

Assembly Bill No. 1320
Assembly Bill No. 2223

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which were referred.

Assembly Bill No. 2382
Assembly Bill No. 1934
Senate Bill No. 1266

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1461—An act to add Section 8.8 to the California Toll Bridge Authority Act, relating to the collection of tolls on toll bridges or other toll highway crossings constructed or acquired under the provisions of said act;

Assembly Bill No. 1981—An act to amend Article 6 of Chapter 3 of Part 2 of Division 12 of the Health and Safety Code of the State of California by adding a new section thereto, to be numbered 13780, and to provide for certain exemptions relating to the spotting and pressing of clothing on certain passenger trains therein defined;

Assembly Concurrent Resolution No. 30—Relative to the approval of amendments to the charter of the City of Glendale, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on April 8, 1941;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 44: By Mr. Lowrey—Relative to Sacramento River north from Chico Landing.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Joint Resolution No. 45: By Mr. Lowrey—Relative to flood and seepage conditions along the Sacramento River and its tributaries in Northern California.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Joint Resolution No. 46: By Messrs. Thomas and Maloney—Relative to a bonus for men drafted into the Military Forces of the United States.

Referred to Committee on Soldiers and Sailors Affairs.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1514

Mr. Maloney moved that Assembly Bill No. 1514 be withdrawn from the file, and re-referred to the Committee on Insurance.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 28

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the eighth day of April, 1941.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to have Senate Concurrent Resolution No. 28 placed on the unfinished business file, at this time, without reference to committee.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 154
Senate Bill No. 463
Senate Bill No. 521
Senate Bill No 386

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 154—An act to amend Sections 26541 and 26542 of the Health and Safety Code, relating to food, and the standards prescribed by the State Board of Public Health in relation thereto.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 463—An act to amend Section 26470 of the Health and Safety Code, relating to adulterated food and the failure to comply with standards of freshness and purity.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 521—An act to amend Section 798.6 of the Fish and Game Code, relating to abalone bag limits in District 2.

Referred to Committee on Fish and Game.

Senate Bill No. 386—An act to amend Section 19597 of the Business and Professions Code, and to amend Section 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys wagered on the result of horse racing, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Public Morals.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2587—An act to amend Sections 3.90 and 3.101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 20, and insert "noon of the school day next preceding each of said holi-".

Amendment No. 2

On page 1 of the printed bill, strike out lines 22 to 25, inclusive, and insert "Lincoln and Washington, respectively. When February 12th or February 22d falls".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article, to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators,

guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr. Voigt moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "when", and insert ", and including associations in the possession of".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, strike out "shall be in possession and", and insert "without regard to"

Amendment No. 3

In line 5 of the title of the printed bill, as amended, strike out "relating to", and insert "providing for".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1071—An act to amend Sections 26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising and sale of foods and the powers of the State Department of Public Health in relation thereto.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended, strike out everything after "If", and insert "any mineral oil has been added thereto or mixed or packed therewith."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 658—An act to amend Section 1299.18, 1299.20 and 1300.4 of, and to add a new section, to be numbered 1300.4a, to the Agricultural Code, relating to processors.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 16, of the printed bill, following "loans", insert ", whether in money or other property,".

Amendment read and adopted.

Bill ordered reprinted and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1402—An act to amend Sections 1392 and 1401 of the Insurance Code, relating to reciprocal insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1513—An act to add Section 12977 to the Insurance Code, relating to fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1515—An act to amend Section 986 of the Insurance Code, and to add Section 10486.9 thereto, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1517—An act to amend Sections 10129 and 10172 of, and to add Sections 10173, 10174, 10175 and 10291.5, to, the Insurance Code, to amend and renumber the article heading of the second Article 5 of Chapter 4, Part 2, Division 2 of said code, and to add Article 5.5, comprising Sections 10370 to 10374, inclusive, to said Chapter 4, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch,

Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1512—An act to amend Section 1020 of the Insurance Code, relating to sale or deed to the State for nonpayment of taxes of property of insolvent or delinquent insurers.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock Heisinger, Houser, Frederick F, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1408—An act to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections 985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 453i and 453.14 of the Civil Code, all relating to insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F, Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1399— An act to add Section 4.5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof and the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—47.
NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Garland:

House Resolution No. 149

Relating to profiteering in foods and other necessities of life

WHEREAS, It behooves all men in these times of National emergency to divorce themselves from all motivations arising from personal ambition, and to act only for the good of the Nation, and

WHEREAS, At the present time there are individuals who have seized upon this time of National emergency to enrich themselves at the expense of their countrymen by profiteering in the sale and distribution of foods and other necessities of life; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Congress of the United States are hereby respectfully memorialized to enact legislation to prevent profiteering in foods and other necessities of life during the continuance of the National defense emergency; and be it further

Resolved, That a copy of this resolution be sent to the President and Vice President of the United States, and to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such legislation.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 149, at this time, without reference to committee.

Resolution read and adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 5 30 p m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 386

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

BURNS, HUGH M., Chairman
THORP
HOWSER, F. N.
MEEHAN
MALONEY
SAWALLISCH
MILLER

Above reported bill ordered on second reading.

NOTICES OF MOTION TO WITHDRAW BILLS

By unanimous consent, the consideration of notices of motion to withdraw the following bills from committee were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No. 59.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1469.
Assembly Bill No. 245.
Assembly Bill No. 1643.
Assembly Bill No. 1075.
Senate Bill No. 1292.
Senate Bill No. 318.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ray Liddicoat, principal, and Loren Miller, teacher, of the Ravenwood School, Palo Alto, and the following pupils: Vincent Johnson, Electa Lynch, Betty Todd, Lois Biagini, Beverly Hereen, Roy Alderson, George Hughes, Alice Hughes, Jack Tonnesen, Donald Rainwater, Bernice Hinkley, Edward Hemsey, Geraldine Jackson, Susan Dunsmore, Frank Anderson, Emma Matsumoto, Paul Bligh, Leory Rainwater, John Fritz, Barbara Gatto, Barbara Warne, John Erickson, George Mock, Richard Martin, Ruth Price, John Torrence, Barbara Spaulding, Marjorie Nolan, Grace Dodson, Clifton Kienitz, Doris Reginato, Darrell Inskeep, Marijean Schmidt, Astrid Monson, Priscilla Elston, Barbara Carroll, Iris Lund, Mary Jane Birmingham, Calvin Harper, Eleanor Tonnesen, Anna Condon, Donald Hynes, Hewett Smith, Glenn Nightingale, Anne Potter, Paul Strobel, Lucille Studley, Gordon Taylor, Natsuko Kamata, Mono McGinn and Lorraine Francell.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Marie Eucharista, Sister Mary Justine and Sister Ann Loretto, and the following students from Notre Dame High School, San Jose: Mary Louise Alvernaz, Patricia Armstrong, Marcella Aurrecoechea, Annette Baldassar, Cecilia Bauman, Claire Bayless, Yvonne Bigley, Geraldine Boitano, Geraldine Bolton, Helena Bryson, Dolores Canelo, Helen Capraro, Rose Marie Ceredi, Nahum Cervantes, Louise Chabre, Helen Coyle, Ann D'Aloia, La Verne De Smet, Catherine Doane, June Enos, Constance Faltersack, Alma Fuchs, Marie Gamma, Estelle Gay, Dolores Gilson, Inez Greco, Ruth Hansen, Elaine Houser, Marjorie Kluge, Audrey Lannin, Mary Isobel Larmon, Lucille Lo Curto, Yvonne O'Connell, Gloria Pieracci, Mary Rumbos, Virginia Sanders, Audrey Slavich, Janet Slavich, Maxine Smrekar, Alice Louise Towne and Carol Winter.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Albert Wilke, Mrs. Earl Snyder, Mrs. Arch Wells, Mrs. J. L. Favors and Mrs. Roy B. Thompson.

On request of Messrs. Thomas, Maloney and Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arnold Statz, manager of the Los Angeles Baseball Club and James Reese, coach.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mabel Maisball of Inglewood.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Elvina Abate and Mrs. Glena V Abate of San Francisco

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Al Bequette, vice principal; Miss Bernice Erskine and Mrs. Vida Owens, teachers, and the following pupils of the eighth grade of the Auburn Grammar School: Billy Ball, Wilda Barmore, Tommy Bryan, Bruce Durkin, Florence Elderkin, Richard Goodridge, Doris Goodiell, Ben Hanamoto, David Irving, Walter Hauser, Wilma Harries, Gene Harris, Ethel Harmon, Harold Ludwig, Lynette Lardner, Stanley McBride, Barbara Pendergast, Jack Parkhurst, La Rue Randall, Loretta Sharp, June Souza, Dorothy Thompson, Velma Taylor, Shirley Switzler, Alice Wallace, Mary Wells, Olive Wood, Juanita Wickstrom, Jesse Wong, Virginia Wolff, John Webber, Lily Hirota, Eugene Stewart, Oliver Skelton, Edward Ashar, Jack Stokes, Jim Waterman, Vivien Barber, Arthur Bell, Eugene Bell, Anna Mae Eckard, Ann Edwards, Eugene Dahlberg, Betty Gietzen, Akira Hamasaki, Kazuyo Hamasaki, Betty Hedley, Phyllis Hedley, Betty Junker, Arna Lankford, Yvonne McGraw, Delbert Miller, Lois Nickerson, Nobuyo Nimura, Dorothy Nomura, Bob Radley, David Ray, Lowell Reed, Audrey Robinson, Jerry Rollins, Danny Salisbury, Hazel Sander, Eunice Sano, Fred Steinhauff, Ruth Tenma, Bill Tonkin, Yone Tsuda, Akira Tsiujmoto, Raymond Wallace, Ann Williams, Gordon Winlow, Hazel Wing, Han Wong, Beverly Swesey and Shirley Sattler.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. F. Harold Roach of Arcadia.

On request of Messrs. Burns, Hugh M., and Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. David V. Oliver and her mother and father of Merced.

On request of Messrs Welch, Sheridan and Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Mary of St. Agnes, Sister Teresa Augistine, and the following students of Notre Dame High School of Alameda: Rita Horan, Angela d'Artenay, Eleanor Davie, Louisa Durrer, Jeanna Greene, Marrie Harris, Peggy Healy, Betty Lombard, Jewel O'Connor, Josephine Parodi, Beverly Plotz, Carol Shepard, Mary Watty and Frances Weinberger.

ADJOURNMENT

At 5.35 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Monday, April 21, 1941.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY
ONE HUNDRED SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 21, 1941

The Assembly met at 1 30 p m.

Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Potter.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Robertson, on motion of Mr. Cooke.

Mrs Daley, on motion of Mr. Stream.

EXPLANATIONS OF ABSENCE

I was in the Assembly Chamber but went out on legislative business, and was a few minutes late when the 1.30 p.m. roll was called.

ELEANOR MILLER

I was in the Assembly Chamber at 1.20 p m. but was called to the Governor's Office for conference and so was absent when the 1 30 p m. roll was called. I returned to the Assembly Chamber immediately after the roll was called.

GODFREY A ANDREAS

At 1 30 p.m. today I was attending an important Legislative Committee meeting on the fourth floor of the Capitol, and did not finish the committee business until after the 1.30 p.m. roll was called I arrived in the Assembly Chamber as soon as our meeting was over.

MELVYN I. CRONIN

RECESS

On motion of Mr. Call, the Assembly recessed for five minutes to hear from Robert S. Farrell, Jr., Speaker of the House from the State of Oregon.

REASSEMBLED

After five minutes the Assembly reconvened.

Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

MOTION TO COMPLY WITH RULE 2

Mr Bennett moved that the Assembly comply with Rule 2 of the Assembly Standing Rules.

Substitute Motion

Mr. Lyon moved, as a substitute motion, that Mr. C. Don Field be named the Temporary Chairman of the Assembly.

Mr. Millington seconded the motion.

Chief Clerk Arthur A. Ohnimus presiding.

Motion carried.

Hon. C. Don Field of the Forty-third District presiding.

MOTION TO PRINT PETITION IN JOURNAL

Mr. Lyon moved that the following petition be printed in the Journal:

Mr. Tenney seconded the motion.

Motion carried.

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 2,800 names from your respective districts, protesting against the passage of Senate Bill No. 877:

Following is the tabulation:

	District	*Names*
Everett G. Burkhalter	42	83
C Don Field	43	224
John Pelletier	44	119
James Doyle	45	54
Jack Tenney	46	89
Eleanor Miller	47	20
T. Fenton Knight	48	7
Lee Bashore	49	19
Gerald Kepple	50	27
F. Ray Bennett	51	84
Wm. H. Poole	52	175
Frederick F. Houser	53	64
John B. Knight	54	87
Vernon Kilpatrick	55	73
Norris Poulson	56	83
Franklin Potter	57	136
Frank J. Waters	58	91
Chas Lyon	59	66

	District	*Names*
Jesse Kellems	60	56
Ernest Voigt	61	178
Augustus Hawkins	62	46
Don Allen	63	82
Roger Pfaff	64	110
John W. Evans	65	117
Jack Massion	66	168
Cecil King	67	96
Vincent Thomas	68	22
Ralph Dills	69	65
Lorne Middough	70	14
Fred Howser	71	10

Assembly Districts 72 and 73, San Bernardino, Godfrey A Andreas 111.
Assembly District 76, Riverside, Nelson S Dilworth 48

Petition

To the Honorable Assembly Body of the State of California, we the undersigned, members of organized labor, do hereby petition you not to pass Senate Bill No. 877, commonly known as the Hot Cargo Bill, which is designed to take away from workingmen their legal and legitimate rights.

(Signed) R J. RICHARDS and 2800 OTHERS

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1320—An act to amend Section 50¾ of the Public Utilities Act, authorizing the establishment of joint and through rates by highway common carriers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2223—An act to amend the Public Utilities Act by adding thereto Section 13¼, relating to inside telephone plant.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2382—An act to amend Section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1934—An act to repeal Section 3788 of the Political Code, relating to the disposition of State lands upon which the full purchase price is not paid and which are sold to the State for taxes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2229—An act to add Section 39 to the Penal Code, relating to organizations directed, controlled, or instructed by foreign powers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2281—An act relating to State officers and the appointment thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 583—An act to add Section 1020 to the Fish and Game Code, relating to loans and advances by licensed fish canners, packers, processors, or dealers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2059—An act to amend Section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 6 to 11, inclusive, and insert "entered into by any State department, board, commission, officer or any other State agency whatsoever, on behalf of the State, shall be approved by the Director of Finance. Any contract entered into in violation of the provisions of this section is void. This section shall not apply to the acquisition or hiring by the Department of Public Works of real property in fee or in any lesser estate or interest for highway purposes but shall apply to the hiring by said department of office space in any office building."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 886—An act to add Section 982a to the Code of Civil Procedure, relating to appeals from justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "700,000", and insert "600,000".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 887—An act to amend Section 655 of the Code of Civil Procedure, by including therein justices' courts in counties containing a population of not less than 500,000 and not more than 700,000.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "700,000", and insert "600,000".

Amendment No. 2

On page 1 of the printed bill, strike out line 6, and insert "more than 600,000 as determined by the Federal Census of 1940"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 888—An act to add Section 404 to the Code of Civil Procedure, relating to the rules of procedure and practice in civil actions in the justices' courts of counties containing a population of not less than 500,000 and not more than 700,000.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "700,000", and insert "600,000".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "700,000", and insert "600,000".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 525—An act to amend Sections 800 and 801 of the Fish and Game Code, relating to abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 800 and 801", and insert "repeal Section 808.5".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "abalones", and insert "clams".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and insert "SECTION 1. Section 808.5 of the Fish and Game Code is hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1085—An act to amend the article heading of Article 6 of Chapter 4, Part 1, Division 7 and Sections 16320, 16322, 16347, 16410, 16411, 16430 and 16451 of, and to add Sections 16330, 16393, 16394, 16395, 16412 to, the Business and Professions Code, relating to the regulation of itinerant merchants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended, strike out "and the goods are not intended to be resold".

Amendment No. 2

On page 4, line 15, of the printed bill, as amended, after "merchants", insert a period and strike out ", except that "cost of", and strike out lines 16 to 25, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2055—An act authorizing the Department of Finance to sell certain State-owned lands and to acquire by exchange, purchase or otherwise additional lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 10 of the title of the printed bill, strike out the period, and insert "declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, following line 15, insert

"SEC. 3 This act is declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately.

The facts constituting the urgency are as follows: The land described in Section 1 hereof can be exchanged at the present time for certain other land which is necessary in constructing a dam to impound water in connection with the State-wide water plan. Unless such exchange can be effected immediately, it may not be possible to obtain the needed land."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1047—An act to add Sections 1352.5 and 1352.6 to the Fish and Game Code, relating to frogs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "May", and insert "March".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1379—An act making an appropriation for the acquisition of real property in the cities of San Francisco, Oakland, Hayward, San Jose, Berkeley, Eureka, Redding, Sacramento, Bakersfield, San Rafael, Burbank, Long Beach, San Bernardino, San Diego, Modesto and Los Angeles and the construction and equipment thereon of buildings for the Department of Employment as provided in Section 92 3 of the Unemployment Insurance Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 5, inclusive, and insert "property and the".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "the moneys listed below", and insert "the sum of one million one hundred twenty-five thousand three hundred dollars ($1,125,300)".

Amendment No. 3

On page 1, lines 5 and 6, of the printed bill, strike out "in the respectively listed cities below", and insert "at such locations within the State of California as the commission may deem necessary or desirable".

Amendment No. 4

On page 1, line 9, of the printed bill, strike out ": in San Francisco, two hundred forty-"; and strike out lines 10 to 19, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert ". The provisions of Chap-".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1545—An act to add Division 2a, comprising Sections 3100 to 3123, to the Labor Code, relating to labor organization and the procedure to be followed in fining, suspending, and expelling members thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, strike out "must", and insert "may".

Amendment No. 2

On page 2, line 30, of the printed bill, as amended, strike out "be", and insert "sit and participate as"

Amendment No. 3

On page 2, line 36, of the printed bill, as amended, after "the charges may", insert ", at his option,".

Amendment No. 4

On page 2, line 40, of the printed bill, as amended, after "and testimony.", insert "The secretary or president must be notified in writing not less than three days prior to the hearing that the services of counsel or of a phonographic reporter will be employed. Failure to so notify the secretary or president not less than three days prior to the hearing shall be deemed a waiver of the rights granted by this section to be represented by counsel or to employ the services of a phonographic reporter."

Amendment No. 5

On page 2 of the printed bill, as amended, strike out all of Sections 3107 and 3108 appearing in lines 41 to 52, inclusive, and insert

"3107. Failure, except on account of sickness or other good cause, on the part of the member accused to answer the charges or ask for a hearing in accordance with the rules of the union or organization, or if there are no such rules, in writing within five days of service upon him of the copy of the charges, shall be deemed a waiver of any further rights granted by this division."

Amendment No. 6

On page 3, line 1, of the printed bill, as amended, strike out "3108 5", and insert "3108".

Amendment No. 7

On page 3 of the printed bill, as amended, strike out lines 19 to 26, inclusive, and insert

"3112. The decision shall be entered upon the minutes of the union or"

Amendment No. 8

On page 3 of the printed bill, as amended, between lines 33 and 34, insert

"Failure on the part of the member accused or the person preferring the charges to apply for a rehearing under the provisions of this section in writing within five days of the receipt by him of the copy of the decision shall be deemed a waiver of all further rights granted by this division."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 645—An act to amend Section 5404 of the Welfare and Institutions Code, relating to the commitment of inebriates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "hospital for the care and treatment of the insane", and insert "designated inebriate colony".

Amendment No. 2

On page 1 of the printed bill, strike out lines 14 to 20, inclusive.

Amendment No. 3

On page 1, line 26, of the printed bill, strike out "Whenever an inebriate colony is established the"; and strike out line 27

Amendment No. 4

On page 2, line 1, of the printed bill, strike out "that the person be confined in an inebriate colony."

Amendment No. 5

On page 2, line 3, of the printed bill, after "committed", insert a period; and strike out lines 4, 5 and 6.

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 650—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support, and maintenance of persons in State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and inebriates".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "and inebriates".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "or inebriates".

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "or inebriate".

Amendment No. 5

On page 1, lines 22 and 23, of the printed bill, strike out "or inebriate".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 646—An act to amend Section 5406 of the Welfare and Institutions Code, relating to the commitment of inebriates.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "hospital or".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2291—An act to amend Sections 8c and 78 of the State Employees' Retirement System, including city policemen and county and city firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Sections 8c and 78", and insert "Section 8c".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 11 to 37, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2247—An act to amend Section 4601 of the Labor Code, relating to the medical or chiropractic treatment of injured employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4601 of", and insert "add Sections 3209.5 and 4601.5 to".

Amendment No. 2

In line 2 of the title of the printed bill, after "medical", insert ", drugless".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 3209.5 is hereby added to the Labor Code, to read as follows:

3209.5. "Medical treatment" includes treatment by the holder of a valid drugless practitioner's certificate or a valid license to practice chiropractic.

SEC. 2. 4601.5 is hereby added to the Labor Code, to read as follows:

4601.5. This chapter does not prohibit payment for medical treatment given by a holder of a valid drugless practitioner's certificate or a valid license to practice chiropractic."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1349—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 5 and 6, insert

"This article does not apply to persons licensed under Chapter 9 of Division 2 of the Business and Professions Code."

Amendment No. 2

On page 2, line 10, of the printed bill, as amended, strike out "and"; and strike out all of lines 11, 12, and 13, and insert a period.

Amendment No. 3

On page 2, line 15, of the printed bill, as amended, strike out "poison or other ingre-"; and strike out all of line 16, and insert "dangerous drugs as determined by the board."

Amendment No. 4

On page 2 of the printed bill, as amended, strike out all of lines 22, 23, and 24, and insert "with his license the designation doctor, specialist, expert, herbalist or pharmacist unless he holds the required certificate under Chapter 5 of Division 2 of the Business and Professions Code or the required license under Chapter 9 of Division 2 of the Business and Professions Code."

Amendment No. 5

On page 2 of the printed bill, as amended, after line 35, insert

"All fines collected for a violation of the provisions of this article shall be paid one-half to the Board of Pharmacy and the other one-half to the court imposing the fine."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1266—An act to amend Section 131.5 of the Code of Civil Procedure, relating to probation, and including probation committees and probation officers and deputies.

Bill read second time, and ordered to third reading.

Senate Bill No. 746—An act to amend Section 410 of the Political Code, relating to the laws, resolutions and Journals of the Legislature.

Bill read second time, and ordered to third reading.

Senate Bill No. 1062—An act authorizing the conveyance to the County of Ventura, State of California, of easements and rights of way for road and highway purposes along, in, through, or across property of the State known as the Camarillo State Hospital Grounds.

Bill read second time, and ordered to third reading.

Senate Bill No. 838—An act to amend Section 695 of the Political Code, relating to services furnished State agencies other than those supported by the General Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 345—An act to amend Section 949 of the Fish and Game Code, relating to fish nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 346—An act to amend Section 723 of the Fish and Game Code, relating to the taking of catfish.

Bill read second time, and ordered to third reading.

Senate Bill No. 554—An act to amend Section 78 of the Fish and Game Code, relating to Fish and Game Districts 12 and 12b.

Bill read second time, and ordered to third reading.

Senate Bill No. 504—An act to amend Section 83 of the Fish and Game Code, relating to Fish and Game District 15.

Bill read second time, and ordered to third reading.

Senate Bill No. 386—An act to add Section 19661.5 to the Business and Professions Code, or Section 14.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the sale of pari-mutuel tickets and giving change therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 741—An act to amend Sections 20743, 20744, 20746, 20751, 20880, 20888, 20930 and 20956 of, to repeal Sections 20800, 20826, 20840, 20849, 20860, 20866, 20892, 20910, 20911 and 20950 of, and to add Sections 20704, 20705, 20706, 20707, 20708, 20800, 20826, 20840, 20849, 20860, 20866, 20882.5, 20892, 20911 and 20950 to the Business and Professions Code, relating to sales of petroleum products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 8 of the printed bill, strike out all of lines 16 to 21, inclusive, and insert "chaser or intended purchaser thereof, to be the product of the brand name or trade name specified by the purchaser or intended purchaser. It is".

Amendment No. 2

On page 9 of the printed bill, strike out all of lines 8 to 10, inclusive, and insert "to the sealer of the county in which".

Amendment No. 3

On page 9, line 11, of the printed bill, strike out the comma.

Amendment No. 4

On page 4, line 45, of the printed bill, as amended, after "S.A.E.", strike out the balance of the line; and strike out lines 46, 47, 48 and 49; and strike out to the period after "section", in line 50, and insert "Lubricating oils or motor oils which have a viscosity index in excess of 120 when determined in accordance with the American Society for Testing Materials Standard D567-40T as published in "American Society for Testing Materials Standards," 1940, may be labeled without the designation of the S.A.E. number classification as required in this section."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 558—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to transfer to the City of Oakland a surface easement over certain tide and submerged lands and to define the powers and duties of the city in relation thereto"

Amendment No. 2

On page 1, line 1, of the printed bill, beginning with "granted", strike out to and including "in and to" in line 5, and insert "transferred to the City of Oakland, a municipal corporation, and to its successors forever, a surface easement over".

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "easterly", and insert "westerly".

Amendment No. 4

On page 1 of the printed bill, after line 15, insert

"Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio; on the west by the projection southerly of the easterly line of Washington Street, a public street of said city; and on the east by the projection southerly of the westerly line of Broadway, a public street of said city.

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio; on the west by the projection southerly of the easterly line of Broadway, a public street of said city; and on the east by the projection southerly of the center line of Franklin Street, a public street of said city."

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 16, 17 and 18, and insert "Said transfer is made for the following uses and purposes and subject to the following conditions:".

Amendment No. 6

On page 2 of the printed bill, strike out from and including "limited", in line 2, to and including "harbor", in line 8, and insert "terms not in excess of 25 years for uses specified in this paragraph"

Amendment No. 7

On page 2, line 15, of the printed bill, after "railroad,", insert "or airplane or seaplane".

Amendment No. 8

On page 2, line 19, of the printed bill, strike out "mentioned in paragraph (a)", and insert "herein mentioned".

Amendment No. 9

On page 2, line 27, of the printed bill, commencing with the word "There", strike out to and including "land", in line 31, and insert

"That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands, but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city."

Amendment No. 10

On page 2 of the printed bill, after line 41, insert

"SEC. 2. Portions of the low tide line above mentioned never having been located on the ground, the city hereby is empowered to fix the same by agreement with abutting owners or by other appropriate means."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1092—An act to repeal Section 511 of the Public Resources Code, relating to publications issued by the Department of Natural Resources.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 511 of the Public Resources Code is hereby amended to read as follows:

511. For the purpose of disseminating information relating to the activities, powers, duties, or functions of the Department of Natural Resources, the department, with the approval of the Department of Finance, may issue publications, construct and maintain exhibits, and perform such acts and carry on such functions as in the opinion of the Director of Natural Resources will best tend to disseminate such information.

Such publications may be distributed free of charge to public libraries and to other State departments and State officers. The department may exchange copies with contemporary publications.

All money received by the department from the sale of publications, exclusive of money received by any separate division of the department from the sale of publications, shall be paid into the State Treasury to the credit of the Department of Natural Resources Printing Revolving Fund, which fund is continued in existence, and which fund is appropriated for the use of the department, in addition to such other funds as may be appropriated, for the printing and distribution of any publication pertaining to the activities of the department.

No moneys may be expended out of any appropriation from the General Fund in the State Treasury for the purpose of this section."

Amendment No. 3

On page 1 of the printed bill, strike out line 2.

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1322:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 15, 1941

To the Honorable Members of the Assembly, Sacramento

GREETINGS:

ASSEMBLY BILL NO. 1322

"An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1322 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Request for Unanimous Consent

Mr. Richie asked for, and was granted, unanimous consent to take up Assembly Bill No. 1322, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1322

Assembly Bill No. 1322—An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger,

Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Welch, and Wollenberg—57.

NOES—Field, Houser, Frederick F, Knight, T. Fenton, and Potter—4

Demand for Previous Question

Messrs. Waters, Hastain, Pfaff, Bennett and Pelletier demanded the previous question

Demand for previous question sustained.

The question being on the final passage of Assembly Bill No. 1322.

The roll was called, and Assembly Bill No. 1322 passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Wollenberg—61

NOES—Allen, Field, Houser, Frederick F., Knight, John B, and Potter—5

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 21, 1941

To the Honorable Members of the Assembly, State of California
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the nineteenth day of April, 1941, at 5.45 p m, Assembly Bill No. 562 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Alfred W. Robertson, member of the Assembly.

Respectfully submitted

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 19, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS. I am returning herewith, without my signature, Assembly Bill No. 562, entitled "An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds; and to authorize nonprofit hospital service corporations organized under Division 2, Part 2, Chapter 11a of Article 3 of the Insurance Code to enter into and perform contracts with Federal agencies and to receive and administer, in trust, Federal funds."

My objections to this bill are as follows:

The bill purports to authorize nonprofit membership corporations operating medical and surgical service plans with participation available to licensed physicians and surgeons to enter into and perform medical and surgical service contracts with any agency or instrumentality of the United States of America, and, in aid or in furtherance of such contracts, to accept, receive and administer in trust funds directly or indirectly made available by any agency or instrumentality of the United States of America. The bill declares such corporation, in the administration and trust of such funds, shall be conclusively deemed to be, for the purpose of all the laws of this State, an instrumentality of the United States of America.

I do not believe the State of California can by legislative fiat declare any corporation or organization an agency of the Federal Government, and certainly such legislation should not be necessary in the case of a corporation or association which is lawfully operating under the laws of this State.

Provisions of this act to the effect that nonprofit membership corporations "may make, enter into and perform medical and surgical service contracts" would have the effect of removing from the courts of this State jurisdiction to determine litigation now pending involving the question of whether such corporations are subject to the Insurance Laws of this State. This litigation was instituted by the California Physicians' Service, apparently the only nonprofit membership corporation which could enter into the contracts which are the subject of Section 1 of the bill.

The characterization of these corporations as instrumentalities of the United States "for the purposes of all laws of this State" leads into questions the complexity of which are unlimited For example, the question has been raised as to whether such corporation and its member physicians would be liable for or subject to the tort liability applicable to other physicians and surgeons in the ordinary practice of their professions Upon further reflection, other problems of like nature will certainly appear to the Legislature.

Section 2 of the bill relates to nonprofit hospital service corporations organized under the appropriate provisions of the Insurance Code to make similar contracts. It also declares them to be an instrumentality of the United States.

The same question as to tort liability exists in respect to these corporations, although, as they are licensed under the Insurance Laws of this State, no question exists as to the legality of their operations or their power to enter into such contracts.

I have always been in sympathy with the objectives of the Farm Security Administration in seeking to bring to its clients low cost medical and hospital services which are so sorely needed by them, but I do not believe this bill necessary to enable such services to be contracted by a California corporation which is lawfully operating under the laws of this State. My objections to the bill are that it would be a vehicle for consequences unintended, and inimical to objectives that were intended in the enactment of the bill.

Respectfully submitted

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 21, 1941

To the Honorable Members of the Assembly
State of California, State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the nineteenth day of April, 1941, at 11 12 a m., Assembly Bill No. 1648 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Alfred W. Robertson, member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 17, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1648, entitled 'An act to repeal Section 48.2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments." My objections to this bill are as follows:

This bill repeals Section 48.2 of the California Irrigation District Act.

Section 48.1 of the act places a one-year statute of limitations upon any action or proceeding to attack the validity or regularity of any transfer of complete title to an irrigation district by the collector thereof for the failure to pay delinquent taxes or assessments. Not only are actions to cancel such deeds to the district affected, but also any defense, counterclaim, or cross complaint to any other type of an action is affected: that is, after the period of one year has elapsed, no defense based on the invalidity of any such deed may be maintained

Section 47.1 of the act provides that no sale, lease, or option by the district of property so acquired can be attacked unless action is commenced within one year of the date of the deed, lease or option.

Section 48.2 of the act, which is repealed by the bill, reads as follows:

"The provisions of Sections 47 1 and 48.1 do not apply in the following cases:

(a) Where the assessments or taxes for which the land was sold or the certificate issued were paid before the sales.

(b) Where the land was redeemed after the sales.

(c) Where the land was not subject to assessment or taxation at the time it was assessed.

(d) Where no taxes or assessments were due on the land at the time of sale.

(e) Where fraud is established

(f) Where the deed is void on its face.

(g) Where the owner of the land is, at the time of the sale, a minor or insane person, in which case the statute of limitations begins to run when such disability is removed.

(h) In any other case where there is a total lack of jurisdiction to make the sale or the deed."

The effect of the repeal, therefore, will be to include certain types of causes of action based on the irregularity of proceedings to foreclose delinquent property within the one year statute of limitations.

It appears that the reason for the bill is that certain superior courts have held that subdivision (h) of Section 48 2 practically nullifies the effect of the other two sections. However, this bill repeals the entire section rather than amending subdivision (h) out of it.

It is stated that the other subdivisions of the section would still be applicable due to the fact that the courts would read into Sections 47 1 and 48 1 the exceptions now listed in Section 48.2. The note in 27 L. R. A. (N. S.) 339 is cited as authority. While it is true that certain of the conditions mentioned in Section 48 2 have been held in other States to nullify short statutes of limitations, many of these decisions are based upon statutory construction of the statutes of the various States. These cases in the main, however, would apply only to subdivisions (a), (b), (c), (d), and (f). It is doubtful that if this bill is enacted an action could be brought after the one year limitation had run, based on fraud, where the deeds to and from the district appear regular on their face I also believe that the one year limitation would apply to a minor or an insane person, thus removing the protection offered by subdivision (g).

It is a rule of statutory construction that the Legislature intends to make some change by any statute that it enacts and the argument could certainly be made that the repeal of Section 48 2 was intended to make the statute of limitations apply to all cases

If subdivision (h) is the only subdivision of Section 48 2 that is giving trouble, the bill should be limited to deleting that subdivision from the section.

Furthermore, as noted, this bill will not only outlaw actions regarding deeds, but it will have the same effect on leases made by irrigation districts. Your honorable body now has a committee investigating the subject of tax-deeded lands, and I understand that an important phase of the investigation will be as to the manner of the leasing of lands by irrigation districts Other departments of the State have similar investigations under way Furthermore, the association of boards of supervisors is very much concerned with the manner in which the irrigation districts have dealt with the tax-deeded lands, and I believe have a committee investigating the subject. It would seem highly undesirable to place a short statute of limitations on actions involving the validity of the leases with which the investigations may in part be concerned, for if irregularities are established, the statute of limitations might, under this bill, bar any effective action.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 13	Assembly Bill No 463
Assembly Bill No 108	Assembly Bill No. 500
Assembly Bill No. 120	Assembly Bill No. 948
Assembly Bill No. 143	Assembly Bill No. 1025
Assembly Bill No. 367	Assembly Bill No. 1724

Assembly Concurrent Resolution No 31

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1070	Assembly Bill No. 1716
Assembly Bill No. 1073	Assembly Bill No. 2074
Assembly Bill No. 1322	Assembly Bill No. 2272

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1078
Assembly Bill No. 1080
Assembly Bill No. 1122
Assembly Bill No. 1775

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 777

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1325
Assembly Bill No. 1635

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 58
Assembly Bill No. 209
Assembly Bill No. 404
Assembly Bill No. 405
Assembly Bill No. 407
Assembly Bill No. 1066
Assembly Bill No. 1071
Assembly Bill No. 1175
Assembly Bill No. 1555
Assembly Bill No. 1728
Assembly Bill No. 1982
Assembly Bill No. 2130
Assembly Bill No. 2587

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 165
Assembly Bill No. 240
Assembly Bill No. 301
Assembly Bill No. 469
Assembly Bill No. 529
Assembly Bill No. 798
Assembly Bill No. 852
Assembly Bill No. 937
Assembly Bill No. 943
Assembly Bill No. 973
Assembly Bill No. 974
Assembly Bill No 1019
Assembly Bill No. 1026
Assembly Bill No. 1032
Assembly Bill No. 1036
Assembly Bill No. 1067
Assembly Bill No. 1079
Assembly Bill No. 1167
Assembly Bill No. 1305
Assembly Bill No 1384
Assembly Bill No. 1433
Assembly Bill No. 1484
Assembly Bill No. 1541
Assembly Bill No 1602
Assembly Bill No. 1608
Assembly Bill No 1617
Assembly Bill No. 1631
Assembly Bill No. 1652
Assembly Bill No. 1708
Assembly Bill No. 1713
Assembly Bill No. 1871
Assembly Bill No. 1875

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1882
Assembly Bill No. 1885
Assembly Bill No. 1905
Assembly Bill No. 1919
Assembly Bill No. 1924
Assembly Bill No. 2094
Assembly Bill No. 2111
Assembly Bill No. 2228
Assembly Bill No. 2386
Assembly Bill No. 2431
Assembly Bill No 2514
Assembly Bill No 2524
Assembly Bill No. 2578
Assembly Bill No. 2579
Assembly Bill No. 2580
Assembly Bill No. 2589

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 678

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 692
Assembly Bill No. 706
Assembly Bill No 1516

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No 2244

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER Your Committee on Natural Resources, to which was referred:

Senate Joint Resolution No 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DILWORTH, Chairman

Above reported resolution ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Senate Constitutional Amendment No 6

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

DILWORTH, Chairman

Above reported resolution ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which were referred:

Senate Bill No. 77
Senate Bill No 122
Senate Bill No 862

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported resolution ordered to third reading

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 402
Assembly Bill No 1439

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 802
Assembly Bill No 803
Assembly Bill No 804

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

(Signed out)

TURNER, Chairman	SAWALLISCH
BURNS, HUGH M.	GREEN
LYON	DILWORTH
CARLSON	COLLINS, SAM L.

Above reported bills ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No 1261

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No 457

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 774

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 1039

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TURNER, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cooke:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 4300a and 4300c of the Political Code and to add Section 67 to Article 2, of Chapter 1, of Title 1, of Part 3, of Division 1 of the Civil Code, relating to fees and duties of county clerks and county recorders and to authentication of marriage

Respectfully submitted.

COOKE

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cooke:

An act to amend Sections 4300a and 4300c of the Political Code and to add Section 67 to Article 2, of Chapter 1, of Title 1, of Part 3, of Division 1 of the Civil Code, relating to fees and duties of county clerks and county recorders and to authentication of marriage.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2591: By Mr. Cooke—An act to amend Sections 4300a and 4300c of the Political Code and to add Section 67 to Article 2, of Chapter 1, of Title 1, of Part 3, of Division 1 of the Civil Code, relating to fees and duties of county clerks and county recorders and to authentication of marriage.

Referred to Committee on Judiciary Codes.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kepple, Evans, Hastain, Potter and Middough:

House Resolution No. 150

WHEREAS, The Whittier State School, a correctional institution for younger boys, has recently been the subject of numerous public and private investigations and unfavorable publicity; and

WHEREAS, The resultant decrease in morale, the uncertain status of those in charge, and the lack of any effective discipline or control of the inmates by the administrative personnel have resulted in numerous escapes from the school, imperiling the safety of surrounding residents, and resulting in the damage or destruction of property; and

WHEREAS, The restoration of order and the prevention of escapes is a matter of immediate necessity; therefore, now be it

Resolved by the Assembly of the State of California, That the Governor of this State and the Director of Institutions are hereby urgently requested to take steps immediately to put those in charge of the Whittier State School who are legally authorized to and will eliminate the present chaos and restore discipline, in order to protect the life, safety and property of the citizens of this State and to provide for the confinement, care and welfare of those committed to the school; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed immediately to present copies of this resolution to the Governor, and to the Director of Institutions

Request for Unanimous Consent

Mr. Kepple asked for, and was granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee.

Resolution read.

Demand for Previous Question

Messrs. Allen, Waters, Meehan, Tenney and Hastain demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 150.

Resolution adopted.

RESOLUTIONS

By Committee on Rules:

House Resolution No. 151

Relative to amendment of House Resolution No. 136, as printed in the Assembly Journal on April 14, 1941, at page 1887.

Resolved, That House Resolution No. 136 is hereby amended to read as follows:

"*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable as hereinafter specified, and the Controller is hereby

directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, April 14, 1941, to April 15, 1941, both dates inclusive:

	Per day
Leal Norton, Page	$2 50
Harry H. Hastain, Page	Without pay

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—69.

NOES—None.

RECONSIDERATION OF ASSEMBLY BILL NO. 1247

In compliance with a notice given on a previous day, Miss Miller moved that the vote whereby Assembly Bill No. 1247 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Miss Miller moved a call of the Assembly.

Motion lost.

The roll was called, and Assembly Bill No. 1247 refused reconsideration by the following vote:

AYES—Bashore, Bennett, Carlson, Dilworth, Donnelly, Doyle, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Miller, Pelletier, Phillips, Salsman, Sheridan, and Watson—19

NOES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Crowley, Dickey, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Millington, O'Day, Pfaff, Poole, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Waters, Welch, Weybret, and Wollenberg—41.

Assembly Bill No. 1247 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 1643

In compliance with a notice given on a previous day, Mr. Stream moved that the vote whereby Assembly Bill No. 1643 was passed be reconsidered.

Assembly Bill No. 1643 reconsidered by the following vote:

AYES—Andreas, Burkhalter, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—47

NOES—Allen, Bashore, Bennett, Cassidy, Dills, Donnelly, Evans, Gunlock, Massion, McCollister, Meehan, O'Day, Russell, Sheridan, and Tenney—15.

Assembly Bill No. 1643 ordered to unfinished business file.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Bennett, ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, April 20, 1941

Honorable F. Ray Bennett, Assembly Chamber
State Capitol, Sacramento, California

SUBJECT: Senate Bill No. 1292, Appropriation for Senate Contingent Expenses
REQUEST: No. 2572

DEAR MR. BENNETT: You have asked us to advise you whether Senate Bill No. 1292, as amended in Senate on April 9th and April 10th, was so amended in violation of Joint Rule No. 9.

As introduced, Senate Bill No 1292 made an appropriation for mileage of members and officers of the Senate. As amended on April 9th and 10th and as passed by the Senate the bill made an appropriation for the contingent expenses of the Senate.

Rule No. 9 of the Joint Rules of the Senate and Assembly provides "a substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration."

The answer to your question depends upon whether the Legislature elects to place a strict or liberal interpretation upon Joint Rule No. 9.

Under a strict interpretation of the rule that amendments must be germane we believe that the amendments to this bill which change its purpose from an appropriation for mileage for the members of the Senate to an appropriation for the contingent expenses of the Senate are in violation of Joint Rule No. 9. We note for instance that the Budget Bill carries separate items of appropriation for this purpose and also that Section 34 of Article IV of the Constitution speaks of appropriations "for the salaries, mileage and expenses of the Senate and Assembly." Further the summary of rulings in Congress as to whether or not amendments are germane commencing at page 193 of "Cannon's Procedure in the House of Representatives" 3d Edition tend to confirm this conclusion On the other hand if the Legislature elects to follow a liberal construction of Joint Rule No. 9 we believe that the amendments to Senate Bill No. 1292 do not violate the rule as so construed since the bill as amended relates to the same general subject (although a different phase of that subject) as did the bill as introduced.

Neither the Joint Rules nor the precedents of the houses in the Journals of previous sessions indicate the policy of the Legislature or either house as to the interpretation of Joint Rule No. 9. There have been very few rulings in recent years that appear in the Journals upon points of order as to the violation either of this Joint Rule or of the rules regarding germaneness of amendments adopted by the two houses.

An examination of the amendments adopted to bills in both houses during this and previous sessions without objections having been raised that the amendments violated the rules regarding germaneness is strong evidence in support of a conclusion that the Legislature has interpreted these rules in a very liberal fashion. Many of these amendments would most certainly be held out of order under even a reasonably strict interpretation of the rule. However, until such time as the policy of the Legislature with respect to this question is definitely expressed either in the form of a rule or by precedents appearing in the Journals, it can not be definitely stated whether that policy is a strict or a liberal one.

We are sending a copy of this opinion to the Honorable William P. Rich, the author of Senate Bill No. 1292, pursuant to Joint Rule No. 37, as appears in Senate Concurrent Resolution No. 26.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Senate Bill No. 1292.

RECONSIDERATION OF SENATE BILL NO. 1292

In compliance with a notice given on a previous day, Mr. Bennett moved that the vote whereby Senate Bill No. 1292 was passed be reconsidered.

Senate Bill No. 1292 refused reconsideration by the following vote:

AYES—Bennett, Collins, George D., Donnelly, Knight, John B., Knight, T. Fenton; Lowrey, Meehan, Richie, Russell and Thomas—10

NOES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Collins, Sam L., Cooke, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

Senate Bill No. 1292 ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Assembly Bill No. 638.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 638—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Collins, Sam L., Cooke, Crowley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Bennett, Collins, George D., Del Mutolo, Donnelly, Lowrey, Meehan, Richie, and Thomas—8

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Collins, Sam L., Cooke, Crowley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Bennett, Collins, George D., Del Mutolo, Donnelly, Lowrey, Meehan, Richie, and Thomas—8.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No. 1800 be made a special order of business for Tuesday, April 22, 1941, at 1.30 p.m.

Motion carried.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard,

Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—66.

NOES—None.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Tenney, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly, on Senate Bill No. 318.

RECONSIDERATION OF SENATE BILL NO. 318

In compliance with a notice given on a previous day, Mr. Tenney moved that the vote whereby Senate Bill No. 318 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Cooke, Dickey, Dilworth, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—45.

NOES—Burns, Michael J., Crowley, Donnelly, Doyle, Evans, Knight, T. Fenton; McCollister, Pelletier, Pfaff, and Welch—10.

Time, 3.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO MIMEOGRAPH EXTRA COPIES OF REPORT

Mr. Dills moved that 80 additional copies of the Report of the Department of Social Welfare be mimeographed.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 659—An act to amend Section 161a of the Civil Code, relating to interests in community property.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 659 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan,

Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62.

UNFINISHED BUSINESS

Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the eighth day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—66.

NOES—None.

COMMUNICATIONS

A communication from the Legislative Counsel relative to Assembly Bill No. 271 was read.

Mr. Tenney moved that the communication be printed in the Journal.

Roll Call Demanded

Messrs. Heisinger, Donnelly and McCollister demanded a roll call.

The roll was called, and the communication ordered printed in the Journal by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—56.

NOES—Donnelly, Heisinger, Richie, and Russell—4.

Communication From Legislative Counsel

Report on Assembly Bill No. 271. Tenney, Bashore, Phillips.

Subject: New act known as the Subversive Organization Registration Act, requiring the registration with the Secretary of State of every organization consisting of two or more persons which:

(a) Directly or indirectly advocates, advises, teaches, or practices, the duty, necessity or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States, or of this State or of any political subdivision thereof by force or violence; or

(b) Solicits or accepts financial contributions, loans or support of any kind, directly or indirectly from, or is affiliated directly or indirectly with, or whose policies are determined by or at the suggestion of, or in collaboration with, an agency or instrumentality of a foreign government or political subdivision thereof, or a political party of a foreign country or an international political organization.

Form: Approved. *Title:* Approved.

Constitutionality: Approved. See comment.

Analysis: The bill requires every existing organization of a type hereinabove referred to to file with the Secretary of State within 30 days after this act takes effect and every new organization of such type to file within 10 days after its organization:

(a) A detailed statement giving the address of all of its branches, the names, addresses and nationalities of its officers, the qualifications required for membership in the organization, the assets owned by it, contributions received by it and other similar information. (Section 2, subdivision a.)

Within 10 days after any change is made in its officers or in its aims, purposes, property holdings, sources of financial support, etc., a sworn statement of such changes must be filed with the Secretary of State. (Section 5.)

(b) A certified copy of its charter, by-laws or other instrument under which it is organized and exists, and a copy of all written material directly or indirectly distributed by it. (Section 2, subdivision b.)

Within 10 days after its charter, by-laws, etc., are changed, a certified copy of the same as so changed must be filed with the Secretary of State (Section 4).

(c) A description of its uniforms and other regalia, if any (Section 2, subdivision c).

(d) The manner in which it is subject to control by, or support from any foreign government, political subdivision, agency, or party thereof or an international political organization (Section 2, subdivision d).

At least once every six months every registered organization must file a certified list of its new members or a statement that it has no new members (Section 6).

Every such organization shall file within 10 days after adoption thereof, every resolution adopted, or the minutes of any meetings held by it, authorizing or providing for concerted action on its part or the part of its officers or membership in promoting or preventing the passage of legislation or the election or defeat of any candidate for public office (Section 7).

No such organization shall distribute by mail or otherwise any anonymous document, and all documents distributed by the organization and intended to come to the attention of persons who are not members shall bear the name of the organization and the names and addresses of its officers (Section 8).

All documents filed with the Secretary of State are public records and open to public inspection (Section 9).

The Secretary of State may adopt rules and regulations to carry out the act (Section 10).

The bill imposes heavy fines on those organizations which violate its provisions (Section 11), as well as upon its officers which permit or acquiesce in such violation (Section 12).

Any person who, with knowledge that any organization has failed to comply with the act becomes or remains a member of, attends meetings of any such organization is guilty of a misdemeanor (Section 13).

Labor unions, religious, fraternal and patriotic organizations, societies or associations whose objectives and aims do not contemplate the overthrow of the Government of the United States or of this State or of a political subdivision thereof by force or violence are specifically exempted from the act (Section 3).

The act imposes cumulative obligations on organizations which are subject to it and the fact that such organizations are otherwise subject to governmental control or regulations does not excuse compliance with its provisions (Section 14).

The bill contains the usual severability provisions (Section 15) and a declaration that it is enacted in the exercise of the police power (Section 16).

Comment: We are aware of the similarity of this bill in various respects, to the act of Congress known as the Voorhis Act (Public Act No. 870, Seventy-sixth Congress), and of the question represented by a recent decision of the U. S. Supreme Court (*Hines* vs. *Davidowitz*, 85 Law Ed. 366) holding invalid the Pennsylvania Alien Registration Act (Pa. Laws, 1939, No. 304) upon the ground that Congress had taken over that field of Federal regulation by enacting the Federal Alien Registration Act (Public Act No. 670, Seventy-sixth Congress, Third Session).

We do not think the two situations analogous.

The *Hines* decision is based upon "The supremacy of the National power in the general field of foreign affairs, including power over immigration, naturalization and deportation" (85 Law Ed. 369). In this field "any concurrent State power that may exist is restricted to the narrowest of limits" (85 Law Ed. 372) "The power to restrict, limit, regulate, and register aliens as a distinct group is not an equal and continuously existing concurrent power of the State and Nation, but whatever power a State may have is subordinate to supreme National law" (85 Law Ed. 373).

But Assembly Bill No. 271, we believe, is not in a field in which the Federal Government is supreme. It seems quite unlike the field of interstate commerce or of bankruptcy or of foreign affairs.

Certainly it is a matter of "State" concern to take steps for the protection of itself and of its own political subdivisions, to prevent the overthrow or attempted overthrow thereof by force or violence. That is one of the purposes of this bill

Nor has the State an illegitimate concern with threatened overthrow of the United States Government. Her citizens happen also to be citizens of the United States. But that should not strip the State of power to enact measures for the protection of her own citizens or for the maintenance of their morale, or for the prevention of breaches of the peace.

Upon that principle was a Minnesota law upheld which penalized advocacy against enlistment in the Military or Naval forces of the United States. (*Gilbert* vs. *Minnesota*, 1920, 254 U. S. 325.)

The State statute was not abrogated by the Federal Espionage Law of 1917. The same act "may be an offense or transgression of the laws of both" Nation and State, and "both may punish it without a conflict of their sovereignties" (254 U. S. 330).

The derailment of a train carrying United States mail may be punishable under a Federal statute, and the death of the engineer produced thereby may be punishable as murder under a State statute. (*Crossley* vs. *California*, 168 U. S. 640.)

The same principle is exemplified by a California decision of 1889. Possessing or making any device used in "counterfeiting bank notes or bills" was proscribed, as a felony, by Section 480 of our Penal Code. This, it was held, applied to the bank notes of a foreign government, even though a Federal statute proscribed the very same thing:

"Such acts, although denounced by Federal laws, and punishable under such laws in Federal courts alone, may nevertheless be punished by State laws in State courts, where the punishment of such acts pertain to the police power of a State; that for such an act as here alleged to have been committed, the Federal law may punish, for the protection of foreign nations and their people, and the State law for the act as one which may result in a fraud upon its citizens by passing upon them counterfeit bills of a foreign bank or corporation." (*People* vs. *McDonnell*, 80 Cal. 285, 289.)

"The State is not inhibited from passing laws to punish an act which may result in fraudulent imposition upon its citizens, because the Federal Government has the exclusive right to punish for an infraction of its laws made in consequence of a duty it owes under the law of nations. The act is the same for which the person is punished, but the laws are different and for a different purpose." (Same, p. 292.)

In addition, the bill contains a separability clause (Section 15). If some part of the bill should be held invalid, the remainder would not fall but would continue operative.

FRED B. WOOD, Legislative Counsel

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 318

At 4.15 p.m., on motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of Senate Bill No. 318 was granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Cassidy, Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Doyle, Field, Gallagher, Green, Hastain, Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Meehan, Middough, Miller, O'Day, Poole, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weybret, and Wollenberg—43.

NOES—Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Maloney, McCollister, Millington, Pelletier, Pfaff, Russell, Sawallisch, Waters, and Welch—27.

Senate Bill No. 318 ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1427—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "hire", insert a comma.

Amendment No. 2

On page 1, line 18, of the printed bill, as amended, strike out "any", and insert "and".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO PRINT REPORT IN JOURNAL

On motion of Mr. Kepple, the following report of the Assembly Committee on the Investigation of Whittier State School was ordered printed in the Journal:

Report of Assembly Committee on the Whittier State School

The Assembly Committee on the Whittier State School files herewith a preliminary report of its investigation. The committee will subsequently file a more detailed report containing recommendations or propose legislation to carry out its recommendations.

The committee makes this immediate report because of a serious emergency which it feels neither the Legislature nor the public fully comprehends.

Since its appointment the Assembly Committee has conferred with Judge Robert H. Scott of the Los Angeles County Juvenile Court, Karl Holton, Chief Probation Officer of Los Angeles County, Kenyon J Scudder, formerly Superintendent of the Whittier State School and newly appointed Executive Officer of the Southern California Prison at Chino, Judges Frank G Swain, Benj. J. Scheinman, Samuel R. Blake of the Los Angeles Superior Court, Dr. Thos. W. Haggerty, Medical Superintendent of the Camarillo State Hospital, Dr. G. M. Webster, Medical Superintendent at Patton, Dr. Glenn E Myers, Medical Director of the Compton Sanitarium, and others. It has visited the Whittier State School where it conferred with the Flanagan Committee and others connected with the school. It has conferred with the city officials of the City of Whittier and others interested in the Whittier State School, and has made certain investigations at the State Narcotic Hospital at Spadra and the Pacific Colony to obtain certain facts and data.

The committee found the Whittier State School in a most demoralized and chaotic condition.

The normal population of the school is approximately 350. This has dwindled to a little more than 200 due to escapes and the refusal of authorities to send boys to the school under present conditions. During the few hours the committee was in Los Angeles and in Whittier about 100 boys, almost one-half of the remaining population, escaped from the school When apprehended and returned they leave again as soon as they feel like it. Yesterday (Sunday) a total of 60 boys left the school The "Lost privilege" and "Receiving cottages" at the school have been closed and there is no physical restraint of any kind. Several thousand dollars worth of automobiles have been stolen in Whittier alone by escaped inmates and burglaries have been numerous in recent weeks. Police officers are kept busy night and day hunting such escapes; a number of them were caught in the act of stealing automobiles with which to get away. Officials and citizens of Whittier are rightfully indignant and voiced their emphatic objections to what has become an intolerable situation.

This committee believes that before any other steps are taken to correct conditions which may be wrong at Whittier that Governor Olson and the Director of Institutions be called upon by this Assembly to place in charge at Whittier someone legally responsible and capable of restoring discipline.

For obvious reasons, no attempt has been made, except incidentally, to go into the chain of events which have brought about the present turmoil in the Whittier State School However, a brief review is necessary to any understanding of the present situation. A boy committed suicide in the school in August, 1939, and another alleged suicide occurred a few months later. Since the day of the first suicide, the school has been the target of almost constant investigations, notably by the Leo Gallagher-Scully Committee, the Judge Lindsey Committee and, more recently, the committee headed by Father Flanagan of Boys Town—all appointed by Governor Olson.

In passing it may be pointed out that the Assembly Committee did not consult a single individual, including the members of the Flanagan Committee, who were not loud in their praise of the splendid attainments and the international reputation of the

Whittier State School a few years ago under the leadership of the late Fred C. Nelles. Many of the individuals who assisted Fred Nelles in bringing the Whittier State School to its former splendid standing are available—a number of them here on the coast. These include such nationally known individuals as Dr. Grace M. Fernald of U. C. L. A., Dr. Ellen B. Sullivan of U. C. L. A., formerly director of the California Bureau of Juvenile Research who spent several years at Whittier, Dr. Norman Fenton, Dr. Katherine Cox Miles, Director of Research and Professor of Psychology in the Child Welfare Department of Yale University, Judge Wm. James, Juvenile Judge of Santa Clara County, August Vollmer, Professor of Criminology at Berkeley, William Healy and others. Your committee is perplexed to understand why none of these competent authorities has been consulted in connection with the numerous investigations at Whittier.

After the Lindsey investigation, charges based upon the voluminous report of that committee were filed by Frank Scully against E. J. Milne, Superintendent of the Whittier State School. The position is under civil service. Another extensive investigation has been conducted by the Personnel Board with the aid of a special investigator, and it is understood the Personnel Board has about completed this investigation. On April 4th, without any further charges being filed, the Director of Institutions on demand of Governor Olson "suspended" Superintendent Milne. We are informed that this suspension was not legally made and that the records of the Personnel Board show that Superintendent Milne is on vacation. Since the attempted suspension, the Flanagan Committee consisting of Father Flanagan, Wm. B. Cox of the Osborne Association of New York, Mrs. Helen Mellinkoff together with P. J. Norton has been in charge at the school. Mrs. Mellinkoff is a member of the Judge Lindsey Committee. Mr. Norton, also connected with Boys Town, was named acting director by Governor Olson through the Director of Institutions. The committee has been unable to determine how this was accomplished under civil service regulations. The institution has an assistant superintendent who has held the position for a number of years.

During the past few days events have moved with startling rapidity. Last Thursday night press reports stated that Governor Olson at the request of the Flanagan Committee had appointed T. A. Duffy, 33 year old Los Angeles teacher and social welfare worker, as permanent superintendent of the school. This order a few hours later was reported rescinded and Governor Olson by telephone engaged Wm. B. Cox, a member of the Flanagan Committee, to become permanent superintendent beginning June 1st. In the meantime Mr. Duffy is supposed to remain on as acting superintendent in place of Mr. Norton who left to return to Boys Town with Father Flanagan last night. All this is a little too fast for your committee, which is of the opinion that Governor Olson under the civil service laws of the State has no authority to make any such appointments.

Juvenile authorities of Los Angeles County agree with the Flanagan Committee and others that there are needed changes in the administration of the school but emphasized that needed corrections do not include the abolition of all discipline. It was further emphasized that Whittier is a correctional school where boys are sent only as a last resort. Many of them have committed serious felonies and have been in difficulty with the law many times. Almost without exception qualified authorities emphasize that one of the contributing factors to the trouble at Whittier has been an increasing percentage of what are commonly termed defective and psychopathic delinquents—many of whom were formerly not sent to Whittier. The necessity of segregation for this type of inmate was emphatically stressed. Many other constructive suggestions were made, upon which this committee will attempt to act. However, the immediate problem at Whittier is the restoration of some sort of discipline if the school is to be saved. It was reported to the press that Governor Olson told Father Flanagan that he would like to have Whittier turned into a boys town. We are not acquainted with Boys Town, except through the movies, but we do not believe that an institution like Whittier, which is in many instances the place of last resort for juvenile offenders, can be run without discipline. It is hardly necessary for this committee to say that it is opposed to brutality or to cruel or unusual punishment in any institution but enlightened treatment and understanding approach to the problem of delinquent boys can not be void of discipline. We found the Father Flanagan Committee very critical toward any suggestion that physical restraint of any kind be employed even temporarily to bring order back to the institution. It is easy to dramatize to the point of public hysteria conditions which need correcting but it is most important that a balance be maintained between the elimination of maladministration on the one hand and the protection of society on the other. Many boys at Whittier come from bad environment and are the unfortunate victims of inherent weakness which gets them into trouble oftentimes through no fault of their own, but when such boys break away from restraint, steal automobiles, commit murder, burglaries and other felonies with knives and at the point of guns, it seems absurd to the committee to maintain that physical restraint in such cases is unnecessary. When the chairman of your committee emphasized this fact, he was told by the Father Flanagan Committee that he had a "warped mind."

Last Thursday night a woman nurse in the hospital at the Whittier School was attacked by a 15-year-old inmate, beaten over the head with a flashlight and threatened with death if she attempted to prevent his escape. The boy has been in a great deal of difficulty with the law and has a long record of escapes from various detention homes and institutions other than Whittier. On Friday night while a student dance was in progress at the Whittier Union High School, at which the daughter of your committee chairman was present, police warned all of the youngsters present not to leave without escort and stated that if anyone had an unlocked automobile in the vicinity they should immediately go with the officer and lock same as a large number of inmates of the Whittier State School had escaped and were on the loose throughout the town. It is unnecessary to prolong a recitation of what has been going on at Whittier. Enough has been related to indicate the complete demoralization of the institution. It is the opinion of your committee that if Whittier State School is to be turned into a Boys Town a large percentage of the present inmates will have to be transferred elsewhere. The difficulties in doing this are obvious when Preston, the only other available institution, is already overcrowded. The committee hardly believes that anyone desires that juvenile delinquents not over 16 years of age be sent to State prisons. We believe that order can be restored at Whittier and that those things which are wrong can be corrected to bring the institution back to a high state of efficiency and accomplishment in the rehabilitation of juvenile offenders. Your committee has received valuable suggestions from the various reports which have been made and from experts with whom it has consulted. It is the hope of the committee that action upon at least the more important suggestions can be taken at this session of the Legislature. Any action, however, will be futile until order and discipline are restored in the institution.

G. KEPPLE, Chairman
HARVEY E. HASTAIN
FRANKLIN J. POTTER
LORNE D. MIDDOUGH
JOHN W. EVANS

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Kepple, ordered printed in the Journal:

WHITTIER, CALIFORNIA, April 21, 1941

Hon. Gerald Kepple
State Assembly, Sacramento, California

Our police department received following calls from State school about escapes: Sunday 10 54 a.m., 12 boys left; 12.55 p.m., approximately, 40 left; 2 40 p.m., eight left; 6 30 p.m., about 20 left. Entire police department all yesterday afternoon and night trying to round up the boys and get them back. The sheriff's office and State school employees did likewise. Police department was told not to keep boys or bring them back but to turn them loose and tell them to go back to school. Sheriff's office and police department refused to release them and eventually State school came and picked up boys. Scores of phone calls at police department and sheriff's office from persons whose cars were being prowled and tampered with. Many cars worked over around Whittier Theatre and citrus house. Gangs of boys were cornered in open fields by Montebello police. All calling for help. Groups of half dozen were marching down Beverly Boulevard between Whittier and Montebello. Chief went to State school when they refused to answer phone and found approximately two cottages had gone with no report being made. No one knows how many escaped and how many are back. You really missed a show and the people in town really have blood in their eyes this morning. Almost everybody feels that the entire institution should be closed until publicity dies down and order established. Will write and wire you daily.

O. C. SMITH, Chief of Police
TOM BEWLEY, City Attorney

Call of the Assembly

Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 4.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Pro Tempore Presiding

At 4.55 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Assembly Bill No. 1104.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1104—An act creating a California Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the cause of industrial disputes by encouraging collective bargaining and defining unfair labor practices and providing against perpetration of such unfair labor practices and defining the jurisdiction of the powers and duties of the board with reference thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—Carlson, Collins, Sam L., Dilworth, Field, Hastain, Kellems, Knight, T. Fenton; Lyon, Potter, and Watson—10

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 1104 by Bashore

We, the undersigned, have voted for the above bill because the measure seems to advance friendly relations between capital and labor, and because the legislative representatives of the California State Federation of Labor and many individual unions favor it.

JOHN EDWARD CAIN — WM. I. GUNLOCK
EDWARD F. O'DAY — GEORGE D. COLLINS, JR.
EDWARD M. GAFFNEY — DAN GALLAGHER

Speaker Presiding

At 5.05 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 5.07 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2574—An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Howser, F. N., Collins, Sam L., Waters and Middough demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Burkhalter, Cain, Carlson, Collins, Sam. L., Crowley, Del Mutolo, Dickey, Dilworth, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Phillips, Potter, Poulson, Richie, Stream, Tenney, Thomas, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—39.

NOES—Burns, Michael J., Collins, George D., Cooke, Cronin, Dills, Donnelly, Doyle, Gallagher, Houser, Frederick F., Kilpatrick, Lowrey, Maloney, McCollister, Meehan, O'Day, Pfaff, Russell, Salsman, Sawallisch, Turner, and Voigt—21.

The question being on the passage of Assembly Bill No. 2574.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Phillips, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Burns, Hugh M., Burns, Michael J., Cronin, Donnelly, Field, McCollister, Millington, Potter, and Sawallisch—9.

Notice of Motion to Reconsider Assembly Bill No. 2574

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2574 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Del Mutolo:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the San Jose State College to purchase real property.

Respectfully submitted

DEL MUTOLO

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Del Mutolo:

An act making an appropriation to the San Jose State College to purchase real property.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond,

Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2592: By Mr. Del Mutolo—An act making an appropriation to the San Jose State College to purchase real property.

Referred to Committee on State Colleges.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 7

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 464
Senate Bill No. 113
Senate Bill No. 1240
Senate Bill No. 1241

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Referred to Committee on Rules.

Senate Bill No. 464—An act to add Chapter 12, comprising Sections 9201 to 9225, inclusive, to Part 4, Division 8 of the Health and Safety Code, relating to abandonment of cemeteries by public cemetery districts.

Referred to Committee on Public Health and Quarantine.

Senate Bill No. 113—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6, consisting of Sections 280 to 283, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code, relating to offices for the Senate and the members thereof, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1240—An act to amend Section 1134 of the Code of Civil Procedure, relating to judgment by confession in courts other than justices' courts.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1241—An act to amend Section 1135 of the Code of Civil Procedure, relating to judgment by confession in justices' courts.

Referred to Committee on Judiciary Codes.

RESOLUTIONS

The following resolution was offered:

By Messrs. Del Mutolo and Salsman:

House Resolution No. 152

WHEREAS, One of the foremost citizens of the County of Santa Clara and of the State of California, Superior Court Judge Charles W. Davison, was taken by death upon Sunday, the twentieth day of April, 1941; and

WHEREAS, Judge Davison served his country in the Spanish-American War, was elected city justice of the peace and was reelected for a second term four years later, was mayor of San Jose for two terms, beginning 1908, and was judge of the superior court for the four years preceding his death; and

WHEREAS, His passing is a distinct loss to the public life of his county and this State and is keenly felt by his many friends and associates; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly expresses its sympathy with the widow and the family of Judge Davison; and be it further

Resolved, That when this body adjourns this day it do so out of respect to the memory of Judge Charles W. Davison; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to forward a suitably prepared copy of this resolution to the surviving widow, Edith L. Davison.

Request for Unanimous Consent

Mr. Del Mutolo asked for, and was granted, unanimous consent to take up House Resolution No. 152, at this time, without reference to committee.

Resolution read, and adopted unanimously.

THIRD READING OF SENATE BILLS

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 4 and Section 7", and insert "Sections 4, 7, and 20½".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, after "to", insert "licenses and to the".

Amendment No. 3

On page 3 of the printed bill, as amended, after line 29, insert

"SEC. 3. Section 20½ of the Alcoholic Beverage Control Act is hereby amended to read as follows:

Sec. 20½. No distilled spirits license of any kind shall be issued under this act except a distilled spirits manufacturer's or a distilled spirits manufacturer's agent's license to any person or to any officer, director, employee or agent of any person who manufactures distilled spirits within or without this State. No distilled spirits manufacturer's or distilled spirits manufacturer's agent's license shall be held by any person or persons, who holds any ownership or interest, directly or

indirectly, by stock ownership, interlocking directors, [trusteeship, loan, mortgage or lien on any personal or real property] or otherwise, in any distilled spirits wholesaler's, rectifier's or retailer's license; provided, however, that the provisions of this section shall not be deemed to prevent agents or employees of such distilled spirits manufacturer, located without this State, from soliciting orders for distilled spirits within the State; provided, further, that the provisions of this section shall not be deemed to prevent the issuance of a distilled spirits wholesale license to any person who, at the time of the effective date of this act, owns or operates a business which for the five years immediately preceding said effective date has maintained and operated in this State a bona fide jobbing and distributing establishment for the sale to retail dealers of goods, wares and merchandise, the major portion of which business at a time five years preceding the effective date of this act was goods, wares and merchandise other than alcoholic beverages."

Amendments read and adopted.

Bill ordered printed, and to third reading.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 717 FROM COMMITTEE

Mr. Kepple gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 717 from the Committee on County Government, and have it placed upon the file.

RESOLUTIONS WITHDRAWN FROM COMMITTEE BY UNANIMOUS CONSENT

Mr. Lowrey asked for, and was granted, unanimous consent to withdraw from the Committee on River Navigation, Reclamation, and Flood Control, Assembly Joint Resolutions Nos. 44 and 45 for consideration.

Motion carried.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 44, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 44

Assembly Joint Resolution No. 44—Relative to Sacramento River north from Chico Landing.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 45, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 45

Assembly Joint Resolution No. 45—Relative to flood and seepage conditions along the Sacramento River and its tributaries in northern California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond,

Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received, and read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Pursuant to your instruction, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Russell B. Tripp—California Highway Patrolman.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 798 re-referred to Committee on Judiciary General.
Assembly Bill No. 2579 re-referred to Committee on Ways and Means.
Assembly Bill No. 529 re-referred to Committee on Ways and Means.
Assembly Bill No 1555 re-referred to Committee on Revenue and Taxation.
Assembly Bill No 1602 re-referred to Committee on Public Morals.
Assembly Bill No. 1871 re-referred to Committee on Judiciary Codes.
Assembly Bill No 240 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 937 re-referred to Committee on Revenue and Taxation.
Assembly Bill No 1433 re-referred to Committee on Motor Vehicles
Assembly Bill No. 1617 re-referred to Committee on Social Service and Welfare.
Assembly Bill No 1175 re-referred to Committee on Social Service and Welfare.
Assembly Bill No 852 re-referred to Committee on Insurance.
Assembly Bill No. 1728 re-referred to Committee on Revenue and Taxation.
Assembly Bill No. 1608 re-referred to Committee on County Government.
Assembly Bill No. 301 re-referred to Committee on Judiciary General.
Assembly Bill No. 973 re-referred to Committee on Social Service and Welfare.
Assembly Bill No. 1079 re-referred to Committee on Judiciary General.
Assembly Bill No. 1167 re-referred to Committee on Governmental Efficiency and Economy.
Assembly Bill No 943 re-referred to Committee on Governmental Efficiency and Economy.
Assembly Bill No. 974 re-referred to Committee on Social Service and Welfare.
Assembly Bill No. 1484 re-referred to Committee on Motor Vehicles.
Assembly Bill No 500 re-referred to Committee on Ways and Means.
Assembly Bill No. 143 re-referred to Committee on Ways and Means.
Assembly Bill No. 1078 re-referred to Committee on Ways and Means.
Assembly Bill No. 1716 re-referred to Committee on Live Stock and Dairies.
Assembly Bill No. 108 re-referred to Committee on Roads and Highways.
Assembly Bill No. 1724 re-referred to Committee on Municipal Corporations.
Assembly Bill No. 13 re-referred to Committee on County Government.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245
Assembly Bill No. 398
Assembly Bill No. 399
Assembly Bill No. 425
Assembly Bill No. 1075
Assembly Bill No. 1469
Senate Bill No. 133

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530
Assembly Bill No. 531
Assembly Constitutional Amendment No. 59
Assembly Bill No. 532
Assembly Bill No. 2584

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to K. D. Robinson of Auburn and Paul Ullrich of Colfax.

On request of Mr. Call and the entire Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert A. Farrell, Jr., Speaker of the House, State of Oregon, Forty-first Legislative Assembly.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Robert Patton and Mrs. Ugene Blalock of Los Angeles.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Betty Perrin of Washington, D. C., and Elaine Brandstad of Stockton.

On request of Dr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to "Sox" Kuhlmeyer, Commander, Veterans Service League, of Santa Monica

On request of Mr. Fred N. Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert H. Middough of Long Beach.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Helen K. Walker, Raymond Walker and Peggy Walker, of Covina.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Peter J. Kramer, principal, and the following students of Franklin Union School of Sacramento: Frances Wolff, Frieda Penner, Veramae Rieger, Lucile Schmidt, Lavelle Jacobs, Lillian Rau, Amadora Rau, Mildred Gassaway, Beverley Flint, Herbert Hoffer, Adolph Hoffer, Wilbert Wolff, Deroy Kammerer, Lauren Zgraggin, Dave Paulein, Howard Kneppel, John Simunich, Billy Hintz, Edwin Zgraggin, Minora Hamatani, Osami Hamatani, Billy Mohr, Harlan Mohr, Robert Mohr, George Van Vliet and Hiroshi Miyamoto.

ADJOURNMENT

At 5.55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1 30 p.m., Tuesday, April 22, 1941, out of respect to the memory of the late Judge Charles W. Davison.

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 22, 1941

The Assembly met at 1.30 p.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, McCollister, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—56.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Russell.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Hugh M Burns, on motion of Mr. Sawallisch.

Mr Massion, on motion of Mr Russell.

MOTION TO PRINT PETITION IN JOURNAL

Mr. Tenney moved that the following petition be printed in the Journal:

Motion carried.

The Honorable Los Angeles Assemblymen

Following is the first installment of a petition currently being circulated in the Los Angeles Assembly districts, against Senate Bill No 877

		District	*Names*
1.	Poole	52	382
2.	Dills	69	379
3.	Bashore	49	228
4.	King	67	208
5.	Kepple	50	205

		District	Names
6.	Don Field	43	199
7.	Burkhalter	42	198
8.	Massion	66	197
9.	Tenney	46	188
10.	Pelletier	44	183
11.	Potter	57	180
12.	Pfaff	64	177
13.	Bennett	51	155
14.	Watson	74	154
15.	Houser (Alhambra)	53	140
16.	Middough	70	139
17.	S. Collins	75	134
18.	Evans	65	121
19.	Kilpatrick	55	117
20.	Thomas	68	115
21.	Allen	63	102
22.	Hawkins	62	96
23.	Doyle	45	88
24.	Voigt	61	86
25.	Poulson	56	72
26.	Waters	58	69
27.	Miller	47	69
28.	Jno. Knight	54	63
29.	Howser	71	49

Petition

To the Honorable Assembly Body of the State of California, we, the undersigned, members of organized labor, do hereby petition you not to pass Senate Bill No. 877, commonly known as the Hot Cargo Bill, which is designed to take away from workingmen their legal and legitimate rights.

(Signed) H. S. GRANT and 5,000 OTHERS

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gallagher:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3237 to the Political Code, relating to book binding and rebinding for the State and other public agencies.

Respectfully submitted.

DAN GALLAGHER

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Gallagher:

An act to add Section 3237 to the Political Code, relating to book binding and rebinding for the State and other public agencies.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips,

Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2593: By Mr. Gallagher—An act to add Section 3237 to the Political Code, relating to book binding and rebinding for the State and other public agencies.

Referred to Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Phillips, ordered printed in the Journal:

OFFICE OF THE CONTROLLER
SACRAMENTO, April 22, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: The Governor, in a letter to your honorable body on March 4th, announced that at his direction an investigation of the State Controller's administration of tax-deeded property had been made by the Director of Finance.

A report on this investigation, which he had made public six days earlier, was given by the Governor as the basis for a proposal that control of this distressed property be lifted from the independently elected State Controller and handed over to a commission dominated by the Administration.

Neither the Governor nor the Director of Finance discussed the report with me before it was made public or provided me with a copy of it as required by law. When, 10 days after its publication, I had not been furnished a copy, I so notified your honorable body.

Not until March 12th, two weeks after its public release, did I receive a copy of the report.

Accusations of a serious nature are made in that report. Detailed statements and financial schedules purporting to show huge financial loss to the State through the Controller's handling of specified parcels of tax-deeded property are included.

I have studied the report of the Department of Finance carefully. Civil service employees of the Controller, in an effort to learn the facts concerning the rental and administration of each parcel of property, examined records which had been equally available to the Department of Finance auditors, and consulted qualified and independent authorities on property values, rentals and management.

A detailed report of our findings has been furnished to the Director of Finance and the Chairman of the Assembly's Governmental Efficiency and Economy Subcommittee on Tax-deeded Lands, and is now submitted for the consideration of your honorable body. The report is documented by photostatic copies of deeds, correspondence and other official records together with statements of appraisals from authorities. I am now prepared to go into the matter fully with the Legislative Committee to which it has been referred

The evidence indicates that the Department of Finance report made under the Governor's direction is based upon careless investigation, inaccurate reporting and irresponsible accounting, obviously prepared for the purpose of placing control of the distressed holdings of unfortunate property owners in the hands of the State Lands Commission which the Governor dominates

By employing false statements the report creates the impression that huge losses have been suffered by the State through the Controller's handling of tax-deeded property.

The Department of Finance report reads:

> "The auditors confidently, if inexactly, estimate." . . . (losses in a sum) . . . "almost certainly over one million dollars, very probably over two million dollars, and quite possibly much larger."

That statement and others of an equally serious nature are not supported by the facts as disclosed by our own civil service employees

Glaring errors of fact are contained in the Governor's report:

(1) Asserted losses were computed on property not involved in this problem. In San Diego and elsewhere the Department of Finance auditors listed property which was not tax-deeded, and over which the Controller never had jurisdiction.

(2) In many instances, false deed dates were used. Accountability for rent of 18 properties was charged for a five year period during which each was privately owned. False dates were used although the correct ones were known to the auditors.

(3) Incorrect property income figures were used on commercial property. The auditors ignored costs of operation and upkeep and used gross revenue figures as rental value of property.

(4) Erroneous property descriptions were used As a result accountability was charged to the Controller for rent on entire properties, of which the State actually owned only a small portion.

(5) Accountability likewise was charged to the Controller on property which has previously been removed from the Controller's jurisdiction by redemption proceedings.

(6) Inaccurate appraisals of rental values were made on acreage to support charges of asserted losses.

The Governor's Department of Finance report appears to be based upon the fallacy that the primary object of the tax-deeded land program is to squeeze the last drop of money from the unfortunate property owners who are struggling to hold their homes or business property.

Actually the main purpose of the Controller's program is the return of property to the tax rolls in order that individuals may salvage their holdings and cities and counties may regain their tax bases.

Success of our program is proved by the fact that $7,500 000 worth of nontax-producing property has been returned to the rolls in the last three years alone

To keep custody of and retain in good repair the unfortunately large volume of tax-deeded property until the financially embarrassed owner can redeem it is of prime concern. Rather than allow buildings to remain unused and to fall to pieces for lack of care the Controller has rented them under terms which require the tenant to bear the expense of maintenance and repair in addition to rental Preservation of the property thus has been assured without expenditure of public money.

Taxpayers' money likewise has been saved for instance through an agreement between the Controller and the Los Angeles County Board of Supervisors whereby low value urban property has been used for housing of indigents whose care otherwise would have been a drain on public funds

Rental of tax-deeded property is difficult because of its nature. The bulk of it unfortunately is almost worthless from an income point of view. To secure tenants willing to pay for use of property which over a period of many years had produced insufficient money to pay even the taxes is difficult and in many cases impossible.

In commercial property this is particularly true. Unless a tenant can be assured of making a small profit or at least of breaking even through operation of a property he will not lease it.

Because the record owner of property can take possession at any time he chooses to start redemption through payment of a small portion of the delinquent taxes, the Controller is legally unable to guarantee a renter tenancy for a month, a week or even a day.

Merchants, business operators, farmers and working people alike are reluctant to occupy or install equipment or plant crops on property from which they can be ejected on a moment's notice Under these conditions it obviously is impossible to obtain the same rental from tax-deeded property as from normal productive property in which a tenant securely can invest his money with assurance of tenure

Because of this it is especially difficult to rent farm lands or hotels, clubs, apartment houses and other commercial property, the operation of which require furniture and equipment. Outsiders refuse to risk an investment on insecure tenancy, thus the owner of furniture or equipment which may have outfitted a property when it became tax-deeded is the only person to whom the property can be rented.

Allowance must be made for this situation in determining what rent can be obtained from commercial property.

Questionable validity of tax deeds makes it impossible to collect more than a nominal rental in some cases. In Los Angeles and San Diego counties the court held that the taxing procedures were invalid with the result that tax deeds issued in those particular years are of doubtful value The Controller was thereby prevented from collecting any rent on some properties.

The threat of court action to invalidate the tax deed has in some instances forced the Controller to accept whatever rental the tenant was willing to pay rather than none at all. In certain cases the Attorney General advised the Controller to follow that course.

The Governor's report questions the legality of the system adopted by the former Controller for management of tax-deeded property by representatives who received as compensation a commission amounting to 25 per cent of rentals collected. Nothing was paid them for the handling of the property redeemed through their efforts, which amounted to as much as 70 per cent of the property managed. It must also be realized that the full cost of maintaining office facilities and employees to carry on this work was borne by the agents themselves.

The plan for the commission agents was discussed with and approved by Department of Finance attorneys and by the Attorney General before being placed in operation.

Criticism by the Department of Finance that the 25 per cent commission for property management was excessive seems odd in view of the fact that the Department of Finance itself, under authority of Section 662 of the Political Code, has for years paid, and is today paying a 50 per cent commission for the collection of delinquent property taxes due the State.

Although I had and continue to have complete faith in the integrity of the gentlemen who served the State as agents, I requested funds with which to hire full-time civil service employees to carry on this function. As soon as the Department of Finance made the requested appropriation available I immediately employed a full-time civil service staff.

The Department of Finance report specifically mentions the administration of tax-deeded property in Los Angeles County by the former Controller's agent, Hayden F. Jones. Our investigation indicates that his operations were entirely in conformity with the former Controller's agreement previously approved by the Department of Finance. We commend Mr Jones for the manner in which he handled a difficult problem.

There are not now and have not been for nearly a year any commission agents handling tax-deeded property for the State Controller.

The Department of Finance investigation, started in October, 1939, has involved the expenditure of public funds to pay salaries and traveling expenses of a crew of auditors over a period of 18 months It would be interesting to know what the compilation of this information, much of it wholly inaccurate and leading to erroneous conclusions, has cost the taxpayers of the State.

During the course of the investigation, the Department of Finance auditors removed without authorization official records and documents of the State Controller, some of which have not been returned.

The Controller firmly believes that every agency of government should be audited periodically and completely. The records of this office are open to examination at all times. As a protection to the taxpayers of the State and to the office, I feel good business practice demands such examination. I welcome any sincere audit, but object strenuously to the misuse of such a function.

The report of the Department of Finance illustrates graphically the urgent need of an independent means of auditing all State departments.

Respectfully,

HARRY B. RILEY, Controller

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 692—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 706—An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1516—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875, 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650 and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 402—An act to add Section 719 to the Fish and Game Code, relating to shad and shad roe.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "June 15 and February 14", and insert "July 15 and March 14".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1439—An act to amend Sections 1177 and 1203.6 of the Fish and Game Code, relating to entirely protected birds and to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert "hen pheasants, bob white quail,".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "Pheasants", and insert "Male pheasants".

Amendment No. 3

On page 1 of the printed bill, strike out line 16

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 457—An act to amend Section 1063 of the Fish and Game Code, relating to grades of fish and fish products.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "fish", and insert "sardines".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1039—An act to amend Section 8 of, and to add Section 8.1 to, The Personal Income Tax Act, relating to deduction of a net operating loss.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8", and insert "Sections 8 and 9.4".

Amendment No. 2

In line 3 of the title of the printed bill, after "loss", insert "and the computation of capital gains and losses".

Amendment No. 3

On page 6 of the printed bill, after line 42, insert

"SEC. 3. Section 9.4 of The Personal Income Tax Act is hereby amended to read as follows:

Sec 9.4. (a) In the case of any taxpayer, only the following percentages of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net income:

100 per centum if the capital asset has been held for not more than one year;

80 per centum if the capital asset has been held for more than one year but not for more than two years;

60 per centum if the capital asset has been held for more than two years but not for more than five years;

40 per centum if the capital asset has been held for more than 5 years but not for more than 10 years;

30 per centum if the capital asset has been held for more than 10 years.

(b) The term "capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business, or property used in the trade or business of a character which is subject to the allowance for depreciation provided in Section 8 (i).

(c) For the purpose of subsection (a):

(1) In determining the period for which the taxpayer has held property received on an exchange there shall be included the period for which he held the property exchanged, if under the provisions of Section 9 3, the property received has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as the property exchanged.

(2) In determining the period for which the taxpayer has held property however acquired there shall be included the period for which such property was held by any other person, if under the provisions of Section 9 3, such property has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as it would have in the hands of such other person.

(3) In determining the period for which the taxpayer has held stock or securities received upon a distribution where no gain was recognized to the distributee under the provisions of Section 112 (g) of the Federal Revenue Act of 1928 or the Federal Revenue Act of 1932, there shall be included the period for which he held the stock or securities in the distributing corporation prior to the receipt of the stock or securities upon such distribution.

(4) In determining the period for which the taxpayer has held stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under Section 8 (g) of this act, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, there shall be included the period for which he held the stock or securities the loss from the sale or other disposition of which was not deductible.

(d) [Losses from sales or exchanges of capital assets shall be allowed only to the extent of $2,000 plus the gains from such sales or exchanges.

(e)] For the purpose of this act:

(1) Gains or losses from short sales of property shall be considered as gains or losses from sales or exchanges of capital assets; and

(2) Gains or losses attributable to the failure to exercise privileges or options to buy or sell property shall be considered as gains or losses from sales or exchanges of capital assets held for one year or less.

[(f)] *(e)* For the purposes of this title, amounts received by the holder upon the retirement of bonds, debentures, notes, or certificates or other evidences of indebtedness issued by any corporation (including those issued by a government or political subdivision thereof), with interest coupons or in registered form, shall be considered as amounts received in exchange therefor."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1261—An act to amend Section 4 of an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such com-

panies," approved May 18, 1917, as amended, relating to industrial loan companies, the regulation and powers thereof and right of review.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

The title of the printed bill is hereby amended to read as follows:

"An act to amend Sections 2 and 4 and to add Section 13 to an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended, relating to industrial loan companies, the regulation and powers thereof and providing penalties for the violation thereof"

Amendment No. 2

On page 1, line 1, of the printed bill, after "1.", insert "Section 2 of the act cited in the title hereof is hereby amended to read as follows:

SEC 2 Corporations may be incorporated under and by virtue of this act in the same manner as corporations under and by virtue of Chapter [one] 2 of Title 1 of Part 4, Division 1 of the Civil Code, except as otherwise herein provided

SEC 2."

Amendment No. 3

On page 1, line 8, of the printed bill, strike out ", and, in addition, to receive and", and strike out all of lines 9 to 15, inclusive, and insert " A certificate of investment shall be issued with each loan. Such certificate of investment shall require uniform weekly, semi-monthly or monthly payments over the period of the loan, final payment not to be payable until the maturity date of the loan Such certificates of investment shall be purchased by the borrower simultaneously with each loan transaction, of a face value not exceeding the principal amount of the loan; and shall be pledged with the corporation as security for the said loan."

Amendment No. 4

On page 2, line 10, of the printed bill, strike out "compensation", and insert "charges".

Amendment No. 5

On page 2, line 12, of the printed bill, strike out "compensation", and insert "charges".

Amendment No. 6

On page 2, line 22, of the printed bill, strike out "compensation", and insert "charges".

Amendment No. 7

On page 2 of the printed bill, after line 44, insert

"SEC. 3. Section 13 is added to the act cited in the title hereof, to read as follows

Sec 13 Every person, firm or corporation and the several members, officers, directors, agents and employees thereof, who shall wilfully violate or wilfully participate in the violation of any of the provisions of this act, or of the rules, orders or regulations of the commissioner, shall be guilty of a misdemeanor.

Any contract of loan in the making or collection of which any violation of this act or the rules or regulations of the commissioner shall have been committed, shall be void, and neither the industrial loan company nor any other person shall have any right to collect or receive any principal, interest or charges whatsoever"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2244—An act to repeal Section 1151 of the Insurance Code, relating to the disposal of real estate by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3, 4, 5 and 6, and insert "1151. Unimproved, non-income producing real estate owned by an insurer, which is not requisite for its accommodation in the convenient transaction of its business, shall be sold and disposed of within five years after the acquisition of title thereto and thereafter shall not be considered as an asset in determining the condition of the insurer, unless the time for any such sale or disposal shall be extended by the commissioner in writing.

The commissioner, after a hearing, may order an insurer to dispose of any improved or income producing parcel or parcels of real estate not of a character described in subsections (a), (b) or (h) of".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "to do so", and insert "so to do".

Amendment No. 3

On page 1, line 10, of the printed bill, after "reserve", insert a comma.

Amendment No. 4

On page 1 of the printed bill, strike out all of line 11, and insert "such real estate, or (b) in the case of such real estate which has been held by the insurer for more than five years, that the insurer has refused reasonable offers for the sale of such property, and, (c) that such real estate may be dis-".

Amendment No. 5

On page 1, line 13, of the printed bill, after "the", insert "contingency".

Amendment No. 6

On page 1, line 13, of the printed bill, after "any", insert "such".

Amendment No. 7

On page 1 of the printed bill, strike out all of lines 18 and 19, and insert "issuance of an order pursuant to this section, the commissioner, if he is not satisfied with the".

Amendment No. 8

On page 1, line 22, of the printed bill, strike out "not take effect until 90", and insert "on".

Amendment No. 9

On page 1, line 23, of the printed bill, strike out "days after" and "the".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 774—An act to amend and reorganize the Welfare and Institutions Code with a view to consolidating various sections of the code which pertain to the Department of Institutions, incorporating the changes suggested by the Department of Institutions in the present laws, and adding new sections to the law which are desired by the Department of Institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 30, of the printed bill, strike out "of", and insert "in".

Amendment No. 2

On page 2, line 35, of the printed bill, after "industry", insert "; and if the ward has passed his fifteenth birthday and not reached his sixteenth birthday, the court shall designate either the Whittier State School or the Preston School of Industry in its discretion".

Amendment No. 3

On page 4 of the printed bill, strike out that portion of the bill beginning in line 16, and running through to the middle of line 19, ending the strike out with "mental patient."

Amendment No. 4

On page 5, line 46, of the printed bill, strike out ", and married couples".

Amendment No. 5

On page 6 of the printed bill, strike out lines 1 through 16.

Amendment No. 6

On page 10, line 27, of the printed bill, strike out "probation officer or".

Amendment No. 7

On page 11 of the printed bill, strike out lines 3 through 35.

Amendment No. 8

On page 11, line 39, of the printed bill, strike out "less than", and insert "to exceed".

Amendment No. 9

On page 11, of the printed bill, strike out lines 48 through 52; and on page 12, strike out lines 1 through 18.

Amendment No. 10

On page 12, line 22, of the printed bill, strike out "institution", and insert "mental hospital"; in line 24, strike out "institution", and insert "mental hospital"; in line 38, strike out "institution", and insert "mental hospital"; in line 45, strike out "institution", and insert "mental hospital"; and in line 48, strike out "institution", and insert "mental hospital".

Amendment No. 11

On page 13, line 21, of the printed bill, strike out "institution", and insert "mental hospital", in line 22, strike out "institution", and insert "mental hospital"; and in line 24, strike out "institution", and insert "mental hospital".

Amendment No. 12

On page 13 of the printed bill, strike out lines 28 through 50; and on page 14, strike out lines 1 through 39

Amendment No. 13

On page 16 of the printed bill, strike out lines 1 through 8.

Amendment No. 14

On page 16 of the printed bill, strike out lines 18 through 23.

Amendment No. 15

On page 16 of the printed bill, strike out lines 24 through 42.

Amendment No. 16

On page 16 of the printed bill, strike out lines 43 through 52; and on page 17, strike out lines 1 through 6.

Amendment No. 17

On page 24, lines 49 and 50, of the printed bill, strike out "reputable physician, a graduate of an incorporated medical college", and insert "physician and surgeon licensed under the chapter on medicine of the Business and Professions Code".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 802—An act to amend Section 27 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 27 of the Bank and Corporation"; and strike out lines 2 to 4, inclusive, of said title, and insert "add Section 34 5 to the Bank and Corporation Franchise Tax Act, relating to closing agreements."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 34.5 is hereby added to the Bank and Corporation Franchise Tax Act, to read as follows:

Sec. 34.5. The Bank and Corporation Franchise Tax Commissioner may enter into an agreement in writing with any taxpayer relating to the liability of such taxpayer in respect to any tax imposed by this act for any taxable period. Such agreement shall be final and conclusive, and, except upon a showing of fraud, malfeasance, or misrepresentation of the material facts:

(a) The case shall not be reopened as to the matters agreed upon or the agreement modified, by the commissioner or by any other officer or employees of this State; and

(b) In any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 803—An act to amend Section 20 of The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20 of The Corporation Income Tax"; and strike out lines 2 to 4, inclusive, of said title, and insert "add Section 26.3 to The Corporation Income Tax Act of 1937, relating to closing agreements."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 26.3 is hereby added to The Corporation Income Tax Act of 1937, to read as follows:

Sec. 26.3. The Bank and Corporation Franchise Tax Commissioner may enter into an agreement in writing with any taxpayer relating to the liability of such taxpayer in respect to any tax imposed by this act for any taxable period. Such agreement shall be final and conclusive, and, except upon a showing of fraud, malfeasance, or misrepresentation of the material facts:

(a) The case shall not be reopened as to the matters agreed upon or the agreement modified, by the commissioner or by any other officer or employees of this State; and

(b) In any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 804—An act to amend Section 20 of The Personal Income Tax Act, relating to taxes on individuals, estates and trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20 of The Personal Income Tax Act,"; and strike out lines 2 and 3, of said title, and insert "add Section 29.5 to The Personal Income Tax Act, relating to closing agreements"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 29.5 is hereby added to The Personal Income Tax Act, to read as follows:

Sec. 29.5. The Bank and Corporation Franchise Tax Commissioner may enter into an agreement in writing with any taxpayer relating to the liability of such taxpayer in respect to any tax imposed by this act for any taxable period. Such agreement shall be final and conclusive, and, except upon a showing of fraud, malfeasance, or misrepresentation of the material facts:

(a) The case shall not be reopened as to the matters agreed upon or the agreement modified, by the commissioner or by any other officer or employees of this State; and

(b) In any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 678—An act to add a new section to the Civil Code, to be numbered 955, relating to the assignment of accounts receivable and conditional contracts of sale.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 13, inclusive, and insert

"955 The transfer of an account receivable shall be deemed perfected against third persons when notice of such transfer is given to the obligor, or when a notation of such transfer is made in the ledger of the transferor where such account is entered; or, if no such ledger is kept by the transferor, when a notation is made in such other record or book of the transferor where such account is entered, whether or not notice of such assignment has been given to the obligor; but such notation shall not be, of itself, notice to the obligor so as to invalidate any payments made by him to the transferor.

The transfer of a contract of conditional sale shall be deemed perfected against third persons when such contract has been endorsed or assigned in writing and delivered to the transferee, whether or not notice of such assignment has been given to the obligor; but such endorsement, assignment or delivery shall not be, of itself, notice to the obligor so as to invalidate any payments made by him to the transferor."

Amendment read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 862—An act to amend Section 4007 of the Public Resources Code, relating to forestry.

Bill read second time, and ordered to third reading.

Senate Bill No. 122—An act to add Section 4383 to the Public Resources Code, relating to State forests, including areas suitable for

timber production, outdoor recreation, water protection, and fish and game production.

Bill read second time, and ordered to third reading.

Senate Bill No. 77—An act to amend Section 12416 of, and to add Sections 12418 5 and 12421 to, the Business and Professions Code, relating to measurement of logs.

Bill read second time, and ordered to third reading.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding thereto Article XXV, relating to the organization, powers and duties of the Board of Forestry.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 2 of the printed measure, as amended, strike out lines 25 and 26, and insert "lish, and maintain an adequate forest policy. General policies for the guidance of the Division of Forestry shall be determined by the board. Pursuant to such policies, the Division of Forestry shall ".

Amendment No. 2

On page 3 of the printed measure, as amended, strike out lines 11, 12 and 13.

Amendment No. 3

On page 3, line 20, of the printed measure, as amended, strike out "subject to like"; strike out lines 21 and 22, and insert ", and for the support and maintenance of the Division of Forestry. On said operative date".

Amendments read and adopted.

Resolution ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 583
Assembly Bill No. 1034
Assembly Bill No. 1320
Assembly Bill No. 2223
Assembly Bill No. 2229
Assembly Joint Resolution No 43

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 43

Mr. Heisinger moved that Assembly Joint Resolution No. 43 be withdrawn from the file, and re-referred to the Committee on Federal Relations.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1731

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1632—An act to amend Sections 4095 and 4101 of the Political Code, relating to the issuance, payment and cancellation of county warrants;

Assembly Bill No. 1753—An act to add Section 10253.5 to the Health and Safety Code, relating to birth certificates of adopted children;

Assembly Bill No. 1805—An act relating to the relief of debtors and guarantors; permitting postponement of sales under certain chattel mortgages, mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1941, at 10 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 149—An act to add Section 20 to the California Unemployment Relief Act of 1935, relating to the support of persons in need of unemployment relief;

Assembly Bill No. 375—An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors;

Assembly Bill No. 411—An act to add Sections 11b and 11c to the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1941, at 10 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 21—Relating to conversion of fruit surpluses into alcohol;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1941, at 10 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 416—An act to amend Section 739 of the Vehicle Code, relating to the filing of notices to appear in court, the fixing of bail and the indorsement thereof upon such notices, the deposit of bail and the forfeiture thereof for failure to appear;

Assembly Bill No. 549—An act to amend Sections 819, 828.65 and 829.45 of, to add Section 828.76 to, the Agricultural Code, relating to containers for sweet potatoes;

Assembly Bill No. 1161—An act to add Section 14450.5 to the Health and Safety Code, relating to county fire protection districts and civil service applying thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1941, at 10 a.m.

JOHN B. KNIGHT, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported bill ordered to engrossment.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1484
Assembly Bill No. 2384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No 2573
Assembly Bill No 2342
Assembly Bill No 2327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER. Your Committee on Elections, to which were referred.

Assembly Bill No. 565
Assembly Bill No. 1930

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 74
Assembly Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 782

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Assembly Joint Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DOYLE, Chairman

Above reported resolution ordered to engrossment.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 32
Senate Constitutional Amendment No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted as amended.

CROWLEY, Chairman

Above reported bills ordered to second reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 2542

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

LEONARD, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1716

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 15
Assembly Bill No. 143
Assembly Bill No. 1688

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 1327
Assembly Bill No. 191

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1030

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Senate Bill No. 822

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

PELLETIER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 1665

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR SPEAKER: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No 1257

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

SALSMAN, Chairman

Above reported bill ordered to second reading.

MOTION TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL

Mr. Field moved that the Senate be requested to return Assembly Bill No. 1104 to the Assembly for the purpose of making a motion to expunge the record whereby the bill was passed to the Senate so that Assembly Bill No. 1104 may be taken up for further consideration by the Assembly.

Point of Order

Mr. Bennett arose to the following point of order: That Mr. Field's motion was not under the proper order of business at this time.

The Speaker ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour of 1.30 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922,

declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Amendments

The following amendments were considered seriatim:

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 61

On page 17 of the printed bill, as amended, strike out all of lines 22 to 49, inclusive; and on page 18, strike out all of lines 1 to 29, inclusive, and insert

"Item 39—For support of Railroad Commission of the State of California, one million three hundred twenty-three thousand two hundred eighty dollars ..... $1,323,280 00".

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Millington moved a call of the Assembly.

Roll Call Demanded

Messrs. Bennett, O'Day and Hawkins demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—52.

NOES—Andreas, Bennett, Collins, George D., Cooke, Donnelly, Pelletier, Russell, and Thomas—8.

Time, 2.41 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented.

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend the Metropolitan Water District Act, as amended, by adding a new section numbered 5.1, providing for the exercise of certain powers of metropolitan water districts relating to the service of water, declaring that an urgency exists, and providing that this act shall take effect immediately.

Respectfully submitted.

CHARLES W. STREAM

Request referred to Committee on Introduction of Bills.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Stream

An act to amend the Metropolitan Water District Act, as amended, by adding a new section numbered 5 1, providing for the exercise of certain powers of metropolitan water districts relating to the service of water, declaring that an urgency exists, and providing that this act shall take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2594: By Mr. Stream—An act to amend the Metropolitan Water District Act, as amended, by adding a new section numbered 5.1, providing for the exercise of certain powers of metropolitan water districts relating to the service of water, declaring that an urgency exists, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation, and Flood Control.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 61 TO ASSEMBLY BILL NO. 1800

At 3 15 p m , on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly:

Motion carried. Time, 3.16 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. O'Day, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Amendment No. 62 to Assembly Bill No. 1800.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Further Consideration of Amendments

The following amendments were considered seriatim:

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 62

On page 18 of the printed bill, as amended, strike out all of lines 30 to 52, inclusive; and on page 19, strike out all of lines 1 to 22, inclusive, and insert

"Item 40—For support of Transportation Rate Division, Railroad Commission of the State of California, seven hundred ninety-eight thousand twenty-two dollars, payable from the Transportation Rate Fund ..... $798,022 00".

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion carried. Time, 3.28 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Mr. O'Day moved the adoption of the following amendment:

Amendment No. 63

On page 20 of the printed bill, as amended, strike out all of lines 1 to 21, inclusive, and insert

"Item 44—For support of the State Treasurer, one hundred forty-nine thousand five hundred ninety dollars ..... $149,590 00".

Amendment read and refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Meehan, O'Day, Pelletier, Richie, Robertson, Thomas, and Welch—24.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—43.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 61 TO ASSEMBLY BILL NO. 1800

At 3.35 p.m., on motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 61 to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Lowrey, Maloney, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Voigt, and Welch—37

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—40.

Call of the Assembly

Mr. Evans moved a call of the Assembly.

Motion lost.

Hon. Michael J. Burns Presiding

At 3.40 p.m., Hon. Michael J. Burns, member of the Assembly from the First District, presiding.

Motion to Postpone Action on Amendments

Mr. Desmond moved that the amendments pertaining to the Department of Agriculture appropriations be postponed until Friday, April 25, 1941.

Substitute Motion

Mr. Donnelly moved that amendments dealing with the Department of Agriculture take their regular place in the consideration of the Budget Bill—Assembly Bill No. 1800.

Mr. Lowrey seconded the motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Lowrey, O'Day, Richie, Robertson, Russell, and Thomas—24.

NOES—Allen, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—43.

Demand for Previous Question

Messrs. Turner, McCollister, Thurman, Waters and Sheridan demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Desmond.

Substitute Motion

Mr. Desmond moved that all the amendments dealing with the Department of Agriculture appropriations be considered as the last item on the Budget.

The roll was called, and the substitute motion lost by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon,

Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—48.

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Lowrey, Meehan, O'Day, Richie, Robertson, Russell, Tenney, and Thomas—26.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 62 TO ASSEMBLY BILL NO. 1800

At 4 p.m., on motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 62 to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Lowrey, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, and Welch—36.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—39.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that amendments to Assembly Bill No. 1800 be made a special order of business for Wednesday, April 23, 1941, at 1.30 p.m.

Motion carried.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2574 WAIVED

Mr. Lowrey waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2574 was passed.

Assembly Bill No. 2574 ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 398.
Assembly Bill No. 399.
Assembly Bill No. 425.
Assembly Bill No. 1075.
Assembly Bill No. 1469.
Senate Bill No. 133.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No. 59.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 819—An act to amend Section 11005 of the Revenue and Taxation Code, and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the expenditure by cities and cities and counties of motor vehicle license fee money distributed to them.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 29, of the printed bill, strike out "Part 1", and insert "Part 5".

Amendment No. 2

On page 3, line 32, of the printed bill, strike out "Part 1", and insert "Part 5".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. F. N. Howser asked for, and was granted, unanimous consent to take up Senate Bill No. 1299 at this time.

CONSIDERATION OF SENATE BILL NO. 1299

Senate Bill No. 1299—An act to amend Sections 6.9, 24, 24.2, 24.3, 27, 33e, 34, 51 and 67.5, and to repeal 24.5, 24.7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24.1, 24.5, 24.6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read third time.

Motion to Amend

Mr. F. N. Howser moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 10, of the printed bill, after "'Taxpayer'", insert "wherever used in this act".

Amendment No. 2

On page 4, line 37, of the printed bill, following "monthly", strike out "or", and insert "and".

Amendment No. 3

On page 5, line 40, of the printed bill, strike out "hereunder", and insert "with respect to distilled spirits excise taxes".

Amendment No. 4

On page 6, line 18, of the printed bill, after "judgment", insert "entered under Section 33b of this act".

Amendment No. 5

On page 10, line 12, of the printed bill, after "hereunder", insert "by Section 24".

Amendment No. 6

On page 11, line 33, of the printed bill, strike out "If", and insert "With respect to excise taxes imposed by Section 24 of this act, if".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hastain:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately.

Respectfully submitted.

HARVEY E. HASTAIN

Request referred to Committee on Introduction of Bills

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hastain:

An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2595: By Mr. Hastain—An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules.

House Resolution No. 153

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect as follows:

Effective as, of, and including April 19, 1941:

	Per day
W. O. Grady, Assistant Sergeant-at-Arms	$5 (8)

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gumlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

COMMUNICATIONS

The following statement was received and read by the Speaker, and ordered printed in the Journal:

Statement by Hon. Gordon H. Garland

Announcement of the staggering extent of the National Defense Tax Program which the Federal Government must impose during the next few years has removed any question from my mind as to the imperative need for reducing State taxes in California.

It no longer is a matter for controversial debate as to the amount of tax burden our people can carry, the limit has almost been reached on the basis of our present National income.

Hence, in our efforts as loyal supporters of the National Government and in due recognition of the problems of the individual citizens, it is up to us to do what we can to meet a situation now clearly presented to us.

It is my conviction, based on careful study, that certain tax reductions should be made on a tentative schedule to be made permanent or to be adjusted by legislative action in the light of actual experience

It is my conviction that these reductions should apply to all taxes alike and be for a limited period of time. Experience will determine how long they should continue and when other changes should be made by the Legislature.

Such reductions, calculated from revenue estimates by the Department of Finance, will represent savings to California taxpayers of not less than $60,000,000. I believe these estimates are below what the actual revenues will show and, hence, that the savings under the proposed Tax Reduction Program I am submitting to the Assembly may run as high as $75,000,000.

That this tremendous reduction in the amount of taxes to be collected from the people of California can be accomplished with no corresponding loss in the efficiency of State governmental services may be readily shown.

It is possible to hold the State expenditures well below the proposals submitted in the present Biennial Budget and, at the same time, give the people a much higher standard of public service.

While there may be some objection, from one standpoint or another, to the program I am recommending, I am sure the general citizenry of California, confronted as it is by the great financial sacrifices it must make for National defense, will wholeheartedly support such a plan for its protection and relief.

In the bill which I have drawn, it is proposed to drop the present 3 cent sales tax to 2½ cents, and thus effect a saving to the taxpayers of approximately $37,000,000.

It is proposed to effect a straight 15 per cent reduction in other brackets, including the banking and corporation franchise tax, the personal income tax, inheritance tax, gross premiums tax on insurance, excise tax on distilled spirits and on beer and wine.

The combined savings from these last reductions, on the basis of the Department of Finance revenue estimates, would approximate an additional $24,265,000.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. A. C. Madsen and Mrs. Jacob Baumbach, visitors; Albert C. Madsen, instructor; and the class in American Government from the Modesto Union Academy, as follows: Billy Byington, Robert Birdwell, Yvonne Allred, Leland Muth, Melvin Orser, Geraldine Baumbach, Betty Tong, Loleta Rich, and Doris Isbell.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the citizenship class of John Swett Union High School of Crockett, as follows: Mesdames Irene Pereira, Rose Pereira, Marie Dutra, Albertina Lawrence, Elizabeth Speed, Edith Scott, Adele Tapella, Teresa Parini, Chiarina Parini, Teresa Speroni, Josephine Botta, Theresa Naggi, Teresa Giorgetti, Paraskovia Truhina, Juana Ayala, Josefina Elorduy, Cicilia Spero, Mary Petrucci, Florence Sepulveda, Soledad Gonzalez, Emily Beltran, Dorothy Pelott, Isabelle Cruz, Paula Sausedo, Hortence Furtado, Giuseppina Ruggeri, Bambina Giorgetti, Ernesta Giorgetti, Giuseppina Cappellatti, Efisia Rivano, Rosa Pante, Marie Paganini, Mary Marini, Giuseppina Torretta, Catherina Valentini, Mildred Broccoli, Lubica Bonovich, Letizia Feliberti, Maddalina Gatta, and Domenica Bormolini, and Messrs. Carlo Spero, Gregorio Travaglini, Peter Papoulias, Manuel Gonzales, Joseph Bottero, and their teachers: Dorothy L. Lewis, Leta Wright, Frances Lozier, and Vera Boyd.

On request of Messrs. Cooke, Garland and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Assemblyman Roscoe Burson of Ventura County.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ethel H. Carter of Oakland.

On request of Mr. Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following officers and members of the California League of Women Voters: Mrs. Blake Darling, President, Menlo Park; Mrs. H. C. Moreno, Stanford

University; Mrs. Philip Fitzgerald, Menlo Park; Mrs. Jopson, Mrs. Walter Borchers and Mrs Clarence Frazier, San Jose; and Mrs. Harry Perrin and Mrs. Herndon of Palo Alto.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edward Nassaur of Los Angeles.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J H. Boal of San Francisco.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert Fleming and Ernest Irwin of Santa Monica.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edgar E. Kellems and Mrs. Edgar E. Kellems of Pasadena.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Louise Beckwith of Pasadena.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Virginia Lee Marshall, Senior St. Mary's Academy, Los Angeles; Mr. Henry Aherus of Long Beach, and Leonard M. Ravenscroft of Long Beach.

ADJOURNMENT

At 4.30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Wednesday, April 23, 1941.

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 23, 1941

The Assembly met at 1.30 p.m.
Hon Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Gallagher, Gunlock, Hawkins, Houser, Frederick F, Howser, F. N., Johnson, Kilpatrick, Leonard, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—49.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. McCollister.

EXPLANATION OF ABSENCE

As members of the Whittier State School Special Investigating Committee, we were in conference in the Governor's Office when the original roll call was made. We returned to the session of the Assembly at 2.15 p m.

GERALD KEPPLE
FRANKLIN J POTTER
HARVEY E. HASTAIN
LORNE D. MIDDOUGH
JOHN W. EVANS

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1047
Assembly Bill No. 1085
Assembly Bill No. 1349
Assembly Bill No. 2291

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1427
Assembly Bill No. 1545

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 525
Assembly Bill No. 645
Assembly Bill No. 646
Assembly Bill No. 650
Assembly Bill No. 692
Assembly Bill No. 706
Assembly Bill No. 886
Assembly Bill No. 887
Assembly Bill No. 888
Assembly Bill No. 1231
Assembly Bill No. 1379
Assembly Bill No 2055
Assembly Bill No. 2059
Assembly Bill No. 2247
Assembly Joint Resolution No. 46

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 560

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DESMOND, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

THORP, Chairman

Above reported resolution ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No 894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 2359

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 554

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1113

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 729

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1112

Assembly Bill No. 458

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred.

Assembly Bill No. 2110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No 2164
Assembly Bill No 2280

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1941

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No 1024

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolution ordered to engrossment.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 75
Assembly Bill No. 100
Assembly Bill No. 638
Assembly Bill No. 199
Assembly Bill No 829
Assembly Bill No. 1920
Assembly Bill No. 1927
Assembly Bill No. 1412

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 279
Assembly Bill No. 333
Assembly Bill No. 1767
Assembly Bill No 2049

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 22, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 25
Senate Bill No 58
Senate Bill No 221
Senate Bill No 230
Senate Bill No. 603
Senate Bill No. 788
Senate Bill No. 792
Senate Bill No. 957
Senate Bill No. 1270
Senate Bill No. 1311

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 22, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 269

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO April 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Constitutional Amendment No. 19
Assembly Concurrent Resolution No. 31
Assembly Joint Resolution No. 44
Assembly Joint Resolution No 45

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 673

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 142
Assembly Bill No. 413
Assembly Bill No. 502
Assembly Bill No 503
Assembly Bill No. 504
Assembly Bill No. 505
Assembly Bill No. 1583
Assembly Bill No. 1971
Assembly Bill No. 2098

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day refused adoption to:

Assembly Joint Resolution No 10

J A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 728

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 25—An act to amend Section 4153 of the Political Code, relating to the duties of the district attorney.

Referred to Committee on Judiciary Codes.

Senate Bill No. 58—An act to add Sections 622.5 and 622.6 to the Agricultural Code, relating to the manufacture and sale of frozen products of milk in quantities less than one gallon.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 221—An act to amend Section 4.770 of the School Code, relating to the allowance of teacher units to elementary school districts.

Referred to Committee on Education.

Senate Bill No. 230—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Referred to Committee on County Government.

Senate Bill No. 603—An act to add Section 5.45 to the School Code, relating to leaves of absence for employees of State colleges.

Referred to Committee on Education.

Senate Bill No. 788—An act to amend Section 5.540 of the School Code, relating to physical examinations of teachers for active tuberculosis.

Referred to Committee on Education.

Senate Bill No. 792—An act to amend Section 1065 of the Agricultural Code, relating to the sale of economic poisons.

Referred to Committee on Agriculture.

Senate Bill No. 957—An act to amend Sections 5217, 5229, 5271, 5286 and 5312 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 1311—An act to amend Section 1250 of, and to add Section 1346 to, the Fish and Game Code, relating to antelope.

Referred to Committee on Fish and Game.

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Referred to Committee on Education.

Senate Bill No. 728—An act to amend Sections 1083, 1083.1, 1083.2 and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 565—An act to add Section 10601.5 to the Elections Code, relating to filing of declaration of intention to become a candidate for a judicial office.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1930—An act to repeal Section 3802 of, and to amend Sections 3803, 3806, 3808 and 3809, of the Elections Code, relating to the order of names of candidates on ballots at general elections.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1484—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2384—An act to add Section 531.5 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 143—An act to amend Section 56 of the Labor Code and to add to Division 1 thereof Chapter 6, consisting of Sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1688—An act to amend School Code Sections 5.850, 5.853, 5.854, 5 871 and 5 873, relating to the California State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 782—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "side track" and "auxiliary track crossing", and after "track", and before "industrial", insert "or".

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "or railroad track crossing".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 191—An act making an appropriation for acquisition of real property and construction of improvements for the California National Guard Coast Artillery Training Camp in Santa Cruz County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, after "expended", insert "during the Ninety-third and Ninety-fourth Fiscal Years"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, after "the", strike out "Department of Public Works", and insert "Division of Parks in the Department of Natural Resources".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "shall be expended for ocean beaches along the California shore line."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1665—An act to add Section 204.5 to the Labor Code, relating to time of payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "204.5. When the employer designates regular semi-monthly pay days as the twenty-sixth day of the month to cover labor performed between the first and fifteenth day, inclusive, of any calendar month and the tenth day of the following month to cover labor performed between the sixteenth and last day, inclusive, of any calendar month and such regular semi-monthly pay day falls on a Saturday, Sunday, or legal holiday, the employee shall be paid the day before the regular pay day"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 49—An act to add Chapter 4 to Division 3 of the Agricultural Code, comprising Sections 440 to 446, relating to pure-bred animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out all of the title of the printed bill, and insert

"An act to add a new article, to be numbered Article 6, to Chapter 1 of Division 3 of the Agricultural Code, comprising Sections 380.70 to 380.80, inclusive, relating to the registration of stallions and jacks for service"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 25, inclusive; and strike out all of pages 2, 3, 4 and 5, and insert

"SECTION 1. A new article to be numbered Article 6 is hereby added to Division 3 of the Agricultural Code, to read as follows.

Article 6. Stallion Registration

380.70. Every person offering for use for public service any stallion or jack in this State shall register with the director the name, description, pedigree, and physical condition of such stallion or jack, and shall secure from the director a license as provided in Section 380.72 of this article. The word "stallion" whenever used in this act shall be construed to include "jack." The word "mare" whenever used in this act shall be construed to include "jenny." The breeding of any mare with any stallion shall be construed as offering said stallion for public service, except as hereinafter provided.

380.71. It shall be the duty of the director to verify and register pedigrees; to pass upon certificates of veterinary examination; to provide, when necessary, for veterinary inspection; to issue stallion license certificates and tags; to make all necessary rules and regulations; and to perform such other duties as may be necessary to carry out and enforce the provisions of this article.

380.72. In order to obtain the license certificate and tag herein provided for, the owner of each stallion shall forward an affidavit on a form which shall be furnished by the director. The affidavit shall be made by a veterinarian legally qualified to practice in this State, stating that he has personally examined such stallion. If said stallion is free from communicable diseases and is not affected with any of the diseases or unsoundnesses mentioned in Section 380.73 of this code, a statement to this effect shall be made on said affidavit by the examining veterinarian. If said examining veterinarian after examination finds such stallion affected with any communicable disease or with any of the diseases or unsoundnesses mentioned in Section 380.73 of this article, a statement shall be inscribed on such affidavit by said veterinarian specifying the disease or unsoundness so found. There shall accompany said affidavit a certificate of negative complement-fixation test for dourine conducted within 30 days prior to submitting the affidavit.

The owner of said stallion shall also furnish to the director the studbook certificate of registry of the pedigree of said stallion when said stallion is registered and all other necessary papers relative to his breeding and ownership. Upon verification of pedigree and certificate of breeding (in case of purebred stallions), and receipt of veterinarian's affidavit as provided for in this article, a license certificate shall be issued to the owner; provided, however, that no license certificate shall be issued to the owner of any stallion in case said animal is affected with any communicable disease; and provided further, that when any stallion is found to be affected with any of the diseases or unsoundnesses mentioned in Section 380.73 of this article, the license certificate so issued to the owner of said animal shall specify the disease or unsoundness with which said animal is affected.

380.73. Any stallion found to be affected with any of the following diseases or unsoundnesses is hereby deemed unsound and likely to transmit such disease or unsoundness to its progeny, and the license certificate issued to the owner of such a stallion shall specify the disease or unsoundness as provided for in Section 380.72 of this article:

Periodic ophthalmia (moon blindness); cataract; laryngeal hemiplegia (roaring or whistling); pulmonary emphysema (heaves, broken wind); chorea (St. Vitus's dance, cramp iness, shivering, stringhalt); bone spavin; ringbone; sidebone; navicular disease; osteoporosis; curb, when accompanied with faulty confirmation of hock.

380.74. The director shall make and keep records of all stallions registered in the State; said stallions to be registered as "purebred," "crossbred," "nonstandard bred," "grade," or "mongrel," according as the facts may have been determined.

380.75. The owner of any stallion used for public service in this State shall post and keep affixed, during the entire breeding season, a copy of the license certificate of such stallion issued under the provisions of this article, in a conspicuous place, both within and upon the outside of the main door leading to every stable or building where the said stallion is used for public service, and at all times during the breeding season shall have attached to the harness or bridle of said stallion a tag which shall be issued with the certificate. Each bill and poster and each advertisement shall show the registration number and state whether the license reads "purebred," "grade," "crossbred," "nonstandard bred," or "mongrel," and it shall be illegal to print or advertise any misleading reference to the breeding of said stallion, his dam or sire.

380.76. A license certificate issued for a stallion whose dam and sire are of pure breeding, and whose pedigree is registered in a studbook recognized by the director, shall be in such form as the director may determine for each of the classes mentioned in Section 380.74 of this article for which registration is requested.

380.77. A fee of fifteen dollars ($15) shall be paid to the director for the registration of each stallion pedigree, and for issuance of a license certificate and tag, in accordance with the breeding of the stallion as above provided. The license certificate and tag shall be in force and effect for a period of one year from its date. The fee shall be paid to the director at the time the application is made for registration. Upon a transfer of the ownership of any stallion registered under the provisions of this article, the certificate of registration may be transferred to the transferee by the director upon submittal of satisfactory proof of such transfer of ownership, and upon payment of a fee of two dollars fifty cents ($2.50). A fee of five dollars ($5) shall be paid annually for the renewal of a license certificate and tag. At the time of each annual renewal of a license certificate and tag there shall be submitted to the director by the owner a health certificate issued by a veterinarian legally qualified to practice in this State, including a certificate of negative complement-fixation test for dourine conducted within 30 days prior to said application for renewal. A fee of two dollars fifty cents ($2.50) shall be paid for a duplicate license certificate and tag upon proof of the loss or destruction of the original certificate.

380.78. Whenever the director has reason to believe, or whenever complaint is made, that any stallion has been provided with a license certificate under false or erroneous representation, the director is hereby authorized and empowered to cause an investigation to be made, and if in the conduct of such investigation it is deemed necessary by the director to examine said stallion, he shall have a veterinarian of the department make such examination. If as a result of such examination it shall be found that such stallion is not entitled to the license certificate as provided for in this article, then the director shall revoke the license in force, or shall provide the owner of said animal with the proper form of license certificate.

380.79. It is unlawful for any person, without first complying with the provisions of this article, to offer a stallion for use for public service; provided, that nothing in this act shall be construed to prevent the individual owner of any unlicensed stallion from breeding any mares of which he is the bona fide and sole owner.

380.80. All moneys collected under the provisions of this article shall be paid into the Department of Agriculture Fund to be used for the purpose of carrying out the provisions of this act.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 74—An act to add Chapter 4, comprising Sections 440 to 446, to Division 3 of the Agricultural Code, relating to the buying and selling of horses and mules, and the regulation thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

Strike out all of the title of the printed bill, and insert

"An act making an appropriation for the eradication of dourine, a communicable disease of horses, mules, and asses; amending Section 182 of, and adding Section 207.7 to, the Agricultural Code, relating to animals affected with dourine; and declaring the urgency thereof."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive; and strike out all of pages 2 and 3, and insert

"SECTION 1. There is hereby appropriated to the State Department of Agriculture, out of any moneys in the State Treasury not otherwise appropriated, the sum of forty-two thousand seven hundred dollars ($42,700), to be expended during the Ninety-second and Ninety-third Fiscal Years for the eradication of dourine, a communicable disease of horses, mules, and asses.

SEC. 2. Section 182 of the Agricultural Code is hereby amended to read as follows:

182. It is unlawful to:

(a) Knowingly sell, use, expose, or fail to immediately kill, after notification of its condition from a licensed veterinarian or the department, any horse, mule or

other animal *having the disease known as dourine, as shown by a complement-fixation test, or* having the disease known as glanders, or farcy, as shown by a reaction to the mallein test, physical examination, or other test or examination recognized by the department.

(b) Knowingly sell, after notification of its condition from the department, any bovine animal having the disease known as tuberculosis as shown by a positive reaction to the tuberculin test, physical examination, or other test, or other examination, recognized by the department, without having first obtained a permit in writing from the department.

(c) Bring, cause to be brought, or aid in bringing into the State any domestic animal knowing that it is infected with any contagious disease.

SEC. 3 Section 207 7 is hereby added to the Agricultural Code, to read as follows:

207 7. Every horse, mule or other animal affected with dourine, as shown by a complement-fixation test, is hereby declared to be a public nuisance, and shall be immediately destroyed under the direction and supervision of the department, and no indemnity shall be paid therefor.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore take effect immediately. A statement of the facts constituting such necessity is as follows:

Dourine, a destructive communicable disease of horses, mules, and asses, has recently been discovered in San Diego County. This disease is detrimental to the welfare of the animal industry of the State, and because of its nature would, if steps are not taken for its immediate eradication, spread throughout the State. The Federal Government has agreed to cooperate in an immediate program of eradication, provided the State will participate on an equal basis."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2327—An act to amend Section 484 of the Vehicle Code, relating to accident reports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "The", and insert "A pedestrian and the".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "or"; and in line 6, strike out "property damage in excess of fifty dollars ($50)", and insert "whether such accident occurs on a public highway or on private property".

Amendment No. 3

On page 1 of the printed bill, at the end of line 16, insert "Every police department shall have authority to enforce the provisions of this section within its jurisdiction when requested to do so by the department."

Amendment No. 4

On page 1 of the printed bill, after line 26, insert "(e) For the purposes of this section a common carrier vehicle is a vehicle as defined in Section 31, except that it shall also include a vehicle operated upon stationary rails or tracks."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 2342—An act to add Section 511.5 to the Vehicle Code, relating to speed limits.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "on any highways"; and strike out lines 5 and 6, and insert "when passing a United States Veterans' Administration Facility or the grounds thereof contiguous to the highway."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2573—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles.

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, following "amend", strike out "Section 771", and insert "Sections 770 and 771".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive.

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 1 to 19, inclusive, and insert "SECTION 1. Section 770 of the Vehicle Code is hereby amended to read as follows.

770. Disposition by Cities of Certain Fines and Forfeitures. All fines and forfeitures collected from any person charged with a misdemeanor under this code [following arrest by an officer employed by a city] *for an offense alleged to have been committed within a city, except as otherwise provided by subdivision (c) of Section 771,* shall be paid into the treasury of such city and deposited in a special fund to be known as the "Street improvement fund," and shall be used exclusively for traffic signs, signals and other traffic control devices, the maintenance thereof and for the maintenance, improvement or construction of public streets, bridges and culverts within such city.

SEC. 2. Section 771 of the Vehicle Code is hereby amended to read as follows:

771. Disposition of Other Fines and Forfeitures.

(a) Except as otherwise provided in this section, all fines and forfeitures collected from any person charged with a misdemeanor under this code [following arrest by any officer employed by the State or by a county] *for an offense alleged to have been committed in the unincorporated area of a county* shall be paid into the treasury of such county in which is located the court imposing such fine or forfeiture, and all such money shall be deposited in a special fund to be known as the "Special road fund."

(b) Of the fines and forfeitures collected from any person charged with a misdemeanor under this code [following arrest by any officer employed by a county] *for an offense alleged to have been committed in the unincorporated area of a county* and the imposition of the fine or forfeiture by a court maintained by a city within the county, 50 per cent shall be paid into the treasury of such city and deposited in the "Street improvement fund," and the remaining 50 per cent shall be paid into the treasury of such county and deposited in the "Special road fund."

(c) Of the fines and forfeitures collected from any person charged with a misdemeanor under this code committed within the incorporated limits of a city upon a State highway connecting within the county in which the city is located with a publicly owned bridge or a publicly owned toll bridge, and following arrest by any officer employed by the State and the imposition of the fine or forfeiture by a court maintained by the city, 75 per cent shall be paid into the treasury of the city and deposited in the "Street improvement fund" and 25 per cent shall be paid into the

treasury of the county in which the city is located and deposited in the "Special road fund."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1030—An act creating a commission on vocational training, retraining and guidance and defining its powers and duties, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 19, of the printed bill, after "expended", insert "during the Ninety-third and Ninety-fourth Fiscal Years."

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Constitutional Amendment No. 32—Proposed amendment to Article XXVI of the Constitution, amending paragraph (1) of subdivision (a) of Section 1 of Article XXVI of the Constitution of said State, relating to the expenditure of motor vehicle revenue.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "illumination,".

Amendment No. 2

On page 1, line 11, of the printed bill, after the comma following "territory", insert "the illumination of State highways,".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 19, of the printed bill, immediately after "milk", insert "and".

Amendment No. 2

On page 2, line 31, of the printed bill, strike out "and"

Amendment No. 3

On page 3, line 21, of the printed bill, strike out "include all territory within such", and insert "includes all territory within its".

Amendment No. 4

On page 4 of the printed bill, strike out all of lines 11 to 49, inclusive.

Amendment No. 5

On page 7 of the printed bill, strike out all of lines 42 to 46, inclusive, and insert

"(7) The purchasing or receiving of any fluid milk from any producer by distributors within a marketing area, which milk is sold or distributed outside a marketing area for less than the average of the prices paid for fluid milk of similar grade or quality by distributors for fluid milk received at plants in the town or vicinity in which such fluid milk is distributed, as such prices are determined by the director from contracts required to be filed with him pursuant to this section."

Amendment No. 6

On page 8, line 25, of the printed bill, strike out the semicolon and insert in lieu thereof the following: "over and above costs incurred in producing and marketing manufacturing milk;".

Amendment No. 7

On page 13, line 43, of the printed bill, strike out "resale".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2542—An act to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Exhibitions and Fairs:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", strike out the balance of line 1; and strike out all of lines 2 to 11, inclusive, and insert "19624 of the Business and Professions Code, relating to money appropriated to citrus fruit fairs from the Fair and Exposition Fund."

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 19624 of the Business and Professions Code is hereby amended to read as follows.

19624. The first balance of the fund is hereby annually appropriated as follows: [Five] *Two* per cent for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations or county fairs, to be apportioned between such citrus fruit fairs upon the basis of the population of the several counties in which such fairs are held, and if only one such fair is held, then it shall receive all of the appropriation, *such money to be expended by such citrus fruit fairs only for premiums, capital outlays, including purchase of land, construction, improvements, equipment, and other purposes pursuant to a budget submitted to, and approved by, the Department of Finance, and subject to the provisions of Section 677.5 of the Political Code;* 40 per cent for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of the Los Angeles County Fair, the Sixth District Agricultural Association and citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law

No *citrus fruit fair, and no* county, district or combined county and district agricultural fair shall receive a sum greater than sixty-five thousand dollars ($65,000)

from the fund in any one year. If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172 79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 19, inclusive, and strike out all of page 2.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1257—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers of third party negotiators in connection with loans made by such companies," approved May 18, 1917, so as to define industrial loan companies, provide for their incorporation, powers and supervision; and regulate the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 6 of the title of the printed bill, after "1917," insert "as amended,".

Amendment No. 2

In line 11 of the title of the printed bill, after "companies", insert "; to prohibit devices and subterfuges to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and regulations thereunder; to authorize the making of examinations and investigations; to provide for the suspension, surrender and revocation of permits; and to prescribe penalties for the violation of this act".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 17, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; on page 4, strike out lines 1 to 52, inclusive; on page 5, strike out lines 1 to 52, inclusive; on page 6, strike out lines 1 to 52, inclusive; and on page 7, strike out lines 1 to 7, inclusive; and insert

"SECTION 1. The term "industrial loan company" as used in this act means any corporation which in the regular course of its business loans money and issues its own installment investment certificates with loans under the provision of this act.

SEC. 2. Corporations may be incorporated under and by virtue of this act in same manner as corporations under and by virtue of Chapter 2 of Title 1 of Part 4, Division 1 of the Civil Code, except as otherwise herein provided; but there shall be set forth in the articles of incorporation a statement that such corporation is incorporated under and by virtue of this act.

SEC. 3. The capital stock of any corporation incorporated under the provisions of this act shall not be less than twenty-five thousand dollars ($25,000) when such corporation is transacting business in any city having population of 25,000 inhabitants or more, and less than 50,000; and shall not be less than fifty thousand dollars ($50,000) when such corporation is transacting business in any city having 50,000 or more inhabitants, and less than 100,000; and shall not be less than one hundred thousand dollars ($100,000) when such corporation is transacting business in any city having 100,000 or more inhabitants, according to the last official census. The capital stock of any such corporation transacting business in more than one city shall not be less than the aggregate capital stock required for the transaction of business by separate corporations, in each of such cities. The capital stock of any such corporation transacting business in more than one city, however, shall not be required to exceed in the aggregate one hundred thousand dollars ($100,000) The

establishment and operation of an office outside of an incorporated city area within five miles of such incorporated city limits shall require the same minimum capital for such outside office as would be required if said office were located within such incorporated city. The capital stock of any such corporation shall be divided into shares of the par value of one hundred dollars ($100) each. Before the articles of incorporation of any corporation, incorporated under the provisions of this act, are filed, there must be paid in cash for the benefit of the corporation to a treasurer, elected by the subscribers, not less than 25 per cent of the amount of the minimum capital stock required under the provisions of this section; the balance of the capital stock shall be paid in cash to the corporation at the rate of not less than 10 per cent per month, following the initial payment. No corporation organized hereunder shall create more than one class of stock.

SEC. 4. Every corporation under the provisions of this act shall have power: Subject to the supervision and control of the Corporation Commissioner of the State of California:

First—To loan money on personal property security, including the pledge of its installment investment certificates, or without security other than the pledge of its installment investment certificates, or on real property security or loans over three hundred dollars ($300) with or without the pledge of its installment investment certificates, and to charge and deduct interest therefor in advance at the rate of 6 per cent per annum, or less. A certificate of investment shall be issued with each loan, except that the issue of installment investment certificates with real estate loans or loans over three hundred dollars ($300) shall be optional with the industrial loan company. Such certificates of investment shall require uniform weekly, semi-monthly or monthly payments over the period of the loan, final payment not to be payable until the maturity date of the loan. Such certificates of investment shall be purchased by the borrower simultaneously with each loan transaction, of a face value not exceeding the principal amount of the loan advanced to the borrower, and shall be pledged with the corporation as security for said loan.

Second—To sell or negotiate investment certificates either in certificates, or in receipt book form in addition to the sale of installment investment certificates with loans, for the payment of money at any time, either fixed or uncertain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments. Nothing herein contained shall be construed to authorize corporations hereunder to receive deposits or to issue certificates of deposit. The investment certificates herein authorized shall bear the indorsement on the face of the instrument, "this is not a certificate of deposit."

Third—In addition to the interest rate charged, to charge and deduct in advance for the making of any loan pursuant to this section, for fees, bonuses, commissions, brokerage, discounts, expenses, and other forms of costs charged, contracted for, or received by an industrial loan company and all other persons from the borrower, in connection with the investigating, arranging, negotiating, procuring, guaranteeing, making, servicing and collecting of a loan or forbearance of money, credit, goods or things in action, or for any other service or services rendered in relation thereto, except as hereinafter provided.

However, it is hereby provided that the interest, brokerage and all other charges by the industrial loan company, broker and all other persons in the aggregate on any loan, forbearance of money, credit, goods or things in action, under this act shall not exceed in the aggregate 2½ per cent per month on the unpaid principal balance up to one hundred dollars ($100), 2 per cent per month on the unpaid principal balance between one hundred dollars ($100) and three hundred dollars ($300), and 10 per cent per annum on the unpaid principal balance over three hundred dollars ($300). All payments made by the borrower on the installment investment certificate purchased by the borrower concurrently with the making of the loan, are deductible from the principal of the loan advanced to the borrower in determining the "unpaid principal balance" as hereinabove referred to. If, however, any property securing a loan made by an industrial loan company is insured against loss in favor of the industrial loan company, the latter may only contract for and receive thereon charges at a rate not exceeding 2 per cent per month on the unpaid principal balance up to three hundred dollars ($300) and 10 per cent per annum on the unpaid principal balance in excess of three hundred dollars ($300). Such amount hereinabove allowed to be collected including interest within the aggregate maximum limit herein provided in this paragraph shall be in full for all charges including brokerage from the borrower by the industrial loan company, broker and all other persons in the investigating, arranging, negotiating, brokering, guaranteeing, making, servicing, collecting and enforcing of a loan, or a forbearance of money, credit, goods or things in action, or for any other service or services rendered by the lender, broker, or any other person, in relation thereto, except attorneys' fees and court costs if allowed by the court in enforcing loans over three hundred dollars ($300).

However, it is provided that nothing in this section denies the right to the industrial loan company in addition to interest, brokerage and all other charges herein provided to contract for, collect and receive at the time of making the loan or at any time thereafter, the statutory fee paid by it to any public officer for acknowledging,

filing, recording or releasing in any public office any instrument securing the loan or executed in connection therewith. Also, nothing in this section prohibits the lender from collecting in addition to the interest, brokerage and all other charges herein provided the costs for insurance, of tangible personal property offered as security for a loan, reasonably insured against loss for a reasonable term considering the circumstances of the loan; provided, such insurance is sold at standard rates through a duly licensed insurance agent.

No charge shall be collected unless a loan shall have been made. Whenever the interest and/or charges deducted in advance shall exceed the maximum provided by this section, by reason of subsequent repayment of the loan or any portion thereof prior to maturity or prepayment of installments on the investment certificate purchased with the loan, such excess shall be refunded to the borrower or credited on any balance owing by the borrower to the company.

Fourth—To establish offices or places of business within the county in which its principal place of business is located but not elsewhere.

Fifth—To purchase, sell or discount trust receipts, bona fide choses in action, secured or unsecured, chattel mortgages or conditional sales contracts, which shall have a maturity within two years from the date of said purchase and such purchase, sale or discount shall be subject to the maximum rates of interest, discount, brokerage and all other charges provided in this act, as between the seller of said chose in action, chattel mortgage, trust receipt or conditional sales contract and the industrial loan company, for which not more than three hundred dollars ($300) is paid by the industrial loan company.

In addition to the powers herein enumerated, every corporation under the provisions of this act shall have the general powers conferred upon corporations by Chapter 10, Title 1, Part 4, Division 1 of the Civil Code except as herein otherwise provided.

SEC. 5. No corporation under the provisions of this act shall:

(a) Hold at any one time the obligation or obligations of any person, firm or corporation, as primary debtor, in excess of 5 per cent of the amount of the capital stock of such industrial loan company actually paid in and unimpaired and 5 per cent of its unimpaired surplus fund: provided, however, that the limitation upon obligations secured by collateral of a market value at no time less than 115 per cent of the face amount of said obligations shall be not to exceed 20 per cent of such capital and surplus.

(b) Make any loan, under the provisions of this act, for a longer period than two years from the date of making said loan.

(c) Deposit any of its funds with any other moneyed corporation, unless such corporation has been designated as such depositary by a vote of the majority of the directors or of the executive committee, exclusive of any director who is an officer, director or trustee of the depositary so designated.

(d) Invest any of its funds, otherwise than as herein authorized, except in such investments as are by law legal investments for savings banks, or in the choses in action issued by any other corporation organized under this act.

(e) Have outstanding at any time its investment certificates in an aggregate sum in excess of 10 times the aggregate amount of its paid-up capital, exclusive of those hypothecated with the company issuing them

SEC. 6. Every corporation, under the provisions of this act, may purchase, hold and convey real estate for the following purposes, but for no other:

First—Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its business.

Second—Such as it shall purchase at sale under judgments, decrees or mortgage foreclosures under or foreclosures of trustees' sales under deeds of trust securities held by it, but no such corporation shall bid at any such sale a larger amount than shall be necessary to satisfy its debt and costs.

Third—Such as shall be necessary as premises for the transaction of its business: but no company shall invest directly or indirectly an amount exceeding one-third of its paid-up capital and surplus in the lot and building in which the business of the company is carried on, furniture and fixtures, and vaults necessary and proper to carry on its business; and hereafter the authority of a three-fourths vote of all the directors shall be necessary to authorize the purchase of such lot and building or the construction of such building.

Real estate shall be conveyed under the corporate seal of such corporation and the hand of its president or vice president and manager or treasurer. No real estate acquired in the cases contemplated by subsection first and second hereof shall be held for a longer period than five years.

SEC. 7. The directors of every corporation, under the provisions of this act, may at certain times and in such manner as its by-laws prescribe, declare and pay dividends to the stockholders of such corporation, of so much of the net profits of the corporation as may be appropriated for that purpose under its by-laws, but before any such dividend is declared, not less than 10 per cent of the net profits of

such corporation for the preceding half year, or for such period as is covered by the dividend, shall be carried to its surplus until such surplus shall equal the amount of the paid-up capital stock.

SEC. 8. No company organized hereunder shall reduce its capital stock to an amount less than is required by this act to be maintained by such company or less than any indebtedness of such company other than its investment certificates.

SEC. 9. Corporations, under the provisions of this act, shall be taxed the same as other general corporations.

SEC. 10. Corporations under the provisions of this act shall be subject to the provisions and regulations of "An act providing for the regulation and supervision of companies, brokers, agents and sales of securities as same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended.

Corporations under the provisions of this act shall not be subject to the provisions or regulations of an act entitled "An act to define personal property brokers and to regulate their charges and business," approved April 16, 1909, as amended.

Corporations under the provisions of this act shall not be subject to the provisions or regulations of acts entitled "California Small Loan Act," approved July 21, 1939, and July 24, 1939.

The commissioner shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act.

SEC. 11. If it shall appear to the Commissioner of Corporations that any company hereunder has violated or failed to comply with the provisions of its articles of incorporation, or any law of this State, or whenever it shall appear from the report of any company hereunder, or the commissioner shall have reason to conclude, that the capital of any company hereunder is impaired or reduced below the amount required by law, he may, by an order under his hand and official seal, addressed to such company, direct such company to discontinue such violation and to comply with the law, or to make good the deficiency or impairment of capital alleged by him to exist within 60 days after the date of such requisition; or

If it shall appear to the commissioner that such company is conducting business in an unsafe or injurious manner, he may, in like manner, direct the discontinuance of any such unsafe or injurious practices. Such orders shall require such company to show cause, before the commissioner, at a time and place to be fixed by him, why said order should not be observed. If upon such hearing it shall appear to the commissioner that such order should be made final he shall proceed to do so, and such company shall immediately comply with such order made by the Commissioner of Corporations.

Such company shall have 10 days after any such order is made final in which suit may be commenced to restrain enforcement of such order and unless such action be so commenced and enforcement of such order be enjoined within 10 days by the court in which such suit is brought, then such company shall comply with such order.

Upon failure of any company to comply with such order or if any such company shall refuse to submit its books, papers and concerns to the inspection or examination of the Commissioner of Corporations, or to anyone authorized by him to make such examination, or if any officer of such company shall refuse to be examined upon oath touching the concerns of such company, or if any such company shall neglect or refuse to observe any order made by the Commissioner of Corporations pursuant to his supervision as authorized by this act, the Commissioner of Corporations may forthwith take possession of the property and business of such company and retain such possession until such company shall resume business or its affairs be finally liquidated. On taking possession of the property and business of any such company, the Commissioner of Corporations may proceed to liquidate the same in the manner provided by the Bank Act.

SEC. 11a. The Corporation Commissioner whenever it may appear that such action is necessary for the protection of the interests of the investment certificate holders, stockholders, investors or any other creditors of any industrial loan company or to protect such company itself which is organized and/or operating under this act or that such action is in the public interest, order such company or companies forthwith to suspend as herein set forth the payment in lawful money of the liabilities of such company or limit the payment of same in such manner as he may prescribe. Such order shall become effective upon receipt by such company of notice hereof and shall continue in full force and effect until rescinded or modified by the Corporation Commissioner in writing and delivered to the manager or executive officer thereof. Whenever in the judgment of the Corporation Commissioner the condition of any such company warrants such action, the liabilities, the payment of which has been so suspended, may be paid in lawful money by such company in whole or pro rata in part upon such terms and conditions as the Corporation Commissioner may prescribe.

Nothing herein contained shall affect the right of any such company to pay its current operating expenses and liabilities incurred during such period of suspension or limitation.

After such order of suspension or limitation and until such order of suspension or limitation shall be rescinded, no assignment or hypothecation shall be made by such company of any indebtedness due to it from an investor without first crediting thereon the investment liability of the company to such investment-borrower.

The Corporation Commissioner is hereby authorized and empowered to prescribe such rules and regulations as he may deem necessary to carry out the provisions of this act.

Nothing herein contained shall be construed to limit the powers of the commissioner pursuant to this act or any other laws now in effect.

The authority herein contained is in addition to the other powers provided in this act, and in the discretion of the commissioner, may be exercised by him in conjunction therewith or independently thereof.

Whenever the commissioner shall believe from evidence satisfactory to him that any company, director, officer, agent or employee thereof has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement of the commissioner, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such company, director, officer, agent or employee thereof to enjoin such company, director, officer, agent or employee thereof from continuing such violation or engaging therein or the attempt to violate said act or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 12. Nothing in this act contained shall be deemed or construed as a limitation or restriction of or as in any way affecting the power or discretion of the Commissioner of Corporations under the Corporate Securities Act or any other statute now or hereafter in effect, to issue a permit authorizing any corporation under the provisions of this act to issue and dispose of choses in action, including certificates of investment to be used in connection with loan transactions, in such amount and upon such terms and conditions as he may in such permit provide and to impose such conditions as he may deem necessary to the issue of such securities and to establish such rules and regulations as may be reasonable or necessary to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit and from time to time for cause to amend, alter or revoke any permit issued by him or to refuse to issue such permit or otherwise authorize the issue of such securities.

SEC. 13. At the time of filing an application for a permit to issue securities, the applicant shall file with the Commissioner of Corporations a bond to be approved by the commissioner in which the applicant shall be the obligor, in the sum of one thousand dollars ($1,000) with one or more sureties, to be approved by the commissioner, whose liability as such sureties need not exceed the said sum in the aggregate. The said bond shall run to the State for the use of the State and of any person or persons who may have cause of action against the obligor of said bond under the provisions of this act. Such bond shall be conditioned that the said obligor will faithfully conform to and abide by the provisions of this act and of the Corporate Securities Act and of all rules and regulations lawfully made by the commissioner under either of said acts, and will pay to the State and to any such person or persons any and all moneys that may become due or owing to the State or to such person or persons from said obligor under and by virtue of the provisions of this act and of the Corporate Securities Act.

If the commissioner shall find at any time that the bond is insecure or exhausted in whole or in part or otherwise doubtful, an additional bond to be approved by him, with one or more sureties to be approved by him and of the character specified in this section, in the sum of not more than one thousand dollars ($1,000), shall be filed by the industrial loan company within 10 days after written demand upon the industrial loan company by the commissioner.

If a bond or additional bond as hereinabove required is already on file, no further bond may be required to be filed with subsequent application. This provision, however, does not prevent the commissioner from requiring additional bonds as above provided in connection with or without any relation to any application to sell and issue securities.

SEC. 14. In addition to the matters and information required by the Corporate Securities Act, applications for permits to issue securities made by corporations organized under this act shall set forth therein:

(a) The addresses of all offices at which business is proposed to be transacted;

(b) The names, residence addresses and business addresses of all officers and directors;

(c) The names and addresses of subscribers to its capital stock, the amount of capital stock subscribed, the amount paid thereon, the balance due and copies of the subscription agreements;

(d) Statements as to the experience, character, general fitness and financial responsibility of the officers, directors and managers.

The application shall set forth such further information as the commissioner may require.

In addition to the duty of the commissioner to examine the application pursuant to the provisions of the Corporate Securities Act, it shall be his duty to investigate the matters and facts set forth in the application as required by this act and to conduct such further investigation as he may deem necessary, and if he shall find that the financial responsibility, experience, character and general fitness of the applicant, and of the officers and directors thereof, are not such as to command the confidence of the community and to warrant the belief that the business will be operated honestly, fairly and efficiently within the purposes of this act, he shall deny the application and refuse the permit.

The existence of any fact or condition which, if it had existed at the time of filing the application for a permit, would have warranted the commissioner in refusing to issue such permit shall be ground for the amendment, alteration, revocation or suspension of such permit in addition to the grounds specified by the Corporate Securities Act.

SEC. 15. For the purpose of discovering violations of this act or securing information lawfully required by him hereunder, the commissioner may at any time, either personally or by a person or persons duly designated by him, investigate the loans and business and examine the books, accounts, records and files used therein, of every corporation which shall be engaged in the business of an industrial loan company or broker, whether such corporation shall act or claim to act as principal or agent, or under or without the authority of this act. For that purpose the commissioner and his duly designated representatives shall have free access to the offices and places of business, books, accounts, papers, records, files, safes and vaults of all such corporations. The commissioner shall have authority to require the attendance of witnesses and to examine under oath all persons whomsoever whose testimony he may require relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

The commissioner shall make such an examination of the affairs, business, office and records of each industrial loan company at least once each year. The actual cost of that examination shall be paid to the commissioner by every industrial loan company so examined, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction.

Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the proper prosecuting official of the county, city and county, or city in which the act or acts complained of, examined or investigated, occurred.

SEC. 16. Each industrial loan company shall keep and use in its business such books, accounts and records as will enable the commissioner to determine whether such industrial loan company is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder. Every industrial loan company shall preserve such books, accounts and records, including cards used in the card system, if any, for at least two years after making the final entry on any loan recorded therein.

Each industrial loan company shall annually on or before the fifteenth day of March file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each place of business conducted by such industrial loan company within the State. Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall annually make and file with the Division of Corporations as a public record a composite of such reports and any comments thereon that he may deem to be in the public interest.

SEC. 17. No industrial loan company or other person shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for making or negotiating loans, which is false, misleading, or deceptive, or which refers to the supervision of such business by the State of California or any department or official thereof. The commissioner may order any industrial loan company to desist from any conduct which he shall find to be a violation of the provisions of this act or of the Corporate Securities Act or of the rules of the commissioner under said acts.

The commissioner may require that rates of charge or discount, if stated by an industrial loan company, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

If any industrial loan company or other person engaged in the business regulated by this act shall in any advertising refer to rates of interest or discount or charges or costs of loans, the commissioner shall require that such rates or costs be stated fully and clearly in such manner as he may deem necessary in order to give adequate information to prospective borrowers; and if the rates or costs advertised do not apply to loans of all classes made or negotiated by such industrial loan company or other person, this fact shall be clearly indicated therein. No such

advertising copy shall be used after the use thereof has been disapproved by the commissioner and the industrial loan company notified in writing of such disapproval. The commissioner may require the industrial loan company to maintain a file of all advertising copy for a period of 90 days from the date of its use, to be available to the commissioner upon request.

No industrial loan company shall conduct the business of making loans under this act within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the commissioner upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this act or of the rules and regulations lawfully made hereunder.

No industrial loan company shall transact such business or make any loan provided for by this act under any other name than that set forth in the articles of incorporation or amended articles of incorporation as filed with the Commissioner of Corporations. Nor shall any industrial loan company transact such business or make any loan provided for by this act at any other place of business than that designated in its application filed with the Commissioner of Corporations, without having obtained the prior written approval of the commissioner.

No industrial loan company shall take any confession of judgment or any power of attorney, except a power of attorney taken to effectuate the transfer of the ownership of any motor vehicle or the transfer of the ownership of securities, at the time of making the loan. No industrial loan company shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge nor any instrument in which blanks are left to be filled in after execution.

SEC. 18. No industrial loan company shall induce or permit any borrower to split up or divide any loan. No industrial loan company shall induce or permit any person, nor any husband and wife jointly or severally, to become obligated, directly or contingently or both under more than one contract of loan at the same time, with the result of obtaining a higher rate of charge than would otherwise be permitted by this act.

SEC. 19. Every industrial loan company hereunder shall:

(1) Deliver or cause to be delivered to the borrowers, or any one thereof, at the time the loan is made, a statement in the English language showing in clear and distinct terms the name and address of such industrial loan company and the broker, if any; the date, amount and maturity of the loan contract, how and when repayable, the nature of the security, if any, for the loan, and the agreed rate of charge.

(2) Obtain from the borrower a signed statement as to whether any person has performed any act as a broker in connection with the making of the loan, and if such statement discloses a broker or other person has participated, then a full statement of all sums paid or payable to the broker or other person shall be obtained and kept by the industrial loan company for a period of two years from and after the date the loan has been paid in full or has matured according to the terms thereof or has been charged off.

(3) Permit payment to be made in advance in any amount on any contract of loan at any time, but the industrial loan company must apply such payment first to all charges due at the agreed rate up to the date of such payment, not to exceed the maximum rate herein permitted.

(4) Deliver or cause to be delivered to the person making any payment in person in cash at any office of the industrial loan company, at the time each such payment is made on account of any loan, a plain and complete receipt showing the total amount received and identifying the loan contract upon which such payment is applied, and showing the unpaid principal balance, if any, of such loan.

(5) Upon repayment of any loan in full, cancel or plainly mark "paid" and return to the borrower or person making final payment, the note evidencing such loan and if such borrower is not otherwise obligated to such industrial loan company release all security for such loan, indorse and return any certificate of ownership, and return to the borrower any chattel mortgage, assignment or order signed by the borrower, except such as are a part of the court record in any action, or such as have been delivered to a third person for the purpose of carrying out the terms thereof.

Every industrial loan company shall display prominently in each place of business a full and accurate schedule, to be approved by the commissioner, of the charges to be made and the method of computing the same.

SEC. 20. The payment of money, credit, goods or things in action as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions or other compensation for services, whether earned or to be earned shall, for the purposes of regulation under this act, be deemed a loan secured by such assignment, and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall, for the purposes of regulation under this act be deemed interest and charges upon or for such loan from the date of such payment to the date such compensation is payable. Such transaction shall be governed by and subject to the provisions of this act. Nothing contained in this

section shall be construed as modifying or affecting existing statutes governing wage assignments in the State of California, or as authorizing such assignments.

SEC. 21. No industrial loan company or any other person in connection with or incidental to the making of any loan, may require the borrower to contract for, purchase, or agree to purchase any other thing in connection with the loan, other than an installment investment certificate of a face value equal to the principal amount of the loan, and no industrial loan company or any other person in connection with or incidental to the making of such loan shall require the borrower to enter into any collateral sales agreement or contract, other than the contract of pledge, assignment or mortgage of personal or real property by the borrower to the lender as security for the repayment of the loan and charges thereon.

Any profit or advantage of any kind whatsoever that any industrial loan company or broker or any other person may contract for, collect, receive or in any wise obtain by a collateral sale, purchase or agreement, in connection with the negotiating, arranging, making or otherwise in connection with any loan, except commissions received as a licensed insurance agent or broker or insurance written as hereinafter permitted, shall be deemed to be charges for the purposes of regulation under this act. Such transactions shall be governed by and subject to the provisions of this act. However, security consisting of tangible personal or real property offered as security may be reasonably insured against loss for a reasonable term, considering the circumstances of the loan, and such insurance shall not be deemed such collateral sale, purchase, or agreement when the policy is payable to the borrower or any member of his family, even though the customary mortgagee clause is attached or the industrial loan company is a coassured: provided, that such insurance is sold at standard rates through duly licensed insurance agents.

SEC. 22. Any person and the several members, officers, directors, agents, and employees thereof, who shall wilfully violate or wilfully participate in the violation of any of the provisions of the rules, orders and regulations of the commissioner, or of this act, shall be guilty of a misdemeanor.

Any contract of loan in the making or collection of which an amount in excess of the charges permitted by this act, including interest, is charged, contracted for or received, shall be void, and neither the industrial loan company nor any other person shall have any right to collect or receive any principal, interest or charges whatsoever.

SEC. 23. Every order, decision, license or other official act of the commissioner shall be subject to review in accordance with law. Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence which was introduced in the formal hearing before the commissioner, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, finding, requirement, or rule.

SEC. 24. If any clause, sentence, section, provision, or part of this act is adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair, affect, or invalidate the remainder of this act, which shall remain in full force and effect thereafter.

SEC. 25. Nothing in this act impairs or affects any loan contract entered into between any industrial loan company and a borrower prior to the effective date of this act.

SEC. 26. Short Title. This act shall be known as the "Industrial Loan Act"

SEC. 27. Any corporation heretofore or hereafter organized under any other law of this State and not expressly stated in its articles of incorporation to be incorporated under the act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, may be brought under the provisions of said act as amended or revised by amending its articles of incorporation in the manner prescribed by Title 1, Part 4, Division 1 of the Civil Code, to expressly state in its articles of incorporation that it is thereafter subject to the provisions of the aforesaid act as amended or revised, and thereupon it shall be deemed to be organized and existing under and entitled to the benefits of and subject to the provisions of the aforesaid act as amended or revised for all purposes and as fully as though it had been originally organized thereunder: provided, it shall comply with the provisions of this act"

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 25¾ of Article IV, relating to boxing, sparring and wrestling matches or exhibitions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments·

Amendment No. 1

On page 2 of the printed measure, after line 23, insert

"No tax shall be levied or collected in respect to any admissions to a boxing contest or wrestling match or exhibition wherein all the proceeds or net earnings of which inure exclusively to the benefit of any post of the American Legion or any other duly recognized organization of veterans of any war of the United States and not to the benefit of any individual member thereof"

Amendment read and adopted.

Bill ordered printed, and to third reading

Senate Bill No. 822—An act to repeal Sections 301 to 304, both inclusive, and to amend Section 300 of the Labor Code, all relating to assignment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 28, of the printed bill, as amended, strike out "an affidavit", and insert "a written statement".

Amendment No. 2

On page 2, line 2, of the printed bill, as amended, after "to", insert "or included in".

Amendment No. 3

On page 2, line 4, of the printed bill, as amended, strike out "an affidavit", and insert "a written statement".

Amendment No. 4

On page 2, line 6, of the printed bill, as amended, after "thereto", insert "or included therein".

Amendment No. 5

On page 2, line 7, of the printed bill, as amended, strike out "Such an assignment or order is", and insert "A copy of such an assignment or order and of the written statement provided for in subdivision (d) hereof,".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 8 and 9, and insert "notary public, shall have been filed".

Amendment No. 7

On page 2, line 10, of the printed bill, as amended, after "employer", insert ", accompanied by an itemized statement of the amount then due to the assignee".

Amendment No. 8

On page 2 of the printed bill, as amended, strike out lines 25 and 26; and in line 27, strike out "week," and insert "salary to be earned,".

Amendment No. 9

On page 2, lines 29 and 30, of the printed bill, as amended, strike out "when it appears by the debtor's affidavit or otherwise", and insert ", upon the showing".

Amendment No. 10

On page 2, line 31, of the printed bill, as amended, strike out "use", and insert "support".

Amendment No. 11

On page 2, line 32, of the printed bill, as amended, after "family," insert "residing in this State and".

Amendment No. 12

On page 2, line 34, of the printed bill, as amended, strike out "; provided fur-"; and strike out lines 35 to 39, inclusive, and insert a period.

Amendment No. 13

On page 2, line 41, of the printed bill, as amended, strike out "affidavits", and insert "written statement"

Amendment No. 14

On page 2, lines 45 and 46, of the printed bill, as amended, strike out "stated in such affidavits", and insert "so stated".

Amendment No. 15

On page 2 of the printed bill, as amended, after line 51, insert

"This section shall not apply to revocable pay roll deduction orders made for the purpose of authorizing deductions from wages or salaries for the payment of any life or disability insurance premiums."

Amendments read and adopted.

Bill ordered printed, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Pelletier.

House Resolution No. 154

Relative to entertainment at the California Legislative Ball

WHEREAS, The success of the California Legislative Ball held at the Sacramento Memorial Auditorium on Tuesday evening, April 22, 1941, was due in great part to the unexcelled entertainment furnished through the courtesy of the Association of Motion Picture Producers and Distributors of America, and

WHEREAS, The dazzling array of talent which was displayed at the Legislative Ball both tickled the ribs and warmed the hearts of all present; now, therefore, be it

Resolved by the Assembly of the State of California, That we do hereby wish to express our appreciation to the Association of Motion Picture Producers and Distributors of America for its generosity in supplying the entertainment at the California Legislative Ball; and be it further

Resolved, That we do hereby thank every person who appeared on the program at the Legislative Ball for their kindness in making our ball a success.

Request for Unanimous Consent

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 154, at this time, without reference to committee.

Resolution read and adopted unanimously.

COMMUNICATIONS

The following communication from the War Department relative to Assembly Joint Resolution No. 22, was presented by the Chief Clerk and ordered printed in the Journal:

WAR DEPARTMENT, OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, April 18, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Assembly Chamber, State Capitol, Sacramento, California

DEAR SIR: The department has received by reference from the White House your letter of April 1, 1941, with which you inclosed a copy of the Assembly Joint Resolution No. 22 adopted on March 28, 1941, by the California Legislature. In that resolution the State Legislature memorializes the President and the Congress of the United States to construct a dam on the upper reaches of the Stanislaus River in order to retain the usual annual excess flow of water of the Stanislaus River.

You may be assured that the department is always glad to be informed of the interest of local authorities in projects and investigations under its jurisdiction. Your courtesy in presenting Assembly Joint Resolution No. 22 for the information and consideration of the President is greatly appreciated. As you may know, the department is now preparing a report on the San Joaquin River and its tributaries, the Mokelumne, Stanislaus, Tuolumne, Merced, Chowchilla, and Fresno Rivers in the interest of flood control, pursuant to the authority contained in several Congressional acts. The report of the Division Engineer, South Pacific Division, and the District Engineer at Sacramento has been reviewed by the Board of Engineers for Rivers and Harbors as required by law and was recently forwarded to the

Bureau of Reclamation and the Federal Power Commission for their comments. In that report full consideration is given to the feasibility of constructing the New Melones Dam on the Stanislaus River in Iron Canyon about two-thirds of a mile below the present Melones Dam and about 14 miles above the town of Knights Ferry. Immediately upon receipt of the comments of those two agencies the Department will submit the report to the Bureau of the Budget as required by Executive Order No. 8455 prior to its transmission to Congress.

The department does not have at the present time the necessary authority from Congress to construct the New Melones Dam In the event that a favorable recommendation for this construction is contained in the report of the department to Congress, the initiation of that construction must await authorization and appropriation of funds.

You may be assured that full consideration will be given to the request contained in the Assembly Joint Resolution No. 22 in any recommendations the department may make to Congress in the pending report on the San Joaquin River and its tributaries.

For the Chief of Engineers:

Very respectfully,

MILES REBER, Major, Corps of Engineers
Assistant Chief, Construction Section

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 398.
Assembly Bill No. 399.
Assembly Bill No. 425.
Assembly Bill No 1469.
Senate Bill No. 133.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No 59.

MOTION TO PRINT PETITION IN JOURNAL

Mr. Tenney moved that petition relative to Senate Bill No. 877 be printed in the Journal.

Substitute Motion

Mr. Allen moved as a substitute motion, that the names on the petition be segregated into Assembly districts and sent to the registrar of voters in Los Angeles County for checking authenticity of signatures.

Motion lost.

Substitute Motion

Mr. Heisinger moved, as a substitute motion, that the request to print the petition in the Journal be referred to the Committee on Rules.

Mr. Sam L. Collins seconded the motion.

Motion lost.

The question being on the motion by Mr. Tenney that the following petition be printed in the Journal:

Motion carried.

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 2,800 names from your respective districts, protesting against the passage of Senate Bill No. 877.

Following is the tabulation:

	District	*Names*
Everett G. Burkhalter	42	11
C. Don Field	43	13
John Pelletier	44	40
Tom J. Doyle	45	14
Jack B. Tenney	46	19
Eleanor Miller	47	6
T. Fenton Knight	48	11
Lee T. Bashore	49	6
Gerald C. Kepple	50	34
F. Ray Bennett	51	36
Wm. H. Poole	52	90
Frederick F. Houser	53	29
John B. Knight	54	8
Vernon Kilpatrick	55	27
Norris Poulson	56	12
Franklin J. Potter	57	15
Frank J. Waters	58	6
Chas. W. Lyon	59	12
Jesse R. Kellems	60	4
Ernest O. Voigt	61	23
Augustus Hawkins	62	35
Don A. Allen	63	12
Roger A. Pfaff	64	2
John W. Evans	65	13
Jack Massion	66	35
Cecil R King	67	13
Vincent Thomas	68	47
Ralph C. Dills	69	47
Lorne D. Middough	70	145
Fred N. Howser	71	3
Godfrey Andreas	72	112

Petition

To the Honorable Assembly Body of the State of California, we the undersigned, members of organized labor, do hereby petition you not to pass Senate Bill No. 877, commonly known as the Hot Cargo Bill, which is designed to take away from workingmen their legal and legitimate rights

J. W. SAPER and 2,800 OTHERS

REQUEST TO HOLD COMMITTEE MEETING

Mr. Tenney asked for, and was granted, unanimous consent to call a meeting of the Fact-Finding Committee on Un-American Activities at 3 p.m. on April 23, 1941.

UNFINISHED BUSINESS

Assembly Bill No. 562—An act to authorize nonprofit membership medical service corporations organized under Division 1, Part 4, Title 12 of the Civil Code, to enter into and perform medical service contracts and to contract with Federal agencies and to receive and administer, in trust, Federal funds.

CONSIDERATION OF GOVERNOR'S VETO

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 562 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

ELECTION OF MINUTE CLERK

Mr Lyon moved that the office of Minute Clerk be opened to nominations from the floor.

Mr. Lyon nominated Mr. C. W. Queale of Fullerton.

The nomination was seconded by Mr. Watson

Mr. Field moved the nominations be closed, and that the Chief Clerk be instructed to cast a unanimous ballot in favor of C. W. Queale.

The roll was called, and the motion carried by the following vote:

FOR C. W. QUEALE—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

Mr. C. W. Queale, being the choice of the Assembly, was declared duly elected Minute Clerk of the Assembly.

Oath of Office Administered

Mr. C. W. Queale appeared before the bar of the Assembly and took and subscribed to the following oath of office, administered by Hon. Gordon H. Garland, Speaker of the Assembly:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California and that I will faithfully discharge the duties of the office of Minute Clerk of the Assembly according to the best of my ability.

CONSIDERATION OF SPECIAL ORDER

The hour of 1.30 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Postpone Action on Amendments

Mr. Lyon moved that all amendments to Assembly Bill No. 1800 relating to the Department of Agriculture be passed temporarily.

Motion carried.

Motion to Expunge Record and Rescind Action

Mr. Bennett moved to expunge the record and rescind the action whereby all amendments to Assembly Bill No. 1800 affecting the Department of Agriculture were passed temporarily.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain Cassidy, Collins, George D., Cooke, Crowley, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Robertson, Russell, Tenney, Thomas, and Voigt—24

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Green, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lyon, Maloney, McCollister, Miller, Mullington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

Consideration of Amendments

The following amendments were considered seriatim.

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 64

On page 32 of the printed bill, as amended, strike out all of lines 3 to 52, inclusive; and on page 33 strike out all of lines 1 to 25, inclusive, and insert

"Item 53—For support of Department of Education, four hundred seventy-five thousand forty-eight dollars ..... $475,048.00".

Amendment read

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Meehan, O'Day, Pelletier, Poole, Robertson, Russell, Sawallisch Thomas, Voigt, and Welch—30

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—41

Hon. James H. Phillips Presiding

At 2:30 p.m., Hon. James H. Phillips, member of the Assembly from the Eighteenth District, presiding.

Motion for Committee of the Whole

Mr. Dills moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing arguments on amendments to Assembly Bill No. 1800 pertaining to the Department of Education.

Substitute Motion

Mr. Allen moved, as a substitute motion, that the motion for Committee of the Whole be laid on the table

Mr. John B. Knight seconded the motion.

Withdrawal of Substitute Motion

Mr. Allen withdrew his motion to table the motion for Committee of the Whole.

Mr. John B. Knight consented to the withdrawal of the motion.

Demand for Previous Question

Messrs Houser, Frederick F., Kepple, Knight, John B., Waters and Collins, Sam L, demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Dills that the Assembly resolve itself into a Committee of the Whole.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Robertson, Russell, Sawallisch, Tenney, Thomas, and Voigt—30.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—42.

Speaker Pro Tempore Presiding

At 3 10 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Further Consideration of Amendments

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 65

On page 32 of the printed bill, as amended, strike out all of lines 6 to 8, inclusive, and insert

"cation, four hundred sixty thousand four hundred seventy-eight dollars ..... $460,478.00".

Amendment No. 66

On page 32 of the printed bill, as amended, strike out all of line 26, and insert

"Automobile ..... $1,800.00".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Middough, O'Day, Pelletier, Poole, Robertson, Russell, Sawallisch, Thomas, Turner, Voigt, and Welch—31.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—38.

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 67

On page 33 of the printed bill, as amended, strike out all of lines 26 to 51, inclusive, and insert

"Item 54—For support of California State Library in the Department of Education, three hundred forty-three thousand eight hundred thirty-two dollars ..... $343,832 00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D, Cooke, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, Thomas, and Voigt—26.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—44.

Hon. James H. Phillips Presiding

At 3.15 p m Hon. James H. Phillips, member of the Assembly from the Eighteenth District, presiding.

Further Consideration of Amendments

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 68

On page 33 of the printed bill, as amended, strike out lines 31 and 32, and insert
"tion, three hundred thirty-three thousand six hundred thirty-two dollars ---------- $333,632 00".

Amendment No. 69

On page 33 of the printed bill, as amended, strike out line 51, and insert
"Traveling ---------- $2,050 00"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Thomas, Thurman, Turner, Voigt, Waters, Weber, and Welch—51.

NOES—Allen, Call, Clarke, Daley, Dickey, Dilworth, Field, Hastain, Knight, John B., Knight, T. Fenton, Leonard, Millington, Pfaff, Potter, Salsman, Stream, Thorp, Watson, and Weybret—19.

Messrs. Lowrey and Dills moved the adoption of the following amendment:

Amendment No. 70

On page 34 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive, and insert
"Item 55—For publishing, purchasing, and shipping free textbooks, Department of Education, one million three hundred thousand dollars ---------- $1,300,000 00"

Amendment read.

Speaker Presiding

At 4.07 p m., Hon. Gordon H Garland, Speaker of the Assembly, presiding.

Motion for Committee of the Whole

Mr. Donnelly moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Amendment No. 70 to Assembly Bill No. 1800.

Demand for Previous Question

Messrs. Pfaff, Hawkins, Allen, Knight, John B, and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Donnelly that the Assembly resolve itself into a Committee of the Whole

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, and Voigt—30.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr Speaker—43.

The question being on the adoption of Amendment No. 70 to Assembly Bill No. 1800.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried Time, 4.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Hugh M. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Amendment No. 71 to Assembly Bill No. 1800.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

The following amendments were considered seriatim:

Messrs. Burns, Hugh M., and Heisinger moved the adoption of the following amendment:

Amendment No. 71

On page 35 of the printed bill, as amended, strike out all of lines 1 to 41, inclusive, and insert

"Item 60—For support of Fresno State College, seven hundred ninety-eight thousand three hundred seventy-four dollars and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college---------- $798,374.00".

Amendment read.

Further consideration of Amendment No. 71 passed temporarily.

Mr. Richie moved the adoption of the following amendment:

Amendment No. 72

On page 36 of the printed bill, as amended, strike out all of lines 21 to 44, inclusive, and insert

"Item 64—For support of San Diego State College, eight hundred thirty-six thousand four hundred three dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college---------- $836,403.00".

Amendment read.

Further consideration of Amendment No. 72 passed temporarily.

Messrs. Gallagher and Welch moved the adoption of the following amendment:

Amendment No. 73

On page 36 of the printed bill, as amended, strike out all of lines 49 to 52, inclusive; and on page 37, strike out lines 1 to 41, inclusive, and insert

"Item 66—For support of San Francisco State College, eight hundred thirty-eight thousand eight hundred eighty-two dollars, and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college_____ $838,882.00".

Amendment read.

Further consideration of Amendment No. 73 passed temporarily.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1219—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California, lying east of D Street in said city, to property owners whose lands abut thereon, or to persons occupying said land.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, after "California", strike out the rest of the line; and strike out lines 8 and 9, and insert a period

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "in and adjacent to"; and strike out lines 7 to 9, inclusive, and insert "lying within the boundaries of the following described parcel of land situated in the County of Sonoma, State of California, to wit:

BEGINNING at the most easterly corner of the land described in the deed from W. A. Giles to the City of Petaluma, dated June 23, 1908, and recorded March 12, 1909, in Liber 253 of Deeds, page 361, Sonoma County Records; thence along the southeasterly boundary of said parcel of land, South 35° 14′ West 835.5 feet, to the point of beginning of the property herein described; from said point of beginning extending North 54° 46′ West 440.5 feet; thence South 35° 14′ West 1356.76 feet, to the present easterly bank of Petaluma River; thence along said easterly bank of Petaluma River South 57° 29′ East 375 feet; thence North 15° 30′ West 160 feet; thence North 1° 20′ West 170 feet, thence North 14° East 140 feet; thence North 39° 30′ East 620 feet; thence North 75° 5′ East 460.3 feet, to the point of beginning.

The description of the said abandoned channel of Petaluma Creek or River lying within the boundaries of the above-described land is as follows, to wit: COMMENCING at the most easterly corner of the land described in the deed from W. A. Giles to the City of Petaluma, dated June 23, 1908, and recorded March 12, 1909, in Liber 253 of Deeds, page 361, Sonoma County Records; thence along the southeasterly boundary of said parcel of land South 35° 14′ West 835.5 feet; thence North 54° 46′ West 440.5 feet; thence South 35° 14′ West 110 feet to the point of beginning of the tract of land to be herein described; thence South 1° West 270 feet; thence South 39° 30′ West 620 feet; thence South 14° West 140 feet; thence South 1° 20′ East 170 feet; thence South 15° 30′ East 160 feet to a point on the northerly bank of the present channel of the Petaluma Creek or River; thence along said northerly bank North 57° 29′ West 50 feet; thence North 15° 30′ West 122.5 feet; thence North 1° 20′ West 170 feet; thence North 14° East 140 feet; thence North 39° 30′ East 620 feet; thence North 1° East 200 feet, more or less; thence North 35° 14′ East 75 feet, more or less to the point of beginning. Containing 68,000 square feet."

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "The Director of Finance is"; and strike out lines 7 to 19, inclusive, and insert

"SEC 3. All deeds or other conveyances as may be necessary to pass title to the purchasers of such tract, shall be in the name and by the authority of the people of the State of California and shall be signed by the Governor, countersigned by the Secretary of State, sealed with the great seal of the State, and delivered to the persons entitled thereto All such deeds or other conveyances shall reserve to the State all oil, gas, and mineral deposits as provided by law"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2338—An act to amend Section 374b of the Penal Code, relating to the disposal of garbage and refuse upon public and private highways.

Bill read third time.

Motion to Amend

Mr McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, after line 7, insert

"No portion of this section shall be construed to restrict a private owner in the use of his own private property."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1339—An act to add a new section to the State Civil Service Act, to be numbered 57.2, relating to the officers and employees of the State Board of Prison Directors or any warden of a State prison.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "State prison", insert "except".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 661—An act to add Section 787.5 to the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Bill read third time.

Motion to Amend

Mr Crowley moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 18 and 19, and insert "placed on any container, the address shall be a California address, unless the section of this code establishing the standard specifies otherwise."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1292—An act to add a new section, to be numbered 604 2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

Bill read third time.

Motion to Amend

Mr Sawallisch moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "person", insert "who".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, after "highway", insert "is guilty of a misdemeanor;".

Amendments read and adopted
Bill ordered reprinted and re-engrossed

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124 1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "indorse", and insert "enforce".

Amendment read and adopted.
Bill ordered reprinted and re-engrossed.

Hon. Don A. Allen Presiding

At 4.35 p.m., Hon. Don A. Allen, member of the Assembly from the Sixty-third District, presiding.

Assembly Bill No. 2115—An act to add Section 326.5 to the Political Code, relating to the construction of statutes.

Bill read third time.

Motion to Amend

Mr Phillips moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and to repeal Section 13 of the Business and Professions Code".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "326.5. Whenever the provisions of one statute are carried into another statute under circumstances in which they are required to be construed as restatements and continuations and not as new enactments, any reference made by any statute charter or ordinance to such provisions shall, unless a contrary intent appears, be deemed a reference to the restatements and continuations.

SEC. 2. Section 13 of the Business and Professions Code is hereby repealed."

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Speaker Presiding

At 5 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 29

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 29—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of April, 1941.

Request for Unanimous Consent

Mr. Carlson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 29

Senate Concurrent Resolution No. 29—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of April, 1941.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Hersinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Michael J. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved

May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

Respectfully submitted.

MICHAEL J BURNS

Request referred to Committee on Introduction of Bills

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 155

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect as follows:

Effective as of and including April 21, 1941	*Per day*
David V. Oliver, Minute Clerk	$9 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

RESOLUTIONS

By Committee on Rules:

House Resolution No. 156

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect as follows:

Effective as of and including April 22, 1941—	*Per day*
C. W. Queale, Assistant Clerk	$7 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

By Committee on Rules:

House Resolution No. 157

Relative to adding a new rule to the Assembly Standing Rules reserving certain seats in the Assembly Chamber for the use of the wives, and members of the families of the members.

Resolved by the Assembly of the State of California, That Rule 103 be added to the Assembly Standing Rules, to read as follows:

103. The first row of chairs located immediately behind the rail in the lobby in the rear of the Assembly Chamber shall be reserved for the wives, and members of the families of the members of the Legislature

Resolution read, and ordered on file.

By Messrs. O'Day, Collins, George D., Gaffney, Welch, Dills, Burkhalter, Gallagher, Green, Maloney, Cronin, Johnson, Kilpatrick and Bennett:

House Resolution No. 158

WHEREAS, Robert Clifton, Administrative Adviser to the State Department of Finance, and his wife, have been blessed with the birth to them on Sunday last of a bouncing baby boy; and,

WHEREAS, The occasion is one of joy to the happy parents; now, therefore, be it

Resolved, That the Assembly extends congratulations to Mr. and Mrs. Robert Clifton, and be it further

Resolved, That the Chief Clerk of the Assembly present an engrossed copy of this resolution to Mr. and Mrs. Robert Clifton.

Resolution read and adopted unanimously.

RECONSIDERATION OF ASSEMBLY BILL NO. 1075

In compliance with a notice given on a previous day, Mr. Kepple moved that the vote whereby Assembly Bill No. 1075 was passed be reconsidered.

Assembly Bill No. 1075 reconsidered by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

THIRD READING OF ASSEMBLY BILL NO. 1075

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out the period, and insert "until laboratory examinations have established that said product meets the requirements of this act. It shall be the duty of the person, firm, company, organization, association or corporation who packed any such product to pay to the State Board of Health all reasonable costs of said laboratory examinations, determined by the Cannery Inspection Board, subject to the approval of the State Board of Health, to be necessary to determine that such seized product is packed in violation of this act."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Assembly Bill No. 2596.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Field moved to expunge the record and rescind the action whereby Assembly Bill No. 2596 was introduced and referred to committee on the previous legislative day.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Bennett, Collins, George D., and Donnelly—3

REQUEST FOR UNANIMOUS CONSENT

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 17

Senate Joint Resolution No. 17—Relative to memorializing Congress to enact legislation requiring Federal governmental agencies to comply with California Minimum Price Laws for Milk.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field Gaffney, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1577—An act to amend Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict

labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, and insert
"An act to amend Sections 2762 and 2763 of the Penal Code, relating to the employment of prisoners upon State highways."

Amendment No. 2

On page 1 of the printed bill strike out lines 1 to 10, inclusive, and insert
"SECTION 1. Section 2762 of the Penal Code is amended to read as follows:
2762. Said department shall"

Amendment No. 3

On page 2 of the printed bill, strike out lines 26 to 30, inclusive, and insert
"SEC. 2. Section 2763 of the Penal Code is hereby amended to read as follows:"

Amendment No. 4

On page 2, line 31, of the printed bill, at the beginning of said line, insert "2763."

Amendment No. 5

On page 3 of the printed bill, strike out lines 2 to 19, inclusive, and insert "such amounts as the board prescribes."

Amendments read and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1536—An act to amend Sections 43.6 and 45 of the County Employees Retirement Act of 1935, relating to retirement.

Bill read third time.

Motion to Amend

Mrs. Daley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 45", and insert ", 45, and 62".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "1935, relating to retirement", and insert "1937, relating to a retirement system for county and district employees, and attaches of municipal and superior courts, including provisions for the investment of funds of the system".

Amendment No. 3

On page 1 of the printed bill, after line 24, insert
"SEC. 3. Section 62 of the act cited in the title hereof is hereby amended to read as follows:
Sec. 62. All funds received by the county treasurer not required for current disbursements shall be invested in bonds of the United States or of the State of California or of any county or municipal corporation or other subdivision thereof, or deposited at interest in any State or National bank doing business with the county in accordance with the provisions of law authorizing and controlling the deposit of public funds in banks. *Such funds may also be invested in the certificates and shares of a building and loan association or a Federal savings and loan association if such associations are "insured institutions" as defined in Title 4 of the National Housing Act.*"

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2518—An act to add Section 2877 to the Penal Code, relating to prisons and prisoners.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "which", and insert "out of raw materials purchased by the prisoners with their own funds, which articles".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "prisons.", insert "State-owned property shall not be sold or given to prisoners for use under this section."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2519—An act to amend sundry article and chapter headings, to repeal Section 679a of, and to add Section 2876 to, the Penal Code, relating to prisons and prisoners.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In the title of the printed bill, as amended, between lines 3 and 4, insert "and to amend Section 6603 of the Welfare and Institutions Code,".

Amendment No. 2

On page 2 of the printed bill, as amended, after line 19, insert

"SEC. 7. Section 6603 of the Welfare and Institutions Code is hereby amended to read as follows:

6603. Insane [convicts] *prisoners in the State prisons* shall be admitted to the State hospitals in accordance with the provisions of [Section 1587 of] the Penal Code".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 70

At 5.55 p.m., on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No 70 to Assembly Bill No 1800 adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Lowrey, Maloney, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, Waters, Welch, and Wollenberg—45.

NOES—*Allen, Burns, Michael J.*, Call, Carlson, Clarke, *Collins, Sam L.*, Daley, Dickey, Dilworth, Field, Green, Hastain, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Mr. Speaker—33.

Notice of Motion to Reconsider Amendment No. 70 to Assembly Bill No. 1800

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Amendment No 70 to Assembly Bill No 1800 was this day adopted.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 1379—Re-referred to Committee on Ways and Means.

Assembly Bill No. 1545—Re-referred to Committee on Judiciary Codes.

Assembly Bill No. 645—Re-referred to Committee on Judiciary Codes.

Assembly Bill No. 650—Re-referred to Committee on Judiciary Codes.

Assembly Bill No 646—Re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2291—Re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 2247—Re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1349—Re-referred to Committee on Medical and Dental Laws.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Louis H. Erb, Miss Ruth Erb, Miss Jeanne Erb and Master Richard Erb of San Francisco.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John J. Knezevich, and Mrs. Nora L. Pearson, of Glendale.

On request of the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Helen E. M. Jensen, teacher, and the Adult Citizenship Class of the Highland and E. Morris Cox Schools of Oakland, as follows: Mesdames Ethel Amey, Harriet Anderson, Emily Barton, Belle Bothelho, Marie Calilouette, Mary Cetinich, Ila Driscoll, Myrtle Davidson, Josephine De Manti, Thelma Elmer, Mary Fernandez, Nana Folkman, Flora Freitas, Virginia Freitas, Angelina Ghiglione, Lucy Genuardi, Josephine Johnson, Emma Jones, Katie Klichan, Ane Kulas, Maclma Liebgott, Yurka Lendich, Angelina Leonardo, Ernestine Little, Belle Martin, Elizabeth Matlean, Inez McFarlane, Efka Milat, Mary Motta, Domenica Mungo, Gaudencia Osuna, Dominga Pacheco, Ida Pardini, Mary Parkes, Benjamina Perez, Mary Ponte, Loretta Quintero, Stella Ramos, Elizabeth Rebello, Annunziata Romani, Mary Santos, Armmio Schefino, Sarah Ann Seamell, Ane Skance, Mary Anne Smith, Mabel Smith, Mary Summares, Inez Sutton, Pauline Vierra, Elizabeth Witt; Miss Rosa Jacinto; and Messrs. Vincent Anselmo and Luigi Mora.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bertha Young, principal; Mrs Ruth Hoskins, teacher, and the following students from Olive School, Solano County: Frank Carrian, Herman Pede, Fred Martin, Aaron Ruggles, Julia Rubio, Dolores Roho, Rose Ramos, Josephine Roho, Tomiko Otani, Antonia Machado, Christina Gonzales, Catherine Fernandez, Vera Yarberry, Rosemarie Armstrong, Takiko Yasui, John Ramos, Tony Martinez and John Charlton; escorted by L. B. Sarasin, General Supervisor Solano County Schools.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Muriel Conklin and Mrs. Gertrude H. Holmholtz, both of Los Angeles

On request of Miss Miller and Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Burnam P. Beckwith of Pasadena.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following Maxwell Grammar School students: Vera Jean Lacey, Margaret Pruett, Charles Hines, Joan Flint, Tony Carvalho, Leona Day, Phyllis Pearson, Addison Ball, Patricia Brown, Lois Harmon, Alice Prine, Helen Prine, Tony Lewis, George Cabral, Lloyd Wells, Gene Pinto, Roy Birchfield, Joe Lewis, Leslie Strong, Joe Etchepare, Charles Carroll, Mabel Lee, Loue Immoos, Marvin Day and Joe Tauscher; and Mrs. J. R Prine and L. D. Bullard.

On request of Messrs. Del Mutolo and Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ruth Ryder and Mrs Alice Hunnicutt, teachers, and the following Women's Citizenship Class from San Jose: Valentina Ferrero, Katheryn Hechim, Violet Deller, Rose Poletti, Lena Giaumo, Mary Jardim, Filomena Paradiso, Annie Braovich, Mary Roti, Elsie Rogers, Lena Hamp, Frances Burriesci, Josephine Carsella, Lena Lacitignola, Jasmine Carriere, Angela Maggi, Rosaria Lucchese, Mary Teresi, Minnie Valente, Angelina Apra, Mary Tomasino, Elizabeth Gigante, Marie Palmere, Angelina Perucci, Carolyn Carrozza, Theresa Carrozza, Rose Travaso, Mary Cantando, Victoria Cantando, Victoria Santarella, Anna Averich, Geromia Amadeo, Josephine Cardone, Josephine Sparaco and Claudina Corsino

On request of Messrs. Potter and O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary McLean of Hollywood.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Glenn Orritz of Long Beach.

ADJOURNMENT

At 6 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1 30 p m., Thursday, April 24, 1941.

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 24, 1941

The Assembly met at 1.30 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—61.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Wollenberg.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 22, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS. I transmit to you herewith copies of the preliminary report received by the Director of Finance from his staff of accountants upon the findings of their investigation so far conducted into the manner in which tax-deeded lands have been administered by the State Controller. This report was referred to in my communication to you on this subject dated March 4, 1941.

I have asked the Attorney General to review the legal aspects involved in the Controller's administration of tax-deeded lands in California.

In the preliminary report received from the Department of Finance which I am submitting herewith I direct your attention to the attached summary of findings.

It has been pointed out by the Director of Finance that possible public hearings, calling witnesses, and requiring testimony under oath, appears to be the proper means of eliciting complete factual information on this important subject.

Respectfully submitted.

CULBERT L OLSON, Governor of California

MOTION TO REFER TO COMMITTEE

Mr. Phillips moved that the preliminary report on tax-deeded lands, transmitted from the Governor's Office, be referred to the Subcommittee on Governmental Efficiency and Economy.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 23, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. I am returning herewith without my signature Assembly Bill No. 102 entitled "An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately."

My objections to this bill are as follows:

From the provisions of this bill allowing a renunciation of an oath, and restoring eligibility to office it is evident that it was not the intent of the Legislature that immediately upon the signing of this bill persons holding offices who had taken an oath mentioned in the bill should be ousted from their offices, and be guilty of a felony if they thereafter performed any of the duties of the offices. The author of the bill has also informed me that it was the intent that a reasonable length of time should be given for the renunciation of the oaths mentioned before a forfeiture of office or a penalty should accrue under this bill.

However, in the bill no time is set within which the person could appear before the court to renounce the oath and under this bill, the office would be forfeited upon the signing of the bill and the officeholder would be guilty of a felony if he thereafter performed the duties of the office. The renunciation proceedings would not restore the office which he would lose on the signing of the bill, nor would it purge him of the felony which he might unwillingly have committed within a few minutes of the signing.

I am thoroughly in sympathy with the aims of this bill, that is, the ousting of "fifth columnists" from the public service. The author of the bill has stated that he can introduce a bill at this session of the Legislature which will carry out such aims and I respectfully suggest that its provisions be made broad enough to cover not only the holders of offices, but all public servants and employees.

Respectfully submitted

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file.

MOTION TO PRINT IN JOURNAL

Mr Dilworth moved that the particulars regarding the delivering of the Governor's veto message on Assembly Bill No. 102 be printed in the Journal.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Mines and Mining

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Mines and Mining, to which were referred:

Senate Bill No. 140
Senate Bill No. 845

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THURMAN, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 402
Assembly Bill No. 457
Assembly Bill No. 565
Assembly Bill No. 678
Assembly Bill No. 774
Assembly Bill No. 802
Assembly Bill No. 803
Assembly Bill No. 804
Assembly Bill No. 1039
Assembly Bill No. 1261
Assembly Bill No. 1439
Assembly Bill No. 2384
Assembly Constitutional Amendment No. 4
Assembly Concurrent Resolution No. 32

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 819
Assembly Bill No. 2244

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred.

Assembly Bill No 798
Senate Bill No. 8

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER. Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 278
Assembly Bill No. 1581

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1292
Assembly Bill No 1716

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No 381
Senate Bill No. 283
Senate Bill No. 152

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1075
Assembly Bill No. 1219
Assembly Bill No. 1272
Assembly Bill No. 1339
Assembly Bill No. 1536
Assembly Bill No. 1577
Assembly Bill No. 2115
Assembly Bill No. 2338
Assembly Bill No. 2518
Assembly Bill No. 2519

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 462
Assembly Bill No. 1060
Assembly Bill No. 1938
Assembly Bill No. 1959
Assembly Bill No. 2152
Senate Bill No. 233

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Education, to which was referred.

Senate Bill No. 779

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER. Your Committee on Labor and Capital, to which was referred.

Assembly Bill No. 2571

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 161
Assembly Bill No. 1308

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

FIELD, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 354
Senate Bill No. 231
Senate Bill No. 830
Senate Bill No. 1092

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No 1101	Assembly Bill No 1103
Assembly Bill No. 1102	Assembly Bill No. 2470

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

DALEY, Chairman

Above reported bills ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No 1182

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER Your Committee on Judiciary Codes, to which were referred

Assembly Bill No. 1331	Senate Bill No 459
Assembly Bill No. 1871	Senate Bill No. 460
Senate Bill No 453	Senate Bill No 807
Senate Bill No. 454	Senate Bill No 1020
Senate Bill No 457	Senate Bill No 1157

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 2594

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bill ordered to second reading

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1433
Assembly Bill No 1555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 49
Assembly Bill No. 74
Assembly Bill No. 191
Assembly Bill No. 782
Assembly Bill No. 1030
Assembly Bill No. 1257
Assembly Bill No. 1327
Assembly Bill No. 1665
Assembly Bill No. 2327
Assembly Bill No. 2342
Assembly Bill No. 2542
Assembly Constitutional Amendment No. 32

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Senate Bill No. 975
Senate Bill No. 982

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 171
Assembly Bill No. 2321
Senate Bill No. 220
Senate Bill No. 448

Has had the same under consideration, and reports the same back with the recommendation Do pass

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER Your Committee on County Government, to which was referred:

Assembly Bill No. 1240

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 72
Senate Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Do pass

TURNER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 927

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1135
Senate Bill No. 1144

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 108—An act to add Section 944.5 to the Streets and Highways Code, relating to improvement and repair of privately owned roads.

Bill read second time, and ordered to third reading

Assembly Bill No. 2359—An act to add Section 599 to the Streets and Highways Code, relating to State highways

Bill read second time, and ordered engrossed.

Assembly Bill No. 1024—An act to add Section 812 to the Health and Safety Code, relating to the regulation of plumbing.

Bill read second time, and ordered to third reading.

Assembly Bill No. 560—An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 58, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 41.1, 63, 67, 68, 69, 70 and 71 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment

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PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, after "57", and before "58", insert "57.5,"

Amendment No. 2

In line 4 of the title of the printed bill, after "51", and before "67", insert "58,".

Amendment No. 3

In line 5 of the title of the printed bill, strike out "41 1, 63, 67, 68, 69, 70 and 71", and insert "67, 68, 69, 70, 71 and 73"

Amendment No. 4

On page 2, line 11, of the printed bill, strike out "The term "agricultural labor" "; and strike out all of lines 12 to 50, inclusive

Amendment No. 5

On page 8, line 12, of the printed bill, strike out "Any work offered", and strike out all of lines 13 to 19, inclusive

Amendment No. 6

On page 8 of the printed bill, strike out all of lines 33 to 40, inclusive, and in line 41, strike out "(d)", and insert "(c)".

Amendment No. 7

On page 8, line 45, of the printed bill, strike out the period, and insert "; but this provision shall not apply in any case if the individual has in good faith moved his residence since the date of his last employment and if the offer of work or employment is not made until after the date on which the individual has so moved"

Amendment No. 8

On page 9, line 45, of the printed bill, strike out "on", and insert "or".

Amendment No. 9

On page 10 of the printed bill, strike out lines 11 to 19, inclusive.

Amendment No. 10

On page 10, line 32, of the printed bill, strike out "1940", and insert "1941".

Amendment No. 11

On page 10, line 49, of the printed bill, strike out the semicolon, and insert a comma.

Amendment No. 12

On page 13, line 7, of the printed bill, strike out "and failure to bring suit within said 60 days", and insert "except that the commission may in writing at any time prior to the expiration of said 60 days period extend for a period of not exceeding two years the time within which such action may be instituted, and failure to bring suit within said 60 days or within any such extended period, if an extension has been granted,".

Amendment No. 13

On page 13, line 43, of the printed bill, strike out "earned by", and insert "paid to".

Amendment No. 14

On page 13, line 48, of the printed bill, strike out "earned by", and insert "paid to".

Amendment No. 15

On page 14 of the printed bill, strike out all of lines 15 to 26, inclusive, and insert

"900.00- 999.99	306
1,000.00-1,099.99	324
1,100.00-1,199.99	342
1,200.00-1,299.99	360
1,300.00-1,399.99	378
1,400.00-1,499.99	396
1,500.00-1,599.99	414
1,600.00-1,699 99	414

1,700.00-1,799.99 ---------- 432
1,800.00-1,899.99 ---------- 432
1,900.00-1,999.99 ---------- 450
2,000.00 and over---------- 468".

Amendment No. 16

On page 14, line 33, of the printed bill, strike out "earned by", and insert "paid to".

Amendment No. 17

On page 14, line 41, of the printed bill, strike out "279.99", and insert "259.99".

Amendment No. 18

On page 14, line 42, of the printed bill, insert "260.00-279.99_____14".

Amendment No. 19

On page 14, line 43, of the printed bill, strike out "339.99_____14", and insert "299.99_____15"

Amendment No. 20

On page 14 of the printed bill, at lines 44 and 45, insert
"300.00-319.99_____16
320.00-339.99_____17".

Amendment No. 21

On page 14, line 46, of the printed bill, strike out "15", and insert "18".

Amendment No. 22

On page 15 of the printed bill, strike out lines 9 to 52, inclusive; on page 16, strike out lines 1 to 52, inclusive; and on page 17, strike out lines 1 to 4, inclusive, and insert

"SEC. 19-5. Section 56 of said act is hereby amended to read as follows:

Sec. 56. Only an individual who is unemployed through no fault of his own shall be eligible to receive benefits as provided in this act, and such benefits shall be paid with respect to any week in which he is so unemployed only if—

(a) He has filed a claim for benefits with respect to such week during the next succeeding week; and

(b) Prior to the expiration of the next succeeding week he has registered for work and reported for work as frequently as required by the commission so to do at a public employment office or such other place as the commission shall approve; and

(c) During all of such week he was able to work and was available for work; and for the purpose of this requirement no worker shall be deemed able to work unless he was both physically and mentally capable of performing any work of substantially the same kind or nature in so far as physical or mental requirements are concerned as work performed by such individual during a period or periods totaling one month or more out of the 12 months immediately preceding the week with respect to which he is applying for benefits; and

(d) During his base period he has earned wages for employment by employers of not less than three hundred dollars ($300); and

(e) He has been so unemployed for a waiting period of two weeks which weeks need not be consecutive. No week shall be counted as a week of unemployment for purposes of this subsection

(1) If it does not occur within the benefit year which includes the week with respect to which benefits are claimed but this requirement shall not interrupt the payment of benefits for consecutive weeks of such unemployment and the week or the two consecutive weeks immediately preceding the beginning of a benefit year, if part of an uninterrupted period of such unemployment which continues into such benefit year shall, for purposes of this subsection only, be deemed to be within such benefit year as well as within the preceding benefit year.

(2) If benefits have been paid with respect thereto

SEC. 20. Section 57 of said act is hereby amended to read as follows:

Sec. 57. An individual shall not be deemed "unemployed through no fault of his own" and shall not be eligible for benefits.

(a) During any week in which he is out of work with any prior employer because of a trade dispute and for two weeks thereafter, or for 15 months from the date he was last employed by such employer, whichever period is the shorter, if such individual left or remained away from or refused to continue his work with such employer because of such trade dispute.

(b) During any period the benefits with respect to which are based in whole or in part upon wages earned prior to the most recent date on which such individual without good cause refused to accept suitable employment when offered him or failed without good cause to apply for and make a bona fide effort to obtain suitable employment when notified thereof by a district public employment office

(c) During any period the benefits with respect to which are based in whole or in part upon wages earned prior to the date upon which such individual left an employment voluntarily without good cause attributable to his employer.

(d) During any week in which he was laid off, suspended, or discharged for misconduct connected with his work, if so found by the commission, and in the case of such discharge for not less than five successive weeks nor more than 10 successive weeks thereafter, and in addition in the case of such discharge the maximum total amount of benefits which would otherwise be payable to him in his then current benefit year, or if none be then current, his next benefit year, shall be reduced by an amount equal to not less than five nor more than 10 times his weekly benefit amount

(e) During any week with respect to which he has received remuneration in the form of (1) wages in lieu of notice (2) severance pay (3) vacation allowance (4) retirement pay or a pension under a plan to the financing of which his employer has contributed or (5) workmen's compensation; provided, however, that if the weekly amount of such retirement or pension or workmen's compensation payments is less than the weekly benefit amount which would be payable to such individual were it not for the provisions of this subsection then such individual shall be deemed to be unemployed otherwise than through his own fault and shall be eligible to receive benefits, provided no other ground of ineligibility exists, in the amount of the excess of such weekly benefit amount over the amount of such retirement, pension or workmen's compensation payments, and provided, further, that the receipt of such retirement, pension or workmen's compensation payment shall not be considered in connection with any claim for benefits based wholly upon wages earned subsequent to the date of the commencement of such retirement, pension, workmen's compensation payments

SEC. 20.5 Section 57.5 of said act is hereby amended to read as follows.

SEC 57.5. *(a) An otherwise eligible individual shall not be eligible for benefits with respect to unemployment*

(1) For any week with respect to which he has wilfully made a false statement or representation or wilfully failed to report a material fact in order to obtain any benefit under this act and for the 52 weeks immediately succeeding such week

(2) [An individual shall not be eligible for benefits on account of unemployment] For any week with respect to which or [a] *any* part of which he has received or is seeking [unemployment] benefits under an unemployment compensation law of any other State or of the United States [; provided, that if] *unless, with respect to such week* the appropriate agency of such other State or of the United States [finally determines that he is not entitled to unemployment benefits, the provisions of this section shall not apply] *has finally determined that such benefits are not payable to such individual under such law*

SEC. 21 Section 58 of said act is hereby repealed."

Amendment No. 23

On page 19 line 31 of the printed bill, after "act", insert ", or if any such disqualification or condition of ineligibility for benefits under this act does exist, the nature thereof"

Amendment No. 24

On page 19, line 40 of the printed bill, after "act", insert ", or if any such disqualification or condition of ineligibility for benefits under this act does exist, the nature thereof."

Amendment No. 25

On page 19 of the printed bill, after line 52, insert

"(4) Whether or not any disqualification or condition of ineligibility for benefits under this act exists, and if any does exist, the nature thereof"

Amendment No. 26

On page 20, line 30, of the printed bill, strike out "has been", and insert "is required to be".

Amendment No. 27

On page 20, line 31, of the printed bill, strike out "within", and insert "at any time prior to".

Amendment No. 28

On page 20, line 34, of the printed bill, strike out "persons filing such objections, as well as the claimant," and insert "such persons".

Amendment No. 29

On page 21, lines 16 and 17, of the printed bill, strike out the period and "The rules of evidence of the superior courts of this State shall govern".

Amendment No. 30

On page 22, line 3, of the printed bill, strike out "63", and insert "73".

Amendment No. 31

On page 22, line 5, of the printed bill, strike out "63", and insert "73".

Amendment No. 32

On page 22, line 6, of the printed bill, after "Navy", insert ", Marine Corps, Coast Defense, Coast Guard".

Amendment No. 33

On page 22, line 32, of the printed bill, strike out "60 days", and insert "6 months".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 111—An act to amend Section 305 of the Agricultural Code, relating to the inspection of slaughtered animals, the sale of the meat thereof, and the operation of establishments for the slaughtering of animals or manufacturing of meat food products.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "thirty", and insert "twenty-eight."

Amendment read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1113—An act to add Section 873 to the Agricultural Code, relating to the inspection of canned fruits and vegetables

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 10, of the printed bill, after "canner", and before "without", insert "wilfully and"

Amendment No. 2

On page 1, line 17, of the printed bill, between "found" and the period, insert ", provided, however, that treble damages may only be awarded in the event grower has furnished canner written notice of the claimed failure or discrimination within 48 hours after the claimed failure or discrimination"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2164—An act to add Section 15035 to Chapter 1, and Sections 17821 and 17822 to Chapter 27, Part 2, Division 13 of the Health and Safety Code, relating to definition of "building unfit for human habitation" and providing for demolition, closing or repair thereof.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to Chapter 1,".

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13 of".

Amendment No. 3

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "Chapter 1, Part 2, Division 13, of"

Amendment No. 4

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 5

On page 2, line 33, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 6

On page 2, line 38, of the printed bill, as amended, after "nuisance", insert ", after notice and hearing."

Amendment No. 7

On page 2, lines 41 and 42, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 8

On page 2, lines 51 and 52, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 9

On page 3, line 6, of the printed bill, as amended, strike out "determined", and insert "alleged"

Amendment No. 9a

On page 3, line 11, of the printed bill, as amended, strike out the period after "agency", and insert "and to any mortgagee or beneficiary under any deed of trust, of record, at the last known address of such mortgagee or beneficiary, and if such address is unknown to the enforcement agency, then said fact shall be stated in said copy so mailed and it shall be addressed to him at the county seat of the county wherein said property is situated"

Amendment No. 10

On page 3, line 18, of the printed bill, as amended, after "owner", insert "or other person".

Amendment No. 11

On page 3, lines 21 and 22, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of".

Amendment No. 12

On page 3, line 32, of the printed bill, as amended, strike out the period after "provided", and insert ", and a copy of said notice shall be mailed to each mortgagee or beneficiary under any deed of trust, of record, in the manner prescribed in Section 17823."

Amendment No. 13

On page 4, lines 6 and 7, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of".

Amendment No. 14

On page 4, line 4, of the printed bill, as amended, after "owner", insert "or other person".

Amendment No. 15

On page 4, line 21, of the printed bill, as amended, following "after", insert "the date of posting on said premises a notice of".

Amendment No. 16

On page 4, line 27, of the printed bill, as amended, strike out "Upon", and insert "At any time within 60 days after".

Amendment No. 17

On page 4, line 34, of the printed bill, as amended, strike out the period after "agency", and insert ", and a copy of said notice shall be mailed to each mortgagee or beneficiary under any deed of trust, of record, at the last known address of such mortgagee or beneficiary, and if such address is unknown to the enforcement agency, then said fact shall be stated in said copy so mailed and it shall be addressed to him at the county seat of the county wherein said property is situated"

Amendment No. 18

On page 4, lines 41 and 42, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 19

On page 4, line 48, of the printed bill, as amended, following "after", insert "the date of posting on said premises a notice of".

Amendment No. 20

On page 5, lines 1 and 2 of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of".

Amendment No. 21

On page 5, line 4, of the printed bill, as amended, strike out "and mailing".

Amendment No. 22

On page 5, line 12, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 23

On page 5, lines 16 and 17, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 24

On page 5, line 23, of the printed bill, as amended, after "published", insert "at least once".

Amendment No. 25

On page 5, lines 51 and 52, of the printed bill, as amended, strike out "Chapter 27, Part 2, Division 13, of"

Amendment No. 26

On page 6, line 28, of the printed bill, as amended, following "record", insert "Such lien shall, for all purposes, be upon a parity with the lien of State, county and municipal taxes."

Amendment No. 27

On page 6, line 29, of the printed bill, after "shall", insert ", at any time within 60 days after the decision of the governing board on the statement,".

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 2280—An act to amend Section 7457 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "amendatory act, is", and insert "section, was".

Amendment No. 2

On page 1 of the printed bill, strike out lines 7, 8 and 9, and insert "years preceding such effective date, and who applied to the board within 90 days after such effective date, either by formal application or by other written communication, shall receive an instructor's permit without examination"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 458—An act to add Article 2 to Chapter 8 of Division 5 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out the title and insert
"An act to amend Section 792 of the Agricultural Code, relating to avocados."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert
"SECTION 1. Section 792 of the Agricultural Code is hereby amended to read as follows:
792. Avocados shall be free from all defects, including but not restricted to those hereinafter mentioned, which singly or in the aggregate cause a waste of 10 per cent or more, by weight, of the entire avocado, including the skin and seed. Not more than 5 per cent, by count, of the avocados in any one container or bulk lot may be below the foregoing requirement.
"Defect" includes damage due to insect injuries, [cuts, growth cracks, bruises, sunburn,] freezing injury, decay, [disease, over-ripeness,] rancidity, or other causes.
All avocados, at the time of picking, and at all times thereafter, shall contain not less than 8 per cent of oil, by weight of the avocado excluding the skin and seed.
[When packed, avocados in any one container shall not vary in weight by more than 33⅓ per cent of any avocado in the container.]

Amendments read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 554—An act to amend Section 251 of the Streets and Highways Code, relating to State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 2 of the printed bill, between lines 42 and 43, insert "On Route 125, from Fresno to Route 138."

Amendment No. 2

On page 2 of the printed bill, after line 43, insert "On Route 138, from Route 125 to Route 2 near Ventura"

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "1299".

Amendment No. 2

On page 1 of the printed bill, commencing at line 5, insert
"SECTION 1. Section 1299 of the Agricultural Code is hereby amended to read as follows:
As used in this chapter, the terms "milk," "market milk," "market cream" and "manufacturing cream" shall be the meaning of those terms as defined in Division 4 of this code.
"Dairy products" means buttermilk; flavored milk drinks; bottled milk drinks sold under a trade name; modified milk; acidophilus milk; skim milk for human consumption; milk and cream in combination which does not come within the statutory definitions of milk or cream; ice cream, ice milk, and sherbet, separately, or in combination; ice cream mix; ice milk mix; and cottage cheese.
"Distributor" means any person, whether or not such person is a producer or an association of producers, who purchases or handles market milk, market cream, or dairy products for resale, including brokers, agents, copartnerships, cooperative cor-

porations, and incorporated and unincorporated associations. The definition of "distributor" shall not include any of the following: (1) any retail store which is not engaged in manufacturing, processing, or bottling milk, cream or dairy products, (2) any establishment where milk, cream, or dairy products are sold only for consumption on the premises and which is not engaged in manufacturing, processing, or bottling of milk, cream or dairy products; and (3) any producer who delivers milk or cream only to a distributor or manufacturer.

"Manufacturer" means any person engaged in the business of manufacturing dairy products as said products are herein defined

"Producer" means any person who operates a dairy herd or herds producing milk or cream commercially and whose milk or cream is received or handled by any distributor or manufacturer. "Producer" includes any association of producers.

"Producer-distributor" means any person who is both a producer of milk or cream and a distributor of milk, cream or dairy products For the purpose of this chapter a "producer-distributor" shall be deemed to be a producer in any transaction involving the delivering of milk or cream produced by him to a distributor or manufacturer, and shall be deemed to be a distributor in any transaction involving the sale of milk, cream, or dairy products to a person who is not a distributor as defined in this section

"Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business where milk, cream, or dairy products are sold to the general public.

"Wholesale customer" means any person who buys milk, cream or dairy products from a distributor or manufacturer for resale to consumers.

"Consumer" means any person who buys milk, cream or dairy products for consumption and not for resale.

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "1", as it appears after "SECTION", and insert "2".

Amendment No. 4

On page 1, line 9, of the printed bill, after "declare", insert "unfair and".

Amendment No. 5

On page 1 of the printed bill, strike out lines 10 to 12, inclusive, and insert

"(a) the payment, allowance, or acceptance of secret rebates, secret refunds, or unearned discounts, whether in the form of money or otherwise."

Amendment No. 6

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert

"(b) the giving of any milk, cream, dairy products, services, or articles of any kind except to bona fide charities for the purpose of securing the milk, cream, or dairy products business of any wholesale customer or consumer."

Amendment No. 7

On page 1 of the printed bill, strike out lines 16 to 18, inclusive, and insert

"(c) the extension to certain customers of special prices or services not made available to all customers who purchase milk, cream, or dairy products of like quantity under like terms and conditions."

Amendment No. 8

On page 1 of the printed bill, strike out lines 21 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"(e) Discriminations in price between wholesale customers, or between consumers, who purchase milk, cream, or dairy products of like grade and quality under like conditions of service where the effect of such discrimination may be substantially to lessen competition or to injure or destroy or prevent competition with the person who either grants or knowingly receives the benefit of such discrimination, provided, that nothing herein shall prevent differentials which make only due allowance for differences in the cost of the raw product used in such milk, cream, or dairy products, or the cost of manufacture, processing, sale, or delivery resulting from the different methods or quantities in which said commodities are manufactured, processed, sold or delivered."

Amendment No. 9

On page 2, line 18, of the printed bill, strike out "prevailing market price thereof to secure", and insert "the invoice or replacement cost thereof, whichever is lower, to secure or retain".

Amendment No. 10

On page 2 of the printed bill, strike out lines 21 to 45, inclusive

Amendment No. 11

On page 2, line 46, of the printed bill, strike out lines 46 to 52, inclusive, and insert

"(g) The sale of milk, cream, and dairy products at less than cost which, as used herein, shall mean the cost of raw product, plus all costs of manufacturing, processing, handling, sale and delivery, including overhead costs."

Amendment No. 12

On page 3, line 1, of the printed bill, insert

"(h) False statements or representations, knowingly made, by any wholesale customer or consumer, or anyone acting on the behalf of either, to any distributor or manufacturer, or any representative thereof, that a competitor of such distributor or manufacturer has offered or is offering to sell, or is selling milk, cream, or dairy products to said wholesale customer or consumer at a lower price or prices than said manufacturer or distributor has offered or is offering to sell, or is selling the same, or that said competitor has offered or is offering to do, or is doing any of the business practices heretofore declared to be unfair and unlawful."

Amendment No. 13

On page 3, line 1, of the printed bill, strike out the letter "(1)", and insert "(i)"

Amendment No. 14

On page 3 of the printed bill, at line 8, insert

"Nothing in the aforesaid unfair trade practice provisions shall be construed to prohibit the meeting, in good faith, of a competitive price, or a competitive condition

Solicitation by, or collusion or joint participation between or among, any manufacturer, distributor, wholesale customer, consumer, or any representative thereof, to commit any of the aforesaid unfair trade practices, or the use of any misrepresentation, threat, intimidation, or boycott to effectuate the commission of said unfair trade practices, shall make all persons participating therein subject to the penalties of this act."

Amendment No. 15

On page 3 of the printed bill, strike out lines 12 to 15, inclusive.

Amendment No. 16

On page 3 of the printed bill, at line 20, insert

"Any person and subject matter to which this chapter is applicable shall not be subject to the provisions of the "Unfair Practices Act" of the State of California"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2110—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "the public, to".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "State Board of Health", and insert "State Department of Public Health".

Amendment No. 3

On page 2, line 19, of the printed bill, strike out "thermometer. The thermometer shall have", and insert "thermometer having".

Amendment No. 4

On page 2, line 20, of the printed bill, after "degree", strike out the comma; and strike out lines 21, 22, 23, and insert a period.

Amendment No. 4a

On page 2, line 24, of the printed bill, strike out "of metal and".

Amendment No. 5

On page 2 of the printed bill, strike out line 32, and insert "(f) It".

Amendment No. 6

On page 2, line 34, of the printed bill, strike out "State Board of Health", and insert "State Department of Public Health".

Amendment No. 6a

On page 2, lines 44 and 45, strike out "State Board of Health", and insert "State Department of Public Health".

Amendment No. 7

On page 3, line 10, of the printed bill, strike out "air"; and strike out line 11; and in line 12, strike out "this section", and insert "makes of air filters in refrigerators of establishments in this State described in Section 1a, which, for a period of not less than 12 months next preceding the effective date of this section, shall have been in use under actual working conditions and found adequate".

Amendment No. 8

On page 3 of the printed bill, strike out line 15, and insert "which they are located, if they meet the other qualifications herein made neces-".

Amendment No. 9

On page 3, line 17, of the printed bill, strike out "State Board of Health", and insert "State Department of Public Health".

Amendment No. 10

On page 3 of the printed bill, strike out lines 19 and 20, and insert "sum of five dollars ($5) shall be charged to the manufacturer of the air filter for a certificate of approval. The sum of one hundred dollars ($100) shall be charged to the manufacturer of the air filter and".

Amendment No. 11

On page 3, line 21, of the printed bill, after "test.", insert

"None of the provisions of this act shall apply to any establishment described in Section 1a operated by any person, firm or corporation subject to the jurisdiction of or regulation by the Interstate Commerce Commission, or operated as an adjunct of or incident to the business of any such person, firm or corporation."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1112—An act to add a new section to the Agricultural Code, to be numbered 766.5, relating to canning tomato standards and inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "a new section to the Agricultural Code to be"; and strike out all of lines 2 and 3, and insert "Sections 762.5 and 763.5 to, and to amend Sections 762, 763 and 766, of the Agricultural Code, to add Article 3 to Chapter 9 of Division 5 of the Business and Professions Code, and to amend Section 1 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to raw tomatoes, and the delivery, inspection, grading, and canning thereof and the rights and obligations of parties contracting in relation thereto."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "766.5", and insert "762.5".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "766.5", and insert "762.5".

Amendment No. 4

On page 1, line 6, of the printed bill, after "the", insert "point of delivery specified in the contract between the producer and the canner or if no such point is specified at the".

Amendment No. 5

On page 1, line 14, of the printed bill, after "delivery", insert "and the percentage found not to be suitable for canning for each of the causes specified in subdivisions (a) to (i), inclusive, of Section 762".

Amendment No. 6

On page 1 of the printed bill, after line 28, insert

"SEC. 2. Section 763.5 is hereby added to the Agricultural Code, to read as follows:

763.5. Each load of tomatoes offered for delivery by a grower to a canner in accordance with the terms of a contract between them shall be given such inspection as may be required without undue delay and within a reasonable time after such load arrives at the cannery or other point specified for such inspection.

Any load of tomatoes so offered for inspection and delivery that is rendered unsuitable for canning purposes as a direct result of unwarranted delay in inspection, wilfully or negligently caused or permitted by the canner, shall be paid for by the canner at the full price agreed upon for tomatoes suitable for canning purposes and on the basis that such tomatoes were of the grade, quality, and condition stipulated in the contract. If no price is stipulated in the contract, payment shall be made by the canner to the grower on the basis of the then prevailing market price for tomatoes of the grade, quality and condition specified in the contract.

In addition to any other remedy, the grower so offering for inspection and delivery any load of tomatoes who has incurred any added handling costs as a direct result of the unwarranted delay in inspection and delivery, wilfully or negligently caused or permitted by a canner, may recover the amount of such added handling costs by an action at law against such canner.

Delay in such inspection and acceptance for delivery for a period of six hours or more after a load of tomatoes is offered for inspection and delivery in accordance with the terms of a contract between the grower and the canner shall be prima facie evidence that such delay was unwarranted and caused by wilfulness or negligence on the part of the canner; provided, however, that during 10 24-hour peak periods in any tomato canning season, delay in such inspection and acceptance of delivery shall not be prima facie evidence that such delay was caused by wilfulness or negligence on the part of the canner unless such delay covered a period of more than 12 hours. Such peak periods shall be the periods of maximum delivery as shown by the records of the canner and shall be designated by the canners for each cannery or other specified inspection point promptly after the close of each tomato canning season by posting a notice of the peak periods for each cannery or inspection point in a conspicuous place at such cannery or inspection point.

No grower shall have any rights under this section unless he shall register each load of tomatoes with the canner at the time he offers such load for inspection and delivery. Such registration shall be made by obtaining from the canner a certificate, which such canner is hereby required to furnish, stating the time of arrival of the load at the cannery or other specified inspection point.

SEC. 3. Section 762 of the Agricultural Code is hereby amended to read as follows:

762. Tomatoes shall be suitable for canning purposes, and except in the case of the pear or plum types shall be vine ripened. No tomatoes shall be regarded as suitable for canning purposes if the delivery contains spray residue which can not be removed by washing in plain water in order to meet the tolerances permitted

by the United States Food, Drug and Insecticide Administrations. No tomato shall be regarded as suitable for canning purposes if

(a) Any worm or worms are present which have penetrated beyond the outer fleshy wall or fleshy core of the tomato.

(b) In excess of [10] *five* per cent of the weight of the tomato can not be used for canning purposes, due to damage caused by worms.

(c) In excess of 10 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of mold.

(d) In excess of 20 per cent of the weight of the tomato can not be used for canning purposes, due to presence of rot.

(e) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of sunburn or sunscald.

(f) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of growth cracks.

(g) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the tomato being green or yellow *color* at the butt (stem end)

(h) The tomato is sufficiently overripe, shriveled, frozen or frosted to make it useless for canning purposes.

(i) The tomato is not fairly well colored, which means that the tomato does not show at least two-thirds good red color, as such color is illustrated as "U. S. No. 2" in the color chart of the United States Department of Agriculture, Bureau of Agricultural Economics, U. S Grades for Cannery Tomatoes, in effect the day of the passage of this chapter.

SEC 4. Section 763 of the Agricultural Code is hereby amended to read as follows:

763. Any load of tomatoes offered for delivery to a canner shall be rejected and turned back to the grower if in excess of [ten] *5* per cent of the delivery by weight fails to comply with subsection (a), and/or [(c)] *(b)* of Section 762

Any load of tomatoes offered for delivery to a canner shall be rejected and turned back to the grower if in excess of 10 per cent of the delivery by weight fails to comply with subsections (a), (b) and (c) of Section 762.

Any load of tomatoes offered for delivery to a cannery shall be rejected and turned back to the grower if in excess of 15 per cent of the delivery by weight fails to comply with subsections (a) to (i), inclusive, of Section 762.

SEC 5 Section 766 of the Agricultural Code is hereby amended to read as follows

766. The standards established by this chapter shall be considered as a grade under the provisions of [Division V,] Chapter 1 [, of the Agricultural Code] *of this division In the event a marketing order is issued under the provisions of Chapter 10 of Division 6 of this code establishing uniform grading and inspection for canning tomatoes then and so long as such marketing order is effective the provisions thereof shall control and the provisions of this chapter shall be ineffective as to tomatoes covered by such marketing order.*

SEC 6 A new article is hereby added to Chapter 9 of Division 5 of the Business and Professions Code, to be numbered Article 3 and to include Section 12912, to read as follows:

Article 3 Tare of Picking Boxes for Tomatoes

12912 Each canner who packs commercially canned tomatoes shall register with the Director of Agriculture a list of the kind or kinds of picking boxes used by him or in his behalf for transporting tomatoes for canning purposes as defined in Chapter 1a of Division 5 of the Agricultural Code.

The county sealer of each county wherein canning tomatoes are commercially packed shall report to the director prior to the commencement of each tomato canning season on the average weights of each of the several kinds of picking boxes used by tomato canners within the county. Such average weights shall be determined in accordance with rules and regulations established by the director. From the reports received from the county sealers, the director shall establish a seasonal tare for each kind of picking box used by tomato canners, and shall notify each canner of the seasonal tare for the picking boxes used by him. Such tare when established shall be stated on a certificate issued by the director, a copy of which shall be conspicuously posted at each cannery or loading platform where tomatoes for canning purposes are received.

During the season when tomatoes for canning purposes are being delivered, the director or the county sealer acting in his behalf may make tests of canning tomato picking boxes to determine variations from the established tare The director may after such tests make modifications in the established tare if he finds that tare weight variations have occurred and may issue certificates to supersede those previously issued

SEC. 7. Section 1 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health" approved May 23, 1925. is hereby amended to read as follows:

Section 1 It shall be unlawful for any person, firm, company, organization, association or corporation in the State of California, to engage in the noncommercial canning of salmon or in the commercial canning of any food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture, or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments, for the use of man or animal, the sterilization of which in the opinion of the California State Board of Health requires the use of a pressure cooker, or a retort, without first obtaining a license from the said State Board of Health; provided, however, that the Division of Cannery Inspection as hereinafter created shall have supervision over the inspection and examination of [raw tomatoes,] raw fish and fish products preparatory to canning, the cost of said inspection and examination to be determined and paid in like manner as provided in Section 4 of this act for products otherwise falling within its provisions."

Amendments read and adopted.

Bill ordered printed, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 729—An act to amend Sections 794, 828.2 and 829.1 of the Agricultural Code, relating to cherries and containers thereof, declaring the urgency thereof and that this act take effect immediately.

Bill read second time, and ordered to third reading.

Report of Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Michael J. Burns:

An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2596: By Mr. Michael J. Burns—An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22,

1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 333—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 333?

Amendment No. 1

On page 3 of the printed bill, after line 7, insert

"District 50. All that portion of Los Angeles County lying north of the south line of Township 5 North, San Bernardino Base."

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "48", insert "and Agriculture District Number 50".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 333 by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 333 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 398.
Assembly Bill No. 399.
Assembly Bill No. 425
Assembly Bill No. 1469.
Senate Bill No 133.
Amendment No. 70 to Assembly Bill No. 1800.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No 717.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No. 59.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 673—An act to add Sections 802.6 and 828.53 to, and to amend Sections 828.1, 828.45 and 829.15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 673?

Amendment No. 1

On page 1, line 5, of the printed bill, after "1B", insert "1C,".

Amendment No. 2

On page 3 of the printed bill, between lines 12 and 13, insert

"1C. Standard basket, approximately eight inches square on top, six and one-half inches square on bottom and five inches deep, inside measurements."

Amendment No. 3

On page 4, line 9, of the printed bill, after "1B", insert "1C,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 673 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 673 ordered enrolled.

Assembly Bill No. 2049—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2049?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, after "whiskies", insert "or prohibit the sale at retail of Scotch whiskies".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended, strike out "act", and insert "section".

Amendment No. 3

On page 1, line 18, of the printed bill, as amended, strike out "January", and insert "July".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2049 by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 2049 ordered enrolled

Assembly Bill No. 1767—An act to add Section 22.1 to an act entitled "An act to provide for the planting, protection, maintenance and removal of trees, shrubs, and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof and providing for the establishment of a city forester and describing his duties and fixing his compensation," approved June 19, 1931, providing an alternative method for collecting assessments to cover the cost of the improvements therein provided for.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1767?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2 21 to an act entitled "An act to"; strike out lines 2 to 8, inclusive; and in line 9, strike out "19, 1931", and insert "22140 to the Streets and Highways Code,"

Amendment No. 2

In line 10 of the title of the printed bill, strike out "therein".

Amendment No. 3

In line 11 of the title of the printed bill, after "for", insert "under the Tree Planting Act of 1931"

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 22140 is hereby added to the Streets and Highways Code, to read as follows

22140. As an alternative method for the collection of assessments levied under this part, the council, after".

Amendment No. 5

On page 1, line 6, of the printed bill, strike out "said", and insert "the".

Amendment No. 6

On page 1, lines 8 and 9, of the printed bill, strike out "specific parcel of property", and insert "lot or parcel of land".

Amendment No. 7

On page 1, line 10, of the printed bill, strike out "such", and insert "the".

Amendment No. 8

On page 1 of the printed bill, strike out line 13, and insert "land for city purposes. Where city taxes are".

Amendment No. 9

On page 1, line 14, of the printed bill, strike out "city", and insert "county"

Amendment No. 10

On page 1, line 17, of the printed bill, strike out "particular property and said", and insert "lot or parcel of land, and the"

Amendment No. 11

On page 1, lines 18 and 19, of the printed bill, strike out "said property", and insert "the lot or parcel of land".

Amendment No. 12

On page 2, line 4, of the printed bill, strike out "ordinary municipal", and insert "city".

Amendment No. 13

On page 2, line 7, of the printed bill, strike out "ordinary municipal", and insert "city"

Amendment No. 14

On page 2, line 9, of the printed bill, strike out "and county taxes".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1767 by the following vote:

AYES—Andreas, Bennett, Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Knight, T Fenton; Leonard,

Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—56

NOES—None.

Assembly Bill No 1767 ordered enrolled

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1234—An act to amend Section 395 of the Military and Veterans Code, relative to absence of public employees in Military or Naval service.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 21, and insert "If, during the first 30 days of absence of any such officer or employee, and while he is".

Amendment No. 2

On page 1, line 25, of the printed bill, as amended, strike out "he shall receive", and insert "his compensation for such Military or Naval service is less than the compensation he was receiving from the State, he shall receive the difference between".

Amendment No. 3

On page 2, line 1, of the printed bill, as amended, after "employee", insert "and the compensation he receives for the performance of such Military or Naval duty"

Amendment No. 4

On page 2, line 8, of the printed bill, as amended, after "compensated", insert "under this section".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 14—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to sale of intoxicating liquors.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—61.

NOES—Sam L. Collins—1.

The roll was called and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, Leonard, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—55.

NOES—Collins, Sam L., Dilworth, Field, Kellems, Knight, John B., Knight, T. Fenton; and Miller—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 11—An act to amend Section 6.771 of the School Code, relating to the use of school buildings or grounds

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr Speaker—64.

NOES—Dickey, and Salsman—2.

Bill ordered transmitted to the Senate

Explanation of Vote

On Assembly Bill No. 11, my vote is recorded as "No." I intended to vote "Aye" on this measure and supposed that I had done so until after the vote was announced.

BYRL R. SALSMAN

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1900

Mr. Poulson moved that Assembly Bill No 1900 be withdrawn from the third reading file, and re-referred to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 379—An act to amend Sections 226 and 227a of the Civil Code, relating to adoption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—63.

NOES—Dilworth, Field, Heisinger, and Knight, John B—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1335—An act to add Section 38.1 to the State Civil Service Act, relating to the orders and decisions of the State Personnel Board and the enforcement of the provisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.

NOES—Evans, Kilpatrick, and O'Day—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended, after "last", insert "held"

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 10 and 11, insert

"Any county may, with the approval of the Department of Finance, expend any surplus it may have from moneys apportioned to it hereunder, for premiums on agricultural products at county sponsored celebrations or fairs other than the county fair by which the county participates in an allocation under the provisions of this section.

Any premiums so paid shall be in accordance with a premium list approved by the Department of Finance, but no premiums so paid shall be included as premiums paid for allocation of funds under this section"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr Lyon moved that Assembly Bill No. 1800 be made a special order of business for Friday, April 25, 1941, at 1 30 p m

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62

NOES—None.

Hon. Melvyn I. Cronin Presiding

At 3.10 p.m., Hon. Melvyn I. Cronin, member of the Assembly from the Twenty-fifth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 556—An act to add Section 4015a to the Political Code, relating to justices of the peace.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, King, Knight, John B, Leonard, Maloney, Meehan, Millington, Pelletier, Phillips, Poole, Poulson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, and Welch—48.

NOES—Carlson, Collins, Sam L, Daley, Evans, Field, Howser, F. N, Johnson, Kellems, Kepple, Knight, T Fenton; Lowrey, McCollister, O'Day, Pfaff, Potter, Robertson, Salsman, Sheridan, Waters, and Wollenberg—20

Bill ordered transmitted to the Senate.

Assembly Bill No. 679—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9 and 1435.10 to Division 4, Chapter 2 thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 67—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—69

NOES—Clarke, and Hastain—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 180—An act to add Section 5078 to the Welfare and Institutions Code, relating to the restoration to competency of persons committed to the care and custody of the psychopathic probation officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 29, of the printed bill, as amended, after "literature", insert "or to newspapers of general circulation, or to programs prepared for and/or broadcasted over any radio station licensed by the Federal Communications Commission under the laws of the United States."

Amendment No. 2

On page 2, line 49, of the printed bill, as amended, after "literature", insert "or to newspapers of general circulation, or to programs prepared for and/or broadcasted over any radio station licensed by the Federal Communications Commission under the laws of the United States."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Weybret—54.

NOES—Andreas, Collins, George D., Dills, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, O'Day, Richie, Weber, Welch, and Wollenberg—13.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 133—An act to amend Sections 124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code, and to add Sections 2501, 2502 and 2557 and Article 2.5, comprising Sections 2559 to 2570, inclusive, Article 6, comprising Sections 2625 and 2633, inclusive, Article 6.5, comprising Sections 2635 and 2636, and Article 7, comprising Sections 2560 to 2658, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code, and repealing acts and parts of acts specified herein; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations thereof, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the relief commission and relief administrator to the State Department of Social Welfare, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administration to the State Department of Social Welfare and transferring relief cases to county administration.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on March 28, 1941, be further amended as follows:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out "and 2557", and insert ", 2557 and 2558".

Amendment No. 2

In line 9 of the title of the printed bill, as amended, strike out "and"; and strike out all of line 10, and insert "to 2641, inclusive, and Article 7, comprising Sections 2650 to 2659".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 9 and 10, and insert "State hospitals or other State or private institutions"

Amendment No. 4

On page 2, line 17, of the printed bill, as amended, after "ineligible", insert "under Section 2562".

Amendment No. 5

On page 2, line 21, of the printed bill, as amended, strike out "by the"; and strike out all of line 22, and insert "once for one continuous period, which period shall not exceed 90 days. The relief, if granted, shall be granted by the county of presence and shall be at State expense

If relief is necessary more than once or for more than 90 days, the county of presence may grant such relief and the direct costs thereof shall be entirely a county charge."

Amendment No. 6

On page 2, lines 23 and 24, of the printed bill, as amended, strike out "direct costs of the relief granted to such needy persons and for all"

Amendment No. 7

On page 2, line 25, of the printed bill, as amended, strike out "them", and insert "needy persons and their dependents".

Amendment No. 8

On page 2, line 29, of the printed bill, as amended, after "section", insert "The county may determine the amount and scope of relief within the limits of this chapter that it grants at its own expense under this section"

Amendment No. 9

On page 3 of the printed bill, as amended, strike out lines 14 to 17, inclusive.

Amendment No. 10

On page 3, line 22, of the printed bill, as amended, after "California", insert "on or".

Amendment No. 11

On page 3, line 33, of the printed bill, as amended, after "State.", insert "Medical, dental, surgical or hospital care may be received within the applicable period provided in subdivision (1) without such care constituting a disqualification by reason of this subdivision."

Amendment No. 12

On page 4, line 26, of the printed bill, as amended, after "2557", and before "Notwithstanding", insert "(1)"

Amendment No. 13

On page 4, line 28, of the printed bill, as amended, strike out "may", and insert "shall"

Amendment No. 14

On page 4, line 29, of the printed bill, as amended, after "of", insert "all of"

Amendment No. 15

On page 4, line 34, of the printed bill, as amended, after "Commission", insert "This subdivision (a) does not include persons who received relief under subdivision (c) of Section 10 of Chapter 45 of the Statutes of 1940 or subdivision (c) of Section 9 of Chapter 12 of the Statutes of 1940"

Amendment No. 16

On page 4, line 40 of the printed bill, as amended, before "The", insert "(2)"

Amendment No. 17

On page 5 of the printed bill, as amended, between lines 3 and 4 insert

"(3) County residence imputed to a person by subdivision (2) of this section may be lost (i) by absence from the county for three years or (ii) residence in another county for one year All changes in residence for any person to whom this section applies shall be determined in accordance with Sections 2556 and 2558

SEC 8 5. Section 2558 is hereby added to said code, to read as follows:

2558. County residence once acquired is presumed to continue and no person shall be deemed to have lost his residence in any county unless (1) he has been absent therefrom for three years or (2) he has resided in another county for one year.

If any needy person removes from one county to another county, the county to which he has removed shall be responsible for his relief upon the first day of the first month beginning after the date upon which he attains a residence of one year therein, unless the day upon which he attains one year of residence is the first day of the month in which event the transfer of costs shall take effect upon that day.

The county to which the person has removed shall provide relief and other necessary care, the same as though he were a resident of that county, during the period of presence before residence has been acquired therein and the former county residence lost. The county providing this assistance may demand payment thereof from the county of residence in an amount not in excess of the actual cost thereof and it shall be a proper charge and duty of the county of residence to pay the costs of such assistance."

Amendment No. 18

On page 5, line 12, of the printed bill, as amended, strike out "from time to time".

Amendment No. 19

On page 5, line 17, of the printed bill, as amended, strike out "him", and insert "a needy person".

Amendment No. 20

On page 5, line 19, of the printed bill, as amended, after "requirements", insert "in the community in which he lives".

Amendment No. 21

On page 6, line 10, of the printed bill, as amended, after "illegally", and before "subsequent", insert "on or".

Amendment No. 22

On page 6 of the printed bill, as amended, strike out all of line 22, and insert "included in determining the family budget, except that his resources, not necessary for his maintenance and the maintenance of those who are ineligible for relief under this section, shall be considered in determining the whole budget of the case."

Amendment No. 23

On page 6 of the printed bill, as amended, between lines 41 and 42, insert

"2564. No relief under this chapter shall be granted any person who is, or any member of whose family is, making payments upon any chattel mortgage or conditional sales contract for personal property, other than payments for essential food, essential clothing or essential housing, in excess of five dollars ($5) per month, when the debt, secured by the chattel mortgage or conditional sales contract, was incurred while relief was being received under this chapter."

Amendment No. 24

On page 7, line 5, of the printed bill, as amended, after "rates", insert ", rents".

Amendment No. 25

On page 7, line 14, of the printed bill, as amended, strike out "agent of the county administering his case", and insert "county welfare director upon his own investigation".

Amendment No. 26

On page 7, line 21, of the printed bill, as amended, after "article", insert "2 5, except as to need".

Amendment No. 27

On page 8, line 49, of the printed bill, as amended, strike out "and 2636", and insert "to 2641, inclusive".

Amendment No. 28

On page 9 of the printed bill, as amended, between lines 20 and 21, insert

"2637. The department shall maintain a master file of persons applying for and receiving relief under this chapter. Every county shall supply the department regularly with the information and data the department requires for the maintenance of the file. The department shall supply every county with all the information and data it has available in the file concerning every person applying for or receiving relief under this chapter about whom the county requests information and data.

2638. The department shall secure from the California Employment Commission and supply the counties with information concerning unemployment insurance benefits under the Unemployment Insurance Act which may be available for or are being paid to persons applying for or receiving relief under this chapter.

2639. The department and every county is authorized to make grants to, and to receive and expend funds made available to both or either from, the Federal

Government or any agency or department or board thereof for relief, work relief, rehabilitation or cooperation with the Federal Government for the relief of persons in need, and in this connection the department and every county shall cooperate with the Federal Government.

Every county grant under this section constitutes a direct relief expenditure for which the State shall be responsible to the same extent as it is responsible for the direct relief costs in that county under subdivision (b) of Section 2652.

2640. Except as otherwise provided in this section, until budgets and standards are prepared by the department under Section 2559 and approved by the board of supervisors for the county, the board of supervisors may determine its own policies with reference to the resources and amount of relief a person may be permitted to have.

When budgets and standards under Section 2559 are prepared by the department for the county, they shall be submitted to the board of supervisors and, within 30 days after the date of submission, the board of supervisors shall approve or reject in whole or in part such budgets and standards. Those budgets and standards approved by the board of supervisors shall take effect upon the date of approval. All budgets and standards not approved within 30 days shall be deemed rejected.

If any budgets and standards are rejected by the board of supervisors, and the department and the board of supervisors can not agree upon modifications, a relief standards board of three members for the particular county shall be established as follows. The department shall select a member of the Social Welfare Board, an officer or employee of the department to represent the department upon the relief standards board. The board of supervisors shall select a member of the board of supervisors, an officer or employee of the county to represent the county upon the relief standards board. The representative of the department and the representative of the county shall select an impartial third person, other than a public officer or employee, to act as chairman of the relief standards board. Neither the representative of the department nor the county shall receive any compensation for his services as a member of the relief standards board but he shall be entitled to his expenses if otherwise entitled thereto by law. The chairman of the relief standards board shall be paid twenty-five dollars ($25) per day with a minimum of one hundred dollars ($100), from the day the relief standards board convenes until the disputed budget and standards are taken under submission. While the budgets and standards are under submission, the chairman shall receive no compensation. He shall receive his actual and necessary expenses in an amount not to exceed eight dollars ($8) per day. All expenses of the relief standards board shall be borne 50 per cent by the State from the money available for expenditure under this chapter and 50 per cent by the county from county funds. Expenses incurred by a county for a relief standards board shall not be a county relief expenditure for which reimbursement may be had from the State.

The disputed budgets and standards shall be submitted to the relief standards board for hearing and decision. The relief standards board may approve, reject or modify the disputed budgets and standards. It may make its decisions by a majority vote and its decision shall take effect immediately, shall be final and shall be binding upon the department and the county.

If the budgets and standards rejected by the board of supervisors are not agreed upon by negotiation or settled by the relief standards board within 60 days after submission to the board of supervisors, the department may put them into effect in the form submitted or modified by the department at any time after the expiration of 60 days from the date upon which the budgets and standards were submitted to the board of supervisors, and, if put into effect, shall be binding upon the county. If the department does put into effect any budgets and standards without the approval of the board of supervisors and it subsequently appears when the budgets and standards are finally determined, either by negotiation or by decision of the relief standards board, that higher direct relief costs have been imposed upon the county than would have been imposed had such budgets and standards as finally determined been in effect from the date upon which the budgets and standards determined by the department were imposed, the State shall reimburse the county for the full amount of the difference borne by county funds.

2641. The provisions of Sections 114, 115 and 116 of this code do not apply to relief activities or to appropriations for expenditure under this chapter. The department and the counties may enforce the rights and obligations and powers and duties granted or imposed upon one or the other under this chapter and this code by appropriate actions at law or suits in equity."

Amendment No. 29

On page 9, line 21, of the printed bill, as amended, strike out "2658", and insert "2659".

Amendment No. 30

On page 10 of the printed bill, as amended, strike out lines 28 to 32, inclusive, and insert

"2651. Until a county residence is acquired in the case of needy persons having no county residence but who are State residents, and until the period provided

therefor has elapsed in the case of needy persons eligible for relief at State expense under Section 2501, State money may be expended for home relief, medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances.

In the case of needy persons having a county residence, State money may be expended for home relief, when matched by the required share of county money. Necessary medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances for needy persons having a county residence shall be an obligation and duty of the county to be performed at county expense and the county shall be the sole determinant of the standards thereof. The county may furnish medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances for nonresidents whom it is authorized to assist under this chapter.

Home relief includes money, food, housing, clothing, fuel, light, water, household equipment, commodities and services."

Amendment No. 31

On page 10, line 37, of the printed bill, as amended, after "residence", insert "to the extent permitted by Section 2501".

Amendment No. 32

On page 10, line 39, of the printed bill, as amended, after "of", and before "relief", insert "home".

Amendment No. 33

On page 10, line 43, of the printed bill, as amended, after "indigent", and before "relief", insert "home".

Amendment No. 34

On page 11, line 6, of the printed bill, as amended, after "quarter", insert "for home relief".

Amendment No. 35

On page 11, line 25, of the printed bill, as amended, after "county", insert "for home relief".

Amendment No. 36

On page 11, line 36, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 37

On page 11 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and insert

"2657. Each county shall send to the department records and reports in such manner and form and at such times as the department may prescribe concerning."

Amendment No. 38

On page 12, line 5, of the printed bill, as amended, after "2658", insert "County claims for the costs of medicines, medical, surgical, hospital and other treatment, nursing and corrective appliances for which the State is responsible under Section 2651 shall be filed separately and distinct from claims for home relief, in the manner prescribed by the department.

Payments of such claims shall be made subsequent to the furnishing of such assistance, monthly or later as determined by the department, and shall be paid after audit and settlement by the department and the Controller from the money available for expenditure under this chapter.

2659."

Amendment No. 39

On page 12 of the printed bill, as amended, strike out lines 27 to 31, inclusive.

Amendment No. 40

On page 12, line 39, of the printed bill, as amended, after "and", and before "four", insert "within the time otherwise provided by law but not later than".

Amendment No. 41

On page 13, line 9, of the printed bill, as amended, strike out "April 1, 1942", and insert "the first day of the first month beginning 90 days after the effective date of this act".

Amendment No. 42

On page 13, line 42, of the printed bill, as amended, strike out "January 1, 1942, after which date", and insert "the first day of the first month beginning 60 days after the effective date of this act, on and after which day".

Amendment No. 43

On page 14, lines 2 and 3, of the printed bill, as amended, strike out "after January 1, 1942", and insert "on and after the first day of the first month beginning 60 days after the effective date of this act"

Amendment No. 44

On page 14, line 14, of the printed bill, as amended, strike out "April 1, 1942", and insert "the first day of the first month beginning 90 days after the effective date of this act"

Amendment No. 45

On page 14 of the printed bill, as amended, strike out lines 16 to 22, inclusive

Amendment No. 46

On page 14, line 32, of the printed bill, as amended, after "enacted," insert "and while it remains in force,".

Amendment No. 47

On page 14, line 46, of the printed bill, as amended, after "enacted," insert "and while it remains in force,".

Amendment No. 48

On page 15, line 7, of the printed bill, as amended, after "records", insert "(including the files containing the records)"

Amendment No. 49

On page 16 of the printed bill, as amended, strike out line 11, and insert "of 1941 is in effect and provides (1) that the State shall bear not less than two-thirds and the counties not more than one-third of the costs of and under the Old Age Security Law after the deduction from such costs of the amount of the Federal grant and (11) an appropriation for such costs and unless the Public Works Act of 1941 is in effect."

PHILLIPS
WAGY
Senate Committee on Conference

DALEY
WOLLENBERG
Assembly Committee on Conference

Speaker Presiding

At 4.10 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Hon. Charles W. Lyon Presiding

At 4 35 p m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

Motion to Postpone Consideration of Report

Mr O'Day moved that the consideration of the report of the Committee on Conference concerning Senate Bill No 133 be postponed until the next legislative day.

Mr. Robertson seconded the motion.

Demand for Previous Question

Messrs. Pfaff, Stream, Collins, Sam L., Knight, T. Fenton, and Turner demanded the previous question.

Demand for previous question sustained.

The question being on motion to postpone consideration of the report of the Committee on Conference concerning Senate Bill No. 133 until the next legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Meehan, O'Day, Pelletier, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, and Welch—38

NOES—Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastam, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Richie, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—34.

Motion to Postpone Indefinitely

Mr O'Day moved that further consideration of the report of the Committee on Conference concerning Senate Bill No. 133 be postponed indefinitely.

Mr Gaffney seconded the motion.

Motion lost.

RECESS

At 4.45 p m., on motion of Mr O'Day, the Assembly recessed until 4 50 p m.

REASSEMBLED

At 4 50 p m., the Assembly reconvened.

Hon. Charles W. Lyon, of the Fifty-ninth District, presiding.

Motion to Postpone Indefinitely

Mr. O'Day moved that further consideration of the report of the Committee on Conference Concerning Senate Bill No. 133 be postponed indefinitely

The Speaker ruled that the motion by Mr O'Day was out of order

The question being on the report of the Committee on Conference Concerning Senate Bill No. 133.

Demand for Previous Question

Messrs. Robertson, Heisinger, Weber, Kellems and Turner demanded the previous question.

Demand for previous question sustained

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mrs Daley moved a call of the Assembly.

Motion carried. Time, 5.05 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1537—An act authorizing the board of supervisors to appoint a county counsel in counties having a population of over 100,000.

Bill read third time

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "100,000,", insert "except counties which have charters under Section 7½ of Article XI of the Constitution providing that the district attorney shall be the attorney for one or more of the officers of the county,".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1271—An act to amend Sections 468, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 20, of the printed bill, as amended, strike out "1,000", and insert "1,500".

Amendment No. 2

On page 4, line 21, of the printed bill, as amended, after "or" and following the comma, insert "1,000 feet".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 1045—An act to amend Section 4251 of, and to add Sections 4200.5, 4300.5 and 4351.5 to, the Water Code, or to amend Sections 4, 5 and 9 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out lines 31 to 44, inclusive, and insert "The department shall make inspections at State expense of all dams in the State completed prior to August 14, 1929. The department shall require owners to perform at their expense such work or tests as necessary to disclose information sufficient to enable the department to determine whether to issue certificates of approval or to issue orders directing further work at the owner's expense necessary to safeguard life and property

If, upon inspection, or, upon completion to the satisfaction of the department of all work that may be ordered, the department finds that the dam is safe to the full extent for which use is or will be made, a certificate of approval shall be issued."

Amendment read and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 104—An act amending Sections 26 and 28 of the County Employees Retirement Act of 1937, relating to retirement, declaring the urgency thereof and that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended on March 7, 1941, following "or", insert "entrance into such service under".

Amendment No. 2

On page 1, lines 18 and 19, of the printed bill, as amended, strike out "of honorable discharge or placement on the inactive or reserve list or relief from such service", and insert "within 90 days after the termination of such service during such war or emergency"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 133

At 5.12 p m., on motion of Mrs. Daley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Senate Bill No. 133 adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Thomas, Voigt, and Welch—36.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 842—An act to amend Section 5883 of the Elections Code, defining the word "clerk," and to add Sections 5899, 5933 and 7799 to the Elections Code, relating to absentee ballots for school district elections

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

Motion carried. Time, 5 25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO PRINT MINORITY REPORT IN JOURNAL

Mr. Hawkins moved that the minority report of the Committee on Conference concerning Senate Bill No. 133 be printed in the Journal

Motion carried.

Minority Report of Committee on Conference

The undersigned of the Committee on Conference Concerning Senate Bill No 133 dissent from the report made by the majority of the committee, and as reasons for their difference with other members of the committee set forth the following points.

The first thing to be borne in mind in connection with Senate Bill No. 133 is the difference of opinion as to whether relief can be better administered by and through State Relief Administration or by and through county administration. The supporters of the position of State administration of relief, among whom are the signers of this minority report, have always contended and repeat here that relief administration requires a single centralized State unit, because of the interchangeability of our population, especially transient workers, among whom the need for relief so greatly exists in certain periods of the year

We feel that a return to county administration as is proposed under Senate Bill No. 133 will set up 58 different methods of handling relief and open the door to a more wide-spread suffering and hardship. We can not agree with the majority of the committee's recommendation of Senate Bill No. 133, because we feel the bill does not set up any definite minimum relief standard to which 58 different counties must adhere

We call your attention to Section 2559, Article 2.5, on page 5 of the printed bill which says that "The department may fix for each county maximum relief case budgets and minimum standards of relief within the range of which the board of supervisors may establish its own policy."

We feel that this and other provisions of the bill will open the door to possible use of 58 different types of political expediency in the handling of relief problem, and will, no doubt, result in the large metropolitan areas having to absorb a relief load which have, by one means or another been pushed into these counties.

We call your attention to Section 2651 which we feel would set up 58 different standards of medical aid for needy persons

We call your attention to the provisions set forth in Section 2640, page 10 of the printed bill, for setting up an Arbitration Board for the purpose of deciding any existing disputes between the State department and a county, and point out that in the event of the boards being unable to agree on a neutral chairman, there is not provision for deciding this deadlock; the result thereby being that the county can continue to maintain its position and the State is denied the right to shut off any aid to bring about a determination of the issue.

Until 24 hours ago the county supervisors of California had refused to take any stand on this matter. Despite the action of the Executive Committee of the County Supervisors' Association yesterday indorsing the provisions of Senate Bill No 133, we believe that every metropolitan county and many of the smaller counties are still opposed to take over this burden

We believe that even the Supervisors' Executive Committee would have refused to take action, had there not been pressure and coercion from certain elements in the Legislature, who are offering as bait a State subsidy for aged aid, which will relieve the counties of approximately $15,000,000 of their present financial burden per biennium, in that category of assistance

This huge sum of State money is, in our opinion, little less than a legalized form of bribery, and offered without any consideration whatsoever of the State's ability to contribute, to the counties' need for assistance

We could point out at length technical objections to this bill. We are content to rest our case, however, on our fundamental belief that decentralization of the administration of the unemployment relief is unwise

A. F. HAWKINS, Assemblyman
JOHN F. SHELLEY, Senator

Speaker Presiding

At 5:30 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 842

At 5:32 p.m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 842 passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lyon, Maloney, Meehan, Middough, O'Day, Pelletier, Poole, Poul-

son, Robertson, Russell, Sheridan, Thomas, Turner, Voigt, Waters, Weber, and Wollenberg—42

NOES—Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Field, Gunlock, Hastain, Heisinger, Knight, T. Fenton, Leonard, Lowrey, Miller, Millington, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Stream, Thorp, Thurman, Watson, Welch, Weybret, and Mr. Speaker—34

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 698 to the Political Code, relating to the creation of a Tourist Information Bureau, providing for the establishment, maintenance and operation of border information stations, and making an appropriation therefor.

Respectfully submitted.

CROWLEY

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Crowley.

An act to add Section 698 to the Political Code, relating to the creation of a Tourist Information Bureau, providing for the establishment, maintenance and operation of border information stations, and making an appropriation therefor.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2597: By Mr. Crowley—An act to add Section 698 to the Political Code, relating to the creation of a Tourist Information Bureau, providing for the establishment, maintenance and operation of border information stations, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce a bill were presented:

By Mr F. N. Howser:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Respectfully submitted.

FRED N HOWSER

Request referred to Committee on Introduction of Bills.

By Mr. Burkhalter:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Respectfully submitted

EVERETT G. BURKHALTER

Request referred to Committee on Introduction of Bills.

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Sections 7643, 7662, 7665, 7666, 7668 and to repeal Section 7664 of the Business and Professions Code, relating to Embalmers and Apprentices.

Respectfully submitted.

C. DON FIELD

Request referred to Committee on Introduction of Bills.

By Mr. Hugh M Burns:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made," approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938, and not yet paid

Respectfully submitted.

HUGH M BURNS

Request referred to Committee on Introduction of Bills.

PETITION

A petition from George M. Scott and others, relative to Assembly Bill No 59, was presented by the Chief Clerk and ordered filed with the Secretary of State.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 24, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the twenty-third day of April, 1941, at 9.30 p.m., Assembly Bill No. 102 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Vernon Kilpatrick, member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Joint Resolution No. 47: By Messrs. Burns, Michael J., Crowley, Lowrey, Cooke, Poole, Meehan, Richie, Pelletier, Millington, Garland, and Howser, F. N.—Relative to memorializing the President, Secretary of Agriculture, and the Congress of the United States to aid in furthering the development of Highway 20.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Senate Bill No. 133—An act to amend Sections 124, 2500, 2506, 2555 and 2556 and to repeal Sections 2501, 2502 and 2600 of the Welfare and Institutions Code, and to add Sections 2501, 2502 and 2557 and Article 2.5, comprising Sections 2559 to 2570, inclusive, Article 6, comprising Sections 2625 to 2633, inclusive, Article 6.5, comprising Sections 2635 and 2636, and Article 7, comprising Sections 2650 to 2658, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code and repealing acts and parts of acts specified herein; relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations thereof, defining the purposes for which money appropriated for relief activities may be used, transferring the powers and duties of the Relief Commission and Relief Administrator to the State Department of Social Welfare, transferring the powers and duties of the State Emergency Relief Commission and the Emergency Relief Administration to the State Department of Social Welfare and transferring relief cases to county administration.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 2021

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 212
Senate Bill No. 256
Senate Bill No. 335
Senate Bill No. 409
Senate Bill No. 733
Senate Bill No. 747
Senate Bill No. 749
Senate Bill No. 857
Senate Bill No. 861
Senate Bill No. 876
Senate Bill No. 895
Senate Bill No. 1078
Senate Bill No. 1206
Senate Bill No. 1272
Senate Bill No. 1312

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Constitutional Amendment No. 8
Senate Joint Resolution No. 20
Senate Joint Resolution No. 21

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 212—An act to amend Sections 1640 and 1671 of, and to add Section 1671.2 to, the Insurance Code, relating to insurance and insurance agents, brokers, and solicitors.

Referred to Committee on Insurance.

Senate Bill No. 256—An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

Referred to Committee on Judiciary Codes.

Senate Bill No. 335—An act to add Section 6102.5 to the Business and Professions Code, relating to attorneys convicted of crimes involving moral turpitude.

Referred to Committee on Judiciary Codes.

Senate Bill No. 409—An act to add a new section to the Agricultural Code to be numbered Section 735.3-1, relating to market milk and cooperative marketing associations.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 733—An act to amend Section 45 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments and the recording of certificates of sale of the property, and validating certificates of sale of property sold to irrigation districts for delinquent assessments, collectors' deeds issued pursuant to the certificates, and other acts, the validity of which depends upon the validity of the certificates or deeds.

Referred to Committee on Irrigation.

Senate Bill No. 747—An act to amend Sections 1071 and 1074 of the Streets and Highways Code, relating to highway work on county roads.

Referred to Committee on Roads and Highways.

Senate Bill No. 749—An act to amend Section 960 of, and to add Sections 960 1, 960 2, 960 3 and 960 4 to, the Streets and Highways Code, relating to the abandonment and vacation of county highways.

Referred to Committee on Roads and Highways.

Senate Bill No. 857—An act to add Section 3.5 to an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 21, 1927, as amended, relating to credit unions, the licensing, regulation and powers thereof.

Referred to Committee on Financial Institutions

Senate Bill No. 861—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class

Referred to Committee on County Government.

Senate Bill No. 876—An act to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Unemployment

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions

Referred to Committee on Judiciary Codes.

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13 16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Referred to Committee on Building and Loan Associations.

Senate Bill No. 1206—An act to repeal Section 6406 of, and to add Part 2 to Division 6 of the Health and Safety Code, relating to sanitary

districts, including the collection of district taxes by county officers and the use of county assessment rolls for sanitary district taxes.

Referred to Committee on Public Health and Quarantine

Senate Bill No. 1272—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner (unless the proceeding provided for by Section 13.12 of this act shall have been commenced and no judgment which shall have become final shall have been rendered therein, or unless the time within which such proceeding may be commenced has not expired, or unless a proceeding under Section 13.16d of this act is pending) to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, or other rights or claims for property or for securities issued by a corporation organized to hold or liquidate such property, and to continue to hold as a legal investment any property or securities so received.

Referred to Committee on Building and Loans Associations.

Senate Bill No. 1312—An act to amend Sections 218 and 219 of the Penal Code, relating to the wrecking of trains

Referred to Committee on Judiciary Codes.

Senate Joint Resolution No. 21—Relative to State sales taxes and the Federal Government.

Referred to Committee on Rules

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1b to Article IV thereof, relating to the power of the Legislature or the people (1) to confer power on administrative officers, boards or commissions to make decisions, and (2) to provide for appropriate judicial review of such decisions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Joint Resolution No. 22—Relative to memorializing the President and the Congress of the United States to abolish tax-exempt bonds.

Referred to Committee on Rules

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 1261—Re-referred to Committee on Financial Institutions.

Assembly Bill No 2244—Re-referred to Committee on Insurance.

Assembly Bill No 744—Re-referred to Committee on Judiciary Codes

Assembly Bill No 802—Re-referred to Committee on Revenue and Taxation.

Assembly Bill No 803—Re-referred to Committee on Revenue and Taxation.

Assembly Bill No 804—Re-referred to Committee on Revenue and Taxation.

Assembly Bill No 678—Re-referred to Committee on Financial Institutions.

Assembly Bill No 191—Re-referred to Committee on Ways and Means.

Assembly Bill No. 1327—Re-referred to Committee on Ways and Means.

Assembly Bill No 1665—Re-referred to Committee on Labor and Capital.

Assembly Bill No 49—Re-referred to Committee on Live Stock and Dairies

Assembly Bill No. 74—Re-referred to Committee on Live Stock and Dairies.

Assembly Bill No 2327—Re-referred to Committee on Motor Vehicles.

Assembly Bill No 2342—Re-referred to Committee on Motor Vehicles

Assembly Bill No 1257—Re-referred to Committee on Financial Institutions.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lester G. Engelson, chaperone, and the following teachers and students of the Maxwell Union High School, Maxwell. Dolly Azevedo, Horace Gordon, Bonnie Hagan, Wanda Lausten Hugh Smith, John Facque, Henry Mellow, Bruce Day, John Gobel, Clarice Gregory, Murray Haase, Eleanor Lausten, Robert Roper, Edgar Wells, Barbara Yarbrough, Earl Danley, Mrs. Iver Lausten, Mrs Mary Laurence Urrutia and Earnest Moore.

On request of Mr. Johnson and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Joseph P. Gilmore of San Francisco, former Assemblyman from Twenty-first District, and Mrs. Gilmore.

On request of Mr. Cronin and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon Clarence Morris, Judge of the Municipal Court of the City and County of San Francisco.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Hermine Hecht and Miss Evelyn Fromm, of Berkeley, and Mrs Monroe Butler of Los Angeles

On request of Mr. Burkhalter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Holdendurg of Van Nuys.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following, all from Hawthorne: Elsie Daws, Rose Schwabauer, M R. Baumgardner, John N. Ramage, Mrs. John N. Ramage, Mrs Robert C. Ramage, W. R Barclay, C E. Van Der Oef, Ira Daws, and Richard F. Conner, Jr.,

son of Dick Conner of Mutual Don Lee Broadcasting System of Manhattan Beach.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Nancy Hamburger, Mr. Ellis Schuler and Mr Karl O. Bayless, teachers in charge, and the following Eighth Grade pupils from Lincoln Union Grammar School, Lincoln, Placer County: Dorothy Alspaugh, Barbara Baker, Buck Baker, Marilee Berry, Belmira Bettencourt, Gerarda Carranza, Raymond Chiostri, Katherine Clampitt, Cuca De Arcos, Jesus Franco, Mary Franovich, Marion French, June Gallup, Mae Goodall, Joe Jiminez, Alton Jones, William Kondo, Earl Lehmen, Bernice Lucas, Lillian Ludovina, Edwin Maloney, Edna Mae McGuire, Pearl Miller, James Marcus Miner, Robert Munster, Eugene Nodohara, Carol Nelson, Vincent Noyes, Manuel Padilla, Dale Petty, George Petty, Elmer Price, Harold Rankin, Salvador Robles, Evelyn May Russell, Marshall Serna, Otilia Serna Alberta Shane, Leroy Stevens, Stella Silva, Walter Silva, Marceline Taylor, Marceline Vasion, Gerald Webster, Melba Fern Wilson, Martha Lou Wipwell, Nao Yabumoto, and Tada Yabumoto.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ruth F. Declusin, teacher, and the following students of the Seventh and Eighth Grades of Victor School, San Joaquin County: Barbara Fairchilds, La June Heinle, Doris Schmidt, Florence Wagemann, Wanda Weigum, Robert Fairchilds, Carl Fode, Tommy Garlow, Ellwood Linley, Elmer Meyer, Junji Sasaki, Beverly Billigmer, Eleanor Fandrick, Lillie Mae Harrison, Lorraine Hirtel, Rosie Lehr, Lodovica Massoni, Betty Wagemann, Patricia Weigum, Donald Amos, Roy Christman, Loren Hirtel, Hillard Knoll, Richard Neer, George Sakoi, Howard Schmierer, Richard Weigum, Mrs Otto Billigmer, Mrs George Weigum, Mrs. George Knoll, Mr. Tobias Weigum and John L. Declusin.

On request of Messrs Del Mutolo and Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Murie and Mr. Hill, teachers, and Mr Kennedy, principal, and the following students of Willow Glen School of San Jose: Carol Benelisha, Adele Chase, Barbara Perryman, Nancy George, June Fischer, Yvonne McCosh, Dean Wendt, John Wasson, Dick Webster, Bob Miller, Richard Hitchcock, Keith Jones, Stanley Gould, Dick Bischoff, Alon Montgomery, Lorin Paull, Eugene Muzzio, Conrad Smith, Elroy Shank, Walter Nelson, Dale Le Mar, Raymond Sommers, Bob King, Bob Skewes, Richard Savoni, Wiley Jackson, Keith Reid, Marion Stemagel, Martha Craft, Nonda Lee, Lynne Ekstrand, Marcia Ronce, Audrey Guglieri, Patty Greer, Jacqueline Sparks, Lucille Nelson, Winifred Bothwell, Joy Combs, Glenna Swain, Muriel Truscott and Lois Hein.

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Earl Loomis of Detroit, Michigan.

On request of Mr Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Ray R Smith, President, Alameda Council, Parent-Teacher Association; Mrs Wm H. Cox, State Program Chairman, California Congress of Parents and

Teachers; Mrs M C Godfrey, President-elect, Sixteenth District, California Congress of Parents and Teachers, Mrs Randal F Dickey, Lincoln Parent-Teacher Association; Mrs H M Coffey, First Vice President, Alameda Council of Parents and Teachers; and Mrs Fred J. Scott, President, Lincoln-Versailles Parent-Teacher Association; all from Alameda.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Iver Nielsen, Chas W. King and N Lindsay South of Fresno

On request of Messrs. Leonard, Watson and Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commander Geo. M. Laury, Assistant Operation Officer, and Lieutenant Dwight O'Dell, junior grade, Twelfth Naval District

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs E E. Curtis and Mrs. Chris E. Steiner of Richmond.

ADJOURNMENT

At 5.50 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 30 a.m., Friday, April 25, 1941

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 25, 1941

The Assembly met at 10.30 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson Kellems, Knight, John B, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Middough.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2321—An act to amend Section 4250 of the Political Code, relating to the compensation of officers in counties of the twenty-first class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 171—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1871—An act to amend Section 1081 of the Probate Code, relating to determination of heirship.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1331—An act to add Section 1640.5 to the Labor Code, relating to contracts of minors with employment agencies.

Bill read second time, and ordered engrossed

Assembly Bill No. 354—An act to add Chapter 11, comprising Sections 22000 to 22001, inclusive, to Division 8 of the Business and Professions Code, relating to unfair trade practices in the jewelry business.

Bill read second time, and ordered engrossed

Assembly Bill No. 2152—An act to amend School Code Section 2.51, relating to the public school system.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1959—An act to provide for the granting of funds to school districts for the inspection, repair, reconstruction, replacement, alteration or erection of buildings, and making an appropriation therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1938—An act to amend School Code Section 1.111, relating to the public school system.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 798—An act relating to monopolies; declaring to be an unlawful monopoly and its purposes to be in restraint of trade, any combination of persons, firms or corporations which fixes and determines the amount of money to be paid to it or to its members for the privilege of rendering privately or publicly for profit within this State copyrighted vocal or instrumental musical compositions, when such combination is composed of a substantial number of all musical composition copyright owners or their heirs, successors or assigns; to require each composer and each author of vocal or instrumental copyrighted musical compositions to act independently of each other and of any combination as herein declared unlawful in determining license fees and other rights within this State; to require the author, composer, printer and publisher to specify on the musical composition the selling price thereof for all uses that may be made thereof, including public performance for profit within this State; to declare that any purchaser thereof, who pays such price therefor, shall have the right to render such music privately or publicly for profit within this State; to declare all existing agreements requiring license fees or other exactions for the privilege of rendering copyrighted musical compositions publicly for profit within this State with any combination of persons, firms or corporations herein declared

unlawful to be void and nonenforceable; to permit the present owners, possessors and users of such copyrighted music to render the same privately or publicly for profit within this State without interference by such unlawful combination, to provide for the appointment of a receiver and injunctive relief and the dissolution of such combination as here declared unlawful; to determine in such action the legal owner of such copyrighted musical compositions; to adjust and fix in such action the license fee to be paid, if any, and the terms for the use of such musical compositions in this State, to provide for the protection of theaters, moving picture houses, hotels, places for education and public performance or amusement, radio broadcasting, radio receiving and radio rebroadcasting stations affiliated with other persons, firms or corporations outside the State of California against the collection of license fees or other exactions by such out-of-the-State affiliates for or on account of any combination declared unlawful under Section 1 hereof; to provide that the responsibility and all liability for any infringement of copyrighted musical compositions conveyed by radio broadcast, air, wire, electrical transcription, or sound production apparatus, or by personal performance coming from outside this State, and used herein, to rest entirely with the out-of-the-State person, firm, or corporation originally emanating or sending the same into this State for use herein; to provide penalties for the violation hereof; to empower the district attorneys and the Attorney General, upon complaint of any party aggrieved by any violation hereof, to proceed to enforce the penalties hereof against such combination and any of its representatives, members or agents, and against the property of such unlawful combination within this State; to define the method of service of process upon such combination as herein declared illegal; to empower any party aggrieved by any violation hereof to proceed in his own right hereunder; to define the legal procedure required to carry out the provisions hereof, to provide for the recovery of costs, expenses and attorney's fees; to provide for the filing of each said composition in the office of the Secretary of State before selling or disposing of the same, together with the amount of filing fee therefor; to provide that the terms of this act shall be cumulative; to provide that any part of this act declared illegal shall not affect the validity of the remaining parts hereof; and to declare an urgency.

Bill read second time, and ordered to third reading.

Assembly Bill No. 462—An act to amend Section 1.91 of, and to add Sections 1.92, 1.93 and 1.94 to, the School Code, relating to the construction, color, design, equipment and operation of school buses.

Bill read second time, and ordered engrossed

Assembly Bill No. 2594—An act to amend the Metropolitan Water District Act, as amended, by adding a new section number 5.1, providing for the exercise of certain powers of metropolitan water districts relating to the service of water, declaring that an urgency exists, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1240—An act to amend Section 737d of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Butte.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "eight thousand", and insert "six thousand five hundred".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1308—An act to permit the sale of certain land by the Department of Institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "Deeds, records", and insert "Official records".

Amendment No. 2

On page 2 of the printed bill, strike out lines 17 to 22, inclusive, and insert "side of said center line, a distance of 661 feet, more or less, to a line measured at right angles to said center line, at or near Engineer's Station 259+91, containing an area of 0.76 acres, more or less."

Amendment No. 3

On page 2, line 33, of the printed bill, strike out "at right angles", and insert "radially".

Amendment No. 4

On page 2 of the printed bill, strike out lines 44, 45 and 46, and insert

"SEC. 3. The Department of Institutions is hereby authorized to accept in consideration of the above grant deeds and quitclaims a deed in fee in and to the following described property, and the Department of Institutions is authorized to grant back an easement for railroad purposes on the following described property to the Southern Pacific Railroad Company.

A strip of land 50 feet wide, lying equally on each side of the located line of the Southern Pacific Railroad Company's railroad, formerly the Long Beach, Whittier and Los Angeles County Railroad Company's railroad, where the same is located through the lands now or formerly of A. H. Dunlap, the Estate of M. F. Tyler, W. F. Fitzgerald and J. F. Isbell, known as "Dunlap's Addition to the City of Whittier" lying on the southwesterly side of, and adjoining the Pickering Land and Water Company's subdivision of the John M. Thomas ranch, being more particularly described as follows, to wit:

Commencing for the same at a point in the center line of said railroad at or near Engineer's Station 259+91, where the said center line intersects the westerly prolongation of that certain course first described in Parcel 2 in deed to said Long Beach, Whittier, and Los Angeles County Railroad Company, recorded in Book 374, page 69 of Deeds, records of said Los Angeles County, said certain course being described in said deed as "Northeasterly at right angles with said center line 150 feet;" running thence in a northwesterly and northerly direction along said center line of said railroad, and following the curvature thereof, embracing a strip of land 25 feet wide on each side of said center line to the northeasterly boundary line of said land now or formerly of A. H. Dunlap, the Estate of M. F. Tyler, W. F. Fitzgerald, and J. F. Isbell, at or near Engineer's Station Number 259+00, a distance of 3,509 feet, more or less, and containing an area of 3.93 acres of land, more or less.

SEC. 4. The Governor shall sign the deeds conveying the property to the purchaser, when such properties are sold, or quitclaimed as provided above."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2571—An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 11, of the printed bill, after "week.", insert "The reasonable value of all necessary supplies and commodities furnished to women and minors so employed shall be deducted from the minimum wage as fixed by the commission. The minimum wage of twenty dollars ($20) per week shall not apply to domestic servants."

Amendment read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 161—An act to amend Section 21 of the Agricultural Code, relating to the salary of the Director of Agriculture

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "ten thousand", and insert "seven thousand two hundred"

Amendment read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 381—An act to add Sections 2607, 2608, 2609 and 2610 to the Welfare and Institutions Code, relating to the property of indigents.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 2, line 8, of the printed bill, following "grant", insert ", except such interest or estate as may have been conveyed to the county,".

Amendment No. 2

On page 2, line 19, of the printed bill, following "supervisors", insert ", and the instruments of release, reconveyance, or subordination shall be executed by an officer of the county, designated by the board of supervisors,".

Amendment No. 3

On page 2, line 19, of the printed bill, following "county", and before the comma, insert "and the State of California"; and in line 22, following "county", insert "and the State".

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 927—An act to amend Sections 5096, 5098 and 5099 of the Revenue and Taxation Code, to repeal Section 5101 of the Revenue and Taxation Code, and to add Sections 5101, 5103, 5104

5105, 5106 and 5107 to the Revenue and Taxation Code, relating to the refund of taxes

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 4 of the printed bill, as amended, strike out lines 39 to 41, inclusive

Amendment No. 2

On page 6, line 7, of the printed bill, as amended, strike out "legal rate", and insert "rate of 5 per centum per annum"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1433—An act to amend Sections 7678, 8306 and 8402 of the Revenue and Taxation Code, relating to the filing of reports under the Motor Vehicle Fuel License Tax Law, the revocation of licenses under the Motor Vehicle Fuel License Tax Law, and the conduct of activities without a license

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in Assembly April 18, 1941, after "when made", insert "within six months"

Amendment No. 2

On page 3, lines 16 and 17, of the printed bill, as amended in the Assembly April 18, 1941, strike out "May 1, 1941", and insert "such decision".

Amendment No. 3

On page 3, line 17, of the printed bill, as amended in the Assembly April 18, 1941, strike out "to the satisfaction of the board"

Amendment No. 4

On page 3, line 21, of the printed bill, as amended in the Assembly April 18, 1941, strike out "and has not been."

Amendment No. 5

On page 3, line 22, of the printed bill, as amended in the Assembly April 18, 1941, after "can not be", strike out the comma.

Amendment No. 6

On page 3, line 23, of the printed bill, as amended in the Assembly April 18, 1941, after "fuel", insert "As used in this section the term "reasonable effort to collect" shall not include nor require institution of litigation until after such decision, and then only if it shall have first been established in a comparable matter, following an assessment or determination made by the board pursuant to Section 6 of this act, that the person liable for the license tax is entitled to be reimbursed for the amount thereof by his vendee"

Amendment No. 7

On page 3, line 37, of the printed bill, as amended in the Assembly April 18, 1941, after "kind," insert "as well as to establish the right of the distributor liable for the license tax to be reimbursed for the amount thereof by his vendee,"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1555—An act to amend Sections 11, 17, 18, 20, 21, 23 and 28 of an act entitled "An act imposing a tax for the privilege

of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to sellers of tangible personal property, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," all relating to the taxation of the privilege of selling, renting, leasing, producing, fabricating, processing, printing or imprinting tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly April 18, 1941, strike out "mentioned", and insert "exempted".

Amendment No. 2

On page 2, line 28, of the printed bill, as amended in the Assembly April 18, 1941, strike out "to the satisfaction of the board".

Amendment No. 3

On page 2, line 32, of the printed bill, as amended in the Assembly April 18, 1941, strike out "and has not been,".

Amendment No. 4

On page 2, line 33, of the printed bill, as amended in the Assembly April 18, 1941, after "can not be", strike out the comma.

Amendment No. 5

On page 2, line 34, of the printed bill, as amended in the Assembly April 18, 1941, after "purchase price", insert "As used in this section the term "reasonable effort to collect" shall not include nor require institution of litigation until after such decision, and then only if it shall have first been established in a comparable matter, following a final assessment or determination made by the board pursuant to Section 9 of this act, that the person liable for the tax is entitled to be reimbursed for the amount thereof by his vendee."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1724—An act to amend the title of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," and to amend Section 28 of said act, relating to the dissolution of such districts, and to add a new Section 30 to said act, relating to cooperative contracts with the United States, and to add thereto new Sections 31, 32 and 33, relating to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors other than taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

Strike out all of lines 3 and 4 of the title of the printed bill, as amended, and insert "An act to amend an act".

Amendment No. 2

In line 18 of the title of the printed bill, as amended, after "amended.", strike out the balance of the title, and insert "by adding a new Section 30 to said act relating to cooperative contracts with the United States, and by adding thereto a new Section 31 relating to bonds secured in whole or in part by sources of payment designated by the board of directors other than taxes"

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 to 8, inclusive, strike out all of page 2; and on page 3, strike out lines 1 to 43, inclusive.

Amendment No. 4

On page 3, line 44, of the printed bill, as amended, strike out "SEC 3", and insert "SECTION 1".

Amendment No. 5

On page 5, line 11, of the printed bill, as amended, after "under", strike out the balance of the line; strike out all of line 12; and in line 13, strike out "or any other", and insert "any".

Amendment No. 6

On page 5, line 23, of the printed bill, as amended, strike out "4", and insert "2".

Amendment No. 7

On page 6, line 1, of the printed bill, as amended, strike out "or assessments".

Amendment No. 8

On page 6, line 2, of the printed bill, as amended, strike out "lands", and insert "property".

Amendment No. 9

On page 6, line 45, of the printed bill, as amended, insert a comma after "taxes", and strike out the balance of the line.

Amendment No. 10

On page 6, line 47, of the printed bill, as amended, strike out "or assessments".

Amendment No. 11

On page 7 of the printed bill, as amended, strike out lines 11 to 13, inclusive, and insert "inconsistent with this section; provided, that a majority vote of electors voting at any election shall be sufficient to authorize the issuance of bonds payable solely and exclusively from revenues and without resort to the levy of taxes."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2470—An act to add Section 2190 to the Welfare and Institutions Code, relating to pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2190", and insert "Sections 2160.3, 2190 and 2195".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "pensions", and insert "aid to the aged".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "2190", and insert "2160.3".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert "2160.3. No person shall be denied aid under this chapter for the reason that he has a spouse, parent or adult child financially able to support him, when in fact such relatives are not providing him with a reasonable subsistence compatible with decency and health.

SEC. 2. Section 2190 is hereby added to said code, to read as follows:

2190. When any aid has been granted to a citizen under the provisions of this chapter, no reduction of the amount of an individual's aid shall be made, and no aid shall be discontinued save by the death of the recipient, until the recipient shall first be granted a hearing by the State Board of Social Welfare held in the county in which he is a resident. Notice of such hearing shall be mailed by registered mail addressed to the recipient at least 15 days before the holding of the hearing, and full opportunity given him to defend his rights to a continuance of the aid.

SEC. 3. Section 2195 is hereby added to said code, to read as follows:

2195. Every person receiving aid under this chapter shall be at liberty to travel to or from any portion of the United States without forfeiting such aid, unless (i) he is absent from the State of California for more than 60 days continuously in any one calendar year except that the board of supervisors of the county in which he resides may grant him a longer period of time, or (ii) he takes up his permanent residence elsewhere than in the State of California."

Amendments read and adopted

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1101—An act to add Section 1552.3 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare in regard to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, after "motion", insert "and after notice to the county".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1102—An act to add Section 2184.5 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare under the Old Age Security Law

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, after "motion", insert "and after notice to the county"

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1103—An act to add Section 3086.5 to the Welfare and Institutions Code, relating to the powers and duties of the State Board of Social Welfare in regard to aid to needy blind

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Service and Welfare.

Amendment No. 1

On page 1, line 4, of the printed bill, after "motion", insert "and after notice to the county".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1135—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 554 and to add Section 555 to", and insert "Section 551 and to repeal Section 552 of"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 551 of the Labor Code is hereby amended to read as follows:

551 Every person employed in any occupation of labor is entitled to one day's rest therefrom in seven [ ] *and no employer of labor shall cause any employee to work more than six days in seven, unless the nature of employment reasonably requires that such employee work seven or more consecutive days, or unless an agreement is entered into by the employer and the employee*

SEC. 2. Section 552 of the Labor Code is hereby repealed."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1581—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 161a of, and to add Section 171m to," and insert "add Section 171c to"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 10, inclusive

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "SEC. 2. Section 171m is hereby added to said code", and insert

SECTION 1. Section 171c is hereby added to the Civil Code".

Amendment No. 4

On page 1 of the printed bill, strike out lines 13 to 23, inclusive, and insert

"171c. Notwithstanding the provisions of Sections 161a and 172 of this code, the wife has the management, control, and disposition of money earned by her, or money damages received by her for personal injuries suffered by her, so long as such money

is retained in that form by her or is on deposit in her name alone and until it is converted by her into other property or commingled with other community property."

Amendments read and adopted.

Bill ordered printed, and engrossed

Assembly Bill No. 278—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert "Section 7071.5 is hereby added to the Business and Professions Code, to read as follows:

7071.5 The board may require as a condition precedent to the issuance of any original license or the renewal of an existing license that the applicant for a license or the licensed contractor file or have on file a bond issued by an admitted surety insurer in a sum to be fixed by the board, but which sum shall not be less than two hundred fifty dollars ($250) nor more than two thousand five hundred dollars ($2,500), running to the State of California and conditioned upon his compliance with all the provisions of this chapter, or in lieu thereof that the applicant or licensee post with the registrar a cash deposit of a sum not less than two hundred fifty dollars ($250) nor more than two thousand five hundred dollars ($2,500).

If the board shall by rule require the filing of such bond or the posting of such cash deposit, every person injured by the unlawful acts or omissions of a contractor may bring an action on the bond or a claim against the cash deposit for the amount of the damage he suffered as a result thereof to the extent covered by the bond or the cash deposit.

The claim of any employee of the contractor for wages shall be a preferred claim against any bond or cash deposit required by rule of the board

The determination of the validity and priority of such claim shall be based upon a finding of fact made by the registrar in accordance with the provisions of Article 7, Section 7090 to 7120 of the chapter

If any bond or cash deposit which may be required is insufficient to pay all claims for wages in full, the sum recovered shall be distributed among all claimants for wages in proportion to the amount of their respective claims If the board shall by rule require the filing of such bond or the posting of a cash deposit, the failure of an applicant to file the required bond or post the required deposit shall constitute grounds for denying him a license or the renewal of his license, and the failure of a licensed contractor to file the required bond or post the required deposit, shall constitute grounds for revoking or suspending his license

Amendment read and adopted.

Bill ordered printed, and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 233—An act to amend School Code Sections 3.618 and 3.624, relating to the average daily attendance of physically handicapped pupils of the public schools.

Bill read second time, and ordered to third reading

Senate Bill No. 448—An act to amend Section 737tt of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Sierra

Bill read second time, and ordered to third reading

Senate Bill No. 220—An act to amend Section 737uu of the Political Code, relating to the salary of superior judges in and for the County of Siskiyou.

Bill read second time, and ordered to third reading

Senate Bill No. 1157—An act to add Section 1381.5 to the Penal Code, relating to prisoners in the State prisons.

Bill read second time, and ordered to third reading

Senate Bill No. 1020—An act to amend Section 5505 of the Labor Code, relating to proceedings before the Industrial Accident Commission.

Bill read second time, and ordered to third reading

Senate Bill No. 807—An act to amend Section 36 of the Civil Code, relating to contracts of minors.

Bill read second time, and ordered to third reading

Senate Bill No. 460—An act to add Section 469 to the Probate Code, relating to compensation to attorneys for extraordinary services rendered to special administrators

Bill read second time, and ordered to third reading

Senate Bill No. 459—An act to add Section 586.5 to the Probate Code, relating to distribution of assets held by depositaries

Bill read second time, and ordered to third reading.

Senate Bill No. 457—An act to amend Sections 771, 1531 and 1534 of the Probate Code, relating to sales of securities

Bill read second time, and ordered to third reading

Senate Bill No. 454—An act to add Section 1406.5 to the Probate Code, relating to nomination of guardians.

Bill read second time, and ordered to third reading.

Senate Bill No. 453—An act to add Section 1554.1 to the Probate Code, relating to waiver of notice by the Attorney General.

Bill read second time, and ordered to third reading.

Senate Bill No. 1092—An act to repeal Section 511 of the Public Resources Code, relating to publications issued by the Department of Natural Resources.

Bill read second time, and ordered to third reading.

Senate Bill No. 830—An act to repeal Section 981 and to amend Sections 980 and 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Bill read second time, and ordered to third reading

Senate Bill No. 231—An act to amend School Code Section 3 516, relating to employees of the State Board of Education

Bill read second time, and ordered to third reading.

Senate Bill No. 74—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation and the determination of the actual value of intangibles, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 72—An act to add Sections 408 and 467 to the Revenue and Taxation Code, relating to property taxation, including inspection of information and records in the county assessor's office, and the filing of statements pertaining to specified property subject to taxation, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 8—An act to add Section 603 to the Penal Code, relating to unlawful entry.

Bill read second time, and ordered to third reading.

Senate Bill No. 845—An act to amend Section 2313 of the Public Resources Code, relating to mining claims, tunnel locations and mill sites, and the recording of notice of location, markings of boundaries, and performance of discovery work.

Bill read second time, and ordered to third reading.

Senate Bill No. 283—An act to add Section 2160.7 to the Welfare and Institutions Code, relating to the aged confined in county institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate April 11, 1941, strike out "pension", and insert "assistance".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended in the Senate April 11, 1941, strike out the period, and insert ", or after his release from the county hospital"

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 152—An act to amend Section 2007 of, and to add Section 2007.5 to, the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive, and insert "Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor, and any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give 15 days notice of the intention to make the transfer, to the board of supervisors by serving upon the chairman of the board a declaration in

writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed, and failure to give such notice shall constitute a misdemeanor."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 779—An act to add Chapter 8 to Part 1 of Division 3 of the School Code, which chapter shall consist of Section 3.107, relating to insurance premium deductions from salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate April 15, 1941, after "added to", insert "Part 1 of Division 3 of".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 975—An act to add Chapter 7.5, comprising Sections 1126, 1127, 1128, 1129 and 1130, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 5 to 10, inclusive, and insert "any organization in which employees participate and which exists and is constituted for the purpose, in whole or in part, of collective bargaining with employers or of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work, but does not include any organization or association of employees in which the employer directly or indirectly participates in the formulation of governing rules or policies or in which the employer participates in the management, operations or elections and it does not include any organization or association of employees which is wholly or partially maintained, controlled, dominated or financed by the employer."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Sections 1576", and insert "Section".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 21, inclusive; and on page 2, strike out lines 1 to 21, inclusive.

Amendment No. 3

On page 2, line 22, of the printed bill, as amended, strike out "Sec 2 Section 2049 of said", and insert
"SECTION 1 Section 2049 of the Business and Professions".

Amendment No. 4

On page 2, line 39, of the printed bill, as amended, strike out "3", and insert "2"

Amendment No. 5

On page 2, line 42, of the printed bill, as amended, strike out "including wardens and clerks", and insert "other than those of wardens and clerks,"

Amendment No. 6

On page 3, line 1, of the printed bill, as amended, strike out "4", and insert "3".

Amendment No. 7

On page 3 of the printed bill, as amended, strike out lines 2 to 13, inclusive

Amendments read and adopted.
Bill ordered printed, and to third reading.

Senate Bill No. 1144—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes.

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, strike out "then," and strike out line 19, and insert "or having knowledge, fails to determine how the terms of imprisonment shall run in relation to each other, then, upon such failure so to determine, or upon such prior judgment or judgments being brought to the".

Amendment No. 2

On page 1, line 23, of the printed bill, as amended, strike out "shall determine how the term", and insert "shall, in the absence of the defendant and within 60 days of such notice, determine how the term of"

Amendment No. 3

On page 1, line 25, of the printed bill, as amended, strike out "unless", and strike out lines 26 and 27, and insert "Upon the failure of the court so to determine how the terms of imprisonment on the second or subsequent judgment shall run, the term of imprisonment on the second or subsequent judgment shall run concurrently."

Amendments read and adopted.
Bill ordered printed, and to third reading.

Senate Bill No. 1182—An act to provide for the organization and government of water storage and conservation districts; to provide for the acquisition, construction, maintenance and operation of works for the purposes of such districts, including the drainage, reclamation and irrigation of land; and to prescribe and define the powers, duties, purposes and responsibilities of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 5, line 3, of the printed bill, as amended, strike out "presented", and insert "published"

Amendment No. 2

On page 6, line 38, of the printed bill, as amended, strike out "30 and 31", and insert "143 to 152, inclusive,".

Amendment No. 3

On page 6, line 43, of the printed bill, as amended, strike out "30", and insert "143".

Amendment No. 4

On page 13, line 13, of the printed bill, as amended, after "annum", insert "except as otherwise provided".

Amendment No. 5

On page 13, line 39, of the printed bill, as amended, strike out "15", and insert "64".

Amendment No. 6

On page 19, line 40, of the printed bill, as amended, strike out "22", and insert "111".

Amendment No. 7

On page 23, line 6, of the printed bill, as amended, strike out "10", and insert "47".

Amendment No. 8

On page 28, line 13, of the printed bill, as amended, strike out "Section 38", and insert "Sections 153 to 156, inclusive,".

Amendment No. 9

On page 37, line 21, of the printed bill, as amended, strike out "10", and insert "46".

Amendment No. 10

On page 41, line 34, of the printed bill, as amended, strike out "22", and insert "111"

Amendment No. 11

On page 47, lines 16 and 17, of the printed bill, as amended, strike out "Section 22", and insert "Sections 104 to 116, inclusive,".

Amendment No. 12

On page 49, line 14, of the printed bill, as amended, strike out "Section 22" and insert "Sections 115 and 116".

Amendment No. 13

On page 49, line 29, of the printed bill, as amended, strike out "Section 22a", and insert "Sections 133 and 134".

Amendment No. 14

On page 59, lines 35 and 36, of the printed bill, as amended, strike out "or the decree of the superior court as hereinafter provided,".

Amendments read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Bill No. 75—An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class,

Assembly Bill No. 100—An act to amend Sections 5 and 6 of, and to add Sections 8 and 9 to "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to the abatement of nuisances;

Assembly Bill No. 142—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in primary elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 199—An act to add Section 4041 13b to the Political Code, relating to the powers and duties of purchasing agents,

Assembly Bill No. 413—An act to amend Section 2112 of the Business and Professions Code, relating to the directory under the chapter on medicine thereof;

Assembly Bill No. 502—An act to amend Section 2458 of, and to add Sections 2455.3 and 2455.6 to, the Business and Professions Code, relating to fees and certificates under the chapter on medicine thereof;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 503—An act to amend Section 2286 of the Business and Professions Code, relating to medical examinations;

Assembly Bill No. 504—An act to add Section 2454.5 to the Business and Professions Code, relating to the use of the addressing facilities of the administrative board under the chapter on medicine thereof;

Assembly Bill No. 505—An act to amend Section 2120 of the Business and Professions Code, relating to reports under the chapter on medicine thereof;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 638—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature including expenses of committees created at that session, and declaring that this act shall take effect immediately;

Assembly Bill No. 829—An act to amend Section 44 of the Bank Act, relating to the making of loans upon the security of the capital stock of another bank or of a corporation;

Assembly Bill No. 1412—An act to amend Section 61a of the Bank Act, relating to the investigation and certification of securities by the Superintendent of Banks;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1583—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements;

Assembly Bill No. 1920—An act to amend Section 11860 of the Insurance Code, relating to workmen's compensation insurance and reports of the State Compensation Insurance Fund;

Assembly Bill No. 1927—An act to amend Section 6830 of the Health and Safety Code, relating to the annexation of territory to a sanitary district;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1971—An act accepting a retrocession of jurisdiction from the United States of America over certain rights of way granted to the State of California over a certain road in the Presidio of San Francisco Military Reservation;

Assembly Bill No. 2098—An act to repeal an act entitled "An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River," approved May 28, 1929, and to abolish the Pajaro River Flood Control Fund, which is created thereby;

Assembly Joint Resolution No. 44—Relative to Sacramento River north from Chico Landing;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 45—Relative to flood and seepage conditions along the Sacramento River and its tributaries in Northern California;

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 31c of Article IV thereof, relating to ownership of stock by school districts;

Assembly Concurrent Resolution No. 31—Relative to approving three certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the first day of April, 1941; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1941, at 9 a m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 560
Assembly Bill No. 2359
Assembly Bill No 2573

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred

Assembly Bill No. 481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CRONIN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred

Senate Bill No 344
Senate Bill No. 446
Senate Bill No. 521
Senate Bill No 469
Senate Bill No. 412
Senate Bill No. 414
Senate Bill No. 796

Has had the same under consideration, and reports the same back with the recommendation Do pass

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1116
Assembly Bill No. 1117
Assembly Bill No. 1574

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No 33

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1349

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

CRONIN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No 1045

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1000

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

PHILLIPS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 30

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Concurrent Resolution No. 30—Relative to closing to trout fishing of streams flowing into the Pacific Ocean.

Request for Unanimous Consent

Mr. Michael J. Burns asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 30, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 30

Senate Concurrent Resolution No. 30—Relative to closing to trout fishing of streams flowing into the Pacific Ocean.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Clarke Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Doyle, Gaffney, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Leonard, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Plaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—47.

NOES—Johnson, and Watson—2

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.02 a m., Hon Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

Mr. Turner requested permission to use the Assembly Chamber for the purpose of holding a public meeting of the Committee on Revenue and Taxation on Monday, April 28, 1941, at 8 p m.

Request granted.

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 140—An act to add Section 2326 to the Public Resources Code, relating to the records of dissolved mining districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Mines and Mining:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 20 and 21

Amendment read and adopted.

Bill ordered printed, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 159

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, and the Controller is hereby directed to draw his warrant in favor of said person for said amounts, and the Treasurer is hereby directed to pay the same.

Commencing Friday, April 24, 1941, to April 25, 1941, both dates inclusive:

	Per day
Richard Connor, Jr, Page	$2.50

LYON, Chairman
Committee on Rules

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J, Clarke, Collins, George D, Collins, Sam L, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick, F, Howser, F N, Johnson, Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—51.

NOES—Call—1

REQUEST FOR TEMPORARY LEAVE OF ABSENCE

Mr. Lyon asked for temporary leave of absence from the Assembly Chamber to attend a subcommittee meeting of the Committee on Revenue and Taxation.

Request granted

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr F N Howser:

An act to add Section 87 5 to the Agricultural Code, relating to district agricultural associations.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F Howser, F. N, Johnson, Kellems, Kepple, Knight T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—63

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Burkhalter:

An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof, declaring the urgency of the act and that it take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke Collins, George D, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Weybret—61.

NOES—None.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Field:

An act to amend Sections 7643, 7662, 7665, 7666 7668 and to repeal Section 7664 of the Business and Professions Code, relating to embalmers and apprentices

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman Turner, Waters, Watson, Welch, and Weybret—62

NOES—None.

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr Hugh M. Burns:

An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made," approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938, and not yet paid.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—63

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2598: By Mr. F. N. Howser—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 2599: By Mr. Burkhalter—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 2600: By Mr. Field—An act to amend Sections 7643, 7662, 7665, 7666, 7668 and to repeal Section 7664 of the Business and Professions Code, relating to embalmers and apprentices.

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2601: By Mr. Hugh M. Burns—An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made." approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938 and not yet paid

Referred to Committee on Roads and Highways.

Assembly Joint Resolution No. 48: By Messrs. Tenney, Field, Cooke, Call, Potter, Lyon and Houser, Frederick F.—Relative to memorializing the President and the Congress to enact pending legis-

lation to establish the one hundred fiftieth anniversary of the adoption of the Bill of Rights as a public holiday.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 48, at this time, without reference to committee, print or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 48

Assembly Joint Resolution No. 48—Relative to memorializing the President and the Congress to enact pending legislation to establish the one hundred fiftieth anniversary of the adoption of the Bill of Rights as a public holiday

Resolution read

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—62

NOES—None

Resolution ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 49: By Mr. Meehan—Relative to real estate brokers and salesmen.

Referred to Committee on Unemployment.

Call of the Assembly

Mr. Evans moved a call of the Assembly

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—57.

NOES—Burns, Hugh M, Clarke, Crowley, Dilworth, Sawallisch, and Tenney—6

Time, 11.25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2021—An act to add Section 453b to the Political Code and to repeal an act entitled "An act to provide for the reversion

of unexpended balances of certain appropriations," approved May 18, 1921, relating to the reversion of unexpended balances of certain appropriations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2021?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "453b", and insert "435".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, after "appropriations", insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, line 2, of the printed bill, as amended, strike out "453b", and insert "435".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of lines 4 to 19, inclusive, and insert

"435. Three years after the date upon which it became available for expenditure, all money remaining unexpended from any appropriation shall revert to and become a part of the fund from which it was appropriated. No claim against any money, irrespective of the date upon which the claim against the State arose, shall be paid after the date upon which the money reverts.

This section does not affect or apply to:

(a) Transfers of money from the General Fund for the benefit of elementary schools, high schools, the University of California, the interest and sinking fund, or any other bond interest fund.

(b) Regular periodic expenditures of fixed sums for any public purpose.

(c) Appropriations made for cooperative work under specific agreement or under contract."

Amendment No. 5

On page 1, line 21, of the printed bill, as amended, strike out "453b", and insert "435"

Amendment No. 6

On page 1 of the printed bill, as amended, after line 25, insert

"SEC. 4. When solely by reason of the provisions of Section 435 of the Political Code, a claim against any money available for expenditure prior to July 1, 1941, is barred due to the period of limitation prescribed by such provisions, the claim, notwithstanding the provisions of Section 435 of the Political Code, may be paid on or before whichever is the later of the following: (1) three years of the date upon which the money against which the claim is filed became available, or (2) June 30, 1942.

SEC. 5. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately and become operative July 1, 1941. The facts constituting such necessity are as follows:

The financial accounts of the State Government are maintained upon a fiscal year basis. *To avoid a serious disruption of the State fiscal procedure and to provide* for a clearing of dead accounts and the elimination of dead claims, thereby permitting more efficient and economical handling of the State finances, it is necessary that this act take effect immediately, else such disruption can not be avoided and such clearing of accounts and claims can not be made effective concurrently with the Budget Act of 1941, to the consequent endangering of the public peace, health and safety."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2021 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—55

NOES—Carlson, Dilworth, and Poulson—3

Assembly Bill No. 2021 ordered enrolled.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1003

Mr Stream moved that Senate Bill No 1003 be withdrawn from the Committee on Roads and Highways for purpose of amendment, and re-reference to the Committee on Roads and Highways.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1003—An act to amend Sections 195 and 203 of, and to add Sections 205 and 206 to, the Streets and Highways Code, relating to the expenditure of moneys from the State Highway Fund within cities.

Bill read second time.

Motion to Amend

Mr Stream moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out all of lines 18 to 27, inclusive, and insert

"206 Whenever, after the effective date of this section, any city, by incorporation, annexation or exclusion of territory, establishes the incorporated limits of such city so that the right of way of any State highway lies between portions of a city, the contiguous property on each side of the highway being within the incorporated limits thereof, then such State highway shall be deemed to be within such city for all purposes of this article."

Amendment read and adopted.

Bill ordered printed, and re-referred to Committee on Roads and Highways

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1690—An act to amend School Code Sections 3.730, 3.731, 3.732, 3.733, 3 734, 3.735, 3.736, 3.737 and 3.738, and to add Sections 3 735-1 and 3 735-2 to said code, all relating to physical education and related activities in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1219—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California, lying east of D

Street in said city, to property owners whose lands abut thereon, or to persons occupying said land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1392—An act to amend Section 1030 of the Political Code, relating to office hours

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, and Wollenberg—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1824—An act to add Section 661.9 to the Political Code, relating to the repayment of money borrowed from the Emergency Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight T Fenton, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2151—An act to amend Section 6.224 of the School Code, relating to the sale of property of a school district.

Bill read third time

The roll was called, and the bill passed by the following vote

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie,

Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Waters, Watson, Welch, and Wollenberg—62.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2338—An act to amend Section 374b of the Penal Code, relating to the disposal of garbage and refuse upon public and private highways.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Watson, Welch, and Wollenberg—62.
NOES—None.

Bill ordered transmitted to the Senate

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. T. Fenton Knight, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly on Assembly Bill No. 626.

Hon. Everett G. Burkhalter Presiding

At 11:45 a.m., Hon. Everett G. Burkhalter, member of the Assembly from the Forty-second District, presiding

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 626—An act to amend Section 745 of the Welfare and Institutions Code, relating to modification of commitment orders of juvenile delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 627—An act to amend Section 869 of the Welfare and Institutions Code, relating to the liability of the committing county for maintenance of juvenile delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B.,

Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—69.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 628—An act to amend Section 6700 of the Welfare and Institutions Code, relating to the transfer of inmates of State institutions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—69.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 629—An act to amend Section 6701 of the Welfare and Institutions Code, relating to the transfer of inmates at the request of relatives or friends

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—69
NOES—None.

Bill ordered transmitted to the Senate

Speaker Pro Tempore Presiding

At 12:05 p.m. Hon Earl D Desmond, Speaker pro tempore of the Assembly, presiding

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 12:05 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 630—An act to add Section 6702 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lewis, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Wollenberg—69.

NOES—None

Bill ordered transmitted to the Senate

RECESS

At 12:06 p.m., on motion of Mr. Crowley, the Assembly recessed for a period of five minutes to hear from Mrs. Louis J. Lemstra, National President of the American Legion Auxiliary, of Clinton, Indiana, and Ruth Mathebat, National Chairman, National Defense, of Alameda

REASSEMBLED

At 12:11 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

RECESS

At 12:15 p.m., on motion of Mr. Field, the Assembly recessed until 1:30 p.m.

REASSEMBLED

At 1:30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 631—An act to add Section 6703 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

Motion carried. Time, 1:43 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 631

At 1:45 p.m., on motion of Mr. T. Fenton Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 631 passed by the following vote.

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Evans, Field, Gaffney, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T.

Fenton; Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Waters, Watson, Welch, and Wollenberg—43.

NOES—Bashore, Call, Doyle, and Lowrey—4

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 641

Miss Miller moved that Assembly Bill No. 641 be withdrawn from file, and re-referred to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 632—An act to repeal Chapter 1, Part 1, Division 2, of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—57

NOES—Burns, Hugh M., Clarke, Crowley, Dilworth, Sawallisch, and Tenney—6.

Time, 2:05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 431—An act to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1058, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1058

Assembly Bill No. 1058—An act relating to National and local defense and public emergencies, authorizing extraterritorial activities by public agencies and providing that privileges, immunities and benefits applicable to the activity of employees of such public agencies when acting within their territorial limits shall apply to them while engaged in any such work extraterritorially; declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N. Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—64

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—59

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 160

Resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect upon the completion of work on April 24, 1941:

	Per day
Harold Lewright, Assistant Sergeant-at-Arms	$5 00
James Sims, Jr., Stenographer	5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—57.

NOES—None.

By Committee on Rules:

House Resolution No. 161

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Friday, April 25, 1941:

	Per Day
Harold Lewright, Assistant Clerk	$7 00
James Sims, Jr., Assistant Clerk	7 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—57.

NOES—None

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 880—An act to amend and renumber Section 3045 of the Welfare and Institutions Code (as added by Chapter 916 of the Statutes of 1939), relating to aid to the needy blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney,

McCollister, Meehan, Middough, Miller, Millington, Pelletier, Ptaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97—An act to amend Section 1012 of the Code of Civil Procedure, relating to service by mail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 2.20 p.m., Hon. Richard H. McCollister, member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 400—An act to add Article 3, consisting of Sections 22175 to 22181, inclusive, to Chapter 12 of Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of gold or its alloys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—61.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 211—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister

Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman Waters, Watson, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 202—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—63
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 203—An act to amend Section 822 of the Penal Code, relating to bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, King, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—62
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 204—An act to amend Section 1269a of the Penal Code, relating to bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Bill read third time.

Motion to Re-refer Bill to Committee

Mr. Sam L Collins moved that Assembly Bill No. 205 be re-referred to the Committee on Judiciary Codes.

Mr. Waters seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Evans, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Millington, Pfaff, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—50.

NOES—Bennett, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Houser, Frederick F., King, Lyon, Meehan, Miller, O'Day, Poole, Potter, Stream, and Thomas—16.

Assembly Bill No. 205 ordered re-referred to Committee on Judiciary Codes.

Motion to Expunge Record and Rescind Action

Mr. T Fenton Knight moved to expunge the record, and rescind the action whereby Assembly Bill No 632 was passed

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 1800 was taken up

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Reconsideration of Amendment No. 70 to Assembly Bill No. 1800

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Amendment No. 70 to Assembly Bill No. 1800 was adopted be reconsidered.

Motion to Postpone Reconsideration of Amendment No. 70 to Assembly Bill No. 1800

Mr. Bennett moved that the reconsideration of Amendment No. 70 to Assembly Bill No. 1800 be postponed until the next legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Collins, George D, Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Hawkins, Heisinger, Kilpatrick, King, Meehan, O'Day, Richie, Robertson, Russell, Sawallisch, and Thomas—19.

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—45

Demand for Previous Question

Messrs. Kellems, Call, Collins, Sam L., Hastain and Houser, Frederick F, demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Bashore, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L, Daley, Del Mutolo, Dickey, Doyle, Field, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—44.

NOES—Andreas, Bennett, Burns, Hugh M, Collins, George D., Cooke, Cronin, Crowley, Dills, Dilworth, Donnelly, Gaffney, Hawkins, Heisinger, Johnson, Kilpatrick, King, Maloney, Meehan, O'Day, Russell, Sawallisch, and Thomas—22.

The question being upon the motion by Mr. Lyon to reconsider Amendment No. 70 to Assembly Bill No. 1800.

Amendment No 70 to Assembly Bill No. 1800 reconsidered by the following vote:

AYES—Bashore, Burns, Hugh M., Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Andreas, Bennett, Cain, Collins, George D., Cooke, Dills, Donnelly, Gaffney, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Meehan, O'Day, Richie, Robertson, Russell, and Thomas—20.

Speaker Presiding

At 3.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Motion to Set Special Order

Mr. Lyon moved that Assembly Bill No. 1800 be made a special order of business for Tuesday, April 29, 1941, at 1.30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Bennett, Cain, Collins, George D., Cooke, Dills, Donnelly, Gaffney, Gunlock, Kilpatrick, King, Lowrey, Meehan, O'Day, Richie, Russell, and Thomas—16.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 325—An act to add Section 996 to the Civil Code, relating to property and other rights in and to fur bearing animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "10", and insert "fifteen".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 928—An act to add Section 5.5 to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," relating to computation of gross receipts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman Sawaltsch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1220—An act to amend Section 12710 of the Business and Professions Code, relating to public weighmasters and double draft weights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawaltsch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1942—An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing, and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1942:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 2, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 1942

"An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing, and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein",

in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No 1942 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 635—An act to repeal Sections 6622 and 6623 of the Welfare and Institutions Code, relating to dental services at State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—59.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 636—An act to add Section 160.5 to the Welfare and Institutions Code, relating to the transportation of nonresident or alien criminal insane persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—59

NOES—Evans—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 2543—An act to add Section 604.10 to the Vehicle Code, relating to the transportation, care and treatment of persons injured upon the highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Mid-

dough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 395—An act to add Chapter 3 to Division 4a of the Fish and Game Code, relating to trapping wild boar.

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1859—An act to amend Section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F. Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2568—An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 357—An act to amend Section 202 of the Welfare and Institutions Code, relating to contracts for care of indigents; emergency service authorized; nonemergency services authorized; hospitals with which agreements may be made

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo,

Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—63

NOES—Andreas, and Dilworth—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1845—An act to amend Section 12422 of the Insurance Code, relating to mortgage insurers.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None

Bill ordered transmitted to the Senate

Assembly Constitutional Amendment No. 43—Proposed amendment to Article XX of the Constitution, relative to an amendment to the Constitution of the State by adding Section 23 to Article XX thereof, creating a State Park Commission and prescribing the powers and duties

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 40—Relative to making citrus fruits available to the enlisted personnel of the military and naval forces of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 780—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1054—An act to amend Sections 2270 and 2274 of the Health and Safety Code, and to add Section 2292 thereto, relating to mosquito abatement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1268—An act to amend Sections 372, 704 and 705, and to repeal Sections 702 and 703 of the Vehicle Code, relating to weight limitations imposed upon vehicles and combinations of vehicles, and the registration thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1282—An act to amend Section 24204 of the Health and Safety Code, relating to air pressure tanks

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream,

Thomas, Thorp, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Dan Gallagher Presiding

At 4.40 p.m., Hon Dan Gallagher, member of the Assembly from the Twenty-third District, presiding.

Assembly Bill No. 2128—An act to amend Sections 39, 382 and 623 and to add a new Section 168 to the Motor Vehicle Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Weybret, and Wollenberg—57.
NOES—Hugh M. Burns—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1467—An act to amend Section 821 of the Agricultural Code, relating to apples.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 690—An act to amend Section 454 of the Vehicle Code, to provide for the inclusion within the exemptions granted to authorized emergency vehicles of licensed physicians when traveling in response to emergency calls.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Weybret, and Wollenberg—61.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 624
Assembly Bill No 1702
Assembly Bill No. 2061
Assembly Bill No 2165
Senate Bill No. 742

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1758
Assembly Bill No 2512

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TURNER, Chairman

Above reported bills ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 788
Assembly Bill No. 916
Assembly Bill No 917
Assembly Bill No. 918
Assembly Bill No 2291
Senate Bill No. 761
Senate Bill No. 1274

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No 1733

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 711
Assembly Bill No 894
Assembly Bill No 1537
Assembly Bill No 1693

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 111
Assembly Bill No. 171
Assembly Bill No 354
Assembly Bill No 458
Assembly Bill No 462
Assembly Bill No 554
Assembly Bill No 1060
Assembly Bill No. 1112
Assembly Bill No 1331
Assembly Bill No 2110
Assembly Bill No 2280
Assembly Bill No 2321
Assembly Bill No 2594

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER Your Committee on Public Utilities, to which were referred

Assembly Bill No. 707
Senate Bill No. 1071

Has had the same under consideration, and reports the same back with the recommendation Do pass.

ALLEN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred.

Assembly Bill No. 1057

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

POULSON, Chairman

Above reported bills ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 1113
Assembly Bill No 1234
Assembly Bill No 1271
Assembly Bill No 2164

And reports the same correctly re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER Your Committee on Public Utilities, to which was referred

Assembly Bill No 2119

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 25 1941

MR SPEAKER Your Committee on Social Service and Welfare, to which was referred.

Assembly Bill No 2380

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

(Signed out)

DALEY, Chairman
TURNER
COOKE
BURKHALTER
HAWKINS
KILPATRICK
POULSON
KEPPLE

Above reported bill ordered to second reading

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 937

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR SPEAKER: Your Committee on State Colleges, to which was referred Assembly Bill No 2592

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means

(Signed out)

DEL MUTOLO, Chairman
DILLS
HEISINGER
BURNS, MICHAEL J
ROBERTSON

Above reported bill re-referred to Com. on Ways and Means.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1820—An act to add Section 661.6 to the Political Code, relating to withdrawal of money from the Emergency Fund.

Bill read third time.

The roll was called, and the bill refused passage by the following vote

AYES—Allen, Collins, Sam L., Dilworth, Thorp, and Turner—5.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Ptafl, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—60.

Notice of Motion to Reconsider Assembly Bill No. 1820

Mr. Poulson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1820 was this day refused passage

Assembly Bill No. 1879—An act to add Section 170 of the Vehicle Code, relating to registration of and issuance of license plates for vehicles of passenger stage corporations, highway common carriers, and highway carriers.

Bill read third time.

Motion to Amend

Mr. Allen moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 to 5, inclusive, and insert

"170. Registration of Vehicles of Certain Carriers No person shall register any vehicle owned and operated by".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 8 and 9, and insert "tion is the holder of a valid and currently effective certificate of".

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2166—An act to amend Section 5536 and to repeal Section 5537 of the Business and Professions Code, relating to the practice of architecture

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "or structure"

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 2 and 3, insert

"This chapter does not authorize any person to engage in the practice of architecture in cases where he is prohibited therefrom by any other law or by local ordinance.

This chapter does not affect or apply to any person registered under Chapter 7 of Division 3 of this code, relating to civil engineers."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 808—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25.1, 27, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately

Bill read third time

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 29, of the printed bill, as amended April 14th, after "subsection", insert a comma

Amendment No. 2

On page 8, line 27, of the printed bill, as amended on April 14th, strike out "cent", and insert "centum"

Amendment No. 3

On page 17, line 23, of the printed bill, as amended April 14th, after "reorganization", strike out the comma, and insert a colon.

Amendment No. 4

On page 25, line 42, of the printed bill, as amended on April 14th, strike out "compulsory", and insert "compulsorily".

Amendment No. 5

On page 28, line 9, of the printed bill, as amended April 14th, after "Where", insert a comma; and in line 10, after 'payer", insert a comma.

Amendment No. 6

On page 31, line 37, of the printed bill, as amended April 14th, strike out the period, and insert a semicolon.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9.3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of the Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 8, line 2, of the printed bill, as amended April 11th, strike out "or" before "stock", and insert "of".

Amendment No. 2

On page 19, line 48, of the printed bill, as amended April 11th, insert commas after "Where" and "taxpayer"

Amendment No. 3

On page 27, line 51, of the printed bill, as amended April 11th, strike out "of".

Amendment No. 4

On page 29, line 51, of the printed bill, as amended April 11th, insert quotation marks before "paid" and after "incurred".

Amendment No. 5

On page 34, line 13, of the printed bill, as amended April 11th, strike out "taxpayers" and insert "taxpayer".

Amendment No. 6

On page 42, line 51, of the printed bill, as amended April 11th, insert a comma after "commissioner".

Amendment No. 7

On page 44, line 38, of the printed bill, as amended April 11th, after "(a)", insert a comma.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 632—An act to repeal Chapter 1, Part 1, Division 2, of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research.

Bill read third time.

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Division 2," insert "and Section 1008".

Amendment No. 2

On page 1 of the printed bill, after line 2, insert

"SEC. 2. Section 1008 of the Welfare and Institutions Code is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, to repeal Sections 658 and 679 of the Political Code, and making an appropriation

Bill read third time.

Motion to Amend

Mr. Poulson moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "to repeal Section 658", and insert "to amend Section 11860 of the Insurance Code, to repeal Sections 658 and 660".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended, before the comma, insert "and of enacting laws that will effect greater economy and efficiency in the State government".

Amendment No. 3

On page 2, line 3, of the printed bill, as amended, strike out "who shall be a civil executive officer".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 17 to 20, inclusive, and insert

"The members of the Audit Committee selected prior to the adjournment of the regular session of the Fifty-fourth Legislature shall enter upon the performance of their duties upon the taking effect of this act. Any vacancies occurring in the membership of the committee, whether the Legislature be in session or not, shall be filled in the same manner and by the same officer or committee as herein provided for an original appointment thereto."

Amendment No. 5

On page 2 of the printed bill, as amended, strike out lines 33 and 34.

Amendment No. 6

On page 2, line 35, of the printed bill, as amended, strike out "7", and insert "6".

Amendment No. 7

On page 2, line 38, of the printed bill, as amended, strike out "8", and insert "7".

Amendment No. 8

On page 2, line 42, of the printed bill, as amended, strike out "9", and insert "8".

Amendment No. 9

On page 2, line 48, of the printed bill, as amended, strike out "10", and insert "9".

Amendment No. 10

On page 3, line 4, of the printed bill, as amended, after the comma, insert "including the quarterly report made by the Industrial Accident Commission to the Governor of the business done by the State Compensation Insurance Fund and the quarterly statement of the fund's resources and liabilities,".

Amendment No. 11

On page 3 of the printed bill, as amended, strike out lines 30 and 31, and insert "shall be filed with the Legislature as soon after the submission of the Executive Budget as may be. It shall be the duty of the auditor".

Amendment No. 12

On page 3, line 35, of the printed bill, as amended, strike out "11", and insert "10".

Amendment No. 13

On page 3 of the printed bill, as amended, between lines 41 and 42, insert

"SEC. 11. The auditor shall count the money in the State Treasury at least once each month without any previous notice to the Treasurer. The auditor may at any counting place any sum in bags or boxes and mark and seal the same with a seal to be adopted and kept by him and may at any subsequent counting count each bag or box separately and credit at the value stamped thereon the contents of such bags or boxes as part of the money counted without making a detailed count of such contents.

He shall count as cash all evidence of money belonging to the State upon deposit outside the State Treasury that may be held by the Treasurer in accordance with law."

Amendment No. 14

On page 3, line 51, of the printed bill, as amended, after "audit", insert ", count"

Amendment No. 14a

On page 4, line 2, of the printed bill, as amended, after the comma, insert "one copy to the Controller,".

Amendment No. 15

On page 5 of the printed bill, as amended, between lines 17 and 18, insert

"SEC. 20. Section 11860 of the Insurance Code is hereby amended to read as follows:

11860. Each quarter the commission shall make a report to the Governor of the business done by the State Compensation Insurance Fund during the previous quarter and a statement of the fund's resources and liabilities at the close of that previous quarter. [The State Department of Finance shall audit such reports and

statements and cause an abstract thereof to be published one or more times in at least two newspapers of general circulation in the state.] The commission shall likewise make to the commissioner all reports required by law to be made to him by other insurers."

Amendment No. 16

On page 5 of the printed bill, as amended, strike out line 20, and insert "SEC. 21. (a) Sections 658 and 660 of the Political Code are hereby".

Amendment No. 17

On page 5, line 24, of the printed bill, as amended, strike out "21", and insert "22".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 168—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, strike out "eight cents ($0.08)", and insert "six cents ($0.06)".

Amendment No. 2

On page 1, lines 17 and 18, of the printed bill, as amended, strike out "eight cents ($0.08)", and insert "six cents ($0.06)".

Amendment No. 3

On page 1, line 26, of the printed bill, as amended, strike out "twenty-five dollars ($25)", and insert "fifty dollars ($50)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1717—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 27, of the printed bill, after "in", strike out "such case", and insert "the event of the establishment of minimum prices to be paid to producers for cream either under a stabilization plan for fluid milk or for fluid cream".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1377—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended, following "State", strike out "or elsewhere"; and in line 25, following "hereof", strike out ", but when"; and strike out all of lines 26, 27 and 28.

Amendment No. 2

On page 2, line 46, of the printed bill, following the comma after "secretary", insert "or", and in line 47, strike out "or any representative designated by the board".

Amendment No. 3

On page 3, line 2, of the printed bill, as amended, following "subpena", strike out the comma and "or who shall refuse to answer any questions"; and strike out all of lines 3 and 4; and in line 5, strike out "nated representative"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2384—An act to add Section 531.5 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Bill read third time.

Motion to Amend

Mrs Daley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "531 5", and insert "531.2".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "531.5", and insert "531.2".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "531 5", and insert "531.2. Following Authorized Emergency Vehicles."

Amendment No. 4

On page 1, line 11, of the printed bill, after "587.5.", insert "Interference With Emergency Vehicles."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 5.35 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Call of the Assembly

Mr. Pelletier moved a call of the Assembly.

Motion carried. Time, 8.05 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2595

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 832

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 665
Assembly Bill No. 1114
Assembly Bill No. 2547
Assembly Bill No. 2548

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 33: By Messrs. Burns, Hugh M., and Sawallisch—Providing for the appointment of a Joint Legislative Committee to Investigate and Report on the Advisability of Division of the State.

Referred to Committee on Rules.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "8676", and insert "8677".

Amendment No. 2

Strike out line 5 of the title of the printed bill, as amended, and insert "structural pest control."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Chapter 14, comprising Sections 8500 to 8677, inclusive, is hereby added to Division 3 of the Business and Professions Code, to read as follows:

CHAPTER 14. STRUCTURAL PEST CONTROL OPERATORS

Article 1. General Provisions

8500. Unless the text otherwise requires, the general provisions hereinafter set forth govern the construction of this chapter.

8501. "Director" refers to the Director of the Department of Professional and Vocational Standards.

8502. "Board" refers to the Structural Pest Control Board.

8503. "Registrar" refers to the Registrar of the Structural Pest Control Board.

8504. "Person" includes an individual, firm, partnership, corporation, association or other organization or any combination thereof.

8505. "Structural pest control" and "pest control" as used in this act are synonymous. It is the identification of infestations or infections and the making of inspections, and the use of insecticides, fumigants or allied chemicals for the purpose of eliminating, exterminating or preventing infestation of ants, bedbugs, carpet beetles, woodboring insects, cockroaches, fleas, moths, mice, rats, silverfish, spiders, termites, infestation of fungi; and other such pests which may invade household and other structures, or the submission of bids for any of such work.

8506. (a) "Structural pest control operator" is any person licensed by the board to practice structural pest control and who does so for hire.

A structural pest control operator may, in connection with the practice of structural pest control, hire operators and structural pest control field representatives, secure structural pest control work, identify infestations or infections, make inspections, submit bids or otherwise contract for pest control work, and may hire or employ individuals who are not licensed under this act, to work on, and such individuals may work on, pest control jobs under the supervision of an operator or field representative, which work shall be performed only after an operator or field representative has fully completed the negotiation or signing of the contract covering a given job.

An operator may enter the employ of another operator and while in such employ may engage in pest control only on behalf of his employer.

(b) As used in this chapter, "operator" refers to "structural pest control operator."

8507. (a) "Structural pest control field representative" is any individual who is licensed by the board to practice pest control.

A structural pest control field representative may secure structural pest control work, identify infestations or infections, make inspections, submit bids or otherwise contract, in behalf of such operator.

A pest control field representative may not contract for pest control work or perform pest control work in his own behalf

(b) As used in this chapter, "field representative" refers to "structural pest control field representative."

8508 "Household" means any structure and its contents which are used for man and his convenience.

8509. "Branch office" is any fixed place of business in addition to the location of business stipulated in the license of an operator where records are kept, mail received, statements rendered, money is collected, or requests are received for service or bids, or information is given pertaining to the practice of pest control, other than governmental offices.

8511. "Manufacturer" is a person engaged in the processing of materials used in the practice of pest control, but who does not himself engage in such practice.

8512. "Employer" refers to an operator who hires operators, field representatives and other individuals, the latter not being required to be licensed under this chapter, and who work on pest control jobs under the supervision of an operator or field representative.

8513. "Dangerous or lethal chemicals" are any form or combination of the following materials: Hydrocyanic acid gas, sodium cyanide, potassium cyanide, calcium cyanide, methyl bromide, carbon bisulphide, carbon monoxide, carbon tetrachloride, ethylene, dichloride, sulphur dioxide, chloropicrin or any other gas or substance that might cause injury or death when used in concentrates employed in fumigation.

Article 2. Administration

8520. There is in the Department of Professional and Vocational Standards a Structural Pest Control Board, which consists of five members appointed by the Governor.

Subject to the jurisdiction conferred upon the Director by Division 1 of this code, the board shall administer the provisions of this chapter.

8521. The board is composed of five members, three of whom shall be, and shall have been for a period of not less than five years preceding the date of their appointment, operators actively engaged in the business of pest control. Of the other two members, one shall be a licensed contractor and one shall be a licensed structural engineer.

8522 Members of the board shall be appointed by the Governor for a term of four years, subject to removal by him at his pleasure.

The terms of the members of the board in office when this chapter takes effect shall expire as follows:

Two members, January 15, 1942; one member, January 15, 1943; one member, January 15, 1944; and one member, January 15, 1945.

The terms shall expire in the same relative order as to each member as the terms for which he holds office before this chapter takes effect.

Vacancies shall be filled by the Governor for the unexpired term.

8523. The board shall organize and elect a president who shall serve for one year.

The board shall meet annually during the month of July.

Special meetings may be called at any time by the president or by any three members of the board, upon notice for such time and in such manner as the board may provide

8524 Three members of the board shall constitute a quorum for the transaction of business, for the performance of any duty, or the exercise of any power or authority of the board.

A vacancy on the board shall not impair the power of the remaining members to perform all duties and exercise all powers of the board providing the members remaining constitute a quorum.

8525 The board, subject to the approval of the director, may adopt and enforce reasonable rules and regulations relating to the practice of pest control and the administration of this chapter.

Such rules and regulations shall become effective after reasonable notice of not less than 30 days has been given to all persons licensed under this chapter

8526. Each member of the board shall serve without compensation but shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his duties.

8527. The board shall adopt and use a seal The seal shall have the words "Structural Pest Control Board, State of California," and such other devices as the board may desire, engrossed thereon The registrar shall have the care and custody of the seal.

8528. With the approval of the director, the board shall appoint a registrar, fix his compensation and prescribe his duties.

The registrar is the executive officer and secretary of the board.

8529. The registrar with the approval of the board and of the director, and subject to the provisions of the State Civil Service Act, may appoint and fix the compensation of such other assistants as may be necessary.

8530 The board, with the approval of the director, may establish the main office of the board, and branch offices of the board in any city of this State

8531 The registrar shall keep a complete record of the board's actions, and shall maintain at the office of the board and open to public inspection during office hours a complete index record of all applications for licenses issued, licenses renewed, and all revocations, cancellations and suspensions of licenses

8532. Copies of all record and papers in the office of the board, certified by the registrar under the seal of the board shall be received in evidence in all courts of this State in all cases equally and with like effect as the originals of such papers and records

8533 Whenever funds are available for the purpose, the registrar, at the discretion of the board, may publish, or cause to be published, a roster of the persons licensed under the provisions of this chapter A copy of such roster may be furnished to such State agencies as the registrar may select, at such intervals as he deems necessary. Copies of the roster may be sold at a price fixed by the board

8534 Whenever funds are available for the purpose, the registrar, at the direction of the board, may publish and disseminate to persons licensed under this chapter and to public officials and other persons interested in the practice of pest control such information relative to the administration and enforcement of this chapter as the registrar deems necessary to carry out its purposes; provided, however, that no information concerning the revocation or suspension of a license shall be disseminated by the board until such revocation or suspension has been adjudicated by the courts or the time for appeal from said suspension or revocation has expired

8535 The registrar, and any member of the board, may administer oaths for the purpose of administering this chapter.

8536 No manufacturer, his agents or employees, nor any person who is a consultant of or connected with any manufacturer, shall be charged with the enforcement or execution of any of the provisions of this chapter.

8537 Within 30 days prior to each regular session of the Legislature, the board shall submit to the Governor a full and true report of its operations during the preceding biennium, including a complete statement of receipts and disbursements

Article 3. Application of the Chapter

8550 It is unlawful for any person to do pest control work for hire, to engage or offer to engage in the business of, act in the capacity of, or advertise himself as, or assume to act as, an operator or a field representative unless he is licensed as such under this chapter.

8551 It is unlawful for any unlicensed person to perform fumigation with dangerous or lethal fumigating chemicals in any structure, including rooming houses hotels, apartment houses or any building frequented by the public, or any part thereof

8552. It is unlawful for any person to advertise or represent in any manner that any pest control work, in whole or in part, has been done upon any structure, unless the work has been performed by a person licensed under this chapter

8553 Any person who violates any provision of this chapter, or who conspires with another person to violate any provision of this chapter, is guilty of a misde

meanor, and is punishable by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500), or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

8554 No person engaged in the business or acting in the capacity of an operator may bring or maintain an action in any court of this State for the collection of compensation for the performance of any act or contract without alleging and proving that he was a duly licensed operator at all times during the performance of such act or contract.

8555 This chapter does not apply to:

(a) Public utilities operating under the regulations of the State Railroad Commission, except to work performed upon property of such utilities not subject to the jurisdiction of the Railroad Commission or work done by said utility for hire.

(b) Persons engaged only in agricultural pest control work under permit or license by the State Department of Agriculture or a county agricultural commissioner.

(c) Pest control performed by persons upon property which they own, lease or rent, except that such persons shall be subject to the limitations imposed by Article 3 of this chapter.

(d) Governmental agencies, State, Federal, or county officials, and their employees while officially engaged.

(e) Authorized representatives of any educational institution or State agency engaged in research or study of pest control.

(f) Certified architects and registered civil engineers, acting solely within their professional capacity, except that they shall be subject to the limitations imposed by Article 3 of this chapter.

8556. Licensed contractors acting in their capacity as such, may apply wood preservatives directly on wood by brush, dip or spray method.

Article 4. Issuance of Licenses

8560 The board shall have power to adopt rules and regulations classifying pest control into branches Under such rules and regulations, licenses issued to operators or field representatives shall be limited to the branch or branches of pest control for which the applicant has qualified by application and examination.

8561. Any person may apply for an operator's license.

(a) If the applicant is an individual, he shall possess the qualifications and be examined as hereinafter prescribed If such individual qualifies for an operator's license, as herein prescribed, the board shall issue to him an operator's license

(b) If the applicant is a partnership, it shall designate a partner to be licensed and such partner shall possess the qualifications and be examined as hereinafter prescribed If such partner qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the partnership, naming therein the partner licensed with the partnership. Such partner may engage in pest control on behalf of the partnership only, so long as he remains a partner thereof.

(c) If the applicant is an association or corporation, it shall designate an officer thereof or a responsible natural person employed or to be employed by it to be licensed. Such officer or responsible natural person shall possess the qualifications and be examined as hereinafter prescribed. If such officer or responsible natural person qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the association or corporation, as the case may be, naming therein the officer or responsible natural person licensed with such association or corporation. Such officer or responsible natural person may engage in pest control on behalf of the association or corporation only, so long as he remains in such capacity for the association or corporation.

8562. To obtain an original operator's license, an applicant shall submit to the registrar an application in writing containing the statement that the applicant desires the issuance of an operator's license under the terms of this chapter.

The application shall be made on forms prescribed by the board and issued by the registrar in accordance with the rules and regulations adopted by the board, and shall contain the following:

(a) The name of the applicant.

(b) If a partnership, the name of the partner to be licensed.

(c) If an association or corporation, the name of the officer or responsible natural person to be licensed.

(d) The proposed location of place of business and the proposed location of branch offices, if any.

(e) Proof of residence in this State for one year immediately preceding the date of application, by the individual, partner, officer or responsible natural person, as the case may be.

(f) Proof of one year's experience by such individual, partner, officer or responsible natural person, as the case may be, in each branch of pest control for which a license is sought.

(g) A statement by two reputable natural persons who have known such individual, partner, officer or responsible natural person, as the case may be, for at least one year, certifying to his honesty, truthfulness and good reputation.

(h) The fees prescribed by this chapter.

8563. Any individual may apply for a license as field representative.

Such applicant shall possess the qualifications and be examined as hereinafter prescribed. If such applicant qualifies for a field representative's license, as herein prescribed, the board shall issue to him a field representative's license.

8564. To obtain an original field representative's license, an applicant shall submit to the registrar an application in writing containing a statement that the applicant desires the issuance of a field representative's license under the terms of this chapter.

The application shall be made on a form prescribed by the board and issued by the registrar in accordance with the rules and regulations adopted by the board, and shall contain the following:

(a) The length of time during which the applicant has engaged in any work relating to pest control.

(b) The name and place of business of the person who last employed him

(c) The name of the person by whom the applicant is employed

(d) The name of the operator by whom the applicant is to be employed.

(e) Proof of residence in this State for one year immediately preceding the date of application;

(f) A statement from the operator employing the applicant at the time of the application certifying to the honesty, truthfulness and good reputation of the applicant, or if the applicant has not been previously employed by an operator, a statement by two reputable natural persons who have known the applicant for at least one year, certifying to the honesty, truthfulness and reputation of the applicant.

(g) The fees prescribed by this chapter.

If the applicant qualifies therefor, the board shall issue to him a license as field representative in the branch or branches of pest control for which he has qualified.

8565. The board shall ascertain by written examination that an applicant for a license as operator is qualified in the use and understanding of all of the following:

(a) The English language, including reading, writing and spelling.

(b) The Building and Safety Laws of the State and any of its political subdivisions, if the branch or branches of pest control for which he is applying require such knowledge.

(c) The labor laws of the State.

(d) The provisions of this chapter.

(e) Poisons and other dangerous chemicals used in pest control, if the branch or branches of pest control for which he is applying require such knowledge

(f) The theory and practice of pest control in the branch or branches thereof for which the applicant desires to be licensed.

If the applicant is a partnership, the partner designated in the application shall be examined as in this section prescribed

If the applicant is an association or corporation, the officer or natural responsible person designated in the application shall be examined as in this section prescribed

8566 The board shall ascertain by written examination that an applicant for a license as field representative is qualified in the use and understanding of the following:

(a) The Safety Laws of the State, if the branch or branches of pest control for which he is applying require such knowledge.

(b) The provisions of this chapter.

(c) Poisons and other dangerous chemicals used in pest control, if the branch or branches of pest control for which he is applying require such knowledge

(d) The theory and practice of pest control in the branch or branches thereof for which the applicant desires to be licensed.

8567. Should an operator enter the employ of another operator, or being already employed by an operator change his employment, or being employed by another operator, leave such employment and enter the pest control business on his own behalf, he shall notify the registrar in writing, on a form prescribed by the board and issued by the registrar in accordance with rules and regulations adopted by the board, together with a transfer fee of one dollar ($1). Whereupon the registrar shall register the change in his records.

8568. The board may require evidence of the good character of any applicant for a license under this chapter, and it may reject any application if in its opinion good character is not established. Bad character may, in the discretion of the board, be established by showing any of the following:

(a) That the applicant has committed any act which if committed by a licensee under this chapter would be grounds for disciplinary action

(b) That the applicant has been convicted of a felony.

8569. In addition to the partner licensed as operator upon the application of the partnership, if other partners desire to actively engage in pest control in behalf of the partnership each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such other partner may engage in pest control only on behalf of the partnership of which he is a member, as long as he remains a partner thereof.

8570. In addition to the officer of an association or corporation licensed as operator upon the application of the association or corporation, if any other officers desire to actively engage in pest control in behalf of the association or corporation, each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such officer may engage in pest control only on behalf of the association or corporation of which he is an officer, so long as he remains an officer thereof.

8571 If the partner licensed as operator with the license of a partnership, or if the officer or responsible natural person licensed as operator with the license of an association or corporation, ceases for any reason whatsoever to be connected with the licensee to whom the license is issued, the licensee shall notify the registrar in writing within 10 days from such cessation. If such notice is given the license shall remain in force for a reasonable length of time to be determined by rules of the board, during which period the licensee must submit to the registrar, in writing.

(a) If the licensee is a partnership the name of another partner, who is an operator, who shall replace on its license the operator who has ceased to be connected with it.

(b) If the licensee is an association or corporation, the name of another officer or responsible natural person, who is an operator, who shall replace on its license the operator who has ceased to be connected with it

If the licensee fails to notify the registrar within the 10 day period, at the end of the period, the license shall be ipso facto suspended. The license shall be reinstated upon the filing of an affidavit, executed by the licensee, and filed with the registrar, to the effect that the operator who ceased to be connected with the licensee has been replaced by another operator who is authorized by this chapter to act in such capacity, and that such operator has not had his license suspended or revoked or that he has not been connected with a licensee who has had his license suspended or revoked

8572 *Any individual who at the time this chapter takes effect has done pest* control work for the period of one year, equivalent to work authorized to be done under this act by any one holding a license as operator or as field representative, may register with the board as an operator or as a field representative as the case may be, at any time prior to October 1, 1941, and upon making application therefor upon such forms as shall be prescribed by the board and the payment of license fees prescribed by this chapter, shall be granted a license as operator or as field representative as the case may be, in the branch or branches of pest control in which he has worked, without examination.

Article 5. Renewal of Licenses

8590 All licenses issued under the provisions of this chapter shall expire on June 30th of each year.

Every operator and every field representative shall pay an annual fee for the renewal of his or its license

The board shall on or before the first day of June of each year mail to each operator and field representative, addressed to him at his last known address, a notice that his renewal fee is due and payable and that, if the fee is not paid by the thirtieth of June, a penalty will be added to the renewal fee.

In no case shall the penalty be waived

Upon the receipt of the fees, the board shall cause the renewal certificate to be issued

8591. If delinquency in the payment of the fee for renewal of any license issued under this chapter extends beyond three months, said license may not be reinstated and the licensee may be required to obtain a new license in accordance with the provisions of Article 4 of this chapter.

8592 Any operator or field representative whose license is under suspension may make application for renewal of his license as in this article provided, but the board may not renew his license until such suspension has been lifted.

If such suspension is not lifted within a year from the date it was imposed, the application for renewal shall be denied and the fees tendered returned to the applicant with notice thereof and grounds therefor

Article 6. Regulation of Licensees

8610 Each licensed operator under the provisions of this act, except operators in the employ of another operator, shall be required to have and maintain a definite place of business in this State which shall serve as his office for the transaction of business.

Notice in writing shall be given the registrar of change of business location of an operator The change of abandonment of business location without notification to the registrar shall automatically cancel the license heretofore issued

8611 Every licensed operator doing business under a fictitious name shall comply with Section 2466 of the Civil Code of California.

8612 The licenses of operators shall be prominently displayed in the office of the operator, and on license issued hereunder shall authorize the licensee to do busi-

ness except from the location stipulated in the license. Each operator having a branch office or more than one branch office shall be required to display his branch office license prominently in each branch office maintained by him.

When an operator opens a branch office he shall notify the registrar in writing on a form prescribed by the board and issued by the registrar in accordance with rules and regulations adopted by the board, together with the fee for a branch office prescribed by this chapter.

Article 7. Disciplinary Proceedings

8620. The board may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any person acting as, or making application for a license as, an operator or field representative.

After hearing, the board may temporarily suspend or permanently revoke a license issued under the provisions of this chapter if the holder, while a licensee or applicant, is guilty of or commits any one or more of the acts or omissions constituting grounds for disciplinary action.

8621. Proceedings for the suspension or revocation of a license shall begin with the filing with the board of written charges against the accused. The charges shall be stated in detail and verified by the complainant.

Upon the filing with the board of a verified complaint charging a licensee with the commission within two years prior to the date of filing of the complaint, of any act which is a ground for disciplinary action, the board or its secretary shall forthwith issue a citation directing the licensee, within 10 days after service of the citation upon him, to appear by filing with the board his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked.

8622. Service of the citation upon the licensee is fully effected by mailing a true copy, together with a true copy of the complaint, by United States registered mail in a sealed envelope with postage fully prepaid, addressed to the licensee at his latest address of record in the board's office.

Service of the citation is complete at the time of deposit in accordance with the provisions of the Code of Civil Procedure relating to service by mail.

8623. Failure of the licensee to answer may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license shall be suspended forthwith pending any hearing of the cause which the board at its discretion may order.

The board may, in the event of failure to answer, suspend or revoke the license without any further evidence than the verified complaint in the case

8624. The suspension or revocation of an operator's license has the same effect on each branch office license issued under the name of the operator.

8625. The lapsing or suspension of a license by operation of law or by order or decision of the board or a court of law, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such licensee, or to render a decision suspending or revoking such license.

8626. Upon the filing of the answer, the board shall fix a time and place for the hearing and give the licensee and the complainant not less than five days' notice.

The notice may be served by depositing by registered mail in the United States mail a true copy of the notice inclosed in a sealed envelope with postage fully prepaid, and addressed to the licensee and to the complainant respectively, at his last known address.

With the notice to the complainant there shall be attached or inclosed a copy of the answer

8627. The licensee has the right to appear personally or by counsel, to cross examine witnesses and to produce witnesses in his defense

The board may compel the attendance of witnesses and the production of necessary papers and documents, and take testimony under oath.

8628 Upon the hearing, the board shall receive all relevant and competent evidence material to the issues

The board may continue the hearing from time to time as in its judgment may be necessary or proper.

8629. After conclusion of the hearing and submission of the matter, the board shall render its decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of its reasons.

It shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as notice of hearing is given.

8630. Any citation, notice, or other process or any paper or document provided by this article to be served on any party may be personally served under the provisions of the Code of Civil Procedure, relating to the service of notices, with the same effect as if served by mail under the provisions of this article.

8631. The decision of the board suspending or revoking a license shall take effect immediately upon the service of the notice of decision. The board may grant a stay of execution of the decision suspending or revoking a license, pending the filing by the licensee of an action in the courts regarding the decision.

8632 The suspension or revocation of license as in this chapter provided may also be ordered in any action otherwise proper in any court involving the licensee's performance of his legal obligation as a licensee under this chapter.

8633 Whenever any hearing before the board is authorized by this chapter, such hearing may be heard by the board, or a referee designated by the board.

In any investigation proceeding or hearing which the board is empowered to institute, conduct or hold, the board, or any subordinate authorized by it to conduct any such investigation, proceeding, or hearing, may administer oaths, certify to official acts, issue subpoenas for the attendance of witnesses and the production of books, papers, or records

If such hearing is not heard by the board, a report of the proceedings shall be prepared by the referee conducting such hearing and such report shall be presented to the board for final decision Only the board may make such final decision.

8634 Any decision of the board disciplining an individual licensed under this chapter is subject to examination by the courts of this State The individual petitioning for such examination may make a demand in writing for a certified transcript of all the papers on file in the office of the board affecting or relating to such decision and all the evidence taken on the hearing and pay twenty cents ($0.20) for each 100 words of the transcript of the record and one dollar ($1) for the certification thereof Thereupon the registrar shall within 30 days make and certify such transcript

8635 Wilful and prejudicial departure from, or disregard of, plans or specifications in any material respect, without consent of the owner or his duly authorized representative, and without the consent of the person entitled to have the particular construction project or operation completed in accordance with such plans and specifications is a ground for disciplinary action.

8636 Wilful and deliberate disregard and violation of the Building Laws of the State, or of any of its political subdivisions, or of the Safety Laws, Labor Laws, Compensation Insurance Laws, Unfair Trade Practice Laws of the State or of the Federal Social Security Act, is a ground for disciplinary action A criminal conviction for violation of any of the above shall not be a condition precedent to disciplinary action

8637 Misrepresentation of a material fact by the applicant in obtaining a license is a ground for disciplinary action

8638 Failure in a material respect on the part of a licensee to complete any operation or construction repairs for the price stated in the contract for such operation or construction repairs or in any modification of such contract is a ground for disciplinary action

8639. Aiding or abetting an unlicensed person to evade the provisions of this chapter or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner or associate, or otherwise or an unlicensed person with the intent to evade the provisions of this chapter is a ground for disciplinary action

8640 The use of unfair methods of competition is a ground for disciplinary action

8641 Failure in any material respect to comply with the provisions of this chapter, or any rule or regulation adopted by the board, is a ground for disciplinary action

8642 The doing of any wilful or fraudulent act by the licensee as a pest control operator or field representative in consequence of which another is substantially injured is a ground for disciplinary action

8643 The wilful or negligent handling or use of any poisonous exterminating agent without due respect to public safety is a ground for disciplinary action

8644 Wilful fraud and misrepresentation, after inspection, by any person engaged in pest control work of any type of infestation found in property or structures is a ground for disciplinary action

8645 Fraudulent impersonation of any State, county or city inspector or official is a ground for disciplinary action

8646 Wilful and deliberate disregard and violation of Fumigation or Extermination Laws of the State or of any of its political subdivisions is a ground for disciplinary action

8647 Failure to comply in the sale or use of insecticides with the provisions of Article 3, Chapter 7, Division 5 of the Agricultural Code is a ground for disciplinary action

8648 Knowingly authorizing directing conniving at or aiding in the publication, advertisement, distribution or circulation of any material by false statement or representation concerning his business is a ground for disciplinary action

8649 Conviction of a felony committed after the issuance of a license under this chapter is a ground for disciplinary action

8650 Acting in the capacity of a licensee under any of the licenses issued hereunder except

(a) In the name of the licensee as set forth upon the license, or

(b) At the address and location or place or places of business as set forth in the license or as later changed as provided in this chapter is a ground for disciplinary action.

8651. The performing, soliciting or inspecting of structural pest control work in other branches of pest control than those for which the operator or field representative is licensed is a ground for disciplinary action.

Article 8. Revenue

8670 As used in this chapter, "original operator's license" means an operator's license that is not a renewal license.

8671. As used in this chapter, "renewal operator's license" means either of the following:

(a) On or before June 30, 1942, a license issued to a person who was licensed by the board on the effective date of this chapter; or

(b) Subsequent to June 30, 1942, a license issued to a person who had an operator's license unrevoked and unsuspended on the preceding June 30th.

8672. As used in this chapter, "original field representative's license" means a field representative's license issued to an individual who did not have such a license on the preceding June 30th.

For the purpose of this chapter, a renewal field representative's license means a field representative's license issued to an individual who had a field representative's license on the preceding June 30th.

8673. License fees shall not be prorated. All license fees shall be paid in advance of the issuance of the license, and all examination fees shall be paid in advance of the examination.

8674. The amount of the fees prescribed by this chapter is that fixed by the following schedules:

Original operator's license	$5 00
Renewal operator's license	15 00
Operator's license examination	10 00
Branch office license	5 00
Original field representative's license	2 50
Renewal field representative's license	5 00
Field representative's examination	5 00
Duplicate license	1 00

8675 The fee for a renewal of any license issued under this chapter applied for after the expiration date of the license shall be double the fee required for the renewal of such license applied for before such expiration date.

8676 The department shall receive and account for all moneys collected under this chapter at the end of each month, and shall pay it into the treasury to the credit of the Structural Pest Control Fund.

The money in this fund shall be expended for the pro rata cost of administration of the department and for the purpose of carrying out the provisions of this chapter.

8677. All operators holding a license under Chapter 823 of the Statutes of 1935 or Chapter 14 of the Business and Professions Code as enacted by Chapter 40 of the Statutes of 1939 may continue to engage in the practice of structural pest control under the provisions of this chapter, and all renewals of such licenses shall be made in accordance with this chapter.

SEC 2 The repeal of Chapter 14 of the Business and Professions Code, as enacted by Chapter 40 of the Statutes of 1939, shall not constitute a bar to the indictment, information, or punishment of any crime committed thereunder nor to the institution of any disciplinary proceeding nor to the disciplining of any person for any act committed against that repealed chapter.

SEC. 3. Chapter 14 of Division 3 of the Business and Professions Code, comprising Sections 8500 to 8578, inclusive, as enacted by Chapter 40 of the Statutes of 1939, is hereby repealed."

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 2 to 21, inclusive; and strike out all of pages 2 to 20, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 11—Relative to providing for the appointment of a Joint Committee to Study and to Report Upon the Water Problems of the State.

Resolution read.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 4, of the printed measure, as amended, strike out "Committees", and insert "Rules".

Amendment read and adopted

Resolution ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 895—An act to amend Section 305 of the Agricultural Code, relative to meat inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cronin, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., King, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—47.

NOES—Evans, Kilpatrick, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to add Section 5567 to the Elections Code, relating to the conduct of elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 53—An act to amend Section 7962 of the Elections Code, relating to the canvass and return of results at primary elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1762—An act to amend Section 3812 of the Elections Code, relating to election ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dills, Dilworth, Doyle, Field, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Lyon, Maloney, Meehan, Middough, Miller, Potter, Poulson, Robertson, Russell, Thomas, Thorp, Thurman, Voigt, Watson, Weybret, and Wollenberg—41.

NOES—Bashore, Burns, Hugh M., Crowley, Daley, Dickey, Donnelly, Evans, Hawkins, Kepple, Leonard, Lowrey, McCollister, Millington, Pelletier, Pfaff, Poole, Richie, Salsman, Sawallisch, Stream, Waters, and Mr. Speaker—22.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1622—An act to amend School Code Section 5-410, relating to the public school system.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Knight, T. Fenton, and Pfaff—2.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Knight, T. Fenton, and Pfaff—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1410—An act to amend School Code Section 1.33, relating to property of school districts.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Andreas, Burkhalter, Dilworth, Lowrey, Middough, Miller, Pelletier, Poole, Poulson, Watson, Weybret, and Mr. Speaker—13.

NOES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Millington, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, and Wollenberg—46.

Assembly Bill No. 1291—An act to amend Sections 623.5, 625, 627 and 694 of the Vehicle Code, relating to lights, other equipment, and loading of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Daley, Dickey, Dilworth, Don-

nelly, Doyle, Field, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—Collins, Sam L., and Howser, F. N.—2.

Notice of Motion to Reconsider Assembly Bill No. 1291

Mr.. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1291 was this day passed.

Assembly Bill No. 1275—An act to add Section 164.7 to the Vehicle Code, relating to stolen or embezzled vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1290—An act to add a new section, to be numbered 660, to the Vehicle Code, relating to the sale of used vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1288—An act to add a new section to be numbered 641 to, and to amend Section 679 of, the Vehicle Code, relating to the condition of vehicle and its equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Clarke—1.

Notice of Motion to Reconsider Assembly Bill No. 1288

Mr Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1288 was this day passed.

Request for Unanimous Consent

Mr. Sam L. Collins asked for unanimous consent to have Mr Tenney excused for the balance of the legislative day.

Mrs. Daley withheld unanimous consent.

Motion to Suspend Rules

Mr Collins moved that Rule No. 34 be suspended.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dills, Donnelly, Evans, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Lowrey, Lyon, Maloney, Meehan, Middough, Millington, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thurman, Waters, Weybret, and Wollenberg—45.

NOES—Cooke, Daley, Doyle, Field, Knight, T. Fenton; McCollister, Stream, Watson, and Mr. Speaker—9.

MOTION TO SET SPECIAL ORDER

Mr. Desmond moved that Assembly Bill No. 560 be made a special order of business for Monday, April 28, 1941, at 2.15 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr Speaker—56

NOES—Bennett, Dills, Kilpatrick, and King—4.

MOTIONS FOR LEAVES OF ABSENCE FOR BALANCE OF DAY

Mr. Poulson moved that Mr. John B. Knight be excused for the balance of the legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Howser, F. N., King, Lowrey, Maloney, Meehan, Muddough, Poole, Salsman, Sawallisch, Sheridan, Thomas, Waters, and Wollenberg—31.

NOES—Bennett, Clarke, Cooke, Daley, Desmond, Doyle, Evans, Field, Heisinger, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, McCollister, Pelletier, Pfaff, Potter, Poulson, Russell, Stream, Thurman, Voigt, Watson, Weybret, and Mr. Speaker—26.

Mr. Pfaff moved that Mr. Kellems be excused for the balance of the legislative day.

The roll was called, and the motion lost by the following vote.

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dills, Donnelly, Hawkins, Houser, Frederick F., Howser, F. N., Lowrey, Lyon, Maloney, Meehan, Muddough, Pelletier, Poole, Poulson, Richie, Salsman, Sawallisch, Thomas, Waters, and Wollenberg—33.

NOES—Bennett, Cooke, Daley, Doyle, Evans, Field, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, McCollister, Millington, Pfaff, Potter, Russell, Stream, Thurman, Voigt, Watson, and Mr. Speaker—21

Mr. Pfaff moved that all members absent or not answering the roll call be excused for the balance of the legislative day.

The roll was called, and the following answered to their names.

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—65

The question being on the motion to excuse all members not answering the above roll call for the balance of the legislative day.

Motion to Table Motion

Mr. Crowley moved that the motion by Mr. Pfaff to excuse all absent members for the balance of the legislative day be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Crowley, Dickey, Dills, Dilworth, Donnelly, Evans, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Meehan, Millington, Poole, Russell, Salsman, Sawallisch, Thomas, and Weybret—31.

NOES—Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Doyle, Field, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Muddough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Stream, Thorp, Thurman, Voigt, Waters, Watson, Wollenberg, and Mr. Speaker—33.

The question being on the motion by Mr. Pfaff to excuse all absent members for the balance of the legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Crowley, Dills,

Dilworth, Donnelly, Hastain, Hawkins, Kilpatrick, King, Lowrey, Middough, Poole, Poulson, Salsman, Sawallisch, Thomas, Weber, and Wollenberg—30.

NOES—Clarke, Daley, Desmond, Dickey, Doyle, Evans, Field, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan, Millington, Pelletier, Pfaff, Potter, Richie, Russell, Stream, Thorp, Thurman, Voigt, Watson, Weybret, and Mr. Speaker—30.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 825—An act to add Sections 1266 to 1266.4, both inclusive, to the Code of Civil Procedure, relating to eminent domain, including the taking of land by the State, cities, and counties for streets and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Thomas, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None

Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action

Mr. Voigt moved to expunge the record and rescind the action whereby Assembly Bill No. 2191 was this day refused passage and that it take its regular place upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Daley, Donnelly, Richie, and Stream—4.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 1052 at this time.

CONSIDERATION OF SENATE BILL NO. 1052

Senate Bill No. 1052—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the Authority; authorizing the Authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the

uses and purposes set forth herein, declaring this act to be an urgency measure and providing that it shall take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—78

NOES—Evans—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Evans, Kilpatrick, Knight, T. Fenton, and Thomas—4

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2109—An act to add Section 140.1 to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to police officers of municipal corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2490—An act to amend Section 12 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to a county peace officers' retirement system.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Hastain, Hawkins, Houser, Frederick F., Howser,

F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Weber, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Clarke, Collins, Sam L., Dilworth, Evans, Field, Pfaff, Waters, and Watson—8.

Bill ordered transmitted to the Senate.

Hon. John W. Evans Presiding

At 10.38 p.m., Hon. John W. Evans, member of the Assembly from the Sixty-fifth District, presiding.

Assembly Bill No. 728—An act to amend Sections 541 and 542 of the Political Code, relating to State printing and the preparation of copy therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 728

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 728 was this day passed.

Assembly Bill No. 785—An act to amend Section 12209 of the Business and Professions Code, relating to the duties of sealers of weights and measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Watson, Weber, Weybret, and Wollenberg—54.

NOES—Carlson, Collins, Sam L., Field, Hastain, and Waters—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2063—An act providing for the publication and distribution of a State Blue Book.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dills, Donnelly, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, Pelletier, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Burkhalter, Daley, Heisinger, Middough, Pfaff, and Richie—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1833—An act to amend Sections 1771, 11060, 11103 and 11121 of the Elections Code, relating to municipal elections, including procedure in the referendum and recall.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 787—An act to amend Section 12107 of the Business and Professions Code, relating to tolerances and specifications for commercial weighing and measuring apparatus.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 791—An act to amend Section 12507 of the Business and Professions Code, relating to testing, correcting and repairing weighing or measuring instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 793—An act to amend Sections 12021 and 12022 of the Business and Professions Code, relating to falsity in weights and measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Sals-

man Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1714—An act to amend Section 785 of the Agricultural Code, relating to the disposal of fruits, nuts, and vegetables not conforming to standardization requirements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—64
NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered.

By Committee on Rules:

House Resolution No. 162

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, April 26, 1941

	Per day
Ed Nathan, Assistant Sergeant-at-Arms	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.
NOES—None.

By Committee on Rules:

House Resolution No. 163

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven day per week basis:

Commencing April 27, 1941:	*Per day*
George W. Ash, Assistant Sergeant-at-Arms	$5 00
Ed. Nathan, Assistant Clerk	7 00

LYON, Chairman
Committee on Rules

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 562—An act to amend Section 49 of the Alcoholic Beverage Control Act, relating to the importation of alcoholic beverages and consignment thereof.

Bill read third time.

Motion to Amend

Mr. Crowley moved adoption of the following amendment:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly April 18, 1941, after "made", insert

"It is further provided that a railroad, sleeping car, dining car, boat or steamship company carrying interstate or foreign passengers on trains or boats shall not be deemed to be importers or subject to an importer's license for bringing into this State from without this State alcoholic beverages for the purpose of sale within this State on the trains, cars or boats on which the same are brought into this State, exclusively to passengers or employees, and carrying the same or any unsold portion thereof out of this State in due course of operation"

Amendment read and adopted.

Bill ordered reprinted and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1635—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, preceding the period, insert ", with interest on the amount of sold taxes at 5 per cent per year computed beginning the day the property was sold to the State to the time of redemption, but in no event computed beyond three years from the day the property was sold to the State"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1276—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Evans, Field, Hastain, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch,

Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—51.
NOES—Collins, Sam L., and King—2

Bill ordered transmitted to the Senate

Assembly Bill No. 1005—An act to amend Sections 5900, 5901, 5902 and 5904 of the Elections Code, relating to absent voting.

Bill read third time
The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 385—An act to add Section 2671.5 to the Elections Code, relating to fees for filing declaration of candidacy

Bill read third time
The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2299—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on optometry.

Bill read third time

Motion to Amend

Mr. Meehan moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "certificate of registration"; and strike out line 11, and insert "physician's and surgeon's certificate under Chapter 5, Division 2 of this code."

Amendment read and adopted
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1204—An act to add Article 7 to Chapter 1 of Part 5 of Division 3 of the School Code, relating to the establishment of courses in military science and tactics in the public secondary schools.

Bill read third time
The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon,

Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Richie—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 162—An act to amend the title of, and Section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to revolving funds in the counties of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 1956

Has had the same under consideration, and reports the same back with the recommendation: Do pass as amended, and be re-referred to Committee on Ways and Means.

LEONARD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1941

MR. SPEAKER: Your Committee on Unemployment, to which were referred.

Assembly Bill No. 1654
Assembly Bill No. 1655
Assembly Bill No. 1656
Assembly Bill No. 1657
Assembly Bill No. 1658
Assembly Bill No. 1659
Assembly Bill No. 1660

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DESMOND, Chairman

Above reported bills ordered to second reading.

Speaker Presiding

At 11.45 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1654—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment.

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 40", and insert "Sections 40 and 41".

Amendment No. 2

On page 1 of the printed bill, after line 14, insert

"SEC. 2. Section 41 of said act is hereby amended to read as follows

Sec. 41. The commission shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. *Seventy-three per cent (73%) of the* benefits paid to an unemployed individual during any benefit year shall be charged against the account of his employer during his base period; provided, that if such individual performed services in employment for more than one employer during his base period, *then seventy-three per cent (73%) of the* benefits paid to such individual shall be charged against the respective accounts of such employers in the proportion that the total wages earned by such individual in employment for each such employer bears to the total wages earned by such individual in employment for all such employers during the base period [The maximum amount of benefits payable under this act and chargeable against such employer's accounts shall not be in excess of four hundred sixty-eight dollars ($468) for any one individual in any one benefit year.]"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1655—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, after "amend" and before "section", insert "Sections 56, 57 and 57.5 and to repeal".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "58", and insert "56".

Amendment No. 3

On page 1 of the printed bill, strike out all of line 3, and insert

"Sec. 56. [An individual is not eligible for benefits for unemployment and no such benefit shall be payable to him under any of the following conditions

(a) If he left his work because of a trade dispute and for the period during which he continues out of work by reason of the fact that the trade dispute is still in active progress in the establishment in which he was employed.

(b) If without good cause he has refused to accept suitable employment when offered to him, or failed to apply for suitable employment when notified by the district public employment office.]

Only an individual who is unemployed through no fault of his own shall be eligible to receive benefits as provided in this act, and such benefits shall be paid with respect to any week in which he is so unemployed only if:

(a) He has filed a claim for benefits with respect to such week during the next succeeding week; and

(b) Prior to the expiration of the next succeeding week he has registered for work and reported for work as frequently as required by the commission so to do at a public employment office or such other place as the commission shall approve; and

(c) During all of such week he was able to work and was available for work; and for the purpose of this requirement no worker shall be deemed able to work unless he was both physically and mentally capable of performing any work of substantially the same kind or nature in so far as physical or mental requirements are concerned as work performed by such individual during a period or periods

totaling one month or more out of the 12 months immediately preceding the week with respect to which he is applying for benefits; and

(d) During his base period he has earned wages for employment by employers of not less than three hundred dollars ($300); and

(e) He has been so unemployed for a waiting period of two weeks which weeks need not be consecutive. No week shall be counted as a week of unemployment for purposes of this subsection

(1) If it does not occur within the benefit year which includes the week with respect to which benefits are claimed but this requirement shall not interrupt the payment of benefits for consecutive weeks of such unemployment and the week or the two consecutive weeks immediately preceding the beginning of a benefit year if part of an uninterrupted period of such unemployment which continues into such benefit year shall, for purposes of this subsection only, be deemed to be within such benefit year as well as within the preceding benefit year.

(2) If benefits have been paid with respect thereto.

SEC. 2. Section 57 of said act is hereby amended to read as follows

SEC. 57. [An unemployed individual shall be eligible to receive benefits with respect to any week only if the commission finds that

(a) A claim for benefits with respect to such week has been made in accordance with such regulations as the commission may prescribe.

(b) He has registered for work, and thereafter continued to report, at a public employment office or such other place as the commission may approve

(c) He is able to work and available for work.

(d) He has been unemployed for a waiting period of two weeks. Such weeks of unemployment need not be consecutive. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits, provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment, and provided further that the week or the two consecutive weeks immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year, shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year

(2) If benefits have been paid with respect thereto

(3) Unless the individual was eligible for benefits with respect thereto in all respects, except for the requirements of this subsection (d) and Section 53

(e) He has during his base year earned wages for employment by employers of not less than three hundred dollars ($300).]

An individual shall not be deemed "unemployed through no fault of his own" and shall not be eligible for benefits

(a) During any week in which he is out of work with any prior employer because of a trade dispute and for two weeks thereafter, or for 15 months from the date he was last employed by such employer, whichever period is the shorter, if such individual left or remained away from or refused to continue his work with such employer because of such trade dispute.

(b) During any period the benefits with respect to which are based in whole or in part upon wages earned prior to the most recent date on which such individual without good cause refused to accept suitable employment when offered him or failed without good cause to apply for and make a bona fide effort to obtain suitable employment when notified thereof by a district public employment office

(c) During any period the benefits with respect to which are based in whole or in part upon wages earned prior to the date upon which such individual left an employment voluntarily without good cause attributable to his employer

(d) During any week in which he was laid off, suspended, or discharged for misconduct connected with his work, if so found by the commission, and in the case of such discharge for not less than five successive weeks nor more than 10 successive weeks thereafter, and in addition in the case of such discharge the maximum total amount of benefits which would otherwise be payable to him in his then current benefit year, or if none be then current, his next benefit year, shall be reduced by an amount equal to not less than five nor more than 10 times his weekly benefit amount

(e) During any week with respect to which he has received remuneration in the form of (1) wages in lieu of notice (2) severance pay (3) vacation allowance (4) retirement pay or a pension under a plan to the financing of which his employer has contributed or (5) workmen's compensation, provided, however, that if the weekly amount of such retirement or pension or workmen's compensation payments is less than the weekly benefit amount which would be payable to such individual were it not for the provisions of this subsection then such individual shall be deemed to be unemployed otherwise than through his own fault and shall be eligible to receive benefits, provided no other ground of ineligibility exists, in the amount of the excess of such weekly benefit amount over the amount of such retirement, pension or workmen's compensation payments; and provided further, that the receipt of such retirement, pension or workmen's compensation payments shall not be considered in connection with any claim for benefits based wholly upon wages earned subsequent

to the date of the commencement of such retirement, pension or workmen's compensation payments.

SEC. 3. Section 57.5 of said act is hereby amended to read as follows:

Sec. 57 5. *(a) An otherwise eligible individual shall not be eligible for benefits with respect to unemployment*

(1) For any week with respect to which he has wilfully made a false statement or representation or wilfully failed to report a material fact in order to obtain any benefit under this act and for the 52 weeks immediately succeeding such week

(2) [An individual shall not be eligible for benefits on account of unemployment] For any week with respect to which or [a] *any* part of which he has received or is seeking [unemployment] benefits under an unemployment compensation law of any other State or of the United States[; provided, that if:] *unless, with respect to such week* the appropriate agency of such other State or of the United States [finally determines that he is not entitled to unemployment benefits, the provisions of this section shall not apply.] *has finally determined that such benefits are not payable to such individual under such law.*

SEC. 4. Section 58 of said act is hereby repealed."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 7 to 25, inclusive; and on page 2, strike out all of lines 1 to 12, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1656—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "58", and insert "97".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "58", and insert "97".

Amendment No. 3

On page 1 of the printed bill, strike out all of line 3, and insert

"SEC. 97. The information furnished to the commission by an employing unit, pursuant to this act, shall, except to the extent necessary for the proper presentation of a claim for benefits, or to acquaint a worker or his duly authorized agent with his then existing or prospective right to benefits, or to furnish an employer or his duly authorized agent with information to enable him to fully discharge his obligations or safeguard his rights under this act, or to secure a reduction in contribution rate, and except as provided hereinafter in this section or in Section 100, be for the exclusive use and information of the commission in discharge of its duties and shall not be open to the public, nor admissible in evidence in any action or special proceeding, other than one arising out of the provisions of this act. Such information may be tabulated and published in statistical form for the use and information of State departments and the public, except that the name of the employing unit or of any worker shall never be divulged in the course of such tabulation or publication.

The commission shall make such reports in such form and containing such information, as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports. The commission shall also make available, upon request, to any agency of the United States Government charged with the administration of public works or assistance through public employment, the following information relating to recipients of unemployment compensation:

(a) The recipient's name;

(b) The recipient's address;

(c) The ordinary occupation and employment status of each such recipient of unemployment benefits;

(d) A statement of such recipient's right to further compensation under this act.

The commission may exchange information with other governmental departments and agencies, both Federal and State, which are concerned with the administration of unemployment insurance, or the collection of taxes which may be used to finance the administration of unemployment insurance, or the relief of unemployed or

destitute individuals, or legislation concerning, regulating, or in any manner affecting the obligations arising out of an employer-employee relation, and with such other departments or agencies of government as the commission may deem necessary or desirable for the proper administration of the act, in accordance with such general rules or regulations as it may prescribe.

The commission shall make its records available to any agency of government, Federal or State, for the purposes of crime prevention and detection and the apprehension of persons violating and accused of violating any law, Federal or State."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 4 to 26, inclusive; and on page 2, strike out all of lines 1 to 18, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1657—An act to repeal and add Section 56 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal and add Section 56 to", and insert "amend Section 66, to amend and renumber Section 70, and to repeal Sections 67, 68, 69, 71 and 72 of, and to add Sections 67, 68, 69, 70 and 71 to,".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 66 of the Unemployment Insurance Act is hereby amended to read as follows:

SEC. 66. [Claims for benefits shall be made in accordance with such regulations as the commission may prescribe.] Each employer shall post and maintain in places readily accessible to individuals in his service printed statements concerning [such] regulations or such other matters *pertaining to claims for benefits* as the commission may by regulation prescribe. Each employer shall supply such individuals copies of such printed statements or materials relating to claims for benefits as the commission may by regulation prescribe. Such printed statements shall be supplied by the commission to each employer without cost to him.

SEC. 2. Sections 67, 68, 69, 71 and 72 of said act are hereby repealed.

SEC. 3. Section 70 is hereby renumbered Section 72 and amended to read as follows:

SEC. [70. The manner in which disputed claims shall be presented the reports required thereon from the claimant and from any employing unit and the conduct of hearings and appeals shall be in accordance with regulations prescribed by the commission. Such regulations need not conform to statutory rules of evidence and other technical rules of procedure prescribed by the laws of this State. A full and complete record shall be kept of all proceedings in connection with disputed claims. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed.] 72. In any proceeding, hearing, investigation or in the discharge of any duties imposed under this act any member of the commission and any duly authorized deputy, referee or employee designated by the commission shall have the power to administer oaths, take depositions, certify to official acts and issue subpenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda and other records.

Obedience to subpenas issued in accordance with this section by any member of the commission or by any duly authorized deputy, referee or employee may be enforced by application to the superior court as set forth in Section 353 of the Political Code.

No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda and other records before the deputy, referee, or any duly authorized representative of the commission, or the commission,

or any obedience to the subpena of any of them in any cause or proceeding before such persons on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or any thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Witnesses subpenaed pursuant to this act shall be allowed fees in accordance with the provisions prescribed in Section 4300 (g) of the Political Code relative to proceedings in justices' courts. Such fees and all expenses incurred in any proceeding, hearing, review or investigation by the commission, excepting charges for services by counsel or other agent representing claimant, employer, or other interested person, shall be deemed a part of the expenses of administering this act, and no individual claiming benefits shall be charged by the commission, or its authorized representative, fees of any kind in any procedure under this act. Any individual claiming benefits in any proceedings before the commission or its authorized representative may be represented by counsel or other duly authorized agent but no such counsel or agent shall charge or receive for such services more than an amount approved by the commission. Any person who violates any provision of this section shall for each such violation be fined not less than fifty dollars ($50) nor more than five hundred dollars ($500) or be imprisoned not more than six months or both.

No cost shall be awarded in hearings on appeal by the commission, but if in the opinion of the commission, the claimant or an employer has acted in bad faith and without reasonable basis for appeal, a penalty not exceeding 10 per cent of the amount finally awarded on the appeal may be taxed against and deducted from the award by the commission and shall be placed in the Unemployment Fund. In those cases where a penalty is assessed against an employer his account, as maintained under this act, shall be debited with the amount of the penalty so assessed. The commission and its duly authorized representatives in the enforcement of this act shall have the powers of a head of a department as set forth in Article 2, of Chapter 3, Title 1, Part 3 of the Political Code. For the purpose of any investigation, hearing or proceeding under this act, the commission may delegate its power in relation thereto to any deputy, referee, or other person properly authorized in writing by it.

SEC. 4. Section 67 is hereby added to said act, to read as follows:

Sec. 67. (a) (1) An "original claim" is any claim which, if valid, would initiate a benefit year under the provisions of Section 52 1.

(2) An "additional claim" is any claim other than an original claim.

(b) Every original claim shall state in writing under oath of the claimant with respect to the week prior to the week in which such claim is filed:

(1) That the claimant was then unemployed.

(2) That the claimant was not then subject to any disqualification or condition of ineligibility for benefits under this act, or if any such disqualification or condition of ineligibility for benefits under this act does exist, the nature thereof.

(3) The names and addresses of all employers by whom the claimant was employed since the last day of the claimant's base period.

(c) Every additional claim shall state in writing under oath of the claimant with respect to the week prior to the week within which such claim is filed:

(1) That the claimant was then unemployed.

(2) That the claimant was not then subject to any disqualification or condition of ineligibility for benefits under this act, or if any such disqualification or condition of ineligibility for benefits under this act does exist, the nature thereof.

(3) The names and addresses of each employer by whom he was employed since the filing of his last previous claim.

SEC. 5. Section 68 is hereby added to said act, to read as follows:

Sec. 68. (a) Immediately upon the receipt of an original claim the commission shall make an "initial determination" with respect to the claimant and shall find:

(1) The total earnings of such claimant during the base period.

(2) The maximum total amount of benefits payable to such claimant.

(3) The weekly benefit amount payable to such claimant.

(4) Whether or not any disqualification or condition of ineligibility for benefits under this act exists, and if any does exist, the nature thereof.

(b) Immediately upon completion of such initial determination the commission shall mail to the claimant and each of the claimant's employers since the commencement of his base period a notice of such initial determination, which shall state:

(1) The address of the office of the commission in which such claim was filed.

(2) The name and social security account number of the claimant.

(3) The quarters included in the claimant's base period.

(4) The total wages earned by the claimant during the base period.

(5) The maximum total amount of benefits and the weekly benefit amount.

(6) That no apparent disqualification or condition of ineligibility exists, or, if any disqualification or condition of ineligibility is found to exist, the nature thereof.

(c) Immediately upon receipt of an additional claim the commission shall make an additional claim determination and shall mail to each employer named in such claim a notice of such determination which shall state

(1) The address of the office of the commission in which the claim was filed

(2) The name and social security account number of the claimant

(3) That no apparent disqualification or condition of ineligibility exists, or, if any disqualification or condition of ineligibility is found to exist, the nature thereof.

SEC. 6. Section 69 is hereby added to said act, to read as follows:

Sec. 69. (a) Any person to whom a notice is required to be mailed pursuant to Section 68 may, at any time prior to 10 days after receiving such notice, file written objections thereto in the office of the commission in which the claim was filed. All such persons shall be deemed to be parties to the initial determination, the additional claim determination, and to all proceedings with respect to such determinations.

(b) Objections to an initial determination or to any additional claim determination shall be referred to an impartial and disinterested referee appointed by the commission, who, after affording the parties a reasonable opportunity for hearing shall affirm, set aside or modify such determination and shall immediately notify all parties thereof. The decision of the referee shall be deemed the final decision of the commission unless such decision shall be appealed to the commission pursuant to subsection (c) of this section.

(c) Any party to a proceeding may, within 10 days after receipt of notice of the referee's decision, appeal in writing to the commission. The commission, after affording reasonable opportunity for hearing upon such appeal shall approve, set aside or modify the determination or the decision of the referee upon the record of the proceeding before the referee or upon such record and any other evidence as shall by the direction of the commission have been presented before it. All parties to the proceeding shall be promptly notified of the decision of the commission.

(d) The commission may remove to itself, or transfer to another referee, any proceeding pending before a referee, or may, of its own motion within 10 days after decision by the referee, remove any proceeding to itself for rehearing or review, but it shall not render any decision with respect to any determination under this section or Section 68 without affording all parties reasonable opportunity for hearing.

SEC. 7. Section 70 is hereby added to said act, to read as follows:

Sec. 70. (a) The commission shall make rules and regulations for the proper conduct of hearings before itself and before any referee in all proceedings under Section 69.

(b) A full record of all proceedings before a referee shall be kept and shall contain

(1) The claim

(2) The initial determination, or the additional claim determination

(3) A copy of the notice or notices sent to each party to the proceeding

(4) The objections filed by each party

(5) Any documentary evidence introduced and a record of the testimony taken at hearing, but the testimony need not be transcribed

(6) The decision and any supporting opinion of the referee.

(c) In addition to the matters enumerated in subsection (b) of this section, the record of proceedings upon appeal or removal to the commission shall contain

(1) A full transcript of the testimony taken before the referee

(2) Any documentary evidence introduced and a transcript of any additional testimony taken at the hearing before the commission

(3) The decision and any supporting opinion of the commission.

SEC. 8. Section 71 is hereby added to said act, to read as follows:

Sec. 71. Upon the filing of any objection to an initial determination or an additional claim determination no benefits shall be paid to the claimant with respect to the period prior to a final decision except after and in accordance with such decision; provided, however, that if a referee affirms an initial determination, or an additional claim determination allowing benefits such benefits shall be paid in accordance with such decision notwithstanding such determination is the subject of appeal to the commission, but if such determination is finally reversed no employer's account shall be charged with benefits so paid on account of such determination."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 24, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1658—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "The dis-", and strike out all of lines 13 to 24, inclusive.

Amendment No. 2

On page 2 of the printed bill, after line 11, insert

"(c) No work or employment shall be deemed unsuitable because of its distance from the individual's residence, if such work or employment is in the same or substantially the same location as was his last previous regular place of employment; but this provision shall not apply in any case if the individual has in good faith moved his residence since the date of his last employment and if the offer of work or employment is not made until after the date on which the individual has so moved."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1659—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "57", and insert "44.2"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "57", and insert "44.2".

Amendment No. 3

On page 1 of the printed bill, strike out all of line 3, and insert

"Sec. 44.2. *(a)* Commencing January 1, 1940, the provisions of Section 44 of this act requiring the payment of worker contributions shall not apply to that part of wages which, after wages equal to three thousand dollars ($3,000) has been paid to a worker by an employer with respect to employment during any calendar year, is paid to such worker by such employer with respect to employment during such calendar year.

(b) If by reason of a worker rendering service for more than one employer during any calendar year after the calendar year 1941, the wages of the worker with respect to employment during such year exceed three thousand dollars ($3,000), the worker shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by Section 44, deducted from such wages and paid to the commission, which exceeds the tax with respect to the first three thousand dollars ($3,000) of such wages paid. Refunds under this subdivision shall be made by the commission if the worker (1) makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (2) such claim is made within two years after the calendar year in which the wages are paid with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund.

(c) Services performed by an individual while registered for full attendance at and regularly attending an established school, college or university, and services performed during customary vacation periods by an individual who intends to return or go to or enroll at any such school, college or university as a student for the next regular term are not subject to tax under Section 44 and no worker shall be entitled to benefits based upon wages earned for such services."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 4 to 26, inclusive; and on page 2, strike out lines 1 to 9, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1660—An act to amend Section 11 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment·

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 9 to 17, inclusive, and insert "(2) If the measurement of the remuneration of an individual is not based upon a fixed period or duration of time, the wages earned for any week for the purpose of computing an individual's right to unemployment benefits only shall be determined in such manner as the commission may by rule or regulation prescribe. Such rule or regulation shall, so far as possible, secure results reasonably similar to those which would prevail if the individual were paid on the basis of a weekly rate of pay."

Amendment No. 2

On page 2, line 2, of the printed bill, strike out "and"; and strike out all of line 3

Amendment No. 3

On page 2, line 12, of the printed bill, strike out "Title 9 of the Federal Social"; and strike out all of lines 13, 14 and 15, and insert "the Federal Unemployment Tax Act excludes from".

Amendment No. 4

On page 2 of the printed bill, after line 43, insert "(2) The term "wages" does not include tips and gratuities paid directly to an employee by a customer of an employer and not accounted for by the employee to the employer."

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF HOUSE RESOLUTION NO. 157

House Resolution No. 157—Relative to addition of a Rule to the Standing Rules.

Resolution read.

Motion to Table

Mr. Donnelly moved that House Resolution No. 157 be laid on the table.

Mr. Lowrey seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D, Crowley, Dills, Donnelly, Doyle, Evans, Field, Hastain, Heisinger, Houser, Frederick F, Howser, F. N, Kilpatrick, Knight, T Fenton; Lowrey, McCollister, Meehan, Middough, Pelletier, Potter, Russell, Stream, Thurman, and Watson—28.

NOES—Allen, Bashore, Burkhalter, Call, Carlson, Collins, Sam L, Cooke, Cronin, Desmond, Dickey, Johnson, Kepple, King, Leonard, Lyon, Maloney, Miller, Millington, Pfaff, Poulson, Richie, Sheridan, Thomas, Voigt, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—29.

Demand for Previous Question

Messrs Desmond, Heisinger, Dills, Stream and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 157.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Call, Collins, Sam L., Cronin, Evans, Johnson, King, Lyon, Millington, Pfaff, Poulson, Richie, Sheridan, Waters, Wollenberg, and Mr Speaker—19.

NOES—Bennett, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Potter, Russell, Stream, Thomas, Thurman, Voigt, Watson, Weber, and Weybret—39.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 398.
Assembly Bill No. 399.
Assembly Bill No. 425.
Assembly Bill No. 1469.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No. 59.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 458—Re-referred to Committee on Agriculture.

Assembly Bill No. 554—Re-referred to Committee on Roads and Highways.

Assembly Bill No. 894—Re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2110—Re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1112—Re-referred to Committee on Agriculture.

Assembly Bill No. 2573—Re-referred to Committee on Motor Vehicles.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 728 WAIVED

Mr. Field waived his notice of motion to reconsider the vote whereby Assembly Bill No. 728 was passed.

Assembly Bill No. 728 ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Berl Schwartz of Los Angeles.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur Maler.

On request of Mr F. N Howser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur L. Syvertson, attorney-at-law, of Los Angeles.

On request of Mr. Gaffney and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marie Newmans, Mrs. Helen Miller, Mrs. Mary Camerillo and Mrs Jane Anthony, all of San Francisco.

On request of Mr McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Henrietta Crawford, instructor, and the following students from Lagunitas District School, Marin County: Janice Dillman, Edwin Gardner, Joe McCart, Virgilio Rampoui, Evelyn Affonso, Robert Thorson, Evelyn Howard, Paulme DeMartini, Bill Dougan, George Kidder, Gerald Dillman, Vernon Howard, Doris Peacock, Ola Hayden, Elaine Borkeim, Florence Dickson, Lorraine Raffety, Constance Howard, Mary Vanderford, Jesse Vanderford, Roddy Waters, Lamont Kidder, Gladys Kidder, George Affonso, Ruth Oakley, Deloras Jordan, Patty Voyle, Emma Rourke, Arthur Marsh, Eddy Hayden, Ethel Dougan and Helen Beneken; and Ed DeMartini, driver.

On request of Mr Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following Northern California Legislative Day, April 25, 1941, Registrants: Chico State College—Bob McLane, Earnest Ramires and Carl Shafer; Marin Junior College—Keith Monaghan, Tom Schaal, Forrest Morau, Wm. M. Gwinn, Jr., and Ben Curry; Modesto Junior College—Frank Weirmer, Yuki Akaki, and Donald Bomberger; Placer Junior College—Gladys Herman, Ben Baylerr, Huntley Brommage, Patricia Jones, John Teerink, and Lillian B. Allan; Sacramento Junior College—Frances Stoffels, Louis Cosans, Hal Graves, Mason A. Johnston, Leo Fahn and Roger Barr; Salinas Junior College—Fred Joyce, and Sidney Peteoman; San Francisco Junior College—Robert Roach, Joseph O'Neill, Myron DuBain, Dorathy Purce, Leland Martin, Kenneth Johnson, Preston Lane, William Begon, Dolores Canty, and Lloyd Luckman, San Jose State College—Evelyn Bravo, Henry Leland, Lorraine Hurley, Kenneth Fisher, Marshall Kelley, Jay Varland, Jane Thornton, Arthur Grey, Richard Flower, Carson Ronos, Joel Gustafron, and Wilson Maruyana; Stockton Junior College—Val Valentine, and Ray R. Ray; University of California—Allen Sapiro, Irving Trager, Dave Kaplan, Mel Enos, Kenneth Coates, and Mr Goldner; San Francisco State College—Dr Baxter M. Geeting, Elias T. Ameson, and Dello Biancolana.

On request of Mr. Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. Edward Liston of Palo Alto.

On request of Messrs Crowley and Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Louis J. Lemstra, National President, American Legion Auxiliary, of Clinton, Indiana; Mrs. Ruth Mathabat, National Chairman of National Defense, of Alameda, Mrs. P. D. Bevil, and Mrs. Penman.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John F. Gouldner, of Los Angeles.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. D. La Tourette, President, High School Teachers Association of Los Angeles City.

ADJOURNMENT

At 11.55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Monday, April 28, 1941.

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED THIRTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 28, 1941

The Assembly met at 1.30 p m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Pfaff.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 161
Assembly Bill No. 278
Assembly Bill No. 381
Assembly Bill No. 1135
Assembly Bill No 1240
Assembly Bill No. 1308
Assembly Bill No. 1581
Assembly Bill No. 1654
Assembly Bill No. 1655
Assembly Bill No. 1656
Assembly Bill No. 1657
Assembly Bill No. 1658
Assembly Bill No. 1659
Assembly Bill No. 1660
Assembly Bill No. 2470
Assembly Bill No. 2571

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 168
Assembly Bill No. 927
Assembly Bill No. 1101
Assembly Bill No 1102
Assembly Bill No 1103
Assembly Bill No. 1377
Assembly Bill No. 1433
Assembly Bill No. 1717
Assembly Bill No 1724
Assembly Bill No. 1879
Assembly Bill No 2166
Assembly Bill No 2299
Assembly Bill No. 2384

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 800
Assembly Bill No. 808
Assembly Bill No. 1057
Assembly Bill No. 1129
Assembly Bill No. 1555
Assembly Bill No. 1625
Assembly Bill No. 2214

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 1387
Assembly Bill No. 1623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Banking

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: Your Committee on Banking, to which was referred

Senate Bill No. 690

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALL, Chairman

Above reported bill ordered to second reading.

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred:

Senate Bill No. 1078

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

VOIGT, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 333—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts;

Assembly Bill No. 673—An act to add Sections 802.6 and 828.53 to, and to amend Sections 828.1, 828.45 and 829.15 of the Agricultural Code, relating to containers for grapes, declaring the urgency of this act, to take effect immediately,

Assembly Bill No. 1767—An act to add Section 22140 to the Streets and Highways Code, providing an alternative method for collecting assessments to cover the cost of the improvements provided for under the Tree Planting Act of 1931;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2049—An act to add Section 65 to the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail;
And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 47

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported resolution ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 632

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1514
Assembly Bill No. 2244

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER. Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 47

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

LYON, Chairman

Above reported resolution ordered engrossed.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 106
Assembly Bill No. 1146
Assembly Bill No 742
Assembly Bill No. 754
Assembly Bill No. 755
Assembly Bill No. 773
Assembly Bill No. 240
Assembly Bill No. 650
Assembly Bill No. 654
Assembly Bill No. 733
Senate Bill No. 721

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1600
Assembly Bill No. 649
Assembly Bill No 651
Assembly Bill No 648
Assembly Bill No. 734
Assembly Bill No. 735
Assembly Bill No. 736
Assembly Bill No 737
Assembly Bill No 738
Assembly Bill No 739
Assembly Bill No. 740
Assembly Bill No 741
Assembly Bill No 743
Assembly Bill No 744
Assembly Bill No 758
Assembly Bill No 759

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 760
Assembly Bill No. 762
Assembly Bill No 763
Assembly Bill No 764
Assembly Bill No. 765
Assembly Bill No 770

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PHILLIPS, Chairman

Above reported bills ordered to second reading

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER. Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No 1526

Has had the same under consideration, and reports the same back with the recommendation: Do pass

T FENTON KNIGHT, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 832—An act to amend Section 3166 of the Civil Code, relating to the time of payment of negotiable instruments,

Assembly Bill No. 2021—An act to add Section 435 to the Political Code and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 18, 1921, relating to the reversion of unexpended balances of certain appropriations, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1941, at 4.30 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 707
Assembly Bill No. 788
Assembly Bill No 916
Assembly Bill No. 917
Assembly Bill No. 918
Assembly Bill No 1116
Assembly Bill No 1117
Assembly Bill No. 1574
Assembly Bill No 2595

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO April 28, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No 1264

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means.

(Signed out)

TENNEY, Chairman	POULSON
WATERS	DEL MUTOLO
BENNETT	SALSMAN
ROBERTSON	MEEHAN
JOHNSON	

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER Your Committee on Insurance, to which were referred:

Assembly Bill No 1519

Senate Bill No 212

Has had the same under consideration, and reports the same back with the recommendation Do pass

SAWALLISCH, Chairman

Above reported bills ordered to second reading

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER Your Committee on Soldiers and Sailors Affairs, to which was referred:

Senate Bill No 1249

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DOYLE, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER Your Committee on Education, to which was referred:

Assembly Bill No. 1020

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bill ordered to second reading

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE, SACRAMENTO

To the Honorable Members of the Assembly

GREETINGS I am returning without my signature of approval Assembly Bill No 1614 entitled "An act to add Section 385 to the Alcoholic Beverage Control Act, relating to certificates of compliance"

My objections to this bill are:

1 That while this bill may not be technically classified as trade barrier legislation, that is, legislation which, on its face discriminates against the products of another State, it is so interpreted by the producers and manufacturers of various California products which are being marketed in our sister States, as well as by manufacturers of those States whose products are being marketed in California.

It is feared that operations under the bill would result in discriminations.

I am firmly of the opinion that while we should protect California producers and manufacturers against practices in the marketing of the products of out-of-State producers and manufacturers which would circumvent the laws of our State to which our own producers and manufacturers are subject, we should and can do so by measures which can not be construed as impractical, onerous or intended in their operation to be discriminating.

It is important to all industries of California that no unnecessary legislation be enacted which might be so construed by other States and invite retaliatory legislation against the marketing of our products in those States.

2. There appears to be some justification for the objections made that operations under this bill would be impractical and onerous from the standpoint of out-of-State manufacturers and that compliance therewith might be impossible in all cases. For instance, it is asserted without contradiction that under prevailing business practices many eastern brewers sell their beer to eastern jobbers who in turn import or sell their merchandise to California importers; that the manufacturer therefore has no means of knowing the amount of his products that may be imported or sold to California wholesalers or importers after they have been sold to out-of-State jobbers.

Yet a failure of the manufacturers to accurately report the quantity of his product sold or delivered in California would operate to deny the right to have his product purchased by California dealers. I believe a vintner of California wines or a producer or manufacturer of any other California product who sells his merchandise to jobbers and wholesalers for their resale and distribution by their purchasers in other States would seriously object to similar laws being enacted in other States.

3 I do not believe this particular bill necessary to accomplish the principal purpose of this bill as that purpose is stated to me by its proponents It is to prevent the distribution by out-of-State manufacturers to retail beer dealers of favors in the form of decorations, paintings, signs, calendars, etc., contrary to the provisions of the Alcoholic Beverage Control Act and regulations thereunder. Without going into the details of pointing out how this may be effectively prevented by strengthening, if necessary, the provisions of that act as it applies to importers, wholesalers and retailers of beer manufactured in other States, I am positive this can be done by a measure to which the foregoing objections could not possibly be raised, and I would readily approve such a bill if enacted.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 788—An act to amend Section 12200 of the Business and Professions Code, relating to terms of county sealers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 916—An act to amend Section 12701 of the Business and Professions Code, relating to public weighmaster bonds and license fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 917—An act to add a new section to Chapter 7 of Division 5 of the Business and Professions Code, to be numbered 12701.5, relating to weighmaster bond and license.

Bill read second time, and ordered engrossed.

Assembly Bill No. 918—An act to amend Section 12700 of the Business and Professions Code, relating to public weighmasters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2291—An act to amend Sections 8c and 78 of the State Employees' Retirement System, including city policemen and county and city firemen.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1116—An act to amend Section 62 and to repeal Section 141 of the Fish and Game Code, relating to fish and game districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1117—An act to amend Section 62.6 of the Fish and Game Code, relating to Fish and Game District 1½

Bill read second time, and ordered engrossed.

Assembly Bill No. 937—An act to amend Section 78 of the Gift Tax Act of 1939, relating to the deposit and appropriation of money paid and collected thereunder.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1574—An act to amend Section 790 of the Fish and Game Code, relating to crabs and crab meat.

Bill read second time, and ordered engrossed.

Assembly Bill No. 707—An act to amend Section 7113 of the Labor Code, relating to safety of employment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2595—An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 33—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 12, inclusive.

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1349—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly April 24, 1941, after "expert", strike out the comma and "herbalist".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2380—An act to amend Sections 2182 and 2184 and to add Sections 2163a and 2165a to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"2163a. Moneys realized from the following sources by recipients shall not be considered as income, unless the amount received shall exceed in amount the sum of fifteen dollars ($15) per month when added to any other income received by recipient from sources permitted by law, (a) money received from interest on a savings deposit which does not exceed five hundred dollars ($500), (b) dividends earned on any insurance policy maturity value of which does not exceed one thousand dollars ($1,000), (c) payments received as installments on any deed of trust, mortgage or contract for sale of real property not exceeding fifteen dollars ($15) per month, or (d) income from stocks or bonds, the value of which does not exceed five hundred dollars ($500)."

Amendment No. 2

On page 2, line 7, of the printed bill, strike out "both".

Amendment No. 3

On page 2, line 8, of the printed bill, strike out "fact or".

Amendment No. 4

On page 2, line 11, of the printed bill, strike out "If the application for a hearing be granted", and strike out all of lines 12, 13 and 14.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2512—An act to provide for the return to private ownership of land tax-deeded to the State or deeded to an irrigation district for delinquent irrigation district assessments, or both.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide for the return to private ownership of land"; and strike out all of lines 2 and 3 of the title, and insert "repeal Sections 3651, 3659, 3660, 3661, 3662 and 3663 of, to repeal Chapter 4.3, comprising Sections 3534 to 3562, inclusive, of Part 6, Division 1 of, to amend Sections 3441, 3652, 3653, 3654, 3655, 3656, 3657 and 3658, and the title of Chapter 6, Part 6, Division 1 of, and to add Sections 3651, 3659 and 3660 to the Revenue and Taxation Code, relating to property taxation, the control of tax-deeded property, and the proceeds therefrom, including the transference of control over tax-deeded property from the State Controller to the boards of supervisors of the various counties, and abolishing the Land Classification Commission and the Advisory Committee on Tax-deeded Property."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Notwithstanding any other provisions of law", and insert "Chapter 4.3, comprising Sections 3534 to 3562, inclusive, of Part 6, Division 1, of the Revenue and Taxation Code is hereby repealed.

SEC. 2. Section 3441 of the Revenue and Taxation Code is hereby amended to read as follows:

3441. Every person who does any act tending permanently to impair the value of tax-sold property or tax-deeded property is guilty of a misdemeanor and is liable for any damages sustained by the State because of his act. Such acts include but are not limited to the removal, destruction, or cutting of any improvements or timber. On request of the Attorney General or the *board of supervisors* of the county where any part of the property is located the *district attorney* shall:

(a) Prosecute for the commission of the misdemeanor.

(b) In the name of the people, sue for damages sustained by the State.

SEC. 3. The title of Chapter 6 of Part 6, Division 1, of the Revenue and Taxation Code is hereby amended to read as follows:

Chapter 6. Power of *County* to Rent Tax-Deeded Property.

SEC. 4. Section 3651 of the Revenue and Taxation Code is hereby repealed.

SEC. 5. Section 3651 is hereby added to the Revenue and Taxation Code, to read as follows:

3651. After the recording of the deed to the State, the board of supervisors of the county in which the property is located has exclusive power through the board's authorized agent to rent the tax-deeded property.

SEC. 6. Section 3652 of the Revenue and Taxation Code is hereby amended to read as follows:

3652. The *board of supervisors*, or any person designated by *it*, may exact an accounting of the proceeds from tax-deeded property from:

(a) The former owner of the property.

(b) Any person having an interest in the property.

(c) Any person in actual or constructive possession of any part of the property.

SEC. 7. Section 3653 of the Revenue and Taxation Code is hereby amended to read as follows:

3653. The *board of supervisors*, or any person designated by *it*, may demand possession of tax-deeded property and possession shall be surrendered in accordance with the demand.

SEC. 8 Section 3654 of the Revenue and Taxation Code is hereby amended to read as follows:

3654. On the request of the *board of supervisors* to the district attorney of the county, an action of unlawful detainer or of ejectment shall be brought in the name of the people against any persons unlawfully occupying tax-deeded property.

SEC. 9. Section 3655 of the Revenue and Taxation Code is hereby amended to read as follows:

3655. For the purpose of renting tax-deeded property, the *board of supervisors* or, in the name of the *board of supervisors*, any person designated by *it* may:

(a) Agree on the terms of leases.

(b) Execute and record leases.

(c) Collect the consideration accruing under the leases and give acquittances for it.

(d) Consent to the assignment, subletting, or cancellation of the leases.

(e) Give notices and demands concerning the leased property.

(f) Cancel leases for violation of their terms by the lessees.

(g) Prosecute proceedings for:

(1) The recovery of possession of demised property with or without damages.

(2) Recovery of the proceeds of the property.

(3) The prevention of waste or injuries to the property.

(4) Damages for waste or injuries to the property.

(5) Other purposes concerning the leased property.

(h) Authorize repairs necessary to preserve improvements on the property.

(i) Do any other things necessary to lease tax-deeded property.

On request of the *board of supervisors*, the *district attorney* shall commence proceedings in the name of the people for the enforcement of this section

SEC. 10. Section 3656 of the Revenue and Taxation Code is hereby amended to read as follows:

3656. Every lease made under this chapter shall provide that the *board of supervisors* may cancel the lease as of the date of redemption from tax sale, *as of the date of the first payment under a plan for the payment of delinquent taxes in installments*, or as of the date of a sale terminating the right of redemption, and that the lessee is not thereupon entitled to any damages or reimbursement except as provided in this section. On redemption, *first installment payment*, or sale of the property, the *board of supervisors* may refund to the lessee the unearned portion of any rental paid in advance.

SEC. 11. Section 3657 of the Revenue and Taxation Code is hereby amended to read as follows:

3657. On receipt of a written notice of condemnation from any public agency authorized by law to determine the existence of a nuisance, the *board of supervisors*

or any person designated by *it* may remove or permit the removal of any improvements which have become a public nuisance. Neither the State, *the county*, the *board of supervisors*, nor any person designated by *it* is liable for damages sustained by reason of the removal

SEC. 12. Section 3658 of the Revenue and Taxation Code is hereby amended to read as follows:

3658. The *board of supervisors* may make an investigation and appraisal by competent appraisers of all tax-deeded property. All information in connection with the investigation and appraisal shall be recorded and filed in a suitable manner For these purposes the *board of supervisors* may employ any expert and clerical assistance deemed necessary.

SEC. 13. Sections 3659 and 3660 of the Revenue and Taxation Code are hereby repealed

SEC. 14. Section 3659 is hereby added to the Revenue and Taxation Code, to read as follows:

3659. All moneys received by a county under this chapter or under Section 3441 shall be placed in the tax-deeded land rental fund in the county treasury, which fund is hereby created At the end of the fiscal year in which the moneys were received and on order of the board of supervisors they shall be distributed as follows

(1) If the money received by the county arises from property on which only county taxes are delinquent, the money received from such property shall be paid into the county general fund.

(2) If the money received by the county arises from (i) property on which the taxes or assessment of a taxing agency other than the county are included in the deed to the State, or (ii) property on which taxes or assessments of a taxing agency other than the county have become delinquent and the property has also been deeded to the taxing agency, or both (i) and (ii), the money received from such property shall be distributed so as to pay to each taxing agency, including the county, the proportion of such money which the amount of the delinquent taxes or assessments on the property of such taxing agency bears to the delinquent taxes and assessments on such property of all taxing agencies. The county's share shall be paid into the county general fund, and the shares of the other taxing agencies shall be distributed to the fund of the taxing agency corresponding to the county general fund

SEC 15. Section 3660 is hereby added to the Revenue and Taxation Code, to read as follows:

3660. Any unexpended balance remaining in the Tax-deeded and Rental Fund in the State Treasury on June 30, 1942, shall be transferred to the General Fund

SEC. 16. Sections 3661, 3662 and 3663 of the Revenue and Taxation Code are hereby repealed

SEC. 17. The provisions of Sections 2 to 14, inclusive, of this act shall take effect on July 1, 1942.

SEC. 18 On and after July 1, 1942, the board of supervisors of each county shall succeed to and shall be vested with all the duties, powers, purposes, responsibilities, and jurisdiction of the State Controller, over the rental and control of tax-deeded property in such county. The State Controller shall make available or give possession to the board of supervisors of each county the records, books, and papers, now in the possession of the State Controller, appertaining to the tax-deeded property in such county"

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 5, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1758—An act to amend Sections 4, 9 and 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 11001 and 11003 of the Revenue and Taxation Code and to amend."

Amendment No. 2

On page 2 of the printed bill, strike out line 6, and insert "in the State Treasury to the credit of the Motor Vehicle License Fee Fund, which fund is hereby created".

Amendment No. 3

On page 3 of the printed bill, strike out lines 17 to 25, inclusive.

Amendment No. 4

On page 3 of the printed bill, between lines 30 and 31, insert

"(a) There shall first be appropriated for the use and support of the Department of Motor Vehicles such amount as the Legislature shall determine is necessary for the enforcement of this act, which amount shall be not less than 3 per cent of the money paid into said fund".

Amendment No. 5

On page 3, line 37, of the printed bill, strike out "(a)", and insert "(b)".

Amendment No. 6

On page 4, line 4, of the printed bill, strike out "(b)", and insert "(c)".

Amendment No. 7

On page 4 of the printed bill, strike out lines 36 to 45, inclusive.

Amendment No. 8

On page 4 of the printed bill, between lines 45 and 46, insert

"SEC. 4 Section 11001 of the Revenue and Taxation Code is hereby amended to read as follows:

11001. All money collected by the Department under this part shall be reported [daily] *weekly* to the State Controller and at the same time deposited in the State Treasury to the credit of the Motor Vehicle License Fee Fund, which fund is continued in existence.

SEC. 5. Section 11003 of said code is hereby amended to read as follows:

11003. There shall first be appropriated from the Motor Vehicle License Fee Fund for the use and support of the Department of Motor Vehicles such amount as the Legislature shall determine is necessary for the enforcement of this act, which amount shall be not less than 3 per cent of the money paid into the fund.

SEC 6. Sections 4, 5, and 6 of this act shall become operative only if Part 5 of Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case at the same time as said Part 5 takes effect; at which time Sections 4, 9, and 11 of the act cited in the title hereof amended by this act are hereby repealed."

Amendment No. 9

On page 4, line 46, of the printed bill, strike out "5", and insert "7".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1045—An act to amend Section 690.24 of the Code of Civil Procedure, relating to property exempt from attachment and execution.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 3, of the printed bill, after "vehicle", insert "of a value not exceeding one hundred dollars ($100).

Whenever a motor vehicle exceeding a value of one hundred dollars ($100) is sold under execution, one hundred dollars ($100) of the proceeds of such sale must be paid to the judgment debtor and the excess may then be applied to the satisfaction of the execution. The money so paid to the judgment debtor shall be exempt from execution or attachment for a period of ninety (90) days after the date of such sale."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 481—An act to amend Section 2100 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2100 of", and insert "add Section 2175 to".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the practice of medicine", and insert "persons authorized to practice medicine and surgery under the jurisdiction of the Department of Institutions"

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 6, inclusive, and insert "SECTION 1. Section 2175 is hereby added to the Business and Professions Code, to read as follows:

2175. Subject to the provisions of the State Civil Service Act, any person, who is licensed to practice medicine and surgery in any other State and who has applied for a physician's and surgeon's certificate in this State, may be appointed to the medical staff of any institution under the State Department of Institutions for a period of one year at the end of which period, he shall have secured a physician's and surgeon's certificate in order to continue as a member of the staff."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2119—An act to amend Section 50¾ of the Public Utilities Act, relating to the granting of certificates of public convenience and necessity, the establishment of joint rates and routes, providing for establishing divisions of joint rates, and for the coordination of transportation service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "It is the policy of the State of California"; and strike out lines 29 to 51, inclusive; and in line 52 strike out "of all applicants", and insert:

"It is the policy of the State of California to encourage coordination between the various forms of transportation service, to the end that adequate transportation service, at reasonable rates, may be fostered, encouraged and preserved. In

considering an application for a certificate or extension thereof, by a common carrier railroad corporation, water carrier, freight forwarder or express corporation, or a subsidiary or affiliate thereof, the commission shall take into consideration the existing highway common carrier service, in the territory involved. If it appears that the existing highway common carrier service between the points proposed to be served by such applicant or its parent or affiliate, is capable of serving the public efficiently, or can readily be made capable of serving the public efficiently, with the highest possible load factors and lowest possible over all costs, such application shall be denied. The commission is hereby granted power to require, by order, when it appears that it is in the public interest, the establishment of joint through rates and joint through routes between such existing common carriers, in the manner prescribed in Section 33 hereof, in order to provide efficient transportation service for the public. Wherever it appears that there is a need for such coordinated service, the commission shall make equitable division arrangements between such carriers, in the event that such carriers fail to make such division arrangements voluntarily. Such division arrangements shall be made in the manner prescribed in Section 33 hereof."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 624—An act to amend Section 5539 of the Business and Professions Code, relating to partnerships for practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5539 of", and insert "add Section 5600.5 to".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "partnerships for", and insert "retirement of persons from the".

Amendment No 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 5600.5 is hereby added to the Business and Professions Code, to read as follows:

5600.5. Every architect, who desires to retire from the practice of architecture and not to renew his license, shall inform the board prior to the expiration of his current license. Upon receipt of the information, the board shall note upon its records that the architect has retired.

During the period of retirement, the architect shall be excused from the payment of his annual license fee and shall not engage in the practice of architecture.

A retired architect may apply to the board for reinstatement as an active architect and, upon payment, without penalties, of all the annual license fees from which he was excused the board shall reinstate him."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 11, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1702—An act to add Sections 1034 and 1035 to the Political Code, declaring it to be unlawful for officers or employees of the State or any county, city, district, or other political subdivision of the State to secure the performance of, or to approve of the performance of, professional or vocational services, for the performance of which a license or registration is required, by unlicensed or unregistered persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 1034 and 1035", and insert "Section 1034."

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, strike out "hire", and insert "retain in employment".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 10 to 22, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert "who is not, at the time of performing such services, duly licensed or registered to perform the same. This section shall not be deemed to require any person to obtain a license or certificate of registration who is exempt from such requirement under the statute requiring such license or certificate, nor shall it prohibit the employment of persons to serve in any capacity who, under such statute, by reason of supervision by a licensed or registered person, would be exempt from such requirements."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2165—An act to amend Sections 4, 6, 8 and 10 of an act entitled "An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, cities and counties, and in counties, to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency," approved March 21, 1938, relating to the powers, duties and dissolution of housing authorities and to the powers and duties of governing bodies of cities, cities and counties, and counties with respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, after "and 10 of", insert ", and to add Section 10.5 to,".

Amendment No. 2

In line 17 of the title of the printed bill, after "thereto", strike out the period, and insert "and to authorize housing authorities to house temporarily persons engaged in National defense activities and their families."

Amendment No. 3

On page 2, line 1, of the printed bill, strike out the period, and insert "and shall authorize the appointment of the members of such authority."

Amendment No. 4

On page 2, line 2, of the printed bill, strike out "(a) may be made by the "; and strike out lines 3 through 10, and insert "may be made by the governing body on its own motion."

Amendment No. 5

On page 5, line 51, of the printed bill, after "accommodation", insert ", or have at the time of such filing,".

Amendment No. 6

On page 6 of the printed bill, insert

"SEC 5 Section 10 5 is hereby added to said act to read as follows

Sec 10 5 In addition to all other powers granted by this act, housing authorities are hereby authorized to rent housing accommodations embraced in any housing project to persons engaged in National defense activities and their families, including enlisted men in the Naval and Military Service of the United States and employees of the Navy and War Departments assigned to duty at Naval or Military reservations, posts or bases, and to workers engaged in industries connected with and essential to the National Defense Program, temporarily during the present period of National preparedness, but not later than October 1, 1943"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2061—An act to add a new section to the Political Code, to be numbered 696, relating to the Department of Finance.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 10 insert "This section shall not apply to agencies administered by elected State officers, boards or commissions."

Amendment read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1956—An act making an additional appropriation for construction, improvements, and equipment at the State Fair Grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Exhibitions and Fairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "additional".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 There is hereby appropriated out of the Motor Vehicle Support Fund the sum of two hundred thousand dollars ($200,000) for the purpose of constructing and equipping at the State Fair Grounds in Sacramento a school for the training and education of the members of the California Highway Patrol in traffic regulation, their duties and the proper enforcement of the Vehicle Code

The improvements provided for herein shall be constructed upon the State Fair Grounds at a location to be mutually agreed upon between the Director of the Department of Motor Vehicles and the State Agricultural Society, subject to the approval of the Director of Finance"

Amendments read and adopted

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 344—An act to amend Section 1200 of the Fish and Game Code, relating to doves.

Bill read second time, and ordered to third reading.

Senate Bill No. 446—An act to repeal Section 171 of the Fish and Game Code, relating to Fish and Game District 1U.

Bill read second time, and ordered to third reading.

Senate Bill No. 521—An act to amend Section 798.6 of the Fish and Game Code, relating to abalone bag limits in District 2.

Bill read second time, and ordered to third reading.

Senate Bill No. 469—An act to amend Section 1157 of the Fish and Game Code, relating to closing of areas to hunting.

Bill read second time, and ordered to third reading.

Senate Bill No. 412—An act to amend Section 62.5 of the Fish and Game Code, relating to Fish and Game District 1½.

Bill read second time, and ordered to third reading.

Senate Bill No. 414—An act to repeal Section 290.5 of the Fish and Game Code, relating to application of other laws.

Bill read second time, and ordered to third reading.

Senate Bill No. 796—An act to amend Sections 970 and 971 and to add Sections 970.1 and 971.1 to the Fish and Game Code, relating to crab and lobster traps.

Bill read second time, and ordered to third reading.

Senate Bill No. 1274—An act to amend Section 17025 of the Business and Professions Code and Section 6 of an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair competition and discrimination.

Bill read second time, and ordered to third reading.

Senate Bill No. 761—An act to add Sections 7028.5, 7065.5, 7074, 7106.5, 7121 and 7137, and Article 9, consisting of Sections 7140 to 7145, inclusive, to Chapter 9 of Division 3 of, and to amend Sections 7002, 7026, 7059, 7068, 7069 and 7090 of, and to repeal Sections 7055, 7056, 7057, 7058, 7074, 7137, 7138 and 7139 of, the Business and Professions Code, relating to the regulation of contractors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1071—An act to add Section 38.1 to the Public Utility District Act of 1921 (Stats. 1921, page 906 and amendments) providing for the addition of a section thereto whereby delinquent service charges may be made a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

Bill read second time, and ordered to third reading.

Senate Bill No. 742—An act to add Article 21 to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the filing, codification, and publication of the rules and regulations of officers, boards, authorities, and commissions, and creating a Codification Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "filing", and insert "making, filing, compilation".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, between "of" and "officers", insert "State".

Amendment No. 3

In line 4 of the title of the printed bill, as amended, after "authorities," insert "agencies,".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 6 to 23, inclusive, and insert

"720. As used in this article:

(a) "State agency" includes any officer, department, bureau, division, board, authority, agency, commission or institution of this State except the judicial and the legislative branches.

(b) "Person" includes firm, association, organization, partnership, business trust, corporation or company.

(c) "Regulation" includes any rule or regulation made by any State agency.

"Regulation" does not include any rule, regulation or order made by any State agency which:

(1) Relates only to the organization or internal management of the State agency.

(2) Establishes or fixes rates or tariffs.

(3) Is directed to a specifically named person or to a group of persons, and does not apply generally throughout the State.

(4) Is duly served by the State agency in the manner authorized by law upon the person or persons designated therein as the party or parties legally affected.

721. Every State agency shall file with the Secretary of State an original and two duplicate copies of every regulation made by it. Each such regulation shall include a citation of the authority pursuant to which it, or any part thereof, was adopted."

Amendment No. 5

On page 2, line 3, of the printed bill, as amended, after "complete", insert "compilation or".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out line 4, and insert "have been made prior to the effective date of this".

Amendments Nos. 7 and 8

On page 2, line 9, of the printed bill, as amended, strike out "Unless so filed"; and strike out lines 10 to 15, inclusive.

Amendment No. 9

On page 2, line 27, of the printed bill, as amended, strike out "revision".

Amendment No. 10

On page 2, line 28, of the printed bill, as amended, before "codifications", insert "compilations or".

Amendment No. 11

On page 2, line 30, of the printed bill, as amended, after "regulations", insert ", compilations,".

Amendment No. 12

On page 2, line 31, of the printed bill, as amended, after "compiled," insert "recompiled,".

Amendment No. 13

On page 2, line 32, of the printed bill, as amended, after "regulations", insert ", compilations,".

Amendment No. 14

On page 2, line 35, of the printed bill, as amended, after "shall", insert ", in the manner provided by Section 356a of this code,".

Amendment No. 15

On page 2 of the printed bill, as amended, strike out lines 48 to 51, inclusive, and insert

"7254. Nothing in this article shall prevent any State agency, in its discretion and subject to the approval of the Codification Board, from filing, and the Codification Board from publishing in such manner as it believes proper, rates, tariffs, and other documents not required by this article to be filed and published"

Amendments read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 665?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Fresh abalone", and insert "Abalone".

Amendment No. 2

On page 1, line 4, of the printed bill, following the period, strike out balance of bill, and insert "Meal made from abalone trimmings by a reduction process, and chowder made from abalone trimmings canned in not less than No. 10 size cans, may be transported out of the State"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 665 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 665 ordered to enrollment.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 711—An act to add Section 311a to and to amend Sections 311, 312, 313 and 314 of the Penal Code, relating to public morals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Pelletier, Phillips, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—54

NOES—Call, Carlson, Collins, Sam L., Johnson, Knight, T. Fenton; Pfaff, Robertson, and Weybret—8.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 28, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the twenty-sixth day of April, 1941, at 2.55 p.m., Assembly Bill No. 1614 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable John Edward Cain, member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 152—An act to amend Section 2651 of the Labor Code, relating to industrial homework and to permit the manufacture of children's wearing apparel thereby.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Collins, Sam L., Field, Lyon, Middough, Pfaff, and Watson—7.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

Assembly Bill No. 1234—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public employees in Military or Naval Service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Cain, Collins, George D., Collins, Sam L., Cooke, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Welch, Weybret, and Mr. Speaker—49

NOES—Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Del Mutolo, Heisinger, Knight, T. Fenton; Lowrey, Pfaff, Phillips, Poole, Russell, Thorp, and Watson—15.

Bill ordered transmitted to the Senate.

Explanation of Vote With Reference to Assembly Bill No. 1234

My reasons for voting against Assembly Bill No. 1234 are that I consider it class legislation. It does not carry an emergency clause, so therefore it will not become a law until 90 days after the present Legislature adjourns, so therefore it does not include the men which entered the Military Service prior to that date.

(Signed) EVERETT G. BURKHALTER

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1433—Re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1555—Re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1724—Re-referred to Committee on Municipal Corporations

Assembly Bill No. 2470—Re-referred to Committee on Social Service and Welfare

Assembly Bill No. 1103—Re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1102—Re-referred to Committee on Social Service and Welfare

Assembly Bill No. 1101—Re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1135—Re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1581—Re-referred to Committee on Judiciary General.

Assembly Bill No. 278—Re-referred to Committee on Judiciary General

Assembly Bill No 1654—Re-referred to Committee on Unemployment.

Assembly Bill No 1655—Re-referred to Committee on Unemployment.

Assembly Bill No 1656—Re-referred to Committee on Unemployment

Assembly Bill No 1657—Re-referred to Committee on Unemployment

Assembly Bill No. 1658—Re-referred to Committee on Unemployment

Assembly Bill No 1659—Re-referred to Committee on Unemployment

Assembly Bill No 1660—Re-referred to Committee on Unemployment.

Assembly Bill No. 1057—Re-referred to Committee on Public Health and Quarantine.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 398
Assembly Bill No 399.
Assembly Bill No. 425.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No 1288.
Assembly Bill No. 1291.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Constitutional Amendment No. 59.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 778—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act."

Bill read third time.

Motion to Amend

Mr. Allen moved the adoption of the following amendments:

Amendment No. 1

In line 11 of the title of the printed bill, strike out "act", and insert "act," approved May 15, 1933, relating to motor carrier transportation agents."

Amendment No. 2

On page 2, lines 15 and 16, of the printed bill, strike out "in the State of California".

Amendment No. 3

On page 2 of the printed bill, strike out line 17, and insert "public convenience and necessity or permit issued by either the Railroad Com-".

Amendment No. 4

On page 2, line 18, of the printed bill, after "California", insert "or the Interstate Commerce Commission".

Amendment No. 5

On page 2 of the printed bill, strike out lines 42 to 52, inclusive; on page 3, strike out lines 1 to 5, inclusive; and insert

"In the absence of action on the part of Congress or the Interstate Commerce Commission regulating or requiring licenses of motor carrier transportation agents acting as such for motor carriers carrying passengers in interstate commerce (in this paragraph referred to as "interstate motor carrier transportation agents") this act shall apply to and regulate such interstate motor carrier transportation agents to the same extent and in the same manner that it regulates or requires the licensing of motor carrier transportation agents acting as such for motor carriers carrying passengers in intrastate commerce (in this paragraph referred to as "intrastate motor carrier transportation agents"). In the event that Congress or the Interstate Commerce Commission or the Supreme Court of the United States should in any manner or to any degree limit the application of this act to such interstate motor carrier transportation agents, or limit or curtail the right of this State to regulate such interstate motor carrier transportation agents, then and in that event this act shall, without further action of this Legislature, cease to apply to, regulate or require the licensing of such interstate motor carrier transportation agents When this act shall so cease to apply to interstate motor carrier transportation agents, then and in that event the counties, cities, towns, townships, and cities and counties of this State are thereupon, and without further action of this Legislature, authorized and empowered to enact ordinances regulating such interstate motor carrier transportation agents to the full extent permitted by, and covering the full and entire field of regulation of such

interstate motor carrier transportation agents left open to State regulation by such action of Congress or the Interstate Commerce Commission or the Supreme Court of the United States."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 926—An act to add Article 3, consisting of Section 5180, to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to the refund of penalties, interest or costs on taxes.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 2 to 5, inclusive, of the title of the printed bill, as amended, and insert "amend Sections 3520 and 3712 of, and to add Sections 606.5 and 3695.3 to the Revenue and Taxation Code, relating to property taxation, and tax-deeded property including the assessment of property, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 606.5 is hereby added to the Revenue and Taxation Code, to read as follows:

606.5. Where real property is taxable, easements constituting servitudes upon or burdens to the property, and water rights need not be separately assessed.

SEC. 2. Section 3520 of the Revenue and Taxation".

Amendment No. 3

On page 1, line 23, of the printed bill, as amended, after "purposes", insert ", not included among those taxes and assessments for delinquency in the payment of which the property is conveyed to the State".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 4 to 7, inclusive, and insert

"(4) Easements constituting servitudes upon or burdens to the property; water rights, the record title to which is held separately from the title to the property; and restrictions of record.

Where the tax collector executes a single deed conveying property to the State for the delinquent taxes and assessments of the county and of revenue districts, the tax and assessment liens of such revenue districts are extinguished by the conveyance to the State and are not included in the exceptions enumerated in subparagraphs (1), (2) and (3) of this section. Each such revenue district, however, shall retain an equitable lien in the property and there shall be paid by the county to each such district its pro rata share of the proceeds of any re-sale by the State, or redemption from the State, and such lien and right shall be terminated in the manner and at the time that the county's rights in the property are terminated."

Amendment No. 5

On page 2, line 12, of the printed bill, as amended, strike out "Sec. 2", and insert

"SEC. 3. Section 3695.3 is hereby added to the Revenue and Taxation Code, to read as follows:

3695.3. As used in Section 3695, "assessments" does not include assessments which were, at the time of the sale to the State or to the taxing agency, not included in the amount required to redeem from the sale to the State or to the taxing agency.

SEC. 4".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 14 to 18, inclusive, and insert

"3712. The deed conveys title to the purchaser free of all encum-".

Amendment No. 7

On page 2 of the printed bill, as amended, strike out lines 25 to 29, inclusive, and insert

"(c) Liens for special assessments levied upon the property conveyed which were, at the time of the sale under this chapter, not included in the amount neces-

sary to redeem the property from the sale to the State, and, where a taxing agency which collects its own taxes has consented to the sale under this chapter, not included in the amount required to redeem from sale to such taxing agency.

(d) Easements constituting servitudes upon or burdens to the property; water rights, the record title to which is held separately from the title to the property; and restrictions of record.

SEC. 5 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore take effect immediately.

The facts constituting such necessity are as follows:

At the present time large amounts of property are tax-delinquent and are not bearing their share of the tax burden, thus placing a staggering burden upon those whose property appears upon the tax rolls. One of the chief impediments to returning such delinquent property to the tax rolls is that great doubt exists as to the title obtained by the State on deed to the State of tax-delinquent property due to the uncertainty as to what encumbrances are extinguished by such deed. This act clearly expresses what encumbrances are extinguished upon the deed to the State of tax-delinquent property and the encumbrances such property is subject to on deed to private purchaser after sale by the State. Thus, it is imperative that this act go into effect immediately as it will enable large amounts of tax-delinquent property to be quickly returned to the tax rolls for the ensuing fiscal year.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 927—An act to amend Sections 5096, 5098 and 5099 of the Revenue and Taxation Code, to repeal Section 5101 of the Revenue and Taxation Code, and to add Sections 5101, 5103, 5104, 5105, 5106 and 5107 to the Revenue and Taxation Code, relating to the refund of taxes.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, after line 21, insert

"SEC. 13. Changes in the existing law, if any, which are made by this act shall not affect any suit or action pending at the time this act takes effect which involves the validity of any tax or assessment."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 925—An act to repeal Sections 5136, 5137, 5138, 5139 and 5140 of the Revenue and Taxation Code, and to add Sections 5136, 5137, 5138, 5139, 5140, 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest.

Bill read third time

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 39, of the printed bill, as amended, strike out "legal rate", and insert "rate of 5 per centum per annum".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1033—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 43, of the printed bill, as amended, strike out "consent of the", and insert "consent of one of the following: National committeeman or committeewoman from California, chairman of the State central committee, executive committee of the State central committee, or".

Amendment No. 2

On page 6, line 46, of the printed bill, as amended, strike out "or if", and insert ". If".

Amendment No. 3

On page 6, line 47, of the printed bill, as amended, strike out "unless".

Amendment No. 4

On page 6, line 49, of the printed bill, as amended, strike out "is first obtained", and insert "is sufficient".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, April 14, 1941; Tuesday, April 15, 1941; Wednesday, April 16, 1941; Thursday, April 17, 1941; Friday, April 18, 1941; Monday, April 21, 1941; Tuesday, April 22, 1941; Wednesday, April 23, 1941; Thursday, April 24, 1941, and Friday, April 25, 1941, were approved as corrected by the Minute Clerk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 143—An act to amend Section 56 of the Labor Code and to add to Division 1 thereof Chapter 6, consisting of Sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 44, of the printed bill, as amended, strike out "act", and insert "article".

Amendment No. 2

On page 3, line 10, of the printed bill, as amended, strike out "act", and insert "article".

Amendment No. 3

On page 3, line 13, of the printed bill, as amended, strike out "3.520-2.", and insert "Sec. 2."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 563—An act to amend Section 67.1 of the Alcoholic Beverage Control Act, relating to the tax on wine used for industrial purposes.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, after "67.1", insert "of the Alcoholic Beverage Control Act".

Amendment No. 2

On page 2, line 12, of the printed bill, as amended, before "twenty", strike out the semicolon.

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1271—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended, strike out "restrictions", and insert "restriction".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out line 25, and insert

"(8) When passing a United States Veterans' facility or the grounds thereof contiguous to the highway.

(b) Fifteen miles per hour:

(1) When traversing a grade crossing of a".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 31 and 32; and in line 33, strike out "(b)", and insert "(c)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 128", and insert "Sections 124 and 128".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "and", and insert a comma.

Amendment No. 3

In line 4 of the title of the printed bill, as amended, after "thereof", insert "and the Chief of the California Highway Patrol".

Amendment No. 4

On page 1 of the printed bill, as amended, between the enacting clause and line 1, insert

"SECTION 1. Section 124 of the Vehicle Code is hereby amended to read as follows:

124. Administration of California Highway Patrol. (a) The Chief of the California Highway Patrol shall make adequate provision for the patrol of the highways at all times both day and night.

(b) The chief may:

(1) Establish a school for the training and education of the members of the California Highway Patrol in traffic regulation, their duties and the proper enforcement of this code.

(2) Create Highway Patrol Districts for the efficient administration and enforcement of this code.

(3) Adopt rules and regulations relative to all activities of the California Highway Patrol.

(4) Grant recognition to members of the California Highway Patrol for heroism, outstanding performance in service, commendable service, or exceptional service, by allowing such member of the California Highway Patrol additional days of vacation with pay for a period of not less than three days nor more than twenty days in any one calendar year."

Amendment No. 5

On page 1, line 1, of the printed bill, as amended, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 6

On page 1, line 19, of the printed bill, as amended, strike out "SEC. 2", and insert "SEC 3".

Amendment No. 7

On page 2, line 4, of the printed bill, as amended, strike out "SEC. 3", and insert "SEC. 4".

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1080—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers licenses.

Bill read third time.

Motion to Amend

Mr Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 13, of the printed bill, as amended April 17, 1941, after "census", insert "and a distilled spirits wholesaler's license shall not be held by any person unless such person at all times has on his wholesale premises at least 250 cases of distilled spirits for which he has fully paid in United States currency or its equivalent."

Amendment No. 2

On page 3, line 29, of the printed bill, as amended April 17, 1941, strike out "or", and insert "and shall revoke any distilled spirits wholesaler's license held by any person who".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2581—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the Commissioner to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, providing for the organization of a corporation or corporations to acquire such assets or a portion thereof and for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act and authorizing executors, administrators, guardians,

receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, shares, stock, or other rights or claims, for securities issued by such corporation or corporations or for property, and to continue to hold as a legal investment any securities or property so received, and exempting said investment certificate holders, shareholders, stockholders and unsecured creditors and such corporation or corporations from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr. Voigt moved the adoption of the following amendments:

Amendment No. 1

In line 10 of the title of the printed bill, as amended, strike out "certain provisions of", and insert "the necessity of a permit under".

Amendment No. 2

On page 2, line 47, of the printed bill, as amended, after "form", insert "and contents".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 10 to 13, both inclusive, and insert "tion.

No written or printed communication (including a communication by the commissioner) requesting or recommending for or advising against the joining in said petition intended for general circulation or delivery to the investors or unsecured creditors of such association shall be issued, published or sent unless it shall have been submitted to the court and the court shall have approved the form and contents thereof after hearing upon such notice as the court may prescribe."

Amendment No. 4

On page 3 of the printed bill, as amended, beginning in line 44, strike out "and under normal conditions".

Amendment No. 5

On page 4 of the printed bill, as amended, after line 21, insert

"No asset shall be withdrawn pursuant to this section unless such withdrawal shall have been consented to by the following persons: (a) if the association has stock outstanding, then by the holders of a majority in amount of the stock; and (b) if the association has shares outstanding, then by the holders of a majority in value of the shares; provided, however, that such consents shall not be required from the stockholders of the association if the value of the assets of the association shall be less than the liabilities thereof, including the value of all outstanding shares and investment certificates; and provided further, that the consent of the shareholders of any association shall not be required if the value of the assets of the association shall be less than the liabilities of the association, including the value of its investment certificates but not including the value of its shares.

In case the petition for withdrawal provides for the issuance of securities of a general corporation, the issuance of which securities otherwise would be subject to the Corporate Securities Act of the State of California, the court considering said petition shall require that notice forthwith be served upon the Commissioner of Corporations. Upon receipt of said notice by said commissioner, he shall prepare forthwith a verified report setting forth his findings and recommendations to said court as to the issuance of the securities of said general corporation based upon the same statutory grounds as provided in the Corporate Securities Act for the issuance or denial of a permit. Said verified report, findings and recommendations shall be filed with said court prior to such court's granting the petition for withdrawal."

Amendment No. 6

On page 4, line 42, of the printed bill, as amended, after the period, insert "Provision may be made, however, for the issuance of such securities to the stockholders of the association that after all investment certificate holders, unsecured creditors and shareholders (except those who shall sell or otherwise dispose of their new securities) shall receive the full amount of their original investments or claims, with interest, dividends or other return thereon, together with any expenses paid by them pursuant to this section, the stockholders or their assigns shall own in effect, through their ownership of such securities issued to the stockholders, the remaining assets."

Amendment No. 7

On page 5, line 45, of the printed bill, as amended, after "association", insert ", the commissioner".

Amendment No. 8

On page 5, line 31, of the printed bill, as amended, after "all", insert "nonwithdrawing".

Amendment No. 9

On page 5, line 31, of the printed bill, as amended, at the end of said line, insert "nonwithdrawing".

Amendment No. 10

On page 6 of the printed bill, as amended, beginning in line 23, strike out "None of the provisions of the Corporate Securities Act shall apply to any securities issued pursuant to any such petition or supplemental petition; provided, the issuance of such securities is approved by the court after such hearing and notice as herein provided, except that brokers as defined in said act shall be subject to the provisions of said act with respect to all transactions involving such securities.", and insert "The provisions of the Corporate Securities Act requiring a permit from the Commissioner of Corporations authorizing the sale or issue of securities shall not apply to any company, as defined in the Corporate Securities Act, issuing securities under a petition for withdrawal granted by the court under this section as to any securities the sale or issuance of which said court approves"

Amendment No. 11

On page 6 of the printed bill, as amended, strike out lines 49 to 52, both inclusive; and on page 7, strike out lines 1 to 8, both inclusive, and insert

"I. Expenses of Commissioner. There shall be paid from the assets of the association directly affected by such petition all expenses incurred by the commissioner in connection therewith; provided, such expenses shall be approved by the court as reasonable and proper; and provided further, that no fees or expenses of appraisers or accountants shall be paid except fees and expenses of appraisers and accountants who are subject to the Civil Service Laws of this State."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "and 6360", and insert ", 6360 and 6363".

Amendment No. 2

On page 2, line 15, of the printed bill, as amended, after "by law" insert "The board of supervisors may also appropriate from the county treasury for law library purposes such additional sums as may in their discretion appear proper."

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 46—Relative to a bonus for men drafted into the Military Forces of the United States.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed measure, strike out "bonus", and insert "adjusted compensation".

Amendment No. 2

On page 1, line 20, of the printed measure, after "inducted", insert "or who shall have volunteered".

Amendment No. 3

On page 2, line 1, of the printed measure, strike out, "Chief Clerk", and insert "The Speaker".

Amendments read and adopted.

Motion to Expunge Record and Rescind Action

Mr. Maloney moved to expunge the record and rescind the action whereby the amendments to Assembly Joint Resolution No. 46 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 46, at this time.

Further Consideration of Assembly Joint Resolution No. 46

Assembly Joint Resolution No. 46—Relative to a bonus for men drafted into the Military Forces of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Carlson, Johnson, Kellems, Knight, John B., and Knight, T. Fenton—5.

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1020

Mr. Johnson moved that Assembly Bill No. 1020 be withdrawn from the file, and re-referred to the Committee on Education

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 34: By Mr. Hugh M. Burns—Relative to approving a certain amendment to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the fourteenth day of April, 1941.

Request for Unanimous Consent

Mr Hugh M Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 34, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 34

Assembly Concurrent Resolution No. 34—Relative to approving a certain amendment to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the fourteenth day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Miller, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr Desmond moved that the Rule No. 23 be temporarily suspended for the purpose of considering Assembly Bill No. 560, at this time

Motion carried, and the Rule temporarily suspended by unanimous consent.

Motion to Postpone Action on Assembly Bill No. 560

Mr George D. Collins moved that further consideration of Assembly Bill No 560 be postponed until Monday, May 5, 1941.

Mr. Maloney seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Robertson, Russell, Tenney, Thomas, and Waters—31.

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Daley, Desmond, Dilworth, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Salsman, Sawallisch, Stream, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—38

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 560 was taken up.

Assembly Bill No. 560—An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 58, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 41.1, 63, 67, 68, 69, 70 and 71 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read third time.

Hon. C. Don Field Presiding

At 3 50 p m., Hon C Don Field, member of the Assembly from the Forty-third District, presiding.

Demand for Previous Question

Messrs. Lyon, Collins, Sam L., Allen, Watson, and Knight, T. Fenton, demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 560.

The roll was called, and Assembly Bill No 560 passed by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L, Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—44.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cassidy, Collins, George D, Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Maloney, Masson, Meehan, O'Day, Poole, Russell, Tenney, and Thomas—28.

Notice of Motion to Reconsider Assembly Bill No. 560

Mr O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 560 was this day passed.

Hon. Charles W. Lyon Presiding

At 5 20 p m., Hon Charles W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Kepple moved that the following remarks by Mr. Desmond, relative to Assembly Bill No. 560, be printed in the Journal:

Motion carried.

Remarks by Mr. Desmond

There has been a great deal of talk and a great deal of controversy over this Assembly Bill No. 560 When I first introduced this bill I did so because my work on the Revenue and Taxation Interim Subcommittee to Investigate Unemployment Insurance convinced me that there were a great many serious loopholes in the present Unemployment Insurance Law and that there were a great many abuses taking place I felt that drastic revision of certain sections of the act was necessary in order to correct this situation.

Assembly Bill No. 560 as originally introduced was more or less a blanket bill designed to cover practically all of the situations which it was felt needed correcting under the law.

Your Committee on Unemployment held public hearings on this one bill which lasted for five full and long evenings These meetings were so well attended that it was necessary in each case to hold the meeting here in the Assembly Chamber Representatives of business and representatives of labor turned out en masse for the hearings and in addition the Department of Employment was represented by its director, its chief rules and regulations officer and its statistician. The Social Security Board from Washington was represented by one of its attorneys. All of these various persons appeared before the committee and gave the committee the benefit of their respective views on the subject

Following these public hearings, the committee met in some four or five executive sessions to try to coordinate and consolidate the ideas that had been presented to us by the various witnesses A great number of proposed amendments were sub-

mitted by the various groups interested in the bill, and during our executive sessions we attempted to sort out these amendments and to arrive at a conclusion which would come closest to meeting the views of all of the various interested persons.

There were three provisions in the original bill which met with the most serious opposition. One of these was the proposed redefinition of the term "agricultural labor." Feeling that the full facts on this question had perhaps not been yet presented to the committee by either side, and since we had before us for later consideration another bill involving that same question the proposed redefinition of this term was amended entirely out of Assembly Bill No. 560. There was also considerable objection to a proposed reduction in benefit rates, and this was amended entirely out of Assembly Bill No. 560. The present bill contains the identical benefit structure both as to weekly rates and maximum benefits rates as is now in the present law. The third proposal which appeared undesirable in the original bill would have required the commission to apply strict rules of evidence in hearings held before its referees. This provision also has been eliminated from the bill.

The committee now feels that the bill in its present form meets the needs of the situation and is truly a bill for the combined advantage of the honest worker and the honest employer.

Although the bill is quite lengthy it really can be summarized rather easily since a great many of its pages are occasioned through necessity of reprinting of entire sections which actually are not in any substantial way amended by the bill. There are really only three or four important changes which should be noted.

In the first place on page 5 of the amended bill, lines 18 to 25, there are two new exemptions written into the law. These exemptions tie back in with the language on page 3 beginning at line 49 *which makes the exemptions contingent upon continued existence of similar exemptions under the Federal law.* Actually these exemptions are of little significance in so far as their effect in California is concerned. *The commission by rule has practically precluded commission insurance salesmen from drawing benefits, and the commission by rule has heretofore exempted newsboys from the act.*

On page 7 of the amended bill, the language that was stricken out at lines 22 to 25 was stricken out at the request of the department because it is directly inconsistent with the language contained in the preceding sentence and in the paragraph at lines 37 to 39 on the same page. The language that was stricken in lines 26 to 29 was stricken by your committee because it was felt that the tests of "suitable employment" specified in Section 13 are sufficiently broad in their application and scope so that they can be applied in every instance and there is no need to empower the commission to set these tests aside.

The only other change made by the bill in Section 13 of the act was to eliminate the possibility of a worker moving away from his customary residence and then claiming that work previously offered to him at his place of residence is unsuitable because of distance from his new residence. *The amendment that was written into the bill on page 8 at lines 3 to 7 was designed to take care of all of the objections that were raised to the original section during the committee hearings,* and it is felt that with this amendment the section now has the approval of all of the interested persons who appeared.

There are certain situations where an employee works for more than one employer during a calendar year which sometimes results in the employee being forced to pay a tax on more than just his first $3,000 of earnings. A provision is proposed beginning at line 42 on page 9 which would permit the worker to obtain a refund in such case of the excess amount of tax which he has been required to pay. This is in exact accordance with a similar provision in the Federal law.

On page 10, beginning at line 7, there is a provision exempting from the employee's share of the tax services performed by students. *It should be noted that the employer must still pay his share of the tax on any such services.* The reason for the exemption from the employee's tax is that in almost every instance these students are not entitled to draw benefits. The director of the department testified before the committee that last year only five students qualified for benefits during the entire year. Since they are not eligible for benefits it is believed fair and proper that they should not be forced to pay contributions and accordingly this provision has been inserted in the bill.

As I have already stated, the benefit structures shown on pages 13 and 14 of the bill are now identical with those contained in the present law.

On pages 16, 17, and at the top of 18, present Sections 56, 57, 57.5 and 58 are recast to more nearly express what your committee feels has always been the actual intention of the law. Section 1 of the California act contains a provision stating that the purpose of the act is to pay benefits to persons who are unemployed through no fault of their own. This same language has not heretofore appeared in Sections 56 or 57 of the act. We have now amended Section 56 to incorporate a direct statement that "only an individual who is unemployed through no fault of his own shall be eligible to receive benefits."

One of the *most serious abuses* which has heretofore existed *under the act has been in the payment of benefits to persons who were so physically disabled that they*

were definitely out of the labor market at least in so-far as any of their usual trades or occupations are concerned. In this connection it must be noted that unemployment insurance is not *health insurance and the actuarial tables on which unemployment insurance is based would not be broad enough to include health benefits even if the payment of those benefits seemed desirable.* As a matter of fact even the *Social Security Board* has stated that the Unemployment Insurance Act should not be used for *the payment of health insurance benefits.* To meet this situation we have added a requirement on page 16, beginning on line 28, which requires the claimant to be physically and mentally capable of performing some work of the same kind or nature as the work which he was performing during at least one month of the time when his base period earnings were being accumulated.

In the paragraph beginning at line 7, on page 17 of the bill, we have reworded and reworked *the trade dispute disqualification* in a way which we believe makes it operate much more fairly. *Under the present law it is possible for a worker to remain disqualified for life if the trade dispute at his previous place of employment continues that long.* Under the language of Assembly Bill No. 560, the maximum period of disqualification would be 15 months, regardless of the continuance of the trade dispute. On the other hand, the disqualification would remain in force so long as the worker's unemployment is directly attributable to the continuance of the trade dispute, and this we feel is and always has been definitely the intention of the law.

Similarly with respect to the paragraph beginning at line 13 on page 17 under the *wording of the present law an individual who refuses suitable employment is ineligible to receive benefits,* and in so far as the language of the law is concerned *that ineligibility would continue indefinitely and forever.* The *Department of Employment has refused to carry out the mandate of the law in this respect,* and has swung too far in the opposite direction by providing that a refusal of suitable employment operates as a disqualification only for a period of four weeks *The true answer is, and Assembly Bill No. 560 so provides, that an individual who has refused an offer of suitable employment is not unemployed through no fault of his own and therefore should not be entitled to receive insurance based on his earnings prior to that date.* If he wants to go out and get another job he will then become entitled to benefits based on those earnings, but as far as his earnings prior to that *date are concerned his unemployment is through his own fault and he should not be considered an insured individual under the act.* The same of course is true where he has voluntarily left a job without good cause attributable to the employer, and that is so provided in the paragraph beginning with line 20 on page 17

Where a worker has *been discharged for misconduct* connected with his work he also can not be said to be unemployed through no fault of his own. The present law provides merely for a maximum of an additional five weeks of waiting period *Assembly Bill No. 560 proposes to increase this to run from five to 10 weeks,* and in addition his benefit account will be charged by that same number of weeks This is necessary for the reason that mere delay in most instances does not result in any true penalty. *The exact amount of the penalty within the range of five to 10 weeks is left up to the commission for determination.*

In Section 57.5, at line 7, on page 18, there is a great increase in the penalty imposed on workers who wilfully and fraudulently misrepresent in order to obtain benefits. Under the present law, the only penalty for this type of fraud would be a three weeks delay in receipt of benefits. The bill would change this to 52 weeks.

Pages 19, 20, 21, 22, and the first half of 23, are all concerned with the revision of the procedural sections of the act relating to the filing of claims for benefits and the hearing of appeals in the case of disputed claims. There is little need in going through this procedure in detail because so far as I am aware there is no substantial objection to it. Very briefly it might be said that the new procedure provides for a clearer spelling out of what is to be done and by whom it is to be done, leaving considerably less up to department rule and regulation; it provides for somewhat more detailed information to be furnished by the claimant at the time of original filing of claim; it provides for more detailed information to be furnished to employers regarding claims; and it provides for a somewhat more orderly procedure during the course of the appeal As I stated before, the one provision which seemed definitely objectionable and on which there was considerable controversy, was the requirement that strict rules of evidence should apply in claims hearings, and you will note on page 22, line 31, that this language has been stricken from the bill.

On page 23, beginning at line 21, we have included a provision to protect the unemployment insurance benefit rights of persons who volunteer for or are drafted into Military Service. There was considerable discussion as to the exact mechanical means that should be used in carrying out this provision, and after hearing all of the arguments and discussions the committee determined that the procedure now specified in the bill is the only practicable solution to the problem *The effect of the section is to freeze a worker's benefit rights as of the time when he goes into the service so that when he leaves the service whatever his rights would have been on entering he will have those same rights if he is unemployed after leaving*

On page 9, beginning at line 5, there is an amendment to Section 41 of the act. Under this amendment when benefits are charged against the separate account of individual employers only 73 per cent of the benefits in each instance are to be so charged. Seventy-three per cent represents the proportion of employer and employee contribution. Inasmuch as the benefit structure is predicated on a use of almost the entire current income of the fund, which includes both employer and employee contributions, it is obviously no longer proper to make a 100 per cent charge against an employer's account, and the amendment to Section 41 is designed to cure this inequity. The effect of this amendment is offset by the new paragraph (a) in Section 61 which appears on page 18, beginning at line 26, and which provides for a discontinuance by the commission of all reduced rates of contribution if at any time the solvency of the fund becomes impaired. The section specifies as the test of solvency that there must be on hand in reserve an amount equal to at least one and one-half times the total amount of benefits paid out during the preceding year.

It is very difficult in a comprehensive bill such as this one to attempt to cover the details of every point. I have attempted merely to give a summary of the more important features of the bill. So far as I am aware, as I stated before, I believe that the amendments which were made in committee have removed almost in toto the controversial elements from the bill If it develops that any member desires further information as to any of the points which I have discussed or any of the ones I have omitted from discussion I will naturally be glad to answer any questions.

I want to say again, however, that this bill as it now stands represents the result of probably the longest series of hearings that has ever been held on any bill before any committee of this Legislature The committee I feel has done an excellent job in listening to the arguments and in trying to arrive at fair and proper conclusions with respect to each of the issues, and I think that the bill as it now stands deserves your favorable vote. It is a bill which will not in any respect hurt or impair the rights of any honest, legitimate working man who wants to work and who is looking for employment. On the contrary it is a bill which will protect that type of man, and he is the one we should want to protect, because it will eliminate the possibility of the fund becoming insolvent through the claims of undeserving persons who do not want to work, who are not really in the labor market, and who should not be deemed entitled to receive unemployment insurance.

MOTION TO SUSPEND RULES AND RECONSIDER ASSEMBLY BILL NO. 560

Mr. Desmond moved that the Rules be temporarily suspended for the purpose of reconsidering, at this time, the vote whereby Assembly Bill No 560 was this day passed.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Weybret—34.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Potter, Robertson, Russell, Tenney, Thomas, Voigt, and Wollenberg—37.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 877*

Mr. Green moved that Senate Bill No. 877 be withdrawn from the file, and re-referred to the Committee on Labor and Capital.

Demand for Previous Question

Messrs. Call, Welch, Poulson, Hastain and Robertson demanded the previous question.

The question being on the motion to withdraw Senate Bill No. 877 from the file, and re-refer to Committee on Labor and Capital.

Demand for previous question lost

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Green moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, King, Lowrey, Maloney, Massion, Meehan, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Tenney, Thomas, Voigt, Waters, Welch, Weybret, and Wollenberg—47.

NOES—Allen, Carlson, Clarke, Collins, Sam L., Daley, Dilworth, Field, Hastain, Heisinger, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Phillips, Stream, Thorp, Thurman, Turner, and Watson—24

Time, 5 55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1318

Mr Waters moved that Assembly Bill No. 1318 be withdrawn from the active file, and re-referred to the inactive file.

-Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2099—An act to add a new section to the Health and Safety Code, to be numbered 116, relating to pro rata charges of administrative expense in the Department of Public Health.

Bill read third time

Motion to Amend

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, immediately before the period, insert "of which it is a part, when appropriations from the General Fund are made for the administrative expense of such department"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2519—An act to amend sundry article and chapter headings, to repeal Section 679a of, and to add Section 2876 to, the Penal Code, relating to prisons and prisoners.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "5", and insert "6".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code,

relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended, strike out "Business and Professions", and insert "Penal".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

House Resolution No. 164

Resolved, By the Assembly of the State of California that the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, for the time indicated below, without compensation:

Commencing Tuesday, April 29, 1941, to April 30, 1941, both dates inclusive:

Cameron E Wylie, Page.....Without Pay

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, Sam L., Cooke, Cronin, Daley, Dickey, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—50

NOES—None.

By the Committee on Rules:

House Resolution No. 165

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Tuesday, April 29, 1941:

Per day

George Doering, Assistant Sergeant-at-Arms..... $5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dilworth, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Tenney, Thorp, Thurman, Waters, Watson, and Weybret—45.

NOES—None.

By Committee on Rules:

House Resolution No. 166

Resolved by the Assembly of the State of California, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, upon

a seven-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, April 28, 1941:	*Per day*
Gertrude Walsh, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Tenney, Thorp, Thurman, Turner, Waters, Watson, and Weybret—54

NOES—None.

Hon. C. Don Field Presiding

At 6.10 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Cooke, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No 906.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 906—An act transferring to the United States of America an easement over certain lands of the State of California for lighthouse purposes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1547—An act to amend Section 113 of the Vehicle Code, relating to the members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1633—An act to add Section 222 to the Welfare and Institutions Code, relating to the payment of county warrants issued for aid to indigents, needy children, to the needy blind and the needy aged.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None.

Bill ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers

Respectfully submitted.

ALFRED W ROBERTSON

Request referred to Committee on Introduction of Bills.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr Green moved to expunge the record and rescind the action whereby the motion to re-refer Senate Bill No. 877 to the Committee on Labor and Capital was this day lost.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Dilworth, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, O'Day, Poole, Robertson, Russell, Thorp, Thurman, Turner, Waters, Welch, and Weybret—41

NOES—Allen, Andreas, Bennett, Carlson, Collins, George D., Crowley, Dills, Donnelly, Doyle, Evans, Hawkins, Heisinger, Johnson, Kepple, King, Knight, T. Fenton; McCollister, Miller, Millington, Pfaff, Potter, Poulson, Stream, Tenney, Thomas, Watson, and Wollenberg—27.

EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 11

On Assembly Bill No. 11 my vote was recorded as "no" My objections to the original bill were amended out, and for that reason I intended to vote "aye," and supposed I had done so until after the vote was announced

RANDAL F. DICKEY

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 41
Assembly Bill No. 144
Assembly Bill No. 156
Assembly Bill No 235
Assembly Bill No 639
Assembly Bill No. 860
Assembly Bill No 851
Assembly Bill No. 1510

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Joint Resolution No 42

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 310
Assembly Bill No. 1345
Assembly Bill No. 1967

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 1052

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Chas. H. H. Ritter and Miss Charlotte Ritter, both of Hollywood

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles A. Gerold, publisher of Hueneme Harbor Bulletin of Port Hueneme.

On request of Mr. Stream and Mrs Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. F. Koener, City Manager of Coronado; Shelly Higgins, City Attorney of Coronado; J. W. Brouseau, Port Director, San Diego, and Harvey Atherton, lawyer, of San Diego.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Reece Clark of Berkeley, Robert Donahue of San Francisco and Phillip Reilly, Senior and Junior, both of Oakland.

ADJOURNMENT

At 6.27 p.m., on motion of Mr Lyon, the Speaker declared the Assembly adjourned until 1.30 p m., Tuesday, April 29, 1941.

C. W QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY
ONE HUNDRED FOURTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 29, 1941

The Assembly met at 1.30 p.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—60.

Quorum present.

PRAYER

Upon invitation of the Speaker pro tempore, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Hastain.

Hon. Harvey E. Hastain Presiding

At 1.35 p.m., Hon. Harvey E. Hastain, member of the Assembly from the Seventy-seventh District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 35: By Mr. Desmond—Relative to the passing of former Senator Thomas P. Scollan, and to adjournment in respect to his memory.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 35, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 35

Assembly Concurrent Resolution No. 35—Relative to the passing of former Senator Thomas P. Scollan, and to adjournment in respect to his memory.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cam, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—55

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 36: By Mr. Kellems—Relative to veterans and educational qualifications in the State Civil Service.

Referred to Committee on Civil Service.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

DEPARTMENT OF STATE, WASHINGTON, April 25, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly Chamber
State Capitol, Sacramento, California

MY DEAR MR. OHNIMUS: I have received your letter of April 14, 1941, transmitting a copy of Assembly Joint Resolution No. 39, adopted by the California Legislature on April 10, 1941, relative to notification received recently by American citizens engaged in business activities at Mexicali, Mexico, but residing at Calexico, California, that they must establish residences in Mexico.

As soon as this matter was brought to the department's attention some weeks ago, appropriate telegraphic instructions were sent to the American Embassy at Mexico City, Mexico. I am pleased to inform you that the Embassy recently telegraphed the department that it has been assured that no further difficulty is anticipated.

Sincerely yours,

FOR THE SECRETARY OF STATE,
HERBERT S. BURSLEY, Assistant Chief
Division of the American Republics

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER. Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1057
Assembly Bill No. 368
Assembly Bill No 1124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER. Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2060

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

POULSON, Chairman.

Above reported bill re-referred to Committee on Ways and Means.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Senate Bill No. 1301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Re-refer to the Committee on Education

DILWORTH, Chairman

Above reported bill ordered re-refered to Committee on Education.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 891

Respectfully reports the same back with amendments but without recommendation, as amended

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1887

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1080

And reports the same correctly re-re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1625
Assembly Bill No. 1000

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 1249

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 207

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

DALEY, Chairman
WOLLENBERG
FREDERICK F. HOUSER
JOHNSON
POULSON
COOKE
BURKHALTER
HAWKINS
TURNER
KEPPLE

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 33
Assembly Bill No. 481
Assembly Bill No. 624
Assembly Bill No. 1045
Assembly Bill No. 1758
Assembly Bill No. 1956
Assembly Bill No. 2119
Assembly Bill No. 2165
Assembly Bill No. 2380
Assembly Bill No. 2512

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 927
Assembly Bill No. 1272
Assembly Bill No. 1349
Assembly Bill No. 2519

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Irrigation, to which was referred.

Assembly Bill No. 1650

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Oil Industries

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 2484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Bill No. 58

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Oil Industries

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 946

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

THORP, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred.

Assembly Bill No. 538
Assembly Bill No. 305

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 2573
Assembly Bill No. 2342

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 143	Assembly Bill No 1033
Assembly Bill No 778	Assembly Bill No 1702
Assembly Bill No. 925	Assembly Bill No. 2061
Assembly Bill No. 926	Assembly Bill No. 2099

And reports the same correctly re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No 49
Assembly Bill No. 902

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER. Your Committee on Insurance, to which was referred:

Assembly Bill No. 1511

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bill ordered to second reading

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 42—Relative to memorializing the United States Department of Interior, Fish and Wild Life Service, to permit controlled feeding of migratory wild fowl on hunting clubs in the State of California, and to provide for the feeding of grain on migratory wild fowl refuges in this State, in order to relieve farmers from severe losses to grain crops caused annually by such wild fowl.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1941, at 4.45 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 41—An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages;

Assembly Bill No. 144—An act to add Section 4.352 to the School Code, relating to the payment of wages of employees of school districts employed in positions not requiring certification qualifications;

Assembly Bill No. 156—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or inclosure;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1941, at 4.45 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 235—An act to amend Section 4.974 of the School Code, relating to school bonds;

Assembly Bill No. 639—An act to amend Section 7101 of the Labor Code, relating to safety in employment;

Assembly Bill No. 665—An act to amend Section 797 of the Fish and Game Code, relating to abalones;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1941, at 4.45 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 851—An act to add Section 2958a to the Civil Code, and to amend Section 2971 thereof, relating to chattel mortgages on aircraft;

Assembly Bill No. 860—An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer;

Assembly Bill No. 1510—An act to provide for the taking of an oath by State employees not in the State civil service;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1941, at 4.45 p.m.

JOHN B. KNIGHT, Chairman

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1925

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 420

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KING, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6369 to the Revenue and Taxation Code, Section 5 36 to the Retail Sales Tax Act of 1933, and Section 4.26 to the Use Tax Act of 1935, relating to the exemption of property sold to or used by members of the State Guard

Respectfully submitted.

HENRY P. MEEHAN

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 648—An act to amend Section 7057 of the Welfare and Institutions Code, relating to the determination of the alleged defective or psychopathic delinquencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 649—An act to amend Section 7001 of the Welfare and Institutions Code, relating to purposes of State homes for the feeble-minded.

Bill read second time, and ordered engrossed.

Assembly Bill No. 651—An act to add Section 6564 to the Welfare and Institutions Code, relating to the maintenance of stores on State institutions' grounds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 734—An act to amend Section 742 of the Welfare and Institutions Code, relating to prohibited commitments of wards of the juvenile court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 735—An act to amend Section 901 of the Welfare and Institutions Code, relating to establishment of juvenile camps

Bill read second time, and ordered engrossed.

Assembly Bill No. 736—An act to amend Section 5075 of the Welfare and Institutions Code, pertaining to the commitment of mentally disordered persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 737—An act to amend Section 5100 of the Welfare and Institutions Code, pertaining to the order of commitment of mentally ill persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 738—An act to amend Section 5101 of the Welfare and Institutions Code, relating to the county clerk's index.

Bill read second time, and ordered engrossed.

Assembly Bill No. 739—An act to amend Section 5102 of the Welfare and Institutions Code, relating to the prohibition of commitment to State hospitals of certain persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 740—An act to amend Section 5103 of the Welfare and Institutions Code, relating to delivery to State hospitals of persons committed.

Bill read second time, and ordered engrossed.

Assembly Bill No. 741—An act to amend Section 5251 of the Welfare and Institutions Code, relating to commitment to homes for the feeble-minded.

Bill read second time, and ordered engrossed.

Assembly Bill No. 743—An act to amend Section 5258 of the Welfare and Institutions Code, relating to the order of commitment of feeble-minded persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 744—An act to amend Section 6664 of the Welfare and Institutions Code, relating to payment of expenses when person committed charged with crime

Bill read second time, and ordered engrossed.

Assembly Bill No. 758—An act to add Section 6660.5 to the Welfare and Institutions Code, relating to the care of patients' estates where the value of said estate does not warrant a guardianship.

Bill read second time, and ordered engrossed.

Assembly Bill No. 759—An act to amend Section 6661 of the Welfare and Institutions Code, relating to estates under three hundred dollars ($300) of persons committed to State institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 760—An act to amend Section 6663 of the Welfare and Institutions Code, pertaining to payment of board bills.

Bill read second time, and ordered engrossed.

Assembly Bill No. 762—An act to amend Section 7011 of the Welfare and Institutions Code, relating to payments of county officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 763—An act to amend Section 7052 of the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 764—An act to add Section 7052.5 to the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 765—An act to amend Section 7066 of the Welfare and Institutions Code, relating to the parole of defective or psychopathic delinquents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 770—An act to add Chapter 8 to Part 4, Division 6 of the Welfare and Institutions Code, creating a Division of Extramural Care in the Department of Institutions and prescribing its powers and duties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4061, 4062, 4063, 4064, 4080, 4082, 4084, 4085, 5000 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4,

Part 1, Division 2 of the Insurance Code and to add Section 4065 thereto, all relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1600—An act to add Section 4097.5 to the Political Code, relating to the counting of money in the county treasury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1526—An act to further the education of children of disabled World War Veterans by allowing them free tuition in State-owned colleges and universities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 106—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of judicial townships and the jurisdiction of justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 16, of the printed bill, following "states", insert ", whichever may be later".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 240—An act to amend Section 1538.5 of the Probate Code, relating to leases of wards' property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, strike out "bank or trust company as".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 650—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support, and maintenance of persons in State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 4, of the printed bill, after "insane persons", and before "at the hospitals", insert "and inebriates".

Amendment No. 2

On page 1, line 5, of the printed bill, after "insane", and before "where there", insert "and inebriates".

Amendment No. 3

On page 1, line 10, of the printed bill, after "insane", and before "shall", insert "or inebriates".

Amendment No. 4

On page 1, line 13, of the printed bill, after "person", and before "committed", insert "or inebriate".

Amendment No. 5

On page 1, line 22, of the printed bill, after "person", and before "dies", insert "or inebriate".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 654—An act to amend Sections 154 and 157 and to repeal Section 155 of the Welfare and Institutions Code, relating to the institutions subject to the jurisdiction of the Department of Institutions and appointment of superintendents of those institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "State Inebriate Colony".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 733—An act to amend Section 740 of the Welfare and Institutions Code, pertaining to the order of commitment of juvenile delinquents.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 31, of the printed bill, after "industry", and before the comma, insert "; and if the ward has passed his fifteenth birthday and not reached his sixteenth birthday, the court shall designate either the Whittier State School or the Preston School of Industry in its discretion".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 742—An act to amend Section 5252 of the Welfare and Institutions Code, relating to petition for commitment of a feeble-minded person.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "probation officer or"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 754—An act to amend Section 6655 of the Welfare and Institutions Code, relating to the liability to the State of the estates of persons committed to State institutions for the care, support, and maintenance of such persons

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out all that italicized portion beginning in line 15 and running through line 17.

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "institution", and insert "mental hospital".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "institution", and insert "mental hospital".

Amendment No. 4

On page 1, line 20, of the printed bill, strike out "institution", and insert "mental hospital".

Amendment No. 5

On page 2, line 1, of the printed bill, after "at the", and before "hospital", insert "mental".

Amendment No. 6

On page 2, line 4, of the printed bill, after "at the", and before "hospital", insert "mental".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 755—An act to amend Section 6656 of the Welfare and Institutions Code, relating to the deposit of funds by the guardian in the Patient's Deposit Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "institution", and insert "mental hospital".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "institution", and insert "mental hospital".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "institution", and insert "mental hospital".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 773—An act to amend Section 1554 of the Probate Code, relating to accounts of guardians of insane persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "[five] 15", and insert "eight".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1146—An act to amend an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," Statutes of 1921, page 370, as amended by Statutes of 1937, page 1536, providing a procedure for the disposition of exhibits filed with the court in criminal cases and declaring for the property to be contraband, and providing for the seizure, confiscation and destruction of such contraband property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 5 of the title of the printed bill, insert a period following "cases", and strike out the remainder of line 5, and all of lines 6 and 7 of the title.

Amendment No. 2

On page 1, line 10, of the printed bill, following "final", strike out the comma, and insert a period, and strike out "otherwise upon".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 11 and 12, through the period

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 31 to 50, inclusive; and strike out all of page 3.

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1020—An act to amend Sections 5.792, 5.793, 5.794, 5.795, 5.796, 5.798 and 5.799a of the School Code and adding a new section thereto, to be numbered 5.792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, as amended, and insert "5.798, 5.798a, 5.799 and 5.799a of, and to add Sections 5.792a and 5.795a to the School Code, all relating to the".

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, strike out "850", and insert "7500".

Amendment No. 3

On page 1, line 15, of the printed bill, as amended, strike out "850", and insert "7500"

Amendment No. 4

On page 3 of the printed bill, as amended, strike out line 33, and in line 34, strike out "the governing board", and insert "of the governing board, shall be included".

Amendment No. 5

On page 3, line 35, of the printed bill, as amended, strike out "county superintendent of schools", and insert "board of education".

Amendment No. 6

On page 3, line 38, of the printed bill, as amended, strike out "county superintendent", and insert "board of education"

Amendment No. 7

On page 3 of the printed bill, as amended, strike out line 41, and insert "For the first year the".

Amendment No. 8

On page 3, line 42, of the printed bill, as amended, after "board", insert "shall provide for an adequate budget for the proper discharge of the duties and responsibilities of the commission".

Amendment No. 9

On page 4, line 8, of the printed bill, as amended, strike out "Sec. 5", and insert "Sec. 4."

Amendment No. 10

On page 4, line 26, of the printed bill, as amended, strike out "to be fol-"; and strike out line 27; and in line 28, strike out "and the commission", and insert "under which the governing board of education shall administer the following".

Amendment No. 11

On page 4 of the printed bill, as amended, strike out lines 40 and 41, and insert "of this article, within 90 days after their adoption.

SEC. 5. Section 5.795a is hereby added to the School Code, to read as follows:

5.795a. Nothing in this article shall be construed to give permanent status to any employee beyond the close of the school year during which he has reached the age of 65."

Amendment No. 12

On page 4, line 45, of the printed bill, as amended, strike out "personnel director", and insert "full-time or part-time secretary to the commission".

Amendment No. 13

On page 4, line 47, of the printed bill, as amended, strike out "He", and insert "Any employee in the classified service may be eligible to compete. The secretary".

Amendment No. 14

On page 4 of the printed bill, as amended, strike out lines 48 to 51, inclusive, and insert "commission for keeping them informed of the extent to which the provisions of this article and the procedure of the commission are being properly administered by the board. The secretary shall prepare,".

Amendment No. 15

On page 5, line 2, of the printed bill, as amended, strike out "Any two or more"; and strike out lines 3 and 4, and insert "Districts may".

Amendment No. 16

On page 5, line 12, of the printed bill, as amended, strike out "six", and insert "twelve".

Amendment No. 17

On page 5, line 20, of the printed bill, as amended, strike out "six", and insert "twelve".

Amendment No. 18

On page 5, line 44, of the printed bill, as amended, strike out the period, and insert "; provided, that no person shall be appointed who has aided or advocated, or belongs

to an organization which aids or advocates, the overthrow of our Government by force or violence."

Amendment No. 19

On page 6 of the printed bill, as amended, between lines 30 and 31, insert

"SEC. 8. Section 5 798a of the School Code is hereby amended to read as follows.

5.798a. Any person who has served a probationary period not to exceed [six] *12* months as prescribed by the rules of the commission for his classification shall be deemed to be in the permanent classified service. No person in the permanent classified service shall be demoted or removed except for reasonable cause designated by rule of the commission as detrimental to the efficiency of the service. This paragraph shall not be construed to prevent lay offs for lack of work or lack of funds.

For reasonable causes the employee may be suspended without pay for not more than 30 days or may be demoted or dismissed. In any such case the [personnel director] *secretary* shall within three days of such suspension, demotion or dismissal file written charges with the commission and give a copy of such charges to the employee.

An employee who has been suspended, demoted, or dismissed may appeal to the commission within 14 days after receipt of a copy of the written charges by filing a written answer to such charges.

The commission shall investigate the matter on appeal and may require further evidence from either party, and may, and upon request of an accused employee shall, order a hearing. The accused employee shall have the right to appear in person or with counsel and to be heard in his own defense. The decision shall not be subject to review by the Governing Board. If the commission sustains the employee, the commission may order paid all or part of his full compensation from the time of suspension, demotion, or dismissal, and it shall order his reinstatement. Upon notification of the commission's decision, the board shall reinstate the employee and authorize such compensation as the commission shall direct.

SEC. 9. Section 5 799 of the School Code is hereby amended to read as follows

5 799. No warrant shall be drawn by or on behalf of the governing board of any district for the payment of any salary or wage to any employee in the classified service unless the assignment bears the certification of the [personnel director] *secretary* that the person named in such assignment has been employed and assigned pursuant to the requirements of this article and the rules of the commission.

The commission shall have the power to subpena witnesses, to require the production of records or information pertinent to investigation, and to administer oaths. It may, at will, inspect any records of the Governing Board that may be necessary to satisfy itself that the procedures prescribed by the commission as authorized by this article have been complied with.

It shall be the duty of the Counsel of the Governing Board to aid and represent the commission, when sued, in a legal capacity and should he refuse, the commission may employ its own attorney and the reasonable cost thereof shall constitute a legal charge against the general funds of the district concerned."

Amendment No. 20

On page 6, line 31, of the printed bill, as amended, strike out "8", and insert "10".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, after "tax", insert "assessed".

Amendment No. 2

On page 1, line 18, of the printed bill, as amended, after "tax", insert "assessed".

Amendment No. 3

On page 2 of the printed bill, as amended, after line 10, insert

"For the purposes of this section, delinquent taxes funded on any deferred payment plan shall be deemed delinquent."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2244—An act to repeal Section 1151 of the Insurance Code, relating to the disposal of real estate by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended April 22, 1941, strike out all of lines 7 to 24, both inclusive; and on page 2, strike out all of lines 1 to 8, both inclusive, and insert

"1151. If after a hearing, the commissioner is satisfied that an insurer is carrying upon its books any parcel or parcels of real estate at values exceeding the sound market value thereof, he may order the insurer to:

(a) Create an adequate contingency reserve against the book value of such parcel or parcels, or

(b) Reduce the book value of such parcel or parcels by a corresponding amount.

In case of real estate, not of a character described in subdivision (a) or (b) of Section 1150 or acquired under subdivision (h) of Section 1150 as requisite or desirable in connection with real estate acquired under subdivision (a) or (b), which has been held by the insurer for more than five years, the commissioner may order the insurer to dispose of such real estate within six months, if, after a hearing, the commissioner is satisfied that:

(1) The insurer has refused reasonable offers for the sale of such real estate, or

(2) Such real estate may be disposed of without undue hardship to such insurer."

Amendment No. 2

On page 2 of the printed bill, as amended, at the end of line 15, insert

"The commissioner may suspend or revoke the certificate of authority of an insurer failing to comply with any order issued upon the provision of this section."

Amendment No. 3

On page 2, line 16, of the printed bill, as amended, after "shall", insert *"take effect"*.

Amendment No. 4

On page 2, line 17, of the printed bill, as amended, after "on", insert *"the"*.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

SECOND READING OF SENATE BILLS

Senate Bill No. 690—An act to amend Sections 4, 5 and 6 of the California Districts Securities Commission Act, relating to the procedure for certifying district bonds as legal investments, for use as security for the performance of any act, and the effect thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 212—An act to amend Sections 1640 and 1671 of, and to add Section 1671.2 to, the Insurance Code, relating to insurance and insurance agents, brokers, and solicitors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1249—An act to amend Sections 16001 and 16102 of the Business and Professions Code, relating to licensing by cities and counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of

such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations.

Amendment No. 1

On page 2, line 37, of the printed bill, as amended, strike out "in respect of", and insert "with respect to"

Amendment No. 2

On page 5, line 11, of the printed bill, as amended, after "court", and before the period, insert "or a different plan".

Amendment No. 3

On page 7 of the printed bill, as amended, strike out line 40, and insert "must be stayed; and the court in which the petition under this".

Amendment No. 4

On page 11 of the printed bill, as amended, strike out lines 1 to 6, both inclusive, and insert

"In any proceeding under this Section 13 16d the commissioner shall be represented by the Attorney General of the State of California or by one or more deputies of such Attorney General. During the pendency of a proceeding under this Section 13.16d the commissioner shall not employ or engage, with respect to any association directly affected by such proceeding, or with respect to the business, property or assets of any association so affected, counsel other than the Attorney General or one or more of his deputies, or any appraisers or accountants other than appraisers or accountants who are subject to the Civil Service Laws of this State, nor employ, with respect to any such association, its business, property or assets, as additional employees in this State or to replace previous employees in this State, any person who is not subject to the Civil Service Laws of this State for any position or work for which a person subject to the Civil Service Laws of this State is available, except that if the association has entered into an agreement with a labor organization for the employing of any class of employees through the labor organization, then the commissioner shall employ additional employees, or employees replacing previous employees, who fall within a classification covered by such an agreement through the labor organization."

Amendment No. 5

On page 13 of the printed bill, as amended, between lines 32 and 33, insert

"Sec 2. The Legislature hereby declares that this act is enacted in the exercise of the police powers of this State, for the following reasons: Approximately two hundred million dollars ($200,000,000) is invested in building and loan associations in this State and such investments are held by several hundred thousand people, a large percentage of whom are persons of only moderate means and many of whom are executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations Many of the funds of such associations were invested in long-term loans secured by real property By reason of the recent depression, with resulting wide-spread unemployment and decline in rental and sales values, many borrowers from such associations were unable to meet their obligations to such associations By reason of defaults of such borrowers, many associations have

suffered heavy losses both in income and in net worth. In the absence of this act liquidation of assets of a value of many millions of dollars would be necessary. Such liquidation would impose severe hardships not only upon the borrowers and investors but also upon the public generally, by causing a marked decline in real estate values and a marked increase in tax delinquencies."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 721—An act to amend Section 842 of the Probate Code, relating to the leasing of real property belonging to the estate of a deceased person.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, after "Section", insert "1 Section".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended, strike out "Hearing and Order."

Amendment No. 3

On page 2, line 3, of the printed bill, as amended, strike out "bank or trust company as".

Amendments read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Robertson:

An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2602: By Mr. Robertson—An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Referred to Committee on Public Health and Quarantine.

Speaker Pro Tempore Presiding

At 2 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Middough.

An act to amend Section 7608 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1291 WAIVED

Mr. Heisinger waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1291 was passed.

Assembly Bill No. 1291 ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1114—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1114?

Amendment No. 1

On page 2, line 15, of the printed bill, strike out "One", and insert "Except in the case of Christmas trees, one".

Amendment No. 2

On page 2 of the printed bill, between lines 17 and 18, insert

"In the case of Christmas trees the written permit required by this section shall show, by section, township, and range, the locality at which the cutting is authorized by it. The permit shall be carried by the person in charge of, and exhibited upon demand of any officer authorized to enforce the provisions of this section at all times during, the cutting and transportation of such trees. Upon any sale of Christmas trees, whether at wholesale or retail, a bill of sale shall be delivered to the purchaser which bill of sale shall show the number of trees involved and contain an appropriate and accurate reference to the permit by which the cutting of the trees was authorized, with names, dates, and description of the land involved in such permit."

Amendment No. 3

On page 2, line 35, of the printed bill, after "fires", insert "nor to products cut or removed from National forest lands when such products are accompanied by a Federal sale contract or permit signed by an officer of the United States Forest Service".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1114 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Assembly Bill No. 1114 ordered enrolled.

Assembly Bill No. 310—An act to amend Section 3935 of, and to add Section 3935.5, the Elections Code, relating to the order of names of candidates on primary ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 310?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Section 3935 of, and to add Section 3935.5", and insert "Sections 3931, 3933, 3934 and 3935 of, and to add Sections 3930.5 and 3935.5 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 3930.5 is hereby added to the Elections Code, to read as follows.

3930.5. The name of the incumbent shall appear first upon a list of all candidates for nomination to any office on the primary election ballot and if two or more positions are to be filled at the same time and more than one incumbent is running, the name of each of the incumbents shall appear in alphabetical order for that Assembly district which is lowest in numerical order of any Assembly districts in which such candidates are to be voted on. Thereafter, for each succeeding Assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

SEC. 2. Section 3931 of the Elections Code is hereby amended to read as follows:

3931. The order in which the list of candidates *other than incumbents* for any office shall appear upon the primary election ballot shall be determined as follows:

[(a)] If the office is an office the candidates for which are to be voted on throughout the entire State, including United States Senator in Congress, the Secretary of State shall arrange the names of all candidates *other than incumbents* for such office in alphabetical order for the First Assembly District; and thereafter for each succeeding Assembly district, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged. If the office is that of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates *other than incumbents* for such office in alphabetical order for that Assembly district which is lowest in numerical order of any Assembly district in which such candidates are to be voted on; and thereafter for such succeeding Assembly district in which such candidates *other than incumbents* are to be voted on, the name appearing first for the office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

SEC. 3. Section 3933 of the Elections Code is hereby amended to read as follows:

3933. Except for the office of State Senator or Assemblyman, the order in which the names filed with the Secretary of State shall appear upon the ballot, shall be for each Assembly district the order as determined by the Secretary of State in accordance with the provisions of [Section 3931.] *this article*, and as certified and transmitted by him to each county clerk.

SEC. 4. Section 3934 of the Elections Code is hereby amended to read as follows:

3934. If the office is an office to be voted on throughout, but wholly within, one county except the office of Representative in Congress or State Senator or Assemblyman and there are not more than five Assembly districts in the county, the county clerk of the county shall arrange the names of all candidates *other than incumbents* for such office in alphabetical order for the first supervisorial district; and thereafter for each supervisorial district, the name *other than the name of an incumbent* appearing first for each office in the last preceding supervisorial district shall be placed

last, the order of the other names remaining unchanged If there are more than five Assembly districts in the county the county clerk shall so arrange on the ballot the order of names of all candidates *other than incumbents* for office that they shall appear in alphabetical order for that Assembly district which is lowest in numerical order, and thereafter for each succeeding Assembly district in the county the name appearing first for each office in the last preceding Assembly district shall be placed last, the order of the other names remaining unchanged

SEC. 5. Section 3935 of the Elections Code is hereby amended to read as follows:

3935. If the office is that of State Senator or Assemblyman, [or member of a county central committee,] or any office except the office of Representative in Congress to be voted on wholly within any county but not throughout the county, the names of all candidates *other than incumbents* for the office shall be placed upon the ballot in alphabetical order."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 4; and in line 5, strike out "SEC. 2", and insert "SEC. 6".

Amendment No. 4

On page 2, line 8, of the printed bill, as amended, after "candidates", insert ", including incumbents,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 310 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight John B., Knight, T Fenton; Leonard, Lowrey, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Collins, George D., Collins, Sam L., Cronin, and Maloney—4

Assembly Bill No. 310 ordered enrolled.

Assembly Bill No. 1967—An act to add Section 4.368-1 to the School Code, relating to school district funds, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1967?

Amendment No. 1

On page 1, line 4, of the printed bill, after "allocated", insert "or apportioned".

Amendment No. 2

On page 1, line 5, of the printed bill, after "thereof", insert a comma and "or by the State of California or any agency thereof"

Amendment No. 3

On page 1, line 7, of the printed bill, after the first comma, insert "Superintendent of Public Instruction,".

Amendment No. 4

On page 1, line 22, of the printed bill, after "allocated", insert "or apportioned".

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "shall", and insert "may".

Amendment No. 6

On page 2 of the printed bill, strike out lines 3 and 4, both inclusive, and insert "funds are received.

Furthermore, under existing provisions of law, certain of the funds allocated or apportioned by the State or its agencies may not be expended until the close of the school year in which such funds are received

These conditions are detrimental to the Program of National Defense and the welfare of the pupils of the public schools and to correct such conditions this".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1967 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del

Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None

Assembly Bill No. 1967 ordered enrolled.

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of the Code of Civil Procedure, relating to justices' courts in townships and cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2548?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", and to add Section 103n to,"

Amendment No. 2

On page 3 of the printed bill, as amended, after line 45, insert

"SEC. 5. Section 103n is hereby added to the Code of Civil Procedure, to read as follows

103n. Justices of the peace of cities of the second class shall have the same jurisdiction, civil and criminal, as justices of the peace of townships and township justice's courts. Said justices of the peace and justice's courts of cities of the second class shall also have jurisdiction of all proceedings for the violation of any ordinance of any city in which courts are established, both civil and criminal, and of all actions for the collection of any license required by any ordinance of any such city, and generally exercise all powers, duties and jurisdiction, civil and criminal of police judges, judges of police courts, recorder's courts or mayor's courts, within such city."

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2548 by the following vote:

AYES—Desmond—1.

NOES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

Appointment of Committee on Conference Concerning Assembly Bill No. 2548

The Speaker announced the appointment of Messrs. Cronin, Johnson and Desmond as a Committee on Conference concerning Assembly Bill No. 2548.

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2547?

Amendment No. 1

On page 1, line 22, of the printed bill strike out "6,000", and insert "8,000".

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "6,000", and insert "8,000".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No 2547 by the following vote:

AYES—Desmond—1

NOES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—68.

Appointment of Committee on Conference Concerning Assembly Bill No. 2547

The Speaker announced the appointment of Messrs. Cronin, Johnson and Desmond as a Committee on Conference concerning Assembly Bill No. 2547.

RECONSIDERATION OF ASSEMBLY BILL NO. 398

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 398 was passed be reconsidered.

Assembly Bill No 398 refused reconsideration by the following vote:

AYES—Bennett, Cassidy, Collins, George D, Dills, Donnelly, Gaffney, Gallagher, Kilpatrick, Meehan, and Poulson—10.

NOES—Allen, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Hawkins Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaft, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 399

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 399 was passed be reconsidered.

Assembly Bill No. 399 refused reconsideration by the following vote:

AYES—Bennett, Cassidy, Collins, George D., Dills, Donnelly, Gaffney, Gallagher, Kilpatrick, Meehan, and Poulson—10

NOES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Carlson, Collins, Sam L, Cooke, Cronin, Daley Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Millington moved that Assembly Bill No. 1800 be made a special order of business for Wednesday, April 30, 1941, at 1.30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F.,

Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1345—An act to amend Section 15 of the "Reclamation Board Act," approved December 24, 1911, as amended, relating to assessments and to amend Section 5765 of the Water Code, relating to assessments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1345?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and to amend Section 5765 of the Water Code,".

Amendment No. 2

In line 4 of the title of the printed bill, strike out "relating to assessments".

Amendment No. 3

On page 3 of the printed bill, strike out lines 49 to 52, inclusive

Amendment No. 4

On page 4 of the printed bill, strike out lines 1 to 17, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1345 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Assembly Bill No. 1345 ordered enrolled.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER

Mr. Field requested permission to use the Assembly Chamber for the purpose of holding a joint meeting of the Committees on Governmental Efficiency and Economy and Ways and Means at 8 p.m., Tuesday, April 29, 1941.

Request granted.

MOTION TO ENFORCE HOUSE RULE NO. 99

Mr. Lyon moved that the Sergeant-at-Arms strictly enforce the provisions of House Rule No. 99.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 245.
Assembly Bill No. 425.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 1288.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No 717.
Assembly Bill No. 2584
Assembly Constitutional Amendment No. 59.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 632—An act to repeal Chapter 1, Part 1, Division 2, of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 633

Mr T Fenton Knight moved that Assembly Bill No. 633 be stricken from the file

The roll was called and the motion carried by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—65.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 634—An act to amend Section 1129 of the Welfare and Institutions Code, relating to the establishment of feeble-mindedness.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—64.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3:15 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON INTRODUCTION OF BILLS

At 3:20 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Middough by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2603: By Mr. Middough—An act to amend Section 7608 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Referred to Committee on Public Health and Quarantine.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 808—An act to amend Sections 4, 4a, 5, 6, 8, 9, 10, 11, 13, 14, 16, 20, 21, 24, 25, 25.1, 27, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 809—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, the Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9.3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of the Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies.

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "market milk", and insert "'cream", "market milk" and"

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "and "manufacturing cream" ".

Amendment No. 3

On page 2, line 44, of the printed bill, after "securing", insert "or retaining".

Amendment No. 4

On page 2, line 45, of the printed bill, strike out the period after "consumer", and insert "; provided, however, that nothing herein shall be construed to prohibit a distributor of frozen dairy products for reasonable compensation, from furnishing a wholesale customer with, and maintaining such refrigeration facilities as shall be reasonably necessary for the storage and preservation of the frozen dairy products distributed by such distributor to such wholesale customer; provided further, that the use of said refrigeration facilities by any person for the storage or preservation of any product other than the frozen dairy products distributed to said wholesale customer by the distributor furnishing such facilities shall be an unfair and unlawful business practice"

Amendment No. 5

On page 2, line 49, of the printed bill, strike out "certain customers", and insert "any wholesale customer or consumer".

Amendment No. 6

On page 3, line 31, of the printed bill, strike out the remainder of line 31 after "article"; and strike out all of lines 32 to 36, inclusive; and insert "in any transaction involving the sale or disposal of milk, cream or dairy products, for less than the invoice or replacement cost thereof, whichever is lower, to secure or retain the milk, cream, or dairy products business of any wholesale customer or any person who buys as a consumer"

Amendment No. 7

On page 4, line 20, of the printed bill, after "costs" insert "Evidence of cost based on impartial audits or surveys, made within a reasonable time prior to an alleged violation of this subparagraph shall constitute prima facie proof of such cost at the time of the commission of such violation".

Amendments read and adopted.

Bill ordered printed, and engrossed.

Hon. Ernest O. Voigt Presiding

At 3.30 p m., Hon. Ernest O. Voigt, member of the Assembly from the Sixty-first District, presiding

REQUEST TO TEMPORARILY EXCUSE MEMBERS

Mr. Millington requested that the following members be temporarily excused to meet upon budget matters: Messrs. Field, Millington, Poulson, Bennett, Robertson and Collins, George D.

Request granted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 657—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1407—An act to amend Sections 701, 1191, 10970, and 12923 of, and to add Sections 706.7, 11532.1, 11532.2, 11532.3, 11532.4, 11532.5, 11532.6, 11532.7, 11532.8, 12921.5 and 12973.7 to, the Insurance Code, all relating to insurance and the Insurance Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1754—An act to add Chapter 3, comprising Sections 7325 to 7332, inclusive, to Part 3 of Division 5 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings, whether constructed heretofore or hereafter to be constructed, to safeguard and protect window washers and others employed upon said buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lowrey, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Weber, Welch, and Wollenberg—56.

NOES—Knight, T. Fenton; Leonard, Watson, and Weybret—4

Notice of Motion to Reconsider Assembly Bill No. 1754

Mr. Leonard gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1754 was this day passed.

Assembly Bill No. 237—An act to amend Sections 2330, 2350 and 2351 of the Labor Code, relating to sanitary conditions of factories and other places of employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 369—An act to add Section 1619 to the Penal Code, relating to discharge of prisoners from the county jail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1292—An act to add a new Section, to be numbered 604.2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cronin, Daley, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, O'Day, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, and Wollenberg—46

NOES—Cooke, Dills, Evans, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Meehan, Middough, Pelletier, Sheridan, Thomas, and Weybret—15.

Bill ordered transmitted to the Senate

Speaker Presiding

At 4:15 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 823—An act to add Section 69.1 to the Alcoholic Beverage Control Act, relating to the repeal of Chapter 132 of 1915 Statutes.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Potter, Richie, Robert-

son, Russell, Sawallisch Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—55

NOES—Bashore, Carlson, Dilworth, Donnelly, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T Fenton; Miller, Phillips, Salsman, and Sheridan—13.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bill No 2512 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 1758 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1045 re-referred to Committee on Judiciary Codes

Assembly Bill No. 481 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2119 re-referred to Committee on Public Utilities.

Assembly Bill No 624 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1702 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2165 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2061 re-referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1956 re-referred to Committee on Ways and Means.

Senate Bill No 742 re-referred to Committee on Governmental Efficiency and Economy

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

Bill read third time.

Demand for Previous Question

Messrs Allen, Middough, Hastain, Bashore and Evans demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1693.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J, Cain, Call, Clarke, Collins, Sam L, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Mr. Speaker—54

NOES—Burns, Hugh M, Carlson, Cassidy, Dickey, Heisinger, Howser, F. N, Johnson, McCollister, Meehan, O'Day, Potter, Salsman, and Sheridan—13.

Notice of Motion to Reconsider Assembly Bill No. 1693

Mr. Dickey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1693 was this day passed.

MOTION TO PURCHASE FLORAL PIECE

Mr Desmond moved that the Chief Clerk be instructed to purchase and send a floral piece to the funeral of the late Hon Thomas Scollan of Sacramento.

Mr Cain seconded the motion.

Motion carried unanimously.

MOTION TO PRINT MOTHERS' DAY PROGRAMS

Mr. Lyon moved that the necessary printing orders for Mothers' Day program, as may be requested by Miss Miller, be furnished by the Chief Clerk and the State Printer be directed to print the same.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 35

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 34
Assembly Bill No. 64
Assembly Bill No. 1207
Assembly Bill No 1450
Assembly Bill No 2570

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swan, Quinn and Breed as a Committee on Conference concerning:

Assembly Bill No. 2548—An act to amend Sections 103 and 103¼ of the Code of Civil Procedure, relating to justices' courts in townships and cities

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Swan, Quinn and Breed as a Committee on Conference concerning:

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 577

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 106
Senate Bill No. 348
Senate Bill No. 696
Senate Bill No. 873
Senate Bill No. 1307
Senate Bill No 1321

J. A BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 59
Senate Bill No 257

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 31

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 106—An act to add Chapter VII, consisting of Sections 4.40 to 4.44, inclusive, to Part 1 of Division 4 of the School Code, relating to giving the assent of the State to an act of Congress of the United States entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, and providing for the disposition of moneys received by the State thereunder.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 348—An act to amend Sections 4242 and 4242.2 of the Political Code, relating to the compensation for public services in counties of the thirteenth class.

Referred to Committee on Judiciary General.

Senate Bill No. 696—An act to amend Section 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Referred to Committee on County Government.

Senate Bill No. 873—An act to repeal Chapter 433 of the Statutes of 1929, and to add Article 2a to Chapter 3 of Part 1 of Division 1 of the School Code, relating to the board and lodging of pupils of high school districts and junior college districts.

Referred to Committee on Education.

Senate Bill No. 1307—An act to amend Section 6.180 of the School Code, relating to sale or lease of school property.

Referred to Committee on Education.

Senate Bill No. 1321—An act to amend Section 4253 of the Political Code, relating to compensation of county officers in counties of the twenty-fourth class.

Referred to Committee on County Government.

Senate Bill No. 59—An act to amend Section 305 of the Agricultural Code, relating to the slaughtering of animals, the manufacturing of meat food products, and the inspection of meat intended for food purposes

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 257—An act to amend Section 380.51 of and to add Section 333.5 to the Agricultural Code, relating to brands.

Referred to Committee on Live Stock and Dairies.

Senate Concurrent Resolution No. 31—Approving five certain amendments to the charter of the City of San Luis Obispo, in the County of San Luis Obispo, State of California, voted for and ratified by the electors of said city at an election held therein on the seventh day of April, 1941.

Ordered to unfinished business file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2538 FROM COMMITTEE

Mr. Crowley gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 2538 from the Committee on Public Health and Quarantine, and have it placed upon the file

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1078 FROM COMMITTEE

Mr. Voigt gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1078 from the Committee on Ways and Means, and have it placed upon the file.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1679

Mr. Potter moved that Assembly Bill No. 1679 be withdrawn from the file, and re-referred to the Committee on Education.

Motion carried.

MOTION FOR TEMPORARY ABSENCE

Mr. Maloney moved that the following members of the Committee on Commerce and Navigation be temporarily excused for a short meeting: Messrs Maloney, Carlson, Dills, Howser, F. N., Sheridan, Thomas, Thurman, Welch, and Mrs. Daley.

Motion carried.

RECONSIDERATION OF ASSEMBLY BILL NO. 560

In compliance with a notice given on a previous day, Mr O'Day moved that the vote whereby Assembly Bill No 560 was passed be reconsidered.

Demand for Previous Question

Messrs. Lyon, Hawkins, Stream, Thorp, and Mrs Daley demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 560

The roll was called, and Assembly Bill No. 560 refused reconsideration by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Cain, Cassidy, Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gumlock, Hawkins, Kilpatrick, King, Lowrey, Maloney, O'Day, Pelletier, Richie, Russell, Sawtelle, Sheridan, Tenney, and Thomas—28.

NOES—Allen, Andreas, Call, Carlson, Clarke, Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41

Assembly Bill No. 560 ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2593

Mr. Gallagher moved that Assembly Bill No. 2593 be withdrawn from the Committee on Rules, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 88, entitled: "An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations."

My objections to this bill are as follows:

It was apparently the intent of the proponents of this bill to remove certain doubts as to whether under Section 470 of the Civil Code, as it now exists, a railroad corporation may use private property within a city or town without the consent of the town or city authorities, and it was apparently the intent to remove such doubt by restricting its operation to municipally owned property.

However, it is very doubtful if the use of the word "public" in this bill would confine the application of the statute to municipally owned lands, and the use of such word would raise the implication that the city might limit the use of land owned by the State or by some other governmental subdivision.

Furthermore, it raises the implication that the municipalities have certain rights in public lands, such as tidelands, swamp and overflowed lands, which are not municipally owned.

I believe that the purposes intended could be carried out by a bill whose provisions would not be susceptible of doubtful interpretations, but would be limited in application to municipally owned property.

Respectfully submitted,

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 243, entitled: "An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately."

My objections to this bill are as follows:

According to an opinion of the Attorney General, upon the signing of this bill there would result a hiatus in the office of the Fish and Game Commission of California. In other words, until the appointment and confirmation of a Fish and Game Commission there would not be in existence any State Fish and Game Commission.

Furthermore, according to said opinion, if the bill were signed and nominations should be submitted to the Senate of persons to serve as members of the Fish and

Game Commission, and should the Senate confirm some but not all of the five nominations, serious questions would arise as to how many nominations would have to be confirmed before there would come into legal existence the new commission contemplated by the Constitution, and it is possible that under such conditions the new commission or several members thereof might perform many acts which might thereafter be held invalid, and seriously affect many persons who might rely upon the legality of such acts

A copy of the opinion of the Attorney General is attached hereto.

Today I was orally informed that the office of the Attorney General has expressed some doubt as to the validity of the urgency clause, but has reaffirmed the view that if the court approves the validity of the urgency clause, the results set forth in the opinion might follow

Under such circumstances I can not approve of the bill

Respectfully submitted

CULBERT L. OLSON, Governor of California

Above bill ordered to unfinished business file

COMMUNICATIONS

A communication from Earl Warren, relative to fish and game legislation, was presented by the Governor, and was ordered filed with the Secretary of State.

RESOLUTIONS

The following resolution was offered:

By Messrs. Sawallisch, Maloney and Crowley:

House Resolution No. 167

WHEREAS, Honorable Thomas D. Johnston, Judge of the Superior Court of the State of California, in and for Contra Costa County, was on this twenty-ninth day of April, 1941, called to his eternal reward; and

WHEREAS, Judge Johnston, our former Colleague, served the State of California in the Assembly in 1909 and 1913; and

WHEREAS, During his life he distinguished himself by his unstinting devotion to public service; and

WHEREAS, His memory will linger long in the minds of his associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend their heartfelt sympathy to the family of Judge Thomas D. Johnston, and to others near and dear to him; and be it further

Resolved, That when this Assembly adjourns this day, it do so in respect to the memory of Judge Johnston; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send an engrossed copy of this resolution to the bereaved family of Judge Johnston

Request for Unanimous Consent

Mr. Sawallisch asked for, and was granted, unanimous consent to take up House Resolution No. 167, at this time, without reference to committee or file.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1628—An act to amend the title of Article 1, Chapter 5, Division 5 and Sections 911, 912, 913, 914, 915, 916, 917, 919 and 920, and to add Sections 911.5, 911.10, 911.14, 911.15, 911.17, 911.20, 911.21, 911.25, 911.30, 911.35, 911.40, 911.45, 911.50, 911.55, 911.60, 911.65, 911.70, 911.71, 911.72, 911.75, 911.80, 911.81, 911.85, 911.90, 911.95, 911.100, 911.105, 911.110, 911.115, 911.120, 912.5, 912.10, 912.30, 912.35, 912.40, 914.5, 914.7, 914.10, 916.5, 916.10, 916.15, 916.20,

916.25, 916.30, 917.5, 917.10, 917.15, 919.1, 919.5 and 921 to the Agricultural Code, relating to seeds.

Bill read third time.

Motion to Amend

Mr. Allen moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, after "911.120," insert "911.125, 911.130,".

Amendment No. 2

In line 9 of the title of the printed bill, after "916.30," insert "916.35, 916.40, 916.45,".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 12 and 13, and insert "911.10. "Weed seeds" means any and all noxious weed seeds and any and all seeds not included in the definitions of agricultural and vegetable seeds."

Amendment No. 4

On page 2, line 18, of the printed bill, strike out "and/or", and insert "and".

Amendment No. 5

On page 2 of the printed bill, strike out all of line 23, and insert "within the State, or within any county or area of the State, and consists of the following:".

Amendment No. 6

On page 2, line 41, of the printed bill, strike out "and any", and insert "Any".

Amendment No. 7

On page 2 of the printed bill, strike out all of line 48, and insert "fied as a primary noxious weed, and consists of the following:".

Amendment No. 8

On page 3, line 10, of the printed bill, strike out "and any other".

Amendment No. 9

On page 3 of the printed bill, strike out line 11, and insert "Any other species which the director, as provided in Section 911.95 of".

Amendment No. 10

On page 3, line 34, of the printed bill, strike out "and any other agricultural or".

Amendment No. 11

On page 3 of the printed bill, strike out line 35, and insert "Any other agricultural or vegetable seed added to the foregoing list by rules and regula-".

Amendment No. 12

On page 3, line 46, of the printed bill, strike out "invoice", and insert "the invoice covering a bulk shipment".

Amendment No. 13

On page 3, line 52, of the printed bill, strike out "chapter", and insert "article".

Amendment No. 14

On page 6 of the printed bill, strike out all of line 23, and insert "lish in a bulletin of the Department of Agriculture:".

Amendment No. 15

On page 6 of the printed bill, strike out all of lines 27 to 30, inclusive, and insert "(b) A list of the plants and crops which he finds are or may be grown in this State from agricultural or vegetable seeds which, when occurring incidentally in other crops, are detrimental to agriculture and which therefore are classed by this article as weed seeds except when sold alone or as a specific constituent of a definite seed mixture."

Amendment No. 16

On page 6 of the printed bill, strike out all of line 32, and insert "or general distribution within the State, or against which a program of eradication or control has been adopted and approved as provided in Section 911.125, and which therefore".

Amendment No. 17

On page 7, line 14, of the printed bill, after "published", insert "in a bulletin of the Department of Agriculture".

Amendment No. 18

On page 7, line 22, of the printed bill, after the period following "hearings", insert "If at the hearing it shall be developed by competent testimony that additional time will be required to produce further essential evidence, the director shall continue the hearing to a date which will allow sufficient time for the production of such evidence."

Amendment No. 19

On page 7 of the printed bill, strike out all of lines 35 to 52, inclusive, and insert "911.120. Any species of noxious weed which the director after a practical survey finds is not of wide or general distribution within any county or area of this State is hereby declared to be a primary noxious weed as to such county or area only.

SEC. 32 1. Section 911 125 is hereby added to said code, to read as follows:

911.125 Whenever the agricultural commissioner of any county, with the approval of the director, adopts an effective program for the eradication or control of any species of noxious weed in any area of the county, said species is hereby declared to be a primary noxious weed as to such area only Before the director shall approve any such program, he shall find that the commissioner is prepared and equipped to carry out effective eradication or control measures against such species. If at any time after any such program has been approved, and director finds that the program is not effective, or is not effectively carried out, he shall withdraw his approval, and remove the species from the list of primary noxious weeds as to such area.

SEC. 32 2. Section 911.130 is hereby added to said code, to read as follows:

911.130. The director, in any list of primary noxious weeds published under the provisions of this article, shall include therein all species declared by Section 911.120 or 911 125 to be primary noxious weeds, together with the name of the county or the description of the area in which each such species is a primary noxious weed From and after the effective date of such list, and until such list is modified or rescinded, all provisions of this article applicable to primary noxious weed seeds shall apply within such county or area to such species"

Amendment No. 20

On page 8 of the printed bill, strike out all of lines 1 and 2.

Amendment No. 21

On page 8 of the printed bill, strike out all of line 19, and insert "(a) 25 grams for such seeds as blue grasses, bent".

Amendment No. 22

On page 8, line 22, of the printed bill, strike out "Fifty", and insert "50"

Amendment No. 23

On page 8, line 25, of the printed bill, strike out "One hundred fifty", and insert "150".

Amendment No. 24

On page 8, line 27, of the printed bill, strike out "Three hundred", and insert "300".

Amendment No. 25

On page 8, line 29, of the printed bill, strike out "Five hundred", and insert "500".

Amendment No. 26

On page 8, line 36, of the printed bill, strike out ", except as provided in", and insert a period.

Amendment No. 27

On page 8 of the printed bill, strike out all of line 37.

Amendment No. 28

On page 11, line 22, of the printed bill, strike out "relating in any way", and insert "pertaining".

Amendment No. 29

On page 11, line 23, of the printed bill, strike out "pertaining", and insert "having reference".

Amendment No. 30

On page 11 of the printed bill, strike out all of lines 27 to 30, inclusive, and insert "916.20. The person first testing and offering for sale any lot of agricultural or vegetable seed for seeding purposes within the State shall immediately notify the commis-".

Amendment No. 31

On page 11 of the printed bill, strike out all of line 45, and insert "for seeding purposes from without the State or offered for sale for seeding purposes within the State".

Amendment No. 32

On page 11 of the printed bill, strike out all of lines 50 and 51, and insert "labeling is in accordance with specific tests made by a seed testing laboratory approved under the provisions of Section 916.45, or by a seed analyst qualified under the provisions of said section, and that satisfactory records are available for examination. Laboratory code designations shall be assigned by the director, and may be revoked or suspended by him for cause. Such code desig-".

Amendment No. 33

On page 12 of the printed bill, strike out all of line 1.

Amendment No. 34

On page 12, line 7, of the printed bill, strike out the period, and insert "by the person who first tested and offered the lot for sale."

Amendment No. 35

On page 12 of the printed bill, between lines 9 and 10, insert

"SEC. 51.1. Section 916.35 is hereby added to said code, to read as follows:

916.35. As to counties or areas in which a program for the eradication or control of any species of noxious weed has been adopted and approved, as provided in Section 911.125, additional facilities for the inspection of shipments of agricultural and vegetable seeds are provided, as follows:

(a) Any person who sells, delivers, or transports any shipment of agricultural or vegetable seeds for seeding purposes within any such county or area shall, at or prior to the time of shipment, forward a manifest to the commissioner having jurisdiction at destination, indicating the character and quantity of the shipment, and the name and address of the consignor and consignee.

(b) Any person who imports into any such county or area any shipment of agricultural or vegetable seeds for seeding purposes shall immediately notify the commissioner of the county in which the lot is located, and shall hold the lot for inspection for a period of 24 hours from and after said notice has been received by the commissioner.

(c) This section shall not apply to agricultural or vegetable seeds in packages of less than two pounds; nor to any package of seed bearing an unbroken seal and accompanied by a certificate issued under the provisions of Section 916.40.

SEC. 51.2. Section 916.40 is hereby added to said code, to read as follows:

916.40. The commissioner, under the direction and supervision of the director, is hereby authorized upon request to issue certificates on any lot of agricultural or vegetable seed certifying that the lot was inspected by a duly authorized inspector and tested by a laboratory approved in accordance with the provisions of Section 916.35, and that upon such inspection and test no noxious weed seeds were found. Such certificate shall contain a description of the seed inspected, including the quantity, identification marks, and any other facts necessary to readily identify the lot. The inspector issuing the certificate must seal each sack or container of seed so certified with an official seal of a type specified by the director.

The board of supervisors of any county may establish a schedule of fees for certificates issued by the commissioner. Any schedule of fees established under the provisions of this section shall be based upon the approximate cost of inspecting, testing, and certifying such seed.

SEC. 51.3. Section 916.45 is hereby added to said code, to read as follows:

916.45. The director, by inspection or otherwise, upon the application of any person operating a seed testing laboratory, may investigate the facilities of such laboratory and may issue a certificate of approval to any laboratory which he finds to be properly equipped for making the tests required for determining whether any lot of seed conforms to the requirements of this article.

The director, by examination or otherwise, may pass upon the qualifications of seed analysts, and may issue a certificate of qualification to any person whom he finds to be qualified to make the tests required for determining whether any lot of seed conforms to the requirements of this article.

Any certificate issued under the provisions of this section may be modified, suspended, or revoked for cause."

Amendment No. 36

On page 12, line 12, of the printed bill, following "director", insert "and the commissioners"

Amendment No. 37

On page 12, line 37, of the printed bill, after "statements", insert "No prosecution shall be had for any violation relative to analysis unless the findings have first been verified by the State Seed Laboratory."

Amendment No. 38

On page 13 of the printed bill, strike out all of line 2, and insert "except for the purpose of relabeling, recleaning, or otherwise disposing of said lot under the specific direction of a proper enforcing".

Amendment No. 39

On page 13, line 8, of the printed bill, strike out "requirements", and insert "provisions".

Amendment No. 40

On page 13 of the printed bill, strike out all of lines 10 to 15, inclusive, and insert "may be seized by the director or the commissioner. The district attorney of the county in which any such nuisance is found, on the relation of the director or of any enforcing officer, shall maintain, in the name of the people of the State of California, an action to abate and prevent such nuisance; and upon the decree and by order of the court, such nuisance shall be condemned and destroyed, or released upon such conditions as the court in its discretion may impose to insure that the nuisance shall be abated

In actions arising under the provisions of this section, municipal courts shall have original jurisdiction where the value of the property seized amounts to two thousand dollars ($2,000) or less; justices' courts of Class A shall have original jurisdiction where the value amounts to one thousand dollars ($1,000) or less; and justices' courts of Class B shall have jurisdiction where the value amounts to three hundred dollars ($300) or less."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 9, line 19, of the printed bill, strike out the semicolon after "distributors"; and strike out "and", and insert ", and also shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to other distributors; provided, however, that such inter-distributor prices may differ from minimum prices for other types or methods of wholesale distribution."

Amendment No. 2

On page 9, line 34, of the printed bill, insert

"In all marketing areas wherein a stabilization and marketing plan now or hereafter designates or prescribes, or provides methods for designating or prescribing, prices for fluid milk, or the cream derived from such milk, sold or used for consumption as cream, the director shall designate or prescribe, or provide methods for designating or prescribing minimum wholesale prices and minimum retail prices for the cream derived from fluid milk sold or used for consumption as cream."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 463—An act to add Section 686.7 to the Vehicle Code, relating to designations on State-owned vehicles.

Motion to Amend

Mr. Allen moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "California, or of a similar seal of a particular State department or division, to be not less than 10 inches in diameter, below".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "three" and insert "one and one-half".

Amendment No. 3

On page 1, line 12, of the printed bill, strike out the period, and insert "nor to any State-owned vehicle which is so constructed that there is no plane surface upon which it would be practicable to place such seal and letters."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 6, of the printed bill, as amended, strike out the period, and insert "with the consent of the assignor."

Amendment No. 2

On page 3 of the printed bill, as amended, between lines 35 and 36, insert "The administrator, executor or guardian of the estate, or receiver, or assignee for the benefit of creditors, or trustee of the bankrupt estate of a licensee other than a retail licensee, may, after receiving the permission of the board, on such terms and conditions as the board shall prescribe, operate under the license issued to the licensee for whom such person is acting, pending transfer of such license to such person, for a period not exceeding 45 days. The terms and conditions upon which permission to operate under the provisions of this paragraph shall be granted, shall include the filing of an appropriate bond under the applicable provisions of this act conditioned upon the payment of all excise taxes, penalties and interest assessed against or imposed upon such persons arising out of this act in those cases in which such persons are liable for the payment of excise taxes, penalties and interest under the provisions of this act"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1299—An act to amend Sections 6.9, 24, 24.2, 24.3, 27, 33e, 34, 51 and 67.5 and to repeal 24.5, 24.7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24.1, 24.5, 24.6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "or by"

Amendment No. 2

On page 2, line 1, of the printed bill, as amended, strike out "common carriers on board boats and trains"

Amendment No. 3

On page 10, line 5, of the printed bill, as amended, strike out "user", and insert "taxpayer".

Amendment No. 4

On page 11, line 20, of the printed bill, as amended, strike out "report", and insert "return".

Amendment No. 5

On page 13, line 35, of the printed bill, as amended, strike out "retailer", and insert "taxpayer".

Amendment No. 6

On page 14, line 17, of the printed bill, as amended, after "car," insert "dining car".

Amendment No. 7

On page 16 of the printed bill, as amended, between lines 7 and 8, insert

"An excise tax is hereby levied on sales of distilled spirits made by common carriers on board boats and trains in California at the same rates as set forth in Section 24. On or before the first day of each month such common carriers shall forward to the board a verified report of the sales of distilled spirits made by such common carriers on board boats and trains in California in the calendar month preceding the previous calendar month, in such detail and form as the board may prescribe, together with a payment sufficient to pay the distilled spirits excise tax at the rate set forth in Section 24 on such sales made in said month."

Amendment No. 8

On page 16 of the printed bill, as amended, at the end of said bill, insert

"Nothing herein contained shall affect any liability for excise taxes imposed on sales of alcoholic beverages occurring prior to the effective date of this act."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 117—An act to repeal Section 2.464, 2.465, 6.383, and 6.384 of, to amend Sections 2.505, 3.301, and 4.250 of, and to add Sections 3.321, 3.322, 3.323, 3.324, and 3.325 to, the School Code, all relating to the payment of the costs of providing for the education of high school pupils not residing in a high school or unified school district.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, after "and", insert "the amount chargeable".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of line 26, and insert "preceding school year.
The total tuition".

Amendment No. 3

On page 2, line 28, of the printed bill, as amended, after "multiplying", insert "the resulting".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Gallagher, Garland and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Superior Court Judge Elmer Robinson of San Francisco.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John F. Dockweiler, District Attorney of Los Angeles County.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Adolf Camarillo, Bob Wright, Jr., and A. L. Drown, all of Ventura County.

On request of Mr. Gallagher and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the Saint Ives Law Club of the University of San Francisco, San Francisco: Jack M. O'Brien, Richard J. Fenton, Roy E. Esposto, Richard D. Blake, Jr., Vernon A. Capurro, Eugene S. Clifford, Paul C. Diebels, Richard W. Keegan, Don R Martinez, James M. McCabe Trude F. Spearman, Anthony J. Tarantino, Arthur C. Zief, Charles P. Carver, Raymond S. Cicerone, Eugene J. Dunn, Edward P. Flores, Mark L. Golden, Robert I. McCarthy, Eugene F. O'Meara, George F. Whelan, John M Trimbur, Edward J. Boessenecker, Russell Berti and George Cronin.

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Richvale Eighth Grade pupils, teacher, and parents: Leslie Anderson, Cecil Evans, Lawrence Grell, Frances Edwards, Mervin Parsons, Dorothy Lantz, Jack Reid, Eleanor Lofgren, Mrs. Arnold Lantz, and Mrs. Mildred Parsons, and Mr. Robert Luther, principal.

ADJOURNMENT

At 5.45 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Wednesday, April 30, 1941, out of respect to the memory of the late Thomas P. Scollan of Sacramento, and Judge Thomas D. Johnston of Contra Costa County.

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 30, 1941

The Assembly met at 1.30 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Cooke, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, McCollister, Meehan, Muddough, Miller, Pelletier, Plaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

Quorum present.

PRAYER

Upon invitation of the Speaker, prayer was offered by Dr. Kellems.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Welch.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Sawallisch, on motion of Mr. Hugh M. Burns.
Mr. Waters, on motion of Mr. Poulson.
Mr. Sam L. Collins, on motion of Mr. Evans.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 648	Assembly Bill No 743
Assembly Bill No 649	Assembly Bill No. 744
Assembly Bill No 651	Assembly Bill No 758
Assembly Bill No 734	Assembly Bill No 759
Assembly Bill No 735	Assembly Bill No 760
Assembly Bill No 736	Assembly Bill No 762
Assembly Bill No 737	Assembly Bill No 763
Assembly Bill No 738	Assembly Bill No. 764
Assembly Bill No 739	Assembly Bill No 765
Assembly Bill No 740	Assembly Bill No 770
Assembly Bill No 741	Assembly Bill No 1600

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No 911

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Financial Institutions, to which was referred Senate Bill No. 857

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER Your Committee on Labor and Capital, to which was referred: Assembly Bill No. 2458

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

PELLETIER, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1949

Has had the same under consideration, and reports the same back with the recommendation Do pass.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 941

MR. SPEAKER: Your Committee on Public Morals, to which were referred.

Assembly Bill No. 997
Assembly Bill No. 2590
Senate Bill No. 810

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 997

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER Your Committee on Unemployment, to which were referred:

Assembly Bill No. 1655
Assembly Bill No. 1654
Assembly Bill No 1657
Assembly Bill No. 1658
Assembly Bill No. 1659
Assembly Bill No. 1660
Assembly Joint Resolution No 49

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DESMOND, Chairman

Above reported bills ordered to second reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which was referred.

Assembly Bill No. 322

Has had the same under consideration, and reports the same back with the recommendation: Do pass

POOLE, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 43

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

THORP, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 2013
Senate Bill No. 480

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Bill No 106
Assembly Bill No 654
Assembly Bill No 733
Assembly Bill No 742
Assembly Bill No 754
Assembly Bill No. 755
Assembly Bill No 773
Assembly Bill No 1146
Assembly Bill No 1887

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 240
Assembly Bill No 463
Assembly Bill No 650
Assembly Bill No. 1020
Assembly Bill No 2581

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1271
Assembly Bill No 1514
Assembly Bill No. 1628
Assembly Bill No. 2244

And reports the same correctly re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 894
Assembly Bill No 1716

And reports the same correctly re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Agriculture, to which was referred

Assembly Bill No 2598

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Exhibitions and Fairs

WEYBRET, Chairman

Above reported bill re-referred to Committee on Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Agriculture, to which were referred,

Senate Bill No 728
Senate Bill No 792
Assembly Bill No 458

Has had the same under consideration, and reports the same back with the recommendation: Do pass

WEYBRET, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Agriculture, to which were referred

Assembly Bill No. 1112 Senate Bill No 530
Assembly Bill No. 1799 Senate Bill No 660

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

WEYBRET, Chairman

Above reported bills ordered to second reading

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Roads and Highways, to which were referred

Assembly Bill No. 670
Assembly Bill No 1836
Senate Bill No. 1003

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STREAM, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER. Your Committee on Roads and Highways, to which was referred

Senate Bill No 749

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Motor Vehicles, to which were referred

Assembly Bill No. 1626
Assembly Bill No 1289
Assembly Bill No. 1279

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MICHAEL J BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Roads and Highways, to which was referred

Assembly Bill No. 2495

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER Your Committee on Motor Vehicles, to which were referred

Assembly Bill No. 709
Senate Bill No. 1068
Senate Bill No. 444

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

MICHAEL J BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 894
Assembly Bill No. 2054

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 1338

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DESMOND, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 2601

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Governmental Efficiency and Economy.

STREAM, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 279—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 279?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Sections"

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "4075, 4076, 4077a and 4078 of".

Amendment No. 3

On page 1, lines 8 and 9, of the printed bill, strike out "the County of Los Angeles", and insert "counties".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 279 by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Watson, Weber Welch, Weybret, Wollenberg, and Mr. Speaker—51

NOES—None

Assembly Bill No 279 ordered enrolled.

COMMUNICATIONS

The following petition was received, and on motion of Mr Tenney, ordered printed in the Journal:

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 2,300 names from your respective districts, protesting against the passag * Senate Bill No 877.

Following is the tabulation:

	District	*Names*
Everett G. Burkhalter	42	44
C Don Field	43	52
John Pelletier	44	50
Tom J Doyle	45	54
Jack B. Tenney	46	57
Eleanor Miller	47	46
T. Fenton Knight	48	11
Lee T Bashore	49	23
Gerald C Kepple	50	68
F. Ray Bennett	51	111
Wm H. Poole	52	150
Frederick F. Houser	53	95
John B. Knight	54	33
Vernon Kilpatrick	55	39
Norris Poulson	56	95
Franklin J. Potter	57	131
Frank J. Waters	58	69
Chas W. Lyon	59	60
Jesse R. Kellems	60	20
Ernest O. Voigt	61	255
Augustus Hawkins	62	38
Don A. Allen	63	68
Roger A Pfaff	64	59
John W Evans	65	86
Jack Massion	66	99
Cecil R King	67	75
Vincent Thomas	68	55
Ralph C Dills	69	65
Lorne D. Middough	70	165
Fred N. Howser	71	12
Godfrey A Andreas	72	10
Frank C Russell	73	56
Nelson S. Dilworth	76	158

I, the undersigned member of The Retail Food Clerks' Union, Local No 770, American Federation of Labor, resident of Los Angeles County, do hereby petition you as a legislator and member of the Assembly of the State of California to vote—"NO" on Bill Number 877—"The Hot Cargo and Anti-Boycott"

REUBEN KLEIN, AND 2,300 OTHERS

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 207—An act to add Sections 2010, 2011 and 2012 to, and to amend Sections 2182 and 2183 of, the Welfare and Institutions Code, relating to the aged providing for the payment thereof,

and specifying the powers and duties of certain public officers and employees in connection therewith

Bill read second time, and ordered to third reading

Assembly Bill No. 946—An act to add Section 50 to the State Lands Act of 1938, to permit drilling of oil and gas wells under certain conditions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1887—An act making an appropriation in augmentation of the Revolving Fund of the Bureau of Printing, Department of Finance, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2342—An act to add Section 511.5 to the Vehicle Code, relating to speed limits.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2573—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Bill read second time, and ordered to third reading.

Assembly Bill No. 891—An act to amend an act of the Legislature approved April 27, 1923, conveying certain lands of the State to the City of Coronado, to correctly describe the boundaries of such lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

Strike out the title of the printed bill, as amended, and insert

"An act relating to certain tidelands and submerged lands conveyed to the City of Coronado by "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, ratifying and approving the description of such lands and declaring the legislative interpretation of said act."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 11 to 17, inclusive; and on page 2, strike out lines 1 to 48, inclusive, and insert

"SECTION 1. The description of those certain tidelands and submerged lands heretofore conveyed to the City of Coronado by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, is hereby ratified, confirmed and declared to be as follows ".

Amendment No. 3

On page 3, line 24, of the printed bill, as amended, strike out "09' ", and insert '49' ".

Amendment No. 4

On page 3 of the printed bill, as amended, strike out lines 36 to 42, inclusive, and insert

"SEC. 2 The Legislature hereby declares that it is not the intention of the Legislature either under the act cited in the title hereof or any act amendatory or supplemental thereof, or under this act, to grant to or vest in the City of Coronado any

of the minerals or oil and gas contained in any of said tidelands and submerged lands as described in the act cited in the title hereof or as described in this act"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 20 of the printed bill, as amended, strike out line 16, and insert "infestations or infections, the making of inspections, or"

Amendment No. 2

On page 20, line 21, of the printed bill, as amended, strike out "infestation", and insert "infection"

Amendment No. 3

On page 21, line 1, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment No. 4

On page 23, line 27, of the printed bill, as amended, after "to", insert "operators and".

Amendment No. 5

On page 26, line 4, of the printed bill, as amended, after "with", strike out "the".

Amendment No. 6

On page 26 of the printed bill, as amended, strike out lines 13 to 16, inclusive.

Amendment No. 7

On page 26, line 17, of the printed bill, as amended, strike out "(f), and insert "(e)".

Amendment No. 8

On page 26, line 20, of the printed bill, as amended, strike out "(g)", and insert "(f)"

Amendment No. 9

On page 26, line 21, of the printed bill, as amended, after "have", insert "resided in the State of California for at least one year immediately preceding the date of the application and who have"

Amendment No. 10

On page 26, line 24, of the printed bill, as amended, strike out "(h)", and insert "(g)".

Amendment No. 11

On page 26 of the printed bill, as amended, strike out lines 50 and 51

Amendment No. 12

On page 27, line 1, of the printed bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 13

On page 27, line 5, of the printed bill, as amended, after "have", insert "resided in the State of California for at least one year immediately preceding the date of the application and who have"

Amendment No. 14

On page 27, line 8, of the printed bill, as amended, strike out "(g)", and insert "(f)".

Amendment No. 15

On page 28, line 7, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment No. 16

On page 29, line 19, of the printed bill, as amended, strike out "October 1,", and insert "January 1, 1942".

Amendment No. 17

On page 29, line 20, of the printed bill, as amended, strike out "1941".

Amendment No. 18

On page 30, line 13, of the printed bill, as amended, after "registrar", insert ", within 30 days,".

Amendment No. 19

On page 30, line 15, of the printed bill, as amended, after "without", insert "such".

Amendment No. 20

On page 30 of the printed bill, as amended, strike out lines 18, 19 and 20.

Amendment No. 21

On page 30, line 27, of the printed bill, as amended, strike out "license", and insert "registration".

Amendment No. 22

On page 31, line 27, of the printed bill, as amended, strike out "license", and insert "registration".

Amendment No. 23

On page 32, line 52, of the printed bill, as amended, strike out "examination", and insert "review".

Amendment No. 24

On page 33, line 2, of the printed bill, as amended, strike out "examination", and insert "review".

Amendment No. 25

On page 33 of the printed bill, as amended, strike out lines 20 to 24, inclusive, and insert "sions, or of the Safety Laws, Labor Laws or Compensation Insurance Laws of the State is a ground for disciplinary action."

Amendment No. 26

On page 35 of the printed bill, as amended, strike out lines 24 to 31, inclusive, and insert

"Operator's examination	$10.00
Original operator's license	5.00
Renewal operator's license	15.00
Original branch office registration	5.00
Renewal branch office registration	5.00
Field representative's examination	5.00
Original field representative's license	2.50
Renewal field representative's license	5.00
Duplicate license	1.00
Change of name	.50".

Amendments read and adopted.

Bill ordered reprinted and re-re-engrossed.

Assembly Bill No. 368—An act to amend Sections 7301, 7303, 7314, 7315, 7393 and 7400 of, and to add Sections 7385, 7414 and 7417 to, the Business and Professions Code, relating to the practice, the training for, and the government of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 3, line 10, of the printed bill, as amended, strike out "communicable", and insert "contagious".

Amendment No. 2

On page 3, line 17, of the printed bill, as amended, after "in", and before "50", insert "at least".

Amendment No. 3

On page 3, line 18, of the printed bill, as amended, after "acid," and before "4", insert "at least".

Amendment No. 4

On page 3, line 22, of the printed bill, as amended, strike out "unless and until", and insert "until cleaned and".

Amendment No. 5

On page 4, line 49, of the printed bill, as amended, after "work", insert "The board may establish a schedule of maximum costs of materials beyond which a school shall not charge without proof that its actual costs are in excess thereof."

Amendment No. 6

On page 5, line 4, of the printed bill, as amended, strike out "approved schools", and insert "licensed private schools of cosmetology approved by the board and to graduates of courses in cosmetology given by public schools."

Amendment No. 7

In line 1 of the title of the printed bill, as amended, after "7315," insert "7373,"

Amendment No. 8

On page 3 of the printed bill, as amended, between lines 4 and 5, insert

"SEC. 4.5. Section 7373 of said code is hereby amended to read as follows

7373. Every applicant for a license as a hairdresser and cosmetician or cosmetologist satisfactorily passing the examination conducted by the board to determine his fitness to engage in the practice of the occupations of a hairdresser and cosmetician or cosmetologist, shall receive from the board a certificate of registration and license as a hairdresser and cosmetician or cosmetologist

This license, except for renewal fees entitles the holder, without additional cost, to engage in the practice of the occupations of a hairdresser and cosmetician or cosmetologist upon the public under the immediate personal supervision of a licensed hairdresser and cosmetician or cosmetologist *manager-operator* for a period of one year. During this period, the licensee shall not be entitled to manage a cosmetological establishment nor to engage in the practice of cosmetology independent of the supervision of a licensed hairdresser and cosmetician or cosmetologist *manager-operator*.

At the end of the period *upon satisfactory proof that the applicant has had the practice as provided in this section* the board shall issue without examination a certificate of registration and license as a hairdresser and cosmetician or cosmetologist and designating the holder as a manager-operator."

Amendment No. 9

On page 4, line 49, of the printed bill, as amended, strike out "No student, who is"; and strike out all of lines 50 and 51.

Amendment No. 10

In line 1 of the title of the printed bill, as amended, strike out "7303, 7315,".

Amendment No. 11

On page 2 of the printed bill, as amended, strike out all of lines 10 to 52, inclusive; and on page 3, strike out lines 1 to 4, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1124—An act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil, approved March 10, 1891,' approved March 23, 1893," relating to imitation olive oil.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 11 of the title of the printed bill, as amended, strike out "and manufacturers", and insert ", manufacturers and distributors".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 13 to 18, inclusive, and insert

"(a) The term "imitation olive oil" shall mean the mixture of any edible oil with olive oil; or any edible oil artificially colored or flavored to resemble olive oil."

Amendment No. 3

On page 2, line 20, of the printed bill, as amended, strike out ", mature".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 29 to 37, inclusive; and in line 38, strike out "(c)", and insert "SEC. 4."

Amendment No. 5

On page 2, line 42, of the printed bill, as amended, strike out "(d)".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 51 and 52, and insert "(c) Designation as olive oil."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2484—An act to amend Section 20820 of the Business and Professions Code, relating to the sale and distribution of gasoline or other motor fuel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Oil Industries:

Amendment No. 1

On page 1, line 12, of the printed bill, after "at", strike out "a", and insert "any"

Amendment No. 2

On page 1, line 12, of the printed bill, after "price", strike out "less", and insert "other."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 49—An act to add Chapter 4 to Division 3 of the Agricultural Code, comprising Sections 440 to 446, relating to pure-bred animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 5, line 38, of the printed bill, strike out "register", and insert "record".

Amendment No. 2

On page 6 of the printed bill, strike out all of line 34, and insert "shivering); stringhalt; bone spavin; ringbone; sidebone; navic-".

Amendment No. 3

On page 6 of the printed bill, strike out all of line 38, and insert "stallions registered with him; said stallions to be recorded".

Amendment No. 4

On page 7, line 13, of the printed bill, strike out "the registration of", and insert "recording".

Amendment No. 5

On page 7, line 49, of the printed bill, strike out "act", and insert "article".

Amendment No. 6

On page 8, line 2, of the printed bill, strike out "and sole".

Amendment No. 7

On page 8, line 6, of the printed bill, strike out "act", and insert "article".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 902—An act to amend Section 318 of the Agricultural Code, relating to artificial coloring of meat products and casings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 11, of the printed bill, after "comminuted", strike out the period, and insert a semicolon, and insert "provided such transparent or semitransparent casings shall not have an amber or smoked color of such shade, degree or intensity as to give a false impression with respect to smoking or degree of smoking of the meat or product."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 37—An act granting certain submerged lands and tidelands of the State of California to the City and County of San Francisco, including the management, use and control thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to transfer to the City and County of San Francisco a surface easement over certain tidelands and submerged lands and to define the powers and responsibilities of the City and County of San Francisco over such lands."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and insert

"SECTION 1. There is hereby transferred to the City and County of San Francisco a surface easement over the hereinafter described tidelands and submerged lands, whether filled or unfilled, for the uses and purposes and subject to the conditions, as follows.

(a) That said lands shall be used by the city and county only for the establishment, and improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other structures and appliances necessary or convenient for the promotion and accommodation of commerce and for the promotion of industrial development;

(b) That the city and county shall not grant, convey, give, or alien said lands or any portion thereof to any individual, firm or corporation;

(c) That the city and county may grant franchises over said lands for terms not in excess of 50 years for uses specified in "(a)" hereof;

(d) That any harbor now or hereafter constructed upon said lands shall always remain a public harbor for all purposes of commerce and navigation, and the State of California at all times, hereby reserves the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any portion thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California;

(e) That in the management, conduct or operation of the harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges, or in facilities for any use or service in connection therewith shall

ever be made, authorized or permitted by the city and county or those holding under the city and county;

(f) That there is hereby reserved to the people of the State of California the absolute right to fish over said lands with the right of convenient access to said lands for such purposes;

(g) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city and county;

(h) That the lands hereinafter described shall at all times be available without cost to the State of California for highway purposes, except that in the event improvements have been placed upon lands or any portion thereof utilized by the State for highway purposes, compensation shall be paid for the value of the improvement or any interest therein taken."

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SEC. 2. The lands to which reference is hereinbefore made are described as follows:

Those certain tide and submerged lands of San Francisco Bay and arms thereof included within that portion of the City and County of San Francisco described as follows:

Beginning at the intersection of the Pierhead Line with the northerly line of Mendell Street extended due east from the point at which the northerly line of Mendell Street intersects the southwesterly line of Arthur Avenue (formerly First Avenue South), thence westerly along such northerly line of Mendell Street extended due east to the southwesterly".

Amendment No. 4

On page 3 of the printed bill, strike out line 24, and insert "of the City and County of San Francisco; thence easterly along said southerly boundary line of the City and County of San Francisco to the point at which the southerly boundary line intersects the Pierhead Line; thence northerly along said Pierhead Line to the point of commencement."

Amendment No. 5

On page 3 of the printed bill, strike out lines 25 to 52, inclusive, and strike out all of page 4.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1925—An act to amend Section 451 of the Agricultural Code, relating to dairies and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "451", and insert "496".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "451", and insert "496".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 6, and insert "496. For the purpose of this division "approved milk inspection" ".

Amendment No. 4

On page 1, line 16, of the printed bill, strike out "458 1", and insert "498"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1650—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Irrigation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "57", and insert "48.2".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the government of irrigation districts", and insert "property sold or deeded to irrigation districts for delinquent assessments".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "57", and insert "48.2".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and insert

"SEC. 48.2. The provisions of Sections 47.1 and 48.1 *relating to the time for commencing or prosecuting an action, suit or proceeding or maintaining any defense, counterclaim or crosscomplaint or answer thereto* do not apply in the following cases:

(a) Where the assessments or taxes for which the land was sold or the certificate issued were paid before the sale.

(b) Where the land was redeemed after the sale.

(c) Where the land was not subject to assessment or taxation at the time it was assessed.

(d) Where no taxes or assessments were due on the land at the time of sale.

(e) Where fraud is established.

(f) Where the deed is void on its face.

(g) Where the owner of the land is, at the time of the sale, a minor or insane person, in which case the statute of limitations begins to run when such disability is removed.

[(h) In any other case where there is a total lack of jurisdiction to make the sale or the deed.]"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1625—An act to establish a medical and dental program for persons receiving public assistance from the public moneys of this State; establishing a bureau for the administration thereof and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, lines 31 and 32, of the printed bill, as amended, strike out "This chapter is cumulative to any other provision of law for medical and dental care and hospitalization."

Amendment No. 2

On page 5, line 51, of the printed bill, as amended, after "personnel.", insert "Not more than 10 per cent of the money available for expenditure under this chapter shall be expended for the salaries of persons who are not directly engaged in rendering medical, dental or nursing care."

Amendment No. 3

On page 6, line 13, of the printed bill, as amended, after "salary", insert "at an amount not to exceed six thousand dollars ($6,000) per year".

Amendment No. 4

On page 6, line 22, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment No. 5

On page 6, line 27, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment No. 6

On page 7, line 42, of the printed bill, as amended, after "centers", insert "and, where necessary and otherwise not provided, transportation to and from such places of service and treatment".

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1000—An act making an appropriation for purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements, and equipment thereat.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for the purchase of land for", and insert "to add Section 7051.5 to and to repeal Chapter 5, comprising Sections 7200 to 7213, inclusive, of Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment of a State institution for defective and psychopathic delinquents in place of the State Narcotic Hospital, and to make an appropriation therefor"

Amendment No. 2

In the title of the printed bill, strike out lines 2 to 4, inclusive.

Amendment No. 3

On page 1, line 1, of the printed bill, after "SECTION 1", insert "Section 7051.5 is hereby added to the Welfare and Institutions Code, to read as follows:

7051.5. A State institution for defective and psychopathic delinquents to be known as the Spadra State Hospital for the care and treatment of defective and psychopathic delinquents, is hereby established on the grounds and in the buildings now occupied by the State Narcotic Hospital.

The institution shall be governed and administered by the same superintendent and staff as the Pacific Colony.

SEC. 2."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "Two hundred fifty thousand dollars ($250,000) for the purposes of this act, including construction, operation, and maintenance.

SEC. 3. Chapter 5, comprising Sections 7200 to 7213, inclusive, of Part 4 of Division 6 of the Welfare and Institutions Code, is hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on State Grounds and Parks:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Beaches", and insert "Beach Erosion Control"

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "Beaches", and insert "Beach Erosion Control".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "the acquisition, the protection," and insert "the protection".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "Beaches", and insert "Beach Erosion Control".

Amendment No. 5

On page 1, line 8, of the printed bill, after "Beach", insert "Erosion Control".

Amendment No. 6

On page 1, line 11, of the printed bill, after "Beach", insert "Erosion Control".

Amendment No. 7

On page 1, line 13, of the printed bill, after "Beach", insert "Erosion Control".

Amendment No. 8

On page 1, line 17, of the printed bill, after "Beach", insert "Erosion Control".

Amendment No. 9

On page 2 of the printed bill, strike out lines 3 and 4, and insert

"4 To review plans and to issue permits for all structures on all tide and submerged lands in the State, to hold hearings where necessary".

Amendment No. 10

On page 2, line 6, of the printed bill, after "litigation", insert ", to make such rules and regulations as may be necessary for carrying out the provisions of this act, and to fix fees for permits sufficient to cover the cost of the issuance thereof".

Amendment No. 11

On page 2, line 11, of the printed bill, after "act", insert "and to act in an advisory capacity on beach erosion and development matters where such advice is requested by political subdivisions of the State".

Amendment No. 12

On page 2, line 18, of the printed bill, strike out "Beaches", and insert "Beach Erosion Control".

Amendment No. 13

On page 2 of the printed bill, after line 20, insert

"SEC. 5 If any provision of this act, or its application to any person or circumstance, is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 420—An act to add Chapter 3, comprising Sections 2700 to 2766, inclusive, to Division 4 of the Welfare and Institutions Code, relating to resettlement, and making an appropriation.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 3 of the printed bill, after line 14, insert

"SEC. 3 There is hereby created the Resettlement Finance Committee composed of the Superintendent of Public Instruction, the Director of Military and Veterans'

Affairs, and the Director of Agriculture, who shall be the chairman, all of whom shall serve without compensation and the majority of whom are empowered to act for said committee. The Attorney General shall be the legal advisor of said committee.

For the purposes of creating a fund to accomplish the purposes of this act the Resettlement Finance Committee herein created shall be and is hereby authorized and empowered to create a debt or debts, liability or liabilities of the State of California to be evidenced by bonds the par value of which in the aggregate shall not exceed the sum of thirty million dollars ($30,000,000).

The Resettlement Finance Committee shall have the same power and shall perform the same duties and be subject to the same restrictions with regard to and under this Resettlement Act and its purposes as the Veterans' Welfare Finance Committee has and is subject to with regard to and under the Veterans' Welfare Bond Act of 1933.

The bonds issued under this act shall be issued by the Resettlement Finance Committee in accordance with the same procedure and in the same form as the bonds authorized to be issued by the Veterans' Welfare Finance Committee under Chapter 686, Statutes of 1933, known as the "Veterans' Welfare Bond Act of 1933." And the proceedings relative to the issuance, sale and payment of bonds provided for by said Veterans' Welfare Bond Act of 1933 shall apply in full force and effect and in all respects to the issuance, sale and payment, respectively of the bonds issued hereunder, except that with respect to the bonds issued hereunder the powers conferred on the Veterans' Welfare Finance Committee by the said Veterans' Welfare Bond Act of 1933 are hereby conferred upon and are to be exercised by the Resettlement Finance Committee.

SEC. 4. The Governor, the State Treasurer, the Board of Control and the Veterans' Welfare Board shall each exercise the functions with regard to the bonds issued under this act that are conferred upon them respectively as to bonds issued under the Veterans' Welfare Bond Act of 1933.

SEC. 5. This act, if adopted by the people, shall take effect on the fifteenth day of November, 1942, as to all its provisions except those relating to and necessary for its submission to the people, and for returning, canvassing, and proclaiming the votes, and as to said excepted provisions this act shall take effect immediately.

SEC. 6. This act shall be submitted to the people of the State of California for their ratification at the next general election, to be held in the month of November, 1942, and all ballots at said election shall have printed thereon and in a square thereof, the words, "For the Resettlement Act," and in the same square under said words the following in brevier type: "This act provides for a bond issue of thirty million dollars ($30,000,000) to be used by the Veterans' Welfare Board for resettlement of California War Veterans." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the Resettlement Act," and in the same square immediately below said words, "Against the Resettlement Act," in brevier type shall be printed "This act provides for a bond issue of thirty million dollars ($30,000,000) to be used by the Veterans' Welfare Board for resettlement of California War Veterans." Opposite the words "For the Resettlement Act" and "Against the Resettlement Act," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words "For the Resettlement Act" and those voting against the said act shall do so by placing a cross opposite the words "Against the Resettlement Act." The Governor of this State shall include the submission of this act to the people, as aforesaid, in his Proclamation calling for said general election.

SEC. 7. The votes cast for or against this act shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for State officers; and if it appear that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrepealable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

SEC. 8. It shall be the duty of the Secretary of State in accordance with law to have this act published in at least one newspaper in each county, or city and county, if one be published therein, throughout this State, for three months next preceding the general election to be held in the month of November, 1942, the costs of publication shall be paid out of the General Fund, on Controller's warrants duly drawn for that purpose and shall be refunded to the General Fund out of the Resettlement Act Fund which is hereby created in the State Treasury, and into which shall be paid the proceeds of the sale of the bonds herein authorized. Said refund shall be made upon Controller's warrants duly drawn against said fund for said purpose upon demands audited by the State Board of Control.

SEC. 9. The sum of_____dollars ($_____) is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay the expenses that may be incurred by the State Treasurer in

preparing the bonds herein provided for and of advertising their sale Said amount shall be refunded to the General Fund in the State Treasury out of the specific funds into which the proceeds of said bonds shall be respectively covered.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1511—An act to add Section 32.5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance brokers

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 25, of the printed bill, as amended, strike out the period, and insert ", while lawfully acting for a life insurer as its agent"

Amendment No. 2

On page 1 of the printed bill, as amended, after line 27, insert

"(d) An officer or employee of any bank or trust company who receives no compensation from sources other than the bank or trust company for activities connected with his employment, which would otherwise subject him to this article."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 27 to 32, inclusive, and insert

"(b) Has a thorough knowledge of life insurance"

Amendment No. 4

On page 2, line 33, of the printed bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 5

On page 2, line 38, of the printed bill, as amended, strike out "(e)", and insert "(d)".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 43 to 46, inclusive; and in line 47, strike out "(h)", and insert "(e)".

Amendment No. 7

On page 2, line 49, of the printed bill, as amended, strike out "(i)", and insert "(f)".

Amendment No. 8

On page 3, line 1, of the printed bill, as amended, strike out "(j)", and insert "(g)".

Amendment No. 9

On page 3, line 4, of the printed bill, as amended, strike out "(k)", and insert "(h)".

Amendment No. 10

On page 3 of the printed bill, as amended, between lines 4 and 5, insert

"1720.055. The commissioner may decline to issue a license if an applicant

(a) Has been refused a license or had a license revoked by any public authority for reasons which indicated lack of honesty or integrity or which showed improper business practice on the part of the applicant

(b) Has been convicted of a misdemeanor or felony denounced by this code or one of the elements of which involved the misappropriation of money or property.

(c) Has committed an act forbidden by this code"

Amendment No. 11

On page 3, lines 6 and 7, of the printed bill, as amended, strike out "(j) and (k)", and insert "(g) and (h)".

Amendment No. 12

On page 3, line 18, of the printed bill, as amended, strike out "the".

Amendment No. 13

On page 3, line 19, of the printed bill, as amended, strike out "business".

Amendment No. 14

On page 3 of the printed bill, as amended, strike out lines 25 to 38, inclusive, and insert "two thousand dollars ($2,000) Such bond shall be continuous in form and the total aggregate liability on such bond shall be limited to the amount of the penalty of the bond.

The bond shall indemnify any person who may be damaged by any fraudulent act or conduct of the licensee in connection with his activities as a life insurance analyst and shall be conditioned upon the faithful accounting and application of all moneys coming into his possession in connection with his activities as a life insurance analyst."

Amendment No. 15

On page 4, line 4, of the printed bill, as amended, strike out "broker", and insert "insurance analyst".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 538—An act to add Section 628 to the Vehicle Code, relating to lighting equipment for revealing hand signals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "motor truck equipment for signaling turns, stops and sudden decreases of speed."

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert "628. No new motor truck may be sold or registered in this State on or after January 1, 1942, nor may any person operate any new motor truck sold as a new motor truck on or after such date, unless such vehicle is equipped with an electrical or mechanical device for signaling turns, stops, and sudden decreases of speed, of a type approved by the department."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1387—An act relating to contracts on behalf of the State, counties, cities, districts, and school districts in relation to the erection, construction, alteration, painting, decorating, repair or improvement of any State, county, city, district, or school district structure, building, road or improvement of any kind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "painting, decorating,".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "private contractors", and insert "the letting of a contract to the lowest responsible bidder after the receipt of bids on a competitive basis".

Amendment No. 3

On page 1, line 8, of the printed bill, following "provided", insert "If in the opinion of the public officer, board, or commission, in control of such project the acceptance of the lowest responsible bid or bids shall not be for the best interests of the State or the public agency concerned it shall be lawful to reject all bids and again advertise for others in the manner herein provided or all bids may be rejected and the work be performed by days labor. If the work is to be performed by day labor after rejection of bids, due notice of such intention must be given by the publication thereof for a period of at least one week in a newspaper of general

circulation in the county within which such work is to be carried out. Within 60 days after the completion of any project carried out by days labor as herein provided it shall be the duty of the public officer, board, commission, or public agency concerned to file a complete statement of the cost of such project in the office of the county clerk of the county in which the work was performed. A similar statement of final costs must be filed on any project estimated to cost less than two thousand five hundred dollars ($2,500) which is carried out by days labor and on all day labor projects the public officer, board, or commission responsible therefor must keep a full true and correct record of all costs on such project which shall be open and available to public inspection at all times. Such statement of costs shall be in substantial conformity with the requirements of Chapter 448, Statutes of 1923."

Amendment No. 4

On page 1, line 13, of the printed bill, strike out lines 13 to 20, inclusive, and insert "Section 4 and 5 of the State Contract Act This limitation shall not apply in cases of emergency caused by fire, flood, or danger to life or property, or any work upon Military or Naval Defense works in time of war."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1623—An act to amend School Code Section 6.1, relating to the public school system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6 1", and insert "1 32".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "the".

Amendment No. 3

In the title of the printed bill, strike out all of line 2, and insert "pupils."

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "6.1", and insert "1 32".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 3 to 6, both inclusive, and insert in lieu thereof the following:

"1.32. Continued wilful disobedience, open and persistent defiance of the authority of the teacher, habitual profanity or vulgarity, or smoking cigarettes or having cigarettes upon school premises, constitute good cause for suspension or expulsion from school.

Notwithstanding anything in this section to the contrary, the governing board of any school district maintaining a junior college which is not housed in the same building or buildings with any elementary school or high school may, subject to such rules and regulations as the board may adopt, permit the smoking and possession of cigarettes on the premises of such junior college."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 305—An act to add Section 479 to the Vehicle Code, relating to signs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "signs which would interfere with "stop" or "go" or".

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 and 7.

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 58—An act to add Sections 622.5 and 692.6 to the Agricultural Code, relating to the manufacture and sale of frozen products of milk in quantities less than one gallon.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Donnelly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 32, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relative to approving certain amendments to the charter of the City of Modesto, County of Stanislaus, State of California, voted for and ratified by the electors of said City of Modesto, at a general municipal election held therein on the eighth day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burns, Michael J., Call, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 577—An act to amend Sections 5510, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5556, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601 and 5602, to repeal Sections 5511, 5512, 5513 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 577?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "5510," and before "5514", insert "5513,".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, strike out ", 5513".

Amendment No. 3

On page 1 of the printed bill, as amended, between lines 6 and 7, insert "SEC. 1.5. Section 5513 of the said code is hereby amended to read as follows: 5513. [The] Northern [district] *California* consists of all that portion of the State north of the northerly lines of the Counties of San Luis Obispo, Kern and San Bernardino and [the] Southern [district] *California* consists of all that portion of the State south of the northerly lines of these three counties."

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 3 and 4, and insert "5515."

Amendment No. 5

On page 2, lines 29 and 30, of the printed bill, as amended, strike out "The secretary shall also act as treasurer."

Amendment No. 6

On page 5, line 28, of the printed bill, as amended, strike out "secretary of the board", and insert "department".

Amendment No. 7

On page 5, line 30, of the printed bill, as amended, strike out "on the first day of April following", and insert "thereafter".

Amendment No. 8

On page 5 of the printed bill, as amended, strike out lines 31, 32 and 33 and insert "If the annual license fee is not paid before it becomes delinquent, a penalty of three dollars ($3) shall be added to the amount thereof. If the annual license fee is not paid, together with any penalties due thereon, on or before the thirtieth day of June in the year in which it becomes due, the architect's certificate shall be automatically suspended and can only be reinstated by filing a new application with the board."

Amendment No. 9

On page 5, line 34, of the printed bill, as amended, strike out "secretary", and insert "department".

Amendment No. 10

On page 5, line 40, of the printed bill, as amended, strike out "On the last day", and insert "Within 10 days after the beginning".

Amendment No. 11

On page 5, line 41, of the printed bill, as amended, strike out "secretary", and insert "department for the month preceding".

Amendment No. 12

On page 6, line 10, of the printed bill, as amended, strike out ", 5513".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 577 by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M. Burns, Michael J., Call, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 577 ordered enrolled.

Hon. Arthur W. Carlson Presiding

At 1:50 p.m., Hon. Arthur W. Carlson, member of the Assembly from the Sixteenth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Dills:

House Resolution No. 168

WHEREAS, Miss Gloria Theod, 15-year-old Lynwood High School student, won first place in the National junior division of the contest sponsored by the National

Unity Essay Contest Committee upon the subject "Why National Unity Is Important in My Country", and

WHEREAS, Miss Marjorie Fraedrich, also of Lynwood High School, won first place in the State senior division of the essay contest on the same subject; and

WHEREAS, Miss Josephine Hunt, an Enterprise High School student won first place in the nineteenth district in the American Legion Auxiliary Americanism Essay Contest and first honorable mention in the State contest with her essay "American Citizenship—Its Advantages and Obligations"; and

WHEREAS, In times of world crisis such as these, consideration of the subjects of National unity and of American citizenship is of the utmost importance; and

WHEREAS, The high places which these girls attained in their respective contests are indications of their intelligence and patriotism and of that of their parents and teachers; and

WHEREAS, Both of the schools which they attend are in the Compton Union Secondary School District; now, therefore, be it

Resolved by the Assembly of the State of California, That Miss Gloria Theod, Miss Marjorie Fraedrich, and Miss Josephine Hunt be hereby congratulated upon the places they have attained in their respective contests and upon their intelligence and patriotism; and be it further

Resolved, That the parents and teachers be also congratulated upon the showing of these girls, and be it further

Resolved, That the Chief Clerk of this Assembly be hereby instructed to forward suitably prepared copies of this resolution to Miss Gloria Theod, Miss Marjorie Fraedrich and Miss Josephine Hunt and to the principals of Lynwood High School and Enterprise High School

Request for Unanimous Consent

Mr. Dills asked for, and was granted, unanimous consent to take up House Resolution No 168, at this time, without reference to committee.

Resolution read and adopted unanimously

REMARKS

The following remarks were read by Mr. Dills, and, on motion of Messrs. Robertson and Tenney, ordered printed in the Journal:

Remarks by Mr. Dills

Mr. Speaker and Members of the Assembly

I am possessed today of such deep and conflicting emotions that lest I become too talkative, I have put my thoughts to writing

It is with great sadness that I call your attention to the ugly fact that the Swastika floats atop the Greek Acropolis. The symbol of brutal aggression is waving from the rocky crags where the Goddess Athena once dwelt in that perfect edifice, the Parthenon.

The roar of tanks and other machines of destruction can be heard in the city where Socrates, Plato, and Aristotle lived and gave of their great wisdom The ruins of structures where Pericles, and Solon helped to fashion the first democracy, now are under the control of conquering hordes whose actions belie their faith in the wisdom and goodness of the common man

These facts I could not dismiss from my mind at any time during these past few days Then, by a strange coincidence, there arrived in the mail, my local newspapers, themselves symbols of American freedom, upon the pages of which I read of events that gladden the heart. For they tell of the honors that have come to three young ladies whose essays on American citizenship and National unity have won just recognition.

The papers tell of the daughter of a Greek immigrant with two brothers in the Greek Army, the youthful Gloria Theod, whose essay on "Why National Unity Is Important in My Country" has won first place in National competition. They tell of her classmate, Marjorie Fraedrick, who won first place in the State essay contest on the same subject They tell, also, of Josephine Hunt, whose essay on "American Citizenship—Its Advantages and Obligations" has won first place in the Nineteenth District American Legion Auxiliary Americanism Essay Contest and first honorable mention in the State.

This news heartens me, for my intimate connection with school children convinces me that these are not just isolated cases but rather are common examples of what our young people are thinking They are examples of the studied opinion of our young Americans regarding the advantages of living in this great land.

So long as there are parents and teachers and young people such as these, our Country, I am sure, will be able to meet any demands made upon it.

I have joined eagerly with you, Mr Speaker, and the other Members of the Assembly, in welcoming school children to our Capitol. Only distance prevents the young people of my district from the experience of seeing our State Government at work. I, therefore, ask you to join with me in honoring these young ladies, their parents and teachers by adopting this resolution

REQUEST FOR UNANIMOUS CONSENT

Mr. Weybret asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 31, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 31

Senate Concurrent Resolution No. 31—Approving five certain amendments to the charter of the City of San Luis Obispo, in the County of San Luis Obispo, State of California, voted for and ratified by the electors of said city at an election held therein on the seventh day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2015—An act to amend Section 72 of the Agricultural Code, relating to the Division of Exhibits in the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

Motion to Pass on File

The hour having arrived, Mr Millington moved that the consideration of Assembly Bill No. 1800 be passed on file.

Motion to Set Special Order

Mr. Millington moved that Assembly Bill No 1800 be made a special order of business for Thursday, May 1, 1941, at 1.30 p.m.

Motion carried unanimously.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 425 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 425 was passed.

Assembly Bill No. 425 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1163—An act to amend School Code Sections 3.122 and 3.172, relating to the admission of pupils to public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight and equipment upon vehicles.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 4 and 5, and insert "construction or maintenance equipment, but such special mobile equipment and highway construction or maintenance equipment shall not exceed a width of 120 inches"

Amendment No. 2

On page 2, line 25, of the printed bill, as amended, after the period, insert "The limitations of Sections 697 and 698 hereof as to height and length of vehicles shall not apply to implements of husbandry incidentally operated or moved over a highway."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2072—An act to add Section 444 to the Vehicle Code, relating to persons operating parking lots for motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1238—An act relating to marking retreaded, recapped and regut vehicle tires

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1832—An act to amend Section 9918 of the Elections Code, and Sections 852 and 858 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the time of canvassing of votes in municipal elections, and providing for the meeting of municipal legislative bodies for that purpose.

Bill read third time

The roll was called, and the bill passed by the following vote·

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Ptaff, Phillips, Poole, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 698—An act to add Section 19123 to the Health and Safety Code, to add Article 2a to Chapter 2, Part 3, Division 3 of said code, consisting of Sections 19130 to 19138, inclusive, and to amend Section 19170 of said code, relating to requirements for earthquake protection in the design and construction of buildings, including the enforcement thereof, the securing of building permits, and the violation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser Frederick F., Johnson Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—63

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF SENATE BILLS

Senate Bill No. 729—An act to amend Sections 794 and 828.2 of the Agricultural Code, relating to cherries.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—67.

The roll was called, and the bill passed.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—67.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1490—An act to amend Section 19 of the "Assessment Bond Refunding Act of 1933."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1491—An act to amend Sections 27 and 76 of the "Improvement Act of 1911," and to amend Sections 5398 and 6590 of the Streets and Highways Code, relating to certification of delinquencies to tax collector.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream,

Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1893—An act to amend Sections 2, 6, 6a, 14 and 18 of the California Agricultural Products Marketing Act of 1937, relating to definitions contained in such act, terms and conditions of agreements and orders issued under such act, powers of committees appointed under such agreements and orders, and enforcement of such agreements and orders, and continuing existence of agreements and orders executed or issued prior to effective date of Chapter 910, Statutes of 1937, and declaring this act to be an urgency measure, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 1288.
Assembly Bill No. 1693.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No 530
Assembly Bill No. 531.
Assembly Bill No. 532
Assembly Bill No 717.
Assembly Bill No. 2584.
Assembly Bill No. 2538
Assembly Bill No 1078
Assembly Constitutional Amendment No. 59.

LEAVES OF ABSENCE

The following member was granted leave of absence for the balance of this legislative day

Mr Lowrey, on motion of Mr. Gunlock.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1052—An act to amend School Code Section 2.85, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 56—An act to add Section 305 to the Political Code, relating to disqualification for State compensation and employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 58—An act to amend Section 6067 of, and to add Section 6103.5 to, the Business and Professions Code, relating to attorneys at law, specifying the contents of the oath on admission, and providing additional causes for suspension and disbarment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, King, Knight, John B, Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney,

Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—67.
NOES—Pelletier, and Richie—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 727—An act to add Section 1.92 to the School Code, relating to school buses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Knight, John B., Lyon, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Voigt, Watson, Weber, and Welch—42.
NOES—Burkhalter, Carlson, Clarke, Dilworth, Donnelly, Heisinger, Howser, F N, Johnson, King, Knight, T. Fenton; McCollister, Meehan, Pelletier, Tenney, Thurman, Turner, and Weybret—17.

Bill ordered transmitted to the Senate

Assembly Bill No. 1478—An act to add a section to the School Code, to be numbered 5.798b, Division 5, Part 3, Chapter 9, relating to the procedure for lay-off of classified employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1536—An act to amend Sections 43.6 and 45 of the County Employees Retirement Act of 1935, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1928—An act to add Section 12.5 to the California Unemployment Relief Act of 1935, relating to the relief camps established by the State Relief Administration, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley,

Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2323—An act to amend Section 2.81 of the School Code, relating to school districts situated partly in two counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Weybret, and Wollenberg—63

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2576—An act to amend Sections 1.125, 1.126 and 1.127 of the School Code, relating to dental hygienists

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147—An act to amend Section 55 of the County Employees Retirement Act of 1937.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B. Knight, T. Fenton, Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream,

Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1424—An act to amend Sections 230 to 244, inclusive, of the State Civil Service Act, relating to general provisions.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Gaffney, Gunlock, Hastain, Hawkins, King, Knight, John B., Leonard, Meehan, Middough, Millington, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, and Weybret—41
NOES—Carlson, Cassidy, Collins, George D., Crowley, Dilworth, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Lyon, Maloney, McCollister, Potter, and Mr. Speaker—16

Bill ordered transmitted to the Senate.

Assembly Bill No. 855—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64
NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 4:05 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 588—An act to amend Sections 581 and 582, and to amend and renumber Sections 581a, 581b and 583 of, and to add Sections 581a, 581e and 581f to, the Code of Civil Procedure, relating to the dismissal and rendition of judgment in civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1479—An act to add Section 259 to the Labor Code, relating to security for payment of wages.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 959—An act to add Section 845.5 to the Fish and Game Code, relating to nets seized or violations of law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 640—An act to add Section 132a to the Labor Code, relating to the Industrial Accident Commission.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"No prosecution under this section shall be commenced until the commission shall have notified the accused of the demand for prosecution, afforded him an opportunity to be heard before it or a referee thereof, and following said hearing shall have recommended that such prosecution be commenced."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 934—An act to amend Section 690.7 of the Code of Civil Procedure, relating to property exempt from execution and attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Carlson, Dickey, Sheridan, and Stream—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1497—An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Cooke, Field, Leonard, and Stream—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2088—An act to add Section 2380 5 to the Business and Professions Code, relating to the advertising of medical business.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1294—An act to amend Section 737s of the Political Code, relating to superior court judges.

Bill read third time

Demand for Previous Question

Messrs. Andreas, Johnson, Lyon, Dickey and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1294.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Watson, Weber, Welch, and Mr. Speaker—53

NOES—Bashore, Dilworth, Donnelly, Heisinger, Houser, Frederick F., Knight, T. Fenton, Middough, Richie, and Russell—9.

Notice of Motion to Reconsider Senate Bill No. 1294

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1294 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6369 to the Revenue and Taxation Code, Section 5.36 to the Retail Sales Tax Act of 1933, and Section 4.26 to the Use Tax Act of 1935, relating to the exemption of property sold to or used by members of the State Guard.

Respectfully submitted.

HENRY P. MEEHAN

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Meehan:

An act to add Section 6369 to the Revenue and Taxation Code, Section 5 36 to the Retail Sales Tax Act of 1933, and Section 4 26 to the Use Tax Act of 1935, relating to the exemption of property sold to or used by members of the State Guard.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2604: By Mr. Meehan—An act to add Section 6369 to the Revenue and Taxation Code, Section 5.36 to the Retail Sales Tax Act of 1933, and Section 4.26 to the Use Tax Act of 1935, relating to the exemption of property sold to or used by members of the State Guard.

Referred to Committee on Revenue and Taxation.

Assembly Concurrent Resolution No. 37: By Mr. Call—Relative to a Joint Fish and Game Investigating Committee, to study and report on matters relating to fish and game.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Johnson:

House Resolution No. 169

Relative to the Diamond Jubilee Anniversary of the City of Berkeley

WHEREAS, The City of Berkeley, home of our great University of California, the largest educational institution in the world, is this year celebrating its seventy-fifth anniversary; and

WHEREAS, This celebration commemorating the Diamond Jubilee Anniversary, is to be observed with a Music and Drama Festival befitting a community noted for its interest in and support of culture, the arts and education; and

WHEREAS, The schedule of events arranged for this Festival will be given on six successive Sunday afternoons, starting upon the fourth day of May in the Greek Theater on the campus of the University, and will be of interest to and enjoyed by thousands of people from all sections of the State; and

WHEREAS, The Berkeley Festival will furnish an unusual opportunity for several hundred talented young artists of the State to gain valuable training and experience working under the direction of recognized experts; and

WHEREAS, The Festival program is attracting widespread and Nation-wide attention, not only to Berkeley, but to the State of California, as an eloquent demonstration of the people's continued faith in the democratic way of life; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby commends the citizens of the City of Berkeley and the Berkeley Festival Association for its ambitious and impressive program; and be it further

Resolved, That the members of the Assembly highly commend the citizens of the City of Berkeley and the Berkeley Festival Association for the stimulus which it has given and will give through this Festival to a greater appreciation of music, drama, and the dance and for the resultant opportunities afforded young artists to develop their talents under the finest auspices; and be it further

Resolved, That it is also the sense of the Assembly that such a program will preserve an appreciation of those arts which give significance to our civilization and to the American way of life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to transmit an engrossed copy of this resolution to the Berkeley Festival Association.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 169, at this time, without reference to committee.

Resolution read and adopted unanimously.

REMARKS

On motion of Mr. Kellems, the following remarks by Mr. Johnson were ordered printed in the Journal:

Remarks of Mr. Johnson in Support of House Resolution No. 169, Relative to the Diamond Jubilee Anniversary of the City of Berkeley

Mr. Speaker and Members of the Assembly

Commencing on Sunday next the citizens of the City of Berkeley will present, under the auspices of the Berkeley Festival Association, an impressive spectacle commemorating the seventy-fifth anniversary of the founding of our city.

In keeping with the educational and cultural background of the City of Berkeley, the program will include brilliant dramatic and musical productions. The setting of the celebration will be the Greek Theatre on the University Campus, which was donated to the University of California by William Randolph Hearst in memory of his mother, Phoebe Apperson Hearst, whose name throughout the long history of this State, remains as one of the most generous donors to education and the cultural aspects of our years.

This Legislature is interested in fostering the artistic and cultural development of our youth. Every one of us, therefore, will commend the Berkeley Festival Association for its plan to afford to the talented young artists of the Bay Region an opportunity to gain valuable training and experience under the direction of outstanding artists.

It was George Berkeley, Bishop of Cloyne, after whom our city is named, who, in one of his poems, wrote the line: "Westward the course of empire takes its way." Those words have never been more apt than on this day when the Parthenon, the Acropolis and the original Greek theaters are being invaded by those who would overthrow culture, art and civilization itself. For the preservation of all that is beautiful and artistic we must turn to the West. No more appropriate setting for this brilliant pageant could be found than the City of Berkeley and its Greek Theatre.

I move the adoption of the resolution.

COMMUNICATIONS

The following invitation was received and read, and on motion of Mr. Clarke, ordered printed in the Journal:

It's May Day in Los Banos

The rich San Joaquin Valley which lies in Central California is divided into two sections, the east and west side, and no city on the west side is better known than Los Banos, which lies midway between the Cities of Dos Palos on the south, Gustine and Newman on the north, Merced on the east, and Gilroy and Hollister on the west. Los Banos, on the Pacheco Pass Highway, better known as the Yosemite to the Sea Highway, has grown fast and is now an important center for travel from Los Angeles to San Francisco; it has had a great spotlight thrown on it through the annual historical celebrations that are held in Los Banos each May Day. These festivals carry out faithfully the tradition of the founding of the vast systems of irrigation canals by Henry Miller in 1878 and which led to the colonization of the west side valleys.

A drouth which had plagued California for several years threatened to destroy the settlers until Miller stirred to action, borrowed huge sums of money, and turned water into the canals on May 1, 1878, celebrating the occasion with a free barbecue, picnic, and dance, and declared a three-day holiday for all his employees on ranches that stretched from Bakersfield to Oakland, California. This is the historical occasion that Los Banos fetes each May Day on almost the exact spot where Miller first acted as host, and gave these festive affairs at his own expense for over 30 years.

Upon his death in 1924, various fraternal organizations carried on the May Day Picnics until 1938 when the Native Sons and Daughters of the Golden West took over, as an historical duty, the management of these widely known celebrations. Publicized throughout the country, crowds said to be in ratio to population, the greatest in America, throng Los Banos every year on the week-end nearest the first day of May to either participate in or to watch the many features of the Fiesta, almost all of which, true to the tradition of Western hospitality, remain free. The cost of these celebrations are borne by public spirited citizens and business firms.

This year's picnic and barbecue will be held on May 1st, 2d, 3d, and 4th, and on Sunday, May 4th, the civic, Western historical, and floral parade that will precede the free barbecue will be labeled, "A Pageant of Yesterday and Tomorrow," and following the barbecue a strictly amateur Western stock horse show will be held which will be participated in by real horsemen from the various ranches throughout this section of California.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dills and King:

House Resolution No. 170

WHEREAS, Under the present Federal Social Security Act no provision is made for retirement income for those who already have reached retirement age, or for those who later will attain that age, who have as farmers or business or professional men or women or in other capacities created jobs for themselves and others, nor for those who have been employed on farms or in homes, churches, public offices or other employment excluded from Title 2 of the Federal Social Security Act, except by submitting to poverty registration of themselves and all members of their families, while retirement income and widows' pensions are made available to all employed in business and industrial establishments without question as to their economic status, thereby discouraging individual initiative and private enterprise; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Congress of the United States are hereby respectfully memorialized to enact legislation so to amend Title 1 of the Social Security Act as to make a minimum of thirty dollars ($30) per month available, as a matter of right, to every retired

citizen 60 years of age or older, who is not drawing annuities in that amount under any other Federal Retirement System; and be it further

Resolved, That a copy of this resolution be forwarded to the Senators and Congressmen from California in the Congress of the United States and that they be and they are hereby requested to support legislation which will effectuate the purposes of this resolution; and be it further

Resolved That a copy of this resolution be sent to the Governor and the Presiding Officer of the Senate and the Assembly in each of the States now having a legislative session and to the Governors of all the other States and that the said officers be and they are hereby respectfully requested to present the same to their respective legislative bodies with a request that each of them promptly take similar action to the end that there shall be a known definite public demand upon our Federal Government from these States for prompt elimination, in the manner herein indicated, of the injustice herein complained of; and be it further

Resolved, That the Chief Clerk of the Assembly of this State be and he is hereby instructed to forward a certified copy of this resolution to the President and the Vice President of the United States, to the Chief Clerk of the Senate of the United States, to the Speaker and to the Chief Clerk of the House of Representatives of the United States and to all other persons to whom this resolution is specifically directed.

Resolution read, and re-referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 139
Assembly Bill No 198
Assembly Bill No. 212
Assembly Bill No. 348
Assembly Bill No. 1148
Assembly Bill No 1247
Assembly Bill No 2085

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO. April 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 34

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 792
Assembly Bill No 795
Assembly Bill No. 1031
Assembly Bill No. 2081

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 29, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 542

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 620
Senate Bill No. 734
Senate Bill No. 755
Senate Bill No. 803
Senate Bill No. 1126

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 542—An act to add Section 3.693 to the School Code, relating to moral and religious instruction.

Referred to Committee on Education.

Senate Bill No. 620—An act to amend Section 6 of, and to add Section 10 to, an act entitled "An act providing for State and county exhibits at the Golden Gate International Exposition to be held in the San Francisco Bay region, California, providing for the construction of a State Building or buildings therefor and the gardening and improvement of the surrounding grounds, providing for the disposition or demolition of buildings, exhibits, and other property upon the termination of the exposition, creating a California Commission for the Golden Gate International Exposition to have charge and control of such exhibits and such building or buildings, defining its powers and duties and making an appropriation therefor," approved May 25, 1937, relating to the disposal of the property of the California Commission for the Golden Gate International Exposition, abolishing the California Commission for the Golden Gate International Exposition and transferring its powers, duties, purposes, responsibilities and jurisdiction to the Department of Finance.

Referred to Committee on Exhibitions and Fairs.

Senate Bill No. 734—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 755—An act to add Sections 3.5 and 3.75 to "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such district from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the management of irrigation districts having an area of more than 500,000 acres.

Referred to Committee on Irrigation.

Senate Bill No. 803—An act to amend Section 1457 of the Penal Code, relating to the disposition of fines.

Referred to Committee on Judiciary General.

Senate Bill No. 1126—An act to amend Section 799 and 800, and to add Section 802.8 to the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to add Section 170 of the Vehicle Code, relating to registration of and issuance of license plates for

vehicles of passenger stage corporations, highway common carriers, and highway carriers.

Bill read third time

Motion to Amend

Mr Allen moved the adoption of the following amendments·

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "of", and insert "to".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out ", highway carriers," and insert "and of highway carriers"

Amendment No. 3

On page 1, line 6, of the printed bill, as amended, strike out "No person shall register", and insert "The department shall neither register nor issue any license plate for".

Amendment No. 4

On page 1, line 11, of the printed bill, as amended, after "tion", insert "submits with its application for registration evidence that it".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1922—An act to amend Section 953a of the Code of Civil Procedure, relating to appeals.

Bill read third time

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 20 to 25, inclusive, and insert

"Said notice must be filed within ten (10) days after the filing of the notice of appeal."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1754 WAIVED

Mr Leonard waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1754 was passed.

Assembly Bill No. 1754 ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1685

Mr. Poulson moved that Assembly Bill No. 1685 be withdrawn from the Committee on Judiciary General and re-referred to the Committee on Municipal Corporations.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1514 re-referred to Committee on Insurance.

Assembly Bill No. 2244 re-referred to Committee on Insurance.

Assembly Bill No. 894 re-referred to Committee on Live Stock and Dairies.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Cain and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to: Anna Kirchgater, Elbert Polhemus, and Roland Ingraham, teachers, and the following students of Elk Grove Union Grammar School: Elmerine Bader, Betty Harder, Evelyn Lucinski, Shirley Mae Novak, Joe Miyamoto, Marley Royle, Mabel Ahl, Sally Asada, Violet Rader, Miyoko Urokogata, Nobuko Yamaguchi, Robert Long, Tony Martinez, Kabo Nakatani, Dudley Robbins, Leonard Smith, Willard Smith, Rudy Solorio, Bobby Stetson, Beatrice Casasos, Catherine Montgomery, Barbara Peyton, Jim Gray, Larry Leverton, Richard Mahon, Alex Olsen, Florence Batey, Betty Jean Dart, Billie Jean Hall, Maydelle Reese, Sue Taniguchi, Otto Amstutz, Kenneth Caples, Larry Derr, Billy Kitchel, Roland Litz, Alvin Spitzer, Bob Van Doren, Leroy Adam, Pearl Ehnisz, Eleanor Eisenbesiz, Joseph Fukuada, Lorraine Johnson, Florence Kammerer, Tokio Kanemoto, Janet Kingsley, Kenneth Schmidt, Joe Sellers, Fritz Wagner, Jessie Cervantes, Kikuye Hayashida, Masaiku Koyama, Mary Mayeda, Tokiye Maeda, Jiro Okazaki, Patricia Richardson, Lena Sawamura, Margaret Shiizaki, Harry Solorio, Mary Hidgon, Mart Baker, Daniel Botto, Jim Evangelista, Donald Lindsay, Delores Miller, Robert Mitchell, Jimmy Polhemus, Patsy Polhemus, Grace Sagara, Roberta Batey, Lillian Henderson, Ernestine Hironymous, Eugene Hironymous, Barbara Polhemus, Tom Sugimoto, Vernon Wiemeyer, and James Young.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edwin Duggan, Thomas Donohue and John Bernie of San Francisco.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Reginald Farran of San Francisco.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles G. Patman, Jr., of Lockeford.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Stross of Vallejo.

ADJOURNMENT

At 5.12 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Thursday, May 1, 1941.

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 1, 1941

The Assembly met at 1.30 p m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—65.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Turner.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Pursuant to your instruction, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

The Sacramento Union—Talbot Smith

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 34—An act to add Section 12700.5 to the Business and Professions Code, relating to public weighmasters;

Assembly Bill No. 64—An act to add Section 201.5 to the State Civil Service Act, prohibiting discrimination upon account of race, religion or color and prescribing means for the enforcement thereof,

Assembly Bill No. 310—An act to amend Sections 3931, 3933, 3934 and 3935 of, and to add Sections 3930.5 and 3935.5 to, the Elections Code, relating to the order of names of candidates on primary ballots;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1114—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way;

Assembly Bill No. 1207—An act to provide for the formation of districts within municipalities, for the providing of parking space for automobiles; for the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of public auto parks and public rights of way necessary or convenient therefor; for the condemnation of property or of any interest therein necessary or convenient therefor; for work in or upon any such places including property over which possession and right of use has been obtained under the provisions of Section 14, of Article I, of the Constitution in such districts; for the acquisition and construction of public improvements, works and equipment necessary or convenient therefor; for the maintenance of such districts and the public improvements, works, and equipment thereof; for the issuance, sale, and payment of bonds of such districts to meet the cost thereof, for the levy of assessments; and providing for aid from any county, municipality, State, or the Federal Government, or any department thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1345—An act to amend Section 15 of the "Reclamation Board Act," approved December 24, 1911, as amended, relating to assessments;

Assembly Bill No. 1450—An act to amend Section 1628 of, and to add Section 1628a to, the Business and Professions Code, relating to examinations;

Assembly Bill No. 1967—An act to add Section 4.368-1 to the School Code, relating to school district funds, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2570—An act to amend Sections 2, 9, 11, 17, 18, 20, 21, 23, 26 and 28 of, to repeal Section 2.5 of, and to add Section 5.2 to the Retail Sales Tax Act of 1933; to amend Sections 2, 4, 7, 9, 10, 12, 14, 15, 17, 20 and 22 and to repeal Section 2.5 of the Use Tax Act of 1935; to declare the legislative intent with respect to the construction of said acts; to repeal Section 6 of Chapter 355, Statutes of 1935; to amend Sections 6006, 6010, 6455, 6481, 6487, 6511, 6514, 6561, 6701, 6702, 6738, 6757, 6776, 6777, 6811, 6812, 6901, 6902 and 7056 of, to repeal Section 6402 of and to add Section 6362 to the Revenue and Taxation Code, all relating to the levy, assessment and collection of retail sales and use taxes and providing that this act shall take effect immediately;

Assembly Concurrent Resolution No. 35—Relative to the passing of former Senator Thomas P. Scollan, and to adjournment in respect to his memory;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

Committee on Manufactures

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Manufactures, to which was referred:

Assembly Bill No. 2501

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

FRED N. HOWSER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER. Your Committee on Rules, to which was referred:

Senate Constitutional Amendment No 7

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Constitutional Amendments.

LYON, Chairman

Above reported resolution re-referred to Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolution ordered to third reading.

Committee on Aviation and Aircraft

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1941

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:

Assembly Bill No. 2572

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

GREEN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 972

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bill ordered to second reading

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER. Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 1010
Assembly Bill No 1152
Assembly Bill No. 1639

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 748
Assembly Bill No 751
Assembly Bill No. 752
Senate Bill No 1182

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 745
Assembly Bill No 747
Assembly Bill No 954
Assembly Bill No 1700

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2177
Assembly Bill No 2215

Has had the same under consideration, and reports the same back with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No. 943

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1057
Assembly Bill No. 2191

And reports the same correctly re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1879

And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 49
Assembly Bill No. 368
Assembly Bill No. 640
Assembly Bill No. 891
Assembly Bill No. 902
Assembly Bill No. 1124
Assembly Bill No. 1511
Assembly Bill No. 1625
Assembly Bill No. 1922

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 264
Assembly Bill No. 1638
Assembly Bill No. 1940
Assembly Bill No. 2154

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 2396
Assembly Bill No. 2090
Assembly Bill No. 468
Assembly Bill No. 190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 470
Assembly Bill No. 1009
Senate Bill No. 226

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 37
Assembly Bill No. 305
Assembly Bill No. 420
Assembly Bill No. 538
Assembly Bill No. 1000
Assembly Bill No. 1249
Assembly Joint Resolution No. 49
Assembly Bill No. 1387
Assembly Bill No. 1623
Assembly Bill No. 1650
Assembly Bill No. 1925
Assembly Bill No. 2484

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2355
Assembly Bill No. 1679
Senate Bill No. 215

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER. Your Committee on Education, to which were referred:

Assembly Bill No. 1962	Senate Bill No. 1301
Senate Bill No. 534	Senate Bill No. 786
Senate Bill No. 538	Senate Bill No. 603

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1654—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1655—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1657—An act to repeal and add Section 56 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1658—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1659—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1660—An act to amend Section 11 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading

Assembly Bill No. 1949—An act defining henceforth the boundaries of Alameda County Water District, also ratifying the incorporation in said district of certain lands as shown in the certificate of the president and secretary of the board of directors of said district filed in the office of the Secretary of State of the State of California on May 18, 1940, and as certified to by the certificate of the said Secretary of State filed in the office of the County Clerk of Alameda County on May 22, 1940, also providing for the management of said district as enlarged by the present officers thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 322—An act to amend Section 17531 of the Business and Professions Code or Section 354c of the Penal Code, relating to advertising.

Bill read second time, and ordered engrossed

Assembly Bill No. 458—An act to add Article 2 to Chapter 8 of Division 5 of the Agricultural Code, relating to eggs

Bill read second time, and ordered to third reading.

Assembly Bill No. 670—An act to add Section 615 to the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered engrossed

Assembly Bill No. 1626—An act to amend Section 2 of an act entitled "An act to define and limit the power of municipalities in assessing, levying or collecting taxes on motor vehicle carriers who are subject to the jurisdiction of the Railroad Commission of the State of California," approved July 25, 1939, relative to the power of municipalities in assessing, levying or collecting taxes on motor vehicles

Bill read second time, and ordered engrossed

Assembly Bill No. 1279—An act to amend Section 469 of, and to add Section 479 to, the Vehicle Code, relating to signs.

Bill read second time, and ordered engrossed

Assembly Bill No. 1289—An act to amend Section 737 of, and to add Sections 517 and 518 to, the Vehicle Code, relating to speed contests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1836—An act to add Section 583 to the Streets and Highways Code, relating to State highways

Bill read second time, and ordered engrossed.

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 11 to 23, inclusive, and insert

"Sec. 874. In any project for the erection, improvement and repair of public buildings, and works, in all work in or about streams, bays, or waterfronts, or in or about embankments, or other works for protection against overflow; in all street or sewer work exclusive of maintenance or repair, and in the furnishing of any supplies or materials for any such project inclusive of projects for maintenance or repair of streets or sewers, when the total expenditures required for the same exceed the sum of five hundred dollars ($500), the same shall be done by contract and shall be let to the lowest responsible bidder, after notice which shall consist of the publication of a notice inviting bids by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation, printed and published in such city, which publication shall be commenced not less than 10 days prior to

the date set in the notice for the opening of bids, or if there be no newspaper of general".

Amendment No. 2

On page 2, line 6, of the printed bill, after "cretion", insert ", and if any two or more bids are the same and are the lowest bids received, the council may accept whichever one it chooses".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2458—An act to add Section 1817 to Article 8, Chapter 1, Part 7 of the Labor Code, relating to working laws on public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor and Capital:

Amendment No. 1

On page 1, line 7, of the printed bill, after "work", insert "performed by employees of contractors".

Amendment No. 2

On page 1 of the printed bill, after line 12, insert

"This section shall remain in effect only until such time as the Governor finds and proclaims that the emergency in preparing for the National defense no longer exists."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 709—An act to add Section 673.9 to the Vehicle Code, relating to devices for arresting burning carbon or sparks emitted from exhausts of vehicles operated over private property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 673 of the Vehicle Code, relating to exhausts of vehicles operated over the highways."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 673 is hereby amended to read as follows:

673. Mufflers—Prevention of Noise. Any motor vehicle on a highway shall at all times be equipped with a muffler in constant operation to prevent any excessive or unusual noise and no such muffler *nor the exhaust system* shall be equipped with a cutout, by-pass or similar device [which can be operated by the driver or any occupant of such vehicle. All exhaust pipes shall be directed parallel to the ground or upward].

A muffler as required herein shall be considered adequate when it conforms to the standards of performance for mufflers established by the several manufacturers of motor vehicles through common practice.

All exhaust pipes shall be parallel to the ground and vehicle, or vertical, and, if vertical, the exhaust from such pipes shall not be directed to the side of the vehicle."

Amendments read and adopted
Bill ordered printed and engrossed.

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 4 of the printed bill, strike out all of line 6, and insert "a lawful, competitive price or a lawful, competitive condition"

Amendment read and adopted.
Bill ordered reprinted and re-engrossed

Assembly Bill No. 2054—An act to add a new section to the Agricultural Code, to be numbered 691 1, relative to inspections of dairies

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "691 1", and insert "643 1".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "691.1", and insert "643 1".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "691 1", and insert "643 1".

Amendment No. 4

Strike out lines 4 to 8 inclusive, of the printed bill, and insert
"Excluded from the market for an infraction or infractions of paragraphs (b), (c), (d), (f), (i) or (*l*) of Section 643 of this code, which upon written notice from a qualified inspector can be corrected and are corrected within 24 hours of the issuance of said notice. Any such notice shall be served personally upon the owner or operator of the dairy."

Amendments read and adopted
Bill ordered printed and engrossed.

Assembly Bill No. 1112—An act to add a new section to the Agricultural Code, to be numbered 766 5, relating to canning tomato standards and inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 5 to 7 of the title of the printed bill, strike out "to add Article 3 to Chapter 9 of Division 5 of the Business and Professions Code,".

Amendment No. 2

On page 2, line 4, of the printed bill, strike out "the per-"; and all of lines 5 to 7, inclusive, and insert "separately the percentage of tomatoes in each delivery

which are not suitable for canning under subsection (a), under subsection (b), under subsections (c) to (f) inclusive, of Section 762 and those suitable for canning which are "well colored" and "fairly well colored" "

Amendment No. 3

On page 2, line 17, of the printed bill, after "producer", insert ", but the total cost of such inspection shall in no event exceed 20 cents per ton".

Amendment No. 4

On page 2, line 21, of the printed bill, after the period, insert "Any money so collected and not used for the purposes of this chapter shall be returned to the canners and producers from whom it was received."

Amendment No. 5

On page 3, line 1, of the printed bill, strike out "10", and insert "15".

Amendment No. 6

On page 3 of the printed bill, strike out lines 30 to 34, inclusive, and insert "(a) Any worm or worm damage is present which has penetrated the flesh of the tomato."

Amendment No. 7

On page 3, line 35, of the printed bill, strike out "(c)", and insert "(b)".

Amendment No. 8

On page 3, line 38, of the printed bill, strike out "(d)", and insert "(c)".

Amendment No. 9

On page 3, line 40, of the printed bill, strike out "(e)", and insert "(d)".

Amendment No. 10

On page 3, line 42, of the printed bill, strike out "or sunscald."; and strike out all of lines 43 to 48, inclusive, and insert ", sunscald, growth cracks, insect bites, pest infections, hail damage, green or yellow color at the stem end, or other imperfections not specified in this section."

Amendment No. 11

On page 3, line 49, of the printed bill, strike out "(h)", and insert "(e)".

Amendment No. 12

On page 3, lines 49 to 50, of the printed bill, strike out ", shriveled, frozen or frosted."

Amendment No. 13

On page 3 of the printed bill, between lines 50 and 51, insert "(f) The tomato is shriveled, frozen or frosted."

Amendment No. 14

On page 3 of the printed bill, strike out lines 51 and 52; and on page 4, strike out lines 1 to 4, inclusive, and insert

"(g) The tomato is not "well colored" or "fairly well colored" as such color is defined in United States Standards for Canning Tomatoes (1938) issued by the United States Department of Agriculture, Bureau of Agricultural Economics, December 15, 1938. "Well colored" as so defined means that at least 90 per cent of the flesh of the tomato has good red color; provided, that a tomato having flesh of a lighter shade of red shall be considered as "well colored" if enough additional area of the flesh has a shade of red color so that the tomato has a sufficient amount of red to be equivalent in color to that of a tomato which has 90 per cent good red color. "Fairly well colored" as so defined means that at least two-thirds of the flesh of the tomato has good red color; provided, that a tomato having flesh of a lighter shade of red shall be considered as "fairly well colored" if enough additional area of the flesh has a shade of red color so that the tomato has a sufficient amount of red to be equivalent in color to that of a tomato which has two-thirds good red color."

Amendment No. 15

On page 4, line 9, of the printed bill, strike out "5", and insert "10".

Amendment No. 16

On page 4 of the printed bill, strike out lines 10 to 14, inclusive, and insert "subsections (a) and (b) of Section 762"

Amendment No. 17

On page 4, line 18, of the printed bill, strike out "(i)", and insert "(g)".

Amendment No. 18

On page 4 of the printed bill, between lines 18 and 19, insert

"Any lot of tomatoes offered for delivery to a canner shall be rejected and turned back to the grower if less than 10 per cent of the delivery by weight is not "well colored" as defined in subsection (g) of Section 762."

Amendment No. 19

On page 4 of the printed bill, strike out lines 30 to 52, inclusive; and on page 5, strike out all of lines 1 to 10, inclusive.

Amendment No. 20

On page 5, line 11, of the printed bill, strike out "7", and insert "6".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1799—An act to amend Section 52 of, and to add Section 52.5 to, the Agricultural Code, relating to county agricultural commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert "An act to add Section 52.5 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive; and strike out all of page 2, and insert

"SECTION 1. Section 52.5 is hereby added to the Agricultural Code, to read as follows.

52.5. The board of supervisors of any county in which there is no commissioner may employ the commissioner or a qualified deputy commissioner of an adjoining county to perform the duties of commissioner in the employing county, but only with the consent of the board of supervisors of such adjoining county and at a rate of compensation not exceeding six dollars ($6) per day, exclusive of such expenses as may be allowed by the employing county."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 43—An act making an appropriation for bovine tuberculosis eradication and control and the payment of indemnities to owners of slaughtered animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "bovine", and insert "caprine".

Amendment No. 2

In line 3 of the title of the printed bill, strike out the period, and insert "and to add a new article, to be numbered 3a, to Chapter 3 of Division 2 of the Agricultural Code, comprising Sections 260 to 266.5 thereof, relating to caprine tuberculosis."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out all of said line following the period; and strike out all of lines 2 to 6, inclusive, and insert "A new article, to be numbered 3a, is hereby added to Chapter 3 of Division 2 of the Agricultural Code, to read as follows:

Article 3a. Caprine Tuberculosis

260. As used in this article:

(a) "Tuberculin" means the product of the growth of the tubercle bacillus from any source, used or intended to be used in diagnosing tuberculosis in goats.

(b) "Tuberculin test" means the use of tuberculin for the purpose of diagnosing tuberculosis in goats

(c) "Reactor" or "reacting caprine animal" means any caprine animal that reacts positively to a tuberculin test or that is adjudged tuberculous on physical examination by an approved veterinarian

(d) "Grade animal" means an animal not identified as a purebred in the herd book of any breed record association recognized by the United States Department of Agriculture.

(e) "Purebred animal" means an animal identified as a purebred in the herd book of a breed record association recognized by the United States Department of Agriculture.

(f) "Premises" means any place where goats have been or are kept.

(g) "Goats" and "caprine animals" mean goats used in connection with or for the purpose of supplying goats' milk or the products thereof for human consumption

(h) "Approved veterinarian" means a veterinarian who has been granted permission by the department to buy, possess or use tuberculin.

260.5 The department is hereby authorized to undertake tuberculosis control in caprine animals in accordance with rules and regulations of the department and may, in cooperation with the United States Department of Agriculture, undertake such control in accordance with the rules and regulations of the department and the United States Department of Agriculture

261 Every reactor shall, immediately upon the determination of such reaction, be permanently branded on the left jaw by its owner or his agent, under the supervision of the approved veterinarian conducting the tuberculin test. The brand shall be the letter "T," not less than two (2) inches in length from top to bottom, and one (1) inch wide at the top

261.5 It is a misdemeanor, punishable by imprisonment in the county jail for not less than 90 days without alternative of a fine in any case, to defeat or interfere with or to attempt to defeat or interfere with a tuberculin test by the use of chemicals, biological products, or by any other similar means

262 It is unlawful to

(a) Obstruct, attack, or interfere with, or permit to be obstructed, attacked, or interfered with, the department or an approved veterinarian conducting a tuberculin test,

(b) Neglect or fail to properly secure and restrain any caprine animal to be tuberculin tested, or under tuberculin test, for examination, injection, observation, or other procedure pertaining to a tuberculin test,

(c) To knowingly inject into any caprine animal any substance purporting to be tuberculin which is not tuberculin;

(d) To apply a tuberculin test to any caprine animal which has at any time been found by an approved veterinarian to be a reactor;

(e) To have any caprine animal at any live stock fair or show unless said animal is free from tuberculosis, as evidenced by a tuberculin test record approved by the department

262.5 All owners of goats, subject to examination and tuberculin testing shall, upon request of the department, provide necessary facilities for making tuberculin tests and render such assistance as may be required.

Any caprine animal reacting positively to a tuberculin test conducted by a representative of the department or adjudged tuberculosis upon physical examination by said representative, shall immediately be segregated from other caprine animals which are not reactors The value of the animal shall be determined by appraisement by a representative of the department, or by a representative of the Bureau of Animal Industry of the United States Department of Agriculture and by the owner or his agent In case of failure to agree on the valuation, the animal shall be appraised by the chief appraiser of the department or his representative. In either event the value determined shall be final.

Within 30 days after the appraisal of the animal it shall be slaughtered under the supervision of the director

263 No animal shall be tested or slaughtered under the provisions of this article unless funds are available from an appropriation of this State for payment of the indemnity by the State under the provisions of this article

When any animal is slaughtered, under the provisions of this article, the owner shall receive:

(a) The proceeds of the sale of the salvage of the animal;

(b) From the State, one-half of the difference between the appraised value and the proceeds of the sale of the salvage, but in no instance to exceed three dollars and fifty cents ($3.50) for any grade animal or seven dollars and fifty cents ($7.50) for any purebred animal;

(c) From the United States, any sum authorized to be paid to him from any appropriation made by the United States to assist in the eradication of tuberculosis in goats in California

263.5 No indemnity shall be paid any person in any of the following cases.

(a) For any grade caprine male animal determined to be a reactor;

(b) For any caprine animal brought into the State, which reacts to a tuberculin test applied within ninety days after arrival of said animal in this State, as provided for in this article, or which was brought into a tuberculosis control area, contrary to any provisions of law or rules and regulations of the State or Federal Department of Agriculture;

(c) For any reacting caprine animal, until the premises, where said animal had been kept, have been cleaned and disinfected by the owner in a manner approved by an agent of the State or Federal Department of Agriculture;

(d) For any reacting caprine animal which has not been slaughtered within thirty days after such animal has been appraised;

(e) For any animal owned by the United States, State of California, or any county, city, town or township, in the State;

(f) When such person has violated any provision of this article relating to tuberculosis control area, or any regulation made by the department relating thereto

No subsequent payment of indemnity shall be made to any person in any of the following cases:

(a) Unless the provisions of this article have been fully complied with for each and every caprine animal added to his herd,

(b) Unless and until the premises are maintained in a sanitary condition, satisfactory to the State or Federal Department of Agriculture.

264. The pedigree of any purebred caprine animal shall be proved by a certificate of registry from the herd books where registered, and the registration papers of any purebred caprine animal slaughtered on account of tuberculosis and for which indemnity is paid, shall be marked "canceled" by the department

264.5. Each claim against the State for payment for the slaughter of any reacting caprine shall be presented to the State Controller and paid out of appropriations or funds available therefor in accordance with law Every such claim shall be paid within sixty days after the date of presentation if the claimant is entitled to payment hereunder

265. To carry out the provisions of this article, the inspectors or agents of the State or Federal Department of Agriculture, may at any time or place, enter upon any premises, except dwelling houses No person shall obstruct, hamper, or interfere with said agents or inspectors of said departments, while enforcing the provisions of this article.

265.5. The slaughtering of all animals, under the provisions of this article, shall be under the supervision of an inspector of the department, or of the United States Bureau of Animal Industry In any chartered or incorporated city or city and county that maintains a regular meat inspection service by persons who have passed the civil service meat and/or market inspectors' examination, the slaughtering of said animals under the provisions of this article may be under the supervision of such local officers The carcasses shall be disposed of in accordance with the rules and regulations of the department or Bureau of Animal Industry of the United States Department of Agriculture governing meat inspection.

266. Nothing in this article applies to animals used in research projects conducted by the University of California.

266.5 In order to carry into effect the provisions of this article, the department may make such rules and regulations as may be deemed necessary, proper or advisable.

SEC. 2 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of ten thousand dollars ($10,000) to be expended under the direction of the Director of Agriculture in carrying out the provisions of Article 3a, Chapter 3 of Division 2 of the Agricultural Code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2013—An act to amend Section 736.12 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 2 of the printed bill, commencing at line 20, insert

"In considering said reasonable cost of handling fluid milk or fluid cream, or both, the director, except as provided in this paragraph, shall take into consideration, among other cost factors, the difference in costs, if any, in packaging, distributing, and handling fluid milk or fluid cream, or both, in multiple service and single service

containers; provided, however, that in any marketing area where the distribution of fluid milk or fluid cream, or both, is substantially divided, in any type or method of distribution, between distribution in multiple service containers and distribution in single service containers, the director, if he reasonably determines from the hearings, investigations, and examinations authorized above, that such procedure will reasonably tend to create, foster, or enhance orderly and stable marketing conditions in such area, may disregard the differences in costs, if any, between packaging, distributing, and handling milk in said different types of containers, and consider, as such container factor of costs, in such type or method of distribution, the inclusive weighted average cost of packaging, distributing, and handling fluid milk, or fluid cream, or both, in both multiple service and single service containers. In considering said reasonable cost of handling fluid milk or fluid cream, or both, the director also shall take into consideration, among other cost factors, the differences in costs, if any, in packaging, distributing, and handling fluid milk or fluid cream, or both, in the various sizes of containers in which said fluid milk or fluid cream is packaged, distributed or handled."

Amendment No. 2

On page 3 of the printed bill, commencing in line 24, strike out "and will not tend to develop or eliminate any type or method of distribution commonly used by consumers to the detriment or benefit of such other types or methods."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2495—An act to amend Section 356 of the Streets and Highways Code, relating to State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 356 of", and insert "add Section 602 to"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 602 is added to the Streets and Highways Code, to read as follows

602. There is hereby added to the State Highway System a route or portion of route from Route 119 near Palermo to Idria."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 997—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of waitresses and entertainers on a percentage basis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "employment of salesmen, waitresses"; and strike out line 3, and insert "the sale of alcoholic beverages"

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, after "agree to pay", insert "or to give".

Amendment No. 3

On page 1, line 5, of the printed bill, as amended, strike out "persons commonly known as".

Amendment No. 4

On page 1, line 7, of the printed bill, as amended, strike out "or made", and insert ", procured, made or encouraged".

Amendment No. 5

On page 1, line 8, of the printed bill, as amended, strike out "a", and insert "or any".

Amendment No. 6

On page 1, line 10, of the printed bill, as amended, strike out "or made", and insert ", procured, made or encouraged".

Amendment No. 7

On page 1 of the printed bill, as amended, between lines 17 and 18, insert "As used in this section "B girl" means any person who, for compensation, procures, induces or encourages, either directly or indirectly, the purchase of alcoholic beverages."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2590—An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business and Professions Code, relating to horse racing and horse racing meetings

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "100", and insert "80".

Amendment No. 2

On page 2, line 12, of the printed bill, strike out "50", and insert "40".

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 728—An act to amend Sections 1081, 1083, 1083.1, 1083.2, 1083.5, 1086, 1088 and 1089, and to repeal Section 1081.1, of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, and ordered to third reading.

Senate Bill No. 792—An act to amend Section 1065 of the Agricultural Code, relating to the sale of economic poisons

Bill read second time, and ordered to third reading

Senate Bill No. 857—An act to amend Section 3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended, relating to credit unions, the licensing, regulation and powers thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1003—An act to amend Sections 195 and 203 of, and to add Sections 205 and 206 to the Streets and Highways Code, relating to the expenditure of moneys from the State Highway Fund within cities.

Bill read second time, and ordered to third reading

Senate Bill No. 444—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 23, of the printed bill, following "at any spur track," insert "side track,".

Amendment No. 2

On page 1, line 23, of the printed bill, before "industrial", strike out "or".

Amendment No. 3

On page 1, line 23, of the printed bill, following "or industrial track", insert ", auxiliary".

Amendment No. 4

On page 1, line 24, of the printed bill, before "not", insert "track crossing or railroad track crossing".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 749—An act to amend Section 960 of, and to add Sections 960.1, 960.2, 960.3 and 960.4 to, the Streets and Highways Code, relating to the abandonment and vacation of county highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "shall", and insert "may".

Amendment No. 3

On page 1, line 25, of the printed bill, after "easement", strike out the comma, and after "or to vacate any highway," insert "mentioned in Section 960.1,".

Amendment No. 4

On page 2, line 11, of the printed bill, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 17, of the printed bill, strike out "department", and insert "county".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1068—An act to add Section 135.8 to the Vehicle Code, requiring reports of damaged fences.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate March 25, 1941, strike out the period, and insert ", or to the local headquarters of the California Highway Patrol."

Amendment read and adopted
Bill ordered printed, and to third reading.

Senate Bill No. 997—An act to add Section 7.1 to of the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "7 1", and insert "7 2".

Amendment No. 2

On page 3, line 19, of the printed bill, as amended, strike out "7 1", and insert "7.2".

Amendment No. 3

On page 3, line 21, of the printed bill, as amended, strike out "7 1", and insert "7.2"

Amendment No. 4

On page 3, line 21, of the printed bill, as amended, after "act", insert "and limited in numbers"

Amendment No. 5

On page 3, line 22, of the printed bill, as amended, after "any", insert "such".

Amendments read and adopted
Bill ordered printed, and to third reading

Senate Bill No. 530—An act to add Section 28.7 to Article 1 of Chapter 1 of Division 1 of the Agricultural Code, relating to bonds and licenses

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate March 13, 1941, commencing with "Provided", strike out the balance of the line, and all of lines 8, 9 and 10, and insert

"However, in a case where the bond is canceled as a result of the retirement from business of the bonding company, and when the director is satisfied that the licensee is solvent he may continue in force, the license in question for a period of not to exceed 30 days to enable the licensee to secure a new bond"

Amendment read and adopted
Bill ordered printed, and to third reading.

Senate Bill No. 660—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "20", and insert "10".

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, strike out "and wrapped."

Amendment No. 3

On page 1 of the printed bill, as amended, between lines 18 and 19, insert

"When tomatoes are packed in containers which have straight sides, each layer shall consist of the same number of tomatoes except that when packed in standard container No. 27 with wide cleats on each end extending one-half inch or more over the inside edge of the end piece, and such cleats interfere with the packing of the top layer, the top layer may consist of one row less in length than the bottom layer or layers. However, in no case may the count of the bottom layer or layers be less than the top layer."

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert "cal description of the pack in the top layer. If a bridge pack is used the designation "Bridge Pack" shall be imprinted in plain letters one inch in height and in plain sight on the lid of the container."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 480—An act to add a new section to the Agricultural Code, to be numbered 736.5-1, relative to sales of milk for cash.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 11 to 26, inclusive, and insert

"737.6-1. No bond shall be required of any distributor who purchases fluid milk or fluid cream from a producer-distributor; provided, that the buyer at the time of obtaining possession or control of each delivery pays for the same the full agreed price of the delivery in lawful money of the United States; and provided, that said fluid milk or fluid cream is purchased in package form ready for human consumption, and not in bulk form. Any distributor before purchasing fluid milk or fluid cream on the above terms shall notify the director of his intention to make such purchases, stating from whom, and the average daily quantity of such purchases. Such distributor shall also keep a record of such purchases, showing dates of purchases, amounts of purchases, and the name or names of seller or sellers, and shall make such other and further reports to the director as he may from time to time require."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of lines 1 to 14, inclusive

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 810—An act to amend Sections 2, 3, 4, 7, 10 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under Section

412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases where an admission fee is charged spectators to witness such amateur boxing contests," approved by electors on November 4, 1924, relating to boxing and wrestling.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 6, line 32, of the printed bill, as amended, strike out the semicolon, and insert a period.

Amendment No. 2

On page 6, lines 36 and 37, of the printed bill, as amended, strike out "corporation treasurers, ten dollars ($10)."

Amendments read and adopted.

Bill ordered printed, and to third reading.

REQUEST TO WAIVE NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1294

Mr. Bashore waived his notice of motion to reconsider the vote whereby Senate Bill No. 1294 was passed.

Unanimous Consent Withheld

Mr. Pelletier withheld unanimous consent on the waiving of the notice of motion to reconsider Senate Bill No. 1294.

Reconsideration of Senate Bill No. 1294

In compliance with a notice given, Mr. Field moved that the vote whereby Senate Bill No. 1294 was passed be reconsidered.

Senate Bill No. 1294 refused reconsideration by the following vote:

AYES—Del Mutolo, Dilworth, Donnelly, Heisinger, Houser, Frederick F., Knight, T. Fenton; Pelletier, Richie, Russell, Salsman, Sheridan, and Thomas—12.

NOES—Allen, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Cooke, Cronin, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Stream, Tenney, Thorp, Thurman, Weber, Welch, Weybret, and Wollenberg—47.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities

issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 36, of the printed bill, as amended, after "approved", and before the comma, insert "and by the court declared operative".

Amendment No. 2

On page 9 of the printed bill, as amended, strike out lines 20 to 39, inclusive, and insert "ney General In connection with any proceeding or plan under this Section 13 16d the commissioner shall not employ or engage (1) counsel other than the Attorney General or one or more of his deputies or (2) any appraiser or accountant other than appraisers or accountants who are subject to the Civil Service Laws of this State"

Amendments read and adopted
Bill ordered reprinted, and to third reading.

MOTION TO RESET SPECIAL ORDER

Mr Millington moved that Assembly Bill No. 1800 be made a special order of business for Monday, May 5, 1941, at 1 30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, T Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Watson, Weber, Welch, Weybret, and Wollenberg—59.
NOES—Pelletier—1.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 58—An act to add Sections 622.5 and 692.6 to the Agricultural Code, relating to the manufacture and sale of frozen products of milk in quantities less than one gallon

Bill read third time

Motion to Amend

Mr Michael J. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "622.5 and 622.6", and insert "674 and 675".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "622.5", and insert "674".

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, strike out "622.5", and insert "674".

Amendment No. 4

On page 1, line 9, of the printed bill, as amended, strike out "692.6", and insert "675".

Amendment No. 5

On page 1, line 11, of the printed bill, as amended, strike out "622.6", and insert "675".

Amendment No. 6

On page 1, line 12, of the printed bill, as amended, strike out "622.5", and insert "674".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 792—An act to amend Sections 12605 and 12607 of the Business and Professions Code, relating to containers and their contents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 792?

Amendment No. 1

On page 1, line 5, of the printed bill, after "filled", insert ", wholly or partially,".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "and 12607", and insert ", 12607 and 12614".

Amendment No. 3

On page 1 of the printed bill, after line 26, insert

"SEC. 3. Section 12614 of the Business and Professions Code is hereby amended to read as follows:

12614. When a commodity in a container is sold and there is a discrepancy between the actual quantity of the commodities in the container and the net quantity of the contents thereof indicated on the container *or between the fill of the commodity in the container and the capacity of the container* there is no violation of this chapter:

(a) If such discrepancy is due to unavoidable leakage, shrinkage, evaporation, waste, or causes beyond the control of the seller acting in good faith.

(b) If the seller purchased the commodity in the container, in good faith, relying upon the indication of the net contents thereof, and sold the commodity in the container without altering the contents thereof or the indication of the contents thereof and the container had the name of a packer, manufacturer, wholesaler, or jobber thereon at the time the seller purchased it."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 792 by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Wevbret, and Wollenberg—61.

NOES—None.

Assembly Bill No. 792 ordered enrolled.

Assembly Bill No. 795—An act to add Section 22140 to the Streets and Highways Code, relating to assessments levied to defray the cost of the planting, maintenance and removal of trees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 795?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "22140", and insert "22141".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "22140", and insert "22141".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "22140", and insert "22141".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 795 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick C. Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None

Assembly Bill No. 795 ordered enrolled

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469
Assembly Bill No. 1820.
Assembly Bill No. 1288.
Assembly Bill No. 1693.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 530.
Assembly Bill No. 531.
Assembly Bill No. 532
Assembly Bill No. 717.
Assembly Bill No. 2584
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Constitutional Amendment No. 59

COMMUNICATIONS

The following petition was received, and on motion of Mr Tenney, ordered printed in the Journal:

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 2,000 names from your respective districts, protesting against the passage of Senate Bill No. 877.

Following is the tabulation:

	District	*Names*
Everett G. Burkhalter	42	56
C. Don Field	43	40
John Pelletier	44	70
Thomas J. Doyle	45	38
Jack B. Tenney	46	44
Eleanor Miller	47	8
T. Fenton Knight	48	2
Lee T. Bashore	49	15
Gerald C. Kepple	50	33
F Ray Bennett	51	108
William H Poole	52	175
Frederick F. Houser	53	57
John B. Knight	54	44
Vernon Kilpatrick	55	56
Norris Poulson	56	59
Franklin J. Potter	57	97
Frank J. Waters	58	56
Charles W. Lyon	59	23
Jesse R. Kellems	60	24
Ernest O. Voigt	61	119
Augustus Hawkins	62	80
Don A Allen	63	70
Roger A. Pfaff	64	42
John W. Evans	65	92
Jack Massion	66	101
Cecil R. King	67	88
Vincent Thomas	68	51
Ralph C. Dills	69	56
Lorne D Middough	70	122
Fred N. Howser	71	7
Godfrey A Andreas	72	8
Frank C Russell	73	17
Nelson S. Dilworth	76	19
Jeanette E. Daley	78	29
Paul A Richie	79	9

Petition

To the Honorable Assembly Body of the State of California, we, as members and friends of organized labor, are very much opposed to Senate Bill No. 877, commonly known as the "Secondary Boycott Bill" We respectfully ask for your cooperation in defeating this bill.

1. Norman B Owen and 2,000 others.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2081—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2081?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 19, 1941, insert

"(h) A motor vehicle, owned by the State, and operated by a regularly employed special agent or investigator of the Attorney General's Office in the performance of his duties under Section 476 of the Political Code"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2081 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—Crowley—1.

Assembly Bill No. 2081 ordered enrolled.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Turner and Call:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

Respectfully submitted.

RODNEY L. TURNER
H. W. CALL

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1855—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out line 1, and insert "(c) Written contracts where".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1080—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Kepple, King, Leonard, Lyon, Maloney, McCollister, Middough, Millington, Pelletier, Poole, Potter, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Weybret—48.

NOES—Cain, Carlson, Dilworth, Houser, Frederick F., Johnson, Kellems, Knight, John B., Lowrey, Miller, O'Day, Phillips, Richie, Salsman, Sheridan, Watson, and Wollenberg—16.

Notice of Motion to Reconsider Assembly Bill No. 1080

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1080 was this day passed.

Assembly Bill No. 465—An act to amend Sections 755, 760, 780, 788 and 1200 of the Probate Code, and to add Sections 757a, 794, 795, 796, 797, 798 and 799 thereto, relating to sales of real property of estates in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F N. Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—63

NOES—Sheridan—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 848—An act to amend Section 730 of the Fish and Game Code, relating to halibut.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. John W. Evans Presiding

At 2.40 p.m., Hon. John W. Evans, member of the Assembly from the Sixty-fifth District, presiding.

Assembly Bill No. 1502—An act to amend Section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch Weybret, and Wollenberg—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2091—An act to amend Section 542.1 of the Political Code, relating to charges for State printing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 778—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Weber, Welch, Weybret, and Wollenberg—65.

NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 819—An act to amend Section 11005 of the Revenue and Taxation Code, and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the expenditure by cities and cities and counties of motor vehicle license fee money distributed to them.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan,

Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1544—An act to amend Section 4242, 4242.1 and 4242.2 and to add Section 4242 1a to the Political Code, relating to the compensation for public services in counties of thirteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—57.
NOES—Donnelly, Houser, Frederick F, Johnson, Pelletier, and Richie—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1138—An act to amend Sections 3696, 3699, 3705 and 3706 of, and to add Section 3707 to, the Revenue and Taxation Code, relating to property taxation, including sales at public auction of tax-deeded property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 647—An act to amend and renumber the title of Chapter 5, Part 4, of Division 6, of the Welfare and Institutions Code, relating to State Narcotic Hospital.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1411—An act to add Section 3842 to the Revenue and Taxation Code, relating to actions to quiet title against the State.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1456—An act to amend Section 2605 of the Revenue and Taxation Code, relating to property taxation, including assessments, equalization of taxes, the levy of taxes, the collection of taxes, tax sales, the redemption of delinquent property, distribution of taxes, corrections, cancellations and refunds, and suits for taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2365—Relating to persons licensed as real estate brokers entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson,

Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1452—An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—65.
NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1453—An act to amend Section 2551 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight and equipment upon vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1987—An act to amend Section 11160 of the Health and Safety Code, relating to narcotics and the use, prescribing, possession, or transporting thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action

Mr. Dills moved to expunge the record and rescind the action whereby Assembly Bill No. 164 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Further Consideration of Assembly Bill No. 164

Assembly Bill No. 164—An act to amend Section 159a of the Code of Civil Procedure, relating to the qualifications of justices of the peace

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Doyle, Field, Gaffney, Gallagher, Green, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Weber, Weybret, and Wollenberg—49

NOES—Andreas, Burns, Michael J., Cassidy, Clarke, Dilworth, Donnelly, Evans, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; McCollister, Meehan, Pelletier, Stream, Thorp, Watson, and Mr. Speaker—18

Bill ordered transmitted to the Senate.

Assembly Bill No. 533—An act to amend Section 1007 of the Civil Code, relating to prescription; exemption.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1683—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1879—An act to add Section 170 of the Vehicle Code, relating to registration of and issuance of license plates for vehicles of passenger stage corporations, highway common carriers, and highway carriers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 799—An act to amend Section 1179 of the Fish and Game Code, relating to nongame birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Andreas—1

Bill ordered transmitted to the Senate

Assembly Bill No. 1775—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1242—An act to amend Section 453 of the Fish and Game Code, relating to the possession of game birds and animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 563—An act to amend Section 593 of the Civil Code, relating to the formation and purposes of nonprofit corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1508—An act to add Section 5.852-1 to the School Code, relating to members of the California State Teachers' Retirement System serving in the Armed Forces of the United States of America or of the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Green moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 6 and 7, insert
"This section shall have no force and effect from and after the expiration of two years following its effective date"

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 29 and 30, insert
"This section shall have no force and effect from and after the expiration of two years following its effective date"

Amendments read and adopted.
Bill ordered reprinted and re-engrossed

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the Armed Forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Green moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended, strike out "during the time", and insert "for not to exceed the first five school months".

Amendment No. 2

On page 2 of the printed bill, as amended following line 11, insert
"This section shall have no force and effect from and after the expiration of two years following its effective date"

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1966—An act to add Sections 5.129 and 5.344 to the School Code, relating to the continuance of documents authorizing service in the public schools and held by persons serving in the Military Service of the United States or of the State of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Green moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, following line 20, insert
"This section shall be of no force and effect from and after the expiration of two years from its effective date"

Amendment No. 2

On page 2 of the printed bill, as amended, following line 20, insert
"This section shall be of no force and effect from and after the expiration of two years from its effective date"

Amendments read and adopted.
Bill ordered reprinted, and re-engrossed.

Motion to Expunge Record and Rescind Action

Mr. Call moved to expunge the record, and rescind the action whereby Assembly Bill No. 1229 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Pelletier—1.

Further Consideration of Assembly Bill No. 1229

Assembly Bill No. 1229—An act to add Section 845.5 to, and to repeal Sections 860, 861, 865, 880 and 881 of, the Fish and Game Code, relating to the use of nets.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Pelletier—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1686—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—McCollister—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 126—An act to amend Section 596 of the Penal Code, relating to the use of poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 53—Proposed amendment to Article XIII by adding Section 14½ of the Constitution, relative to taxation of insurers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 41—Relative to memorializing Congress to investigate the feasibility of growing of guayule rubber in California and if found feasible to subsidize the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lyon, Maloney, McCollister, Meehan,

Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Bill No. 1537—An act authorizing the board of supervisors to appoint a county counsel in counties having a population of over 100,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 463—An act to add Section 686.7 to the Vehicle Code, relating to designations on State-owned vehicles.

Bill read third time

Motion to Amend

Mr. Allen moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, before "in", insert "and the name of the agency operating such vehicle".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2589—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class

Bill read third time

Motion to Amend

Mrs. Daley moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "Five", and insert "Two".

Amendment No. 2

On page 2, line 9, of the printed bill, as amended, strike out "Five", and insert "Seven file index".

Amendment No. 3

On page 2, lines 12 and 13, of the printed bill, as amended, strike out "two hundred seventy-five dollars ($275)", and insert "three hundred dollars ($300)".

Amendment No. 4

On page 2, line 15, of the printed bill, as amended, strike out "chief deputy marshal (criminal division)", and insert "assistant marshal".

Amendment No. 5

On page 2, line 16, of the printed bill, as amended, strike out "two hundred dollars ($200)", and insert "two hundred twenty-five dollars ($225)".

Amendment No. 6

On page 2, line 17, of the printed bill, as amended, strike out "(civil division)".

Amendment No. 7

On page 2, line 18, of the printed bill, as amended, strike out "one hundred eighty-five dollars ($185)", and insert "two hundred dollars ($200)".

Amendment No. 8

On page 2, lines 20 and 21, of the printed bill, as amended, strike out "one hundred dollars ($100)", and insert "one hundred eighty dollars ($180)".

Amendment No. 9

On page 2, line 22, of the printed bill, as amended, strike out "Three", and insert "Four".

Amendment No. 10

On page 2, line 23, of the printed bill, as amended, strike out "one hundred fifty dollars ($150)", and insert "one hundred sixty dollars ($160)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1039—An act to amend Section 8 of, and to add Section 8.1 to, the Personal Income Tax Act, relating to deduction of a net operating loss.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "loss" and before "and", insert ", other deductions"; and in line 4 of the title strike out the word "capitol", and insert "capital".

Amendment No. 2

On page 2, line 18, of the printed bill, as amended, after "other", insert "than taxes computed as an addition to, or as a percentage of taxes which are not deductible hereunder, and other".

Amendment No. 3

On page 2, line 43, of the printed bill, as amended, after the "(f)", insert a "(1)"; and on page 3, line 2, after the period, insert "This paragraph shall not apply with respect to a debt evidenced by a security as defined in paragraph (3) of this subsection.

(2) If any securities (as defined in paragraph (3) of this subsection) are ascertained to be worthless within the taxable year and are charged off and are capital assets, the loss resulting shall be considered as a loss from the sale or exchange, on the last day of such taxable year, of capital assets.

(3) As used in this subsection, the term "securities" means bonds, debentures, notes, or certificates, or other evidences of indebtedness, issued by any corporation (including those issued by a government or political subdivision thereof) with interest coupons or in registered form."

Amendment No. 4

On page 3, line 25, of the printed bill, as amended, after "(h)", insert "(1)"; and between lines 26 and 27, insert

"(2) If any securities (as defined in paragraph (3) of this subsection) become worthless during the taxable year and are capital assets the loss resulting therefrom shall, for the purposes of this act, be considered as a loss from the sale or exchange, on the last day of the taxable year, of capital assets.

(3) As used in this subsection, the term "securities" means (A) shares of stock in a corporation, and (B) rights to subscribe for or to receive such shares."

Amendment No. 5

On page 4, line 14, of the printed bill, as amended, after "gifts", insert "payment of which is".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1146—An act to amend an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," Statutes of 1921, page 370, as amended by Statutes of 1937, page 1536, providing a procedure for the disposition of exhibits filed with the court in criminal cases and declaring for the property to be contraband, and providing for the seizure, confiscation and destruction of such contraband property.

Bill read third time.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "amend", insert "Section 1 of".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "Statutes of 1921, page 370", and insert "Approved May 24, 1941".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "an act entitled "An act providing"; and strike out lines 2 and 3, and insert "the act cited in the title hereof is hereby amended to read".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1306—An act to provide for the alteration of the existing boundary lines between counties, for the transfer of territory from one county to another county and for the adjustment and fulfillment of the rights and obligations arising between such counties.

Bill read third time.

Motion to Amend

Mr. Millington moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, as amended on April 10, 1941, after line 4, insert "SEC 21. Whenever county boundaries are altered pursuant to the provisions hereof it shall be the duty of the boards of supervisors of the counties whose boundaries are altered to file or cause to be filed before the first of February with the State Board of Equalization and with the assessors of such counties a statement setting forth the legal description of the boundaries as the same have been altered, together with a map or plat indicating such boundaries. The alteration of boundaries shall not be effective for purposes of assessment or taxation unless the statement, together with a map or plat herein required, is filed with the county assessors and with the State Board of Equalization on or before the first of February of the year in which the assessments or taxes are to be levied."

Amendment read and adopted.

Bill ordered reprinted, and to third reading

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 38: By Messrs. Kepple, Carlson, Johnson, Knight, T. Fenton; Houser, Frederick F., Pfaff, and Mrs. Daley—Relative to amending Rule No. 11 of the Joint Rules of the Senate and Assembly, regarding the amendment of bills

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Gaffney:

House Resolution No. 171

WHEREAS, On April 16, 1941, Colima State of the Republic of Mexico and the surrounding region were the victims of a violent earthquake, and

WHEREAS, As a result hundreds of persons were injured and thousands made homeless, and

WHEREAS, The hardship and suffering which resulted is being alleviated to some extent by voluntary contributions by the citizens of this State; therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby expresses its regret over the calamity which has befallen our neighbor to the south, and its deep sympathy with the suffering; and be it further

Resolved, That the Assembly indorses efforts to extend relief to the stricken area, and urges every citizen to support them; and be it further

Resolved, That copies of this resolution be forwarded to Their Excellencies, the President of Mexico and the Mayor of the stricken City of Colima.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 171, at this time, without reference to committee.

Resolution read, and adopted unanimously.

House Resolution No. 172

By Messrs. Maloney, Cronin, Call, Gallagher and Cooke:

WHEREAS, It is with regret that the public of California have read in the press of the unfortunate accident to one of California's most outstanding citizens, Mr. Frank "Lefty" O'Doul, Manager of the San Francisco Baseball Team; and

WHEREAS, "Lefty" O'Doul, as he is affectionately called by those who know him in private life and in the sporting world, has been an idol of the kids of America for his untiring efforts to educate them in clean wholesome sports which would make them good citizens for tomorrow; now, therefore, be it

Resolved, That the Speaker of the Assembly be directed to send a telegram to Frank "Lefty" O'Doul, expressing the wishes of the members of the Legislature for a complete and speedy recovery from this unfortunate accident.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 172, at this time, without reference to committee.

Resolution read, and adopted unanimously.

By Mr. Hugh M. Burns:

House Resolution No. 173

WHEREAS, James Brown Maloney, genial representative of the Fresno Bee at this Legislative Session, today celebrates his twenty-eighth birthday; and

WHEREAS, Though each birthday tolls another year in life's span, yet it is an occasion of special happiness; now therefore, be it

Resolved, by the Assembly, That birthday greetings be extended to James Brown Maloney, together with wishes for many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the Assembly present an engrossed copy of this resolution to James Brown Maloney.

Request for Unanimous Consent

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to take up House Resolution No 173, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1427—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, following "property", insert a period; and strike out balance of line, and all of line 10.

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Turner and Call.

An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2605: By Messrs. Turner and Call—An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insurance Code, relating to the administration of taxes imposed on insurance companies and associations.

Respectfully submitted.

JAMES H PHILLIPS

Request referred to Committee on Introduction of Bills.

By Mr. Andreas:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of food conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Respectfully submitted.

GODFREY A ANDREAS

Request referred to Committee on Introduction of Bills.

By Messrs. Knight, John B., and Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act providing for payment by the State for park property acquired for highway purposes.

Respectfully submitted.

JOHN B KNIGHT

Request referred to Committee on Introduction of Bills.

PETITION

A petition regarding Senate Bill No. 877 was presented by Mr. Thomas, and referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 48	Assembly Bill No. 438
Assembly Bill No. 419	Assembly Bill No. 2137
Assembly Bill No. 2526	Assembly Bill No. 1013
Assembly Bill No. 2527	Assembly Bill No. 430
Assembly Bill No. 434	Senate Bill No. 55

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1280	Assembly Bill No. 757
Assembly Bill No. 242	Senate Bill No. 188

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 749	Assembly Bill No. 756
Assembly Bill No. 750	Assembly Bill No. 771
Assembly Bill No. 753	Senate Bill No. 1144

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1545

Respectfully reports the same back without recommendation

PHILLIPS, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1650 re-referred to Committee on Irrigation.

Assembly Bill No. 1625 re-referred to Committee on Ways and Means.

Assembly Bill No. 1000 re-referred to Committee on Ways and Means.

Assembly Bill No. 1249 re-referred to Committee on State Grounds and Parks.

Assembly Bill No. 420 re-referred to Committee on Military Affairs.

Assembly Bill No. 1511 re-referred to Committee on Insurance.

Assembly Bill No. 538 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 305 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1623 re-referred to Committee on Education.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following from Kings Rural School, Bangor, Butte County: Robert Osgood, Thomas Howard, Jackie Howard, Denzil Boelman, Raymond Lee Webb,

Oniska Webb, Wesley Webb, Arthur Webb, Imogene Cornett, Donald Cornett, Loy Cornett, Roy Cornett and Wilda Evans; Doreen G. Legar, teacher; and Mrs. Ed Anderson, Mrs. Wayne Webb and Joe Howard.

On request of Mr Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. Owens Wilmoth of Bellflower.

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Jack Biggam of Yuba City.

On request of Mr. Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Timothy Cronin, and Mr. and Mrs. C. Conley of San Francisco.

On request of Mr Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Clarence Goodwin, City Manager of San Jose; Harry Young, President of City Council; Thomas Randazzo, Councilman; William Popp, City Engineer; Michael Antonacci, City Planning Engineer; and Walter Pfeifle, Supervisor of Santa Clara County.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Father T. M. Raber and Father McHugh of St. Jarlath's Church, Oakland; and the following Sisters of St. Jarlath's School: Sister St. Patrick, Sister Louis Innocent, Sister M Aloysius, Sister Georgina, Sister Clara Josephine, Sister Leonilla, Sister Rose Bernard, Sister Theresa Cecile, Sister Carolyn, Sister Jane Bernadett, Sister Ruth Ellen and Sister M. Kevin; and Richard Brown, St. Mary's College High School; Stephen Beck, St. Jarlath's, and Mrs. George McPeake of Oakland.

On request of Messrs. Gallagher, Gaffney and other members of the San Francisco Delegation, the privilege of the floor was extended to Sisters Mary Wilma, Agnes Gertrude and the following students of the class in United States History of Notre Dame High School of San Francisco: Leatrice Dunham, Charlotte Frisbie, Yvonne Guibert, Betty Spicer, Augustina Armanino, Anne Derby, Mary Frances Heany, Genevieve Partmann, Catherine Leary, Eileen Kerrigan, Patricia Ilg, Marian Murphy, Barbara Peirce, Lylyan Tosetti, Grace Bernsdorf, Frances Dambacher, Peggy Feeny, Eileen Kearney, Mary Lou O'Brien, Bernice Re, Cecilia Miyamoto, Mary Oakes, Rita O'Connor, Theresa Schoenstein, Nancy Connolly, June Fitzgerald, Marian Egan, Bernice Howe, Catherine Sullivan, Constance Soto, Merilyn White and Mary Gaffney.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Williams, Robert O'Shier and Bruce O'Shier of San Francisco.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gertrude Julien of Turlock.

On request of Messrs Meehan and Pelletier and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Women's Legislative Club as follows: Officers—Mrs. Emily Mennell, President; Mrs. Josephine Sellier, Secretary; Mrs. Amelia Karasson, Financial Secretary; Mrs.

Martha Hamblin, First Vice President; Mrs Martin Didrickson, Auditor 1; and Mrs. Olive M. Hanniff, President Emeritus. Members—Mrs. Charlotte LaPosea, Mrs. Margie Finelli, Mrs. Violet Balding, Mrs. Frances Warren, and Miss Helen C. Wilson, guest.

ADJOURNMENT

At 5 08 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 30 a m., Friday, May 2, 1941.

C. W. QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY
ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 2, 1941

The Assembly met at 10.30 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Mr. Speaker—55.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully requests the Assembly to return Senate Bill No. 620 for further action.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE BILL NO. 620 RETURNED TO SENATE

The question being, Shall the Assembly return Senate Bill No. 620 to the Senate for further consideration?

The roll was called, and the request granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaff-

ney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Mr. Speaker—51.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 569
Senate Bill No. 820
Senate Bill No. 855
Senate Bill No. 880

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 18

J. A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 569—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities

Referred to Committee on Financial Intitutions.

Senate Bill No. 820—An act to amend Section 204c, 204e and 261a of the Code of Civil Procedure, relating to jury commissioners and employees of the superior court.

Referred to Committee on Judiciary General.

Senate Bill No. 855—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, as amended, so as to define industrial loan companies, provide for their incorporation, powers and supervision and regulate the rates of interest and all other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies; to prohibit devices and subterfuge to evade this act; to provide for exemptions from this act; to provide for the administration of this act and the issuance of rules and regulations thereunder; to authorize the making of examinations and investigations;

to provide for the suspension, surrender and revocation of permits; and to prescribe penalties for the violation of this act

Referred to Committee on Financial Institutions

Senate Bill No. 880—An act to add Section 1100.1 to the Insurance Code, relating to investments and advancements of credit by insurers.

Referred to Committee on Insurance.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 9 of Article XIII of said Constitution, relating to State and county boards of equalization

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 470—An act to amend Section 112 of the Code of Civil Procedure, relating to original jurisdiction of justices' courts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2501—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19065, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19012.5, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture.

Bill read second time, and ordered engrossed

Assembly Bill No. 1009—An act to amend Section 137 of the Civil Code, relating to the support of a spouse pending divorce proceedings

Bill read second time, and ordered engrossed

Assembly Bill No. 748—An act to amend Section 5104 of the Welfare and Institutions Code, relating to the patients' personal deposit fund.

Bill read second time, and ordered engrossed

Assembly Bill No. 751—An act to amend Section 5701 of the Welfare and Institutions Code, providing for the license fee for private institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 752—An act to add Section 6500.5 to the Welfare and Institutions Code, relating to care and management of institutions.

Bill read second time, and ordered engrossed

Assembly Bill No. 1962—An act to add Sections 1.51, 1.52 and 1.53 to the School Code, relating to student body funds and organizations

Bill read second time, and ordered engrossed.

Assembly Bill No. 438—An act to repeal Section 1588.5 of the Labor Code, relating to labor contractor's license fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 430—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1013—An act to amend Section 1989 of the Code of Civil Procedure, relating to witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2137—An act to amend Section 284 of the Code of Civil Procedure, relating to substitution of attorneys.

Bill read second time, and ordered to third reading.

Assembly Bill No. 48—An act to amend Section 69 of the Civil Code of the State of California, relating to licenses to marry.

Bill read second time, and ordered engrossed.

Assembly Bill No. 419—An act to add Section 1432.1 to the Penal Code, relating to the procedure in a justice's court when a complaint is filed against the justice of said court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2526—An act to amend Section 117b of the Code of Civil Procedure, relating to small claims courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2527—An act to amend Section 117c of the Code of Civil Procedure, relating to small claims courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 434—An act to amend Section 1593 of the Labor Code, relating to employment agency licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1545—An act to add Division 2a, comprising Sections 3100 to 3123, to the Labor Code, relating to labor organizations and the procedure to be followed in fining, suspending, and expelling members thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "3123", and insert "3124".

Amendment No. 2

On page 2, line 9, of the printed bill, as amended, strike out "10", and insert "30".

Amendment No. 3

On page 2, line 23, of the printed bill, as amended, strike out "or by counsel".

Amendment No. 4

On page 2, line 25, of the printed bill, as amended, after "selection", insert "and at his own expense".

Amendment No. 5

On page 2, lines 45 and 46, of the printed bill, as amended, strike out "or other good cause,".

Amendment No. 6

On page 3, line 51, of the printed bill, as amended, before the period, insert ", or to a regular meeting of the local union".

Amendment No. 7

On page 4 of the printed bill, as amended, after line 44, insert

"3124. This chapter establishes minimum requirements for the protection of the rights of members of trades unions or labor organizations and shall not be construed to supersede those rules of a local union or its parent body which are in substantial accord with the provisions of this chapter and which afford such persons protection equal to or greater than the provisions of this chapter"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 749—An act to amend Section 5502 of the Welfare and Institutions Code, relating to the dismissal of criminal proceedings and the affidavit for commitment of a sexual psychopath.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "shall dismiss", and insert "may suspend".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 750—An act to add Section 5502.5 to the Welfare and Institutions Code, relating to the parole and discharge of sexual psychopaths.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 5, of the printed bill, after "extent that", insert "in the opinion of"

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, strike out "feels that".

Amendment No. 3

On page 1, line 6, of the printed bill, after "others," insert "said superintendent may certify said opinion to the committing court. Unless, within 30 days after the receipt of such certification, said court shall order the return of said person to await the further action of the court with reference to the criminal charge against him,".

Amendment No. 4

On page 1, line 13, of the printed bill, after "insane.", insert "When, in the opinion of the superintendent of the hospital, the sexual psychopath has not recovered from his sexual psychopathy and will not benefit by further care and treatment in the hospital, the superintendent may return him to the court for further disposition of his case."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 753—An act to amend Section 6650 of the Welfare and Institutions Code, relating to liability for care, support, and maintenance of patients in State hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "and the administrators of their estates", and insert "the estates of such persons".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "and/or", and insert "and".

Amendment No. 3

On page 1, line 16, of the printed bill, at the end of the last sentence, insert "The liability of such persons and estates shall be a joint and several liability except that where the insane person has an estate such estate shall be exhausted before liability passes to the relatives."

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "or inebriate"; in line 6, strike out "*or inebriate*"; in line 9, strike out "or inebriates"; in line 11, strike out "or inebriate"; and in line 13, strike out "or inebriate".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 756—An act to add Section 6656.5 to the Welfare and Institutions Code, relating to the patient's personal revolving fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 9, of the printed bill, after "personal deposit fund", strike out the period and insert ", except that if a guardian of the estate is appointed for the patient then he shall have the right to demand and receive such funds."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 771—An act to amend Section 7508 of the Welfare and Institutions Code, relating to civil actions or claims arising out of the discharge of official duties relating to inmates of State institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the comma after "department", and strike out lines 5, 6 and 7; and in line 8, strike out "tion", and insert "or any institution or agency under the jurisdiction of the department".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "under"; and strike out line 12, and insert "or agency under the jurisdiction of the department, or any officer or".

Amendment No. 3

On page 1 of the printed bill, after line 16, insert

"Whenever any suit for damages is brought against any officer or employee of the department or of any institution or agency under the jurisdiction of the department on account of his official actions such officer or employee, whether employed by the State at the time of the action or otherwise, may, with the consent of the director, have such action referred to the Attorney General, and upon the determination of the Attorney General that such officer or employee performed his official duty in good faith and without malice, it shall then be the duty of the Attorney General to appear and defend such officer or employee in such action The department or any institution or agency under the jurisdiction of the department may recover from such officer or employee the amount of any costs or expenses paid out by it under the provisions of this section if it should develop that the officer or employee acted in bad faith or with malice."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 190—An act to add Chapter 4a to Division 20 of the Health and Safety Code, relating to the safety of blind persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or partially blind".

Amendment No. 2

On page 1 of the printed bill, strike out lines 13 and 14, and insert "a guide dog of the blind from being transported on any class of train on which the person he is guiding is being transported."

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "or partially blind".

Amendment No. 4

On page 1, line 16, of the printed bill, strike out "the full and equal".

Amendment No. 5

On page 1 of the printed bill, strike out lines 18 and 19, and insert "restaurants, theaters, or places of amusement. Such accommodations, advantages, facilities or privileges shall be such as will not interfere with, adversely affect or constitute a hazard to the safety or welfare of such blind person, and shall not constitute a hazard to the welfare or life of any other patron or customer. Whoever denies to".

Amendment No. 6

On page 1, line 20, of the printed bill, strike out "or partially blind".

Amendment No. 7

On page 1, line 21, of the printed bill, strike out "full and equal".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 468—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 13, of the printed bill, after "affidavit", insert "which affidavit quotes or refers to an agreement for sale, lease, option agreement, deposit receipt, commission receipt or lease".

Amendment No. 2

On page 1, line 16, of the printed bill, after "the", strike out "person", and insert "party thereto who appears by such instrument to be the party".

Amendment No. 3

In line 12 of the printed bill, strike out "lease,".

Amendment No. 4

In line 13 of the printed bill, strike out "notice of lease".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 745—An act to amend Section 166 of the Welfare and Institutions Code, relating to the disposition of personal property unclaimed by the owner.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 21 to 23, inclusive, and insert "of the General Fund. (b) Miscellaneous Personal".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "and married couples".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 954—An act to amend Section 3408d of the Political Code, relating to the sale of indemnity certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein."

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"Section 1. In all cases where the State of California has sold any salt marsh and tidelands under the provisions of the following named acts or of any of them,

to wit: "An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California," approved March 30, 1868, and an act entitled "An act supplementary to and amendatory of an act entitled 'An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California,' approved March 30, 1868," approved April 1, 1870, and an act entitled "An act supplementary to and amendatory of an act supplementary to and amendatory of an act entitled 'An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California,' approved March 30, 1868; also, an act approved April 1, 1870," approved March 30, 1874, to any person or persons and the person or persons purchasing said lands has paid all of the installments required to be paid by him or them on the purchase price thereof prior to the enactment of an act entitled "An act to abolish the State Board of Tideland Commissioners, and to repeal Sections 365 and 698 of the Political Code," approved February 4, 1876, and where no deed was ever executed and delivered to such purchaser or purchasers conveying to him or them the lands so purchased, or where such deed, if delivered, has been lost by such purchaser or purchasers or has never been recorded, the person or persons so purchasing said lands, or his or their successor or successors in interest, is and are hereby authorized to bring suit against the State of California in any court of said State of competent jurisdiction to quiet title to said land, or to any portion thereof, and to prosecute the same to final judgment.

SEC. 2 The complaint in any such action must contain a statement of the time, place and conditions of sale of the lands concerning which title is shown to be quieted, together with a statement of all moneys paid under the terms of said sale and the date of such payments. The rules of practice in civil cases relating to suits to quiet title shall apply to such suits as may be brought under this authorization, except as otherwise herein provided. No costs against the State shall be allowed in any such suit.

SEC 3 Service of summons in such suits shall be made upon the Chairman of the State Lands Commission and upon the Attorney General, and it shall be the duty of the Attorney General to represent the State in all such suits.

SEC 4. Any such suits to quiet title shall be commenced within one year after this act takes effect "

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 28, inclusive; and strike out pages 2 and 3.

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1679—An act to amend Section 5.722 of the School Code, relating to sabbatical leaves.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 4, of the printed bill, after "leave", insert "; provided, however, that the governing board of any district which has adopted a rule governing the payment of salaries to employees absent from duty because of illness may, at its option, agree to pay, and pay, to employees taking leaves of absence under the provisions of this section, compensation at the same rate as provided by such rule governing absences because of illness".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1700—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 16, inclusive, and insert

"SEC 2. The legislative body of each city may create by ordinance a planning commission Such commission shall consist of nine members and said legislative body may, in its discretion, provide that all, and in no event less than six, of the persons appointed thereto, shall be persons who hold no other office or position with the city. If the legislative body of the city provides for membership on the commission of persons holding an office or position with the city, then one such person may be a member of such legislative body of the city.

The legislative body of each county shall create by ordinance a planning commission to consist of nine members. Six members, not officials".

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2090—An act to add Sections 1443, 1444, 1445, 1446, to the Probate Code, relating to the appointment of guardians of minors and incompetent persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 6, of the printed bill, following "6", strike out the period, and insert "and except when the petition is for the appointment of a corporate fiduciary as guardian of the estate of such minor or incompetent person"

Amendment No. 2

On page 1, line 10, of the printed bill, following "6", insert "and other than an order appointing a corporate fiduciary as guardian of the estate of a minor or incompetent person"

Amendment No. 3

On page 2, line 2, of the printed bill, following "6", insert "and other than a petition for the appointment of a corporate fiduciary as guardian of the estate of a minor or incompetent person".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2355—An act to amend School Code Section 3.760, relating to course of study in day elementary schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, following line 10, insert

"Except as otherwise herein provided, the courses of study for the day elementary schools in districts maintaining junior high schools shall embrace six years of instruction, and in districts in which junior high schools are not maintained, such courses of study shall embrace eight years of instruction; and such courses must allot six or eight years, respectively, for instruction in subjects required to be taught in such schools and may allot not more than two years for kindergarten instruction"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 17 to 27, both inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2396—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2 and 972.3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and District Court of Appeals

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 972.3", and insert ", 972.3 and 972.4"

Amendment No. 2

Strike out line 4 of the title of the printed bill, and insert "courts of appeal"

Amendment No. 3

On page 1 of the printed bill, strike out line 4, and insert "which business is pending, and each district court of appeal,".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "a", and insert "the Chief Justice or".

Amendment No. 5

On page 1, line 11, of the printed bill, after "Said", insert "Chief Justice or"

Amendment No. 6

On page 1, line 14, of the printed bill, after "as", insert "Chief Justice or".

Amendment No. 7

On page 1, line 22, of the printed bill, after "said", insert "Chief Justice or".

Amendment No. 8

On page 1 of the printed bill, strike out line 23, and insert "order of the associate judge acting for him, be placed on the calendar for".

Amendment No. 9

On page 2 of the printed bill, strike out lines 6 and 7, and insert "a different time is specially prescribed by a judge of the tribunal having jurisdiction thereof. Five days' written notice of".

Amendment No. 10

On page 2 of the printed bill, strike out line 10, and insert "by said judge If a".

Amendment No. 11

On page 2 of the printed bill, strike out lines 50 and 51, and insert

"970. All appeals must be orally argued to or discussed with the court by the parties thereto and any notes of the arguments or discussion taken by a judge shall be filed in the record."

Amendment No. 12

On page 3, line 6, of the printed bill after "argument", insert "or discussion".

Amendment No. 13

On page 3, line 23, of the printed bill, after "the", insert "next regular".

Amendment No. 14

On page 3 of the printed bill, strike out lines 29 and 30, and insert "of rehearing or hearing or both, the clerk shall immediately transmit to the court from which the".

Amendment No. 15

On page 3, line 37, of the printed bill, strike out "appellant", and insert "appellate".

Amendment No. 16

On page 3 of the printed bill, following line 49, insert

"SEC. 12. Section 972.4 is hereby added to said code, to read as follows:

972.4. There shall be printed in the heading of each opinion in the official reports of the Supreme Court and district courts of appeal, the following:

(a) The date of the appeal,

(b) The date of the filing of the record on appeal;
(c) The date of the hearing of the appeal; and
(d) The date of decision by the appellate court."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2572—An act to add Chapter 4 comprising Sections 570 to 579, inclusive, to Part 2, Division 2 of the Military and Veterans Code, relating to a volunteer force of aircraft pilots and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Aviation and Aircraft:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "organize and to maintain an organization of aircraft pilots for the purpose of making such aircraft pilots available to serve this State in such manner as the Governor shall direct in the event of any emergency affecting the lives, health or welfare of its citizens. The decision of the Governor that such a state of emergency exists shall be conclusive determination of the existence of such emergency."

Amendment No. 2

On page 1, line 15, of the printed bill, before "administration", insert "organization and".

Amendment No. 3

On page 1 of the printed bill, strike out lines 19 to 21, inclusive, and insert "bers shall be holders of a valid Federal aircraft pilot certificate of the grade of at least private pilot, and all of the members shall be citizens of the United States. The members of the board shall receive no salary, but shall be allowed and paid their reasonable expenses incurred by them in the performance of their duties. Three of the members shall constitute a quorum of the board, and all action must be taken by the board only upon a majority vote of the members present".

Amendment No. 4

On page 1 of the printed bill, after line 21, insert

"572 5. The Volunteer Pilots Reserve Board shall establish the organization of the reserve and provide for its administration. It may, from time to time, make such changes therein as it may deem necessary. It is empowered to make and amend such reasonable rules and regulations as it shall deem necessary to carry out the provisions of this chapter and to exercise its powers and duties hereunder.

572.6. The Volunteer Pilots Reserve Board may establish an office and shall appoint, prescribe the duties of, and fix the reasonable compensation of, such clerical help as may be reasonably necessary to enable the board to carry out its functions hereunder."

Amendment No. 5

On page 1, line 22, of the printed bill, after "valid", insert "Federal".

Amendment No. 6

On page 1, line 24, of the printed bill, before "private", insert "Federal".

Amendment No. 7

On page 2 of the printed bill, strike out line 4, and insert

"575. Members of the reserve not holding at least a Federal private pilot".

Amendment No. 8

On page 2, line 5, of the printed bill, before "work", insert "aviation".

Amendment No. 9

On page 2, line 8, of the printed bill, after "flying", insert "or other".

Amendment No. 10

On page 2 of the printed bill, strike out line 15, and insert

"578 Except when the organization, or any unit thereof, is called into active service, the board shall, to the extent of the funds available therefor, furnish not to exceed one-half the cost of".

Amendment No. 11

On page 2, line 16, of the printed bill, strike out "half", and insert "one-half".

Amendment No. 12

On page 2, line 18, of the printed bill, after the period, insert "During periods of active service of any unit of the organization, all costs of fuel and other supplies and equipment of such unit shall be borne entirely by the State."

Amendment No. 13

On page 2 of the printed bill strike out lines 19 and 20, and insert

"579 Except when the organization, or any unit thereof, is called into active service, uniforms and any personal equipment shall be provided by the members of the Reserve at their own expense. This provision, however, does not include airplanes, storage and maintenance equipment therefor, flying equipment and fuel.

579.5 The members of the Reserve shall receive no salary or other monetary remuneration for their services as such members, unless they are called into active service under the provisions of Chapter 3 of Part 2 of Division 2, of this code, in which event they shall be allowed and paid the pay and allowances as therein set forth."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2177—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Budget", and insert "Research"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Budget", and insert "Research".

Amendment No. 3

On page 1, line 23, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 4

On page 1 of the printed bill, strike out lines 25 to 27, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert "form the duties of the office. He shall be appointed by the Legislature, by concurrent resolution adopted by the vote of a majority of all members elected to each house, and shall serve at the pleasure of the Legislature. Any vacancy in the office shall be filled in the same manner; *except that a vacancy occurring while the Legislature is not in session shall be* filled by appointment by the Audit Committee of the Legislature created by an act adopted at the Fifty-fourth Session, the appointee to hold the office until an appointment is made by the Legislature."

Amendment No. 5

On page 2, line 8, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 6

On page 2, line 18, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 7

On page 2, lines 21 and 22, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 8

On page 2, line 26, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 9

On page 2, line 34, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 10

On page 2, line 37, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2215—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Budget", and insert "Research".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Budget", and insert "Research".

Amendment No. 3

On page 1, line 23, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 4

On page 1 of the printed bill, strike out lines 25 to 28, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert "perform the duties of the office. He shall be appointed by the Legislature, by concurrent resolution adopted by the vote of a majority of all members elected to each house, and shall serve at the pleasure of the Legislature. Any vacancy in the office shall be filled in the same manner; except that a vacancy occurring while the Legislature is not in session shall be filled by appointment by the Audit Committee of the Legislature created by an act adopted at the Fifty-fourth Session, the appointee to hold the office until an appointment is made by the Legislature.

SEC. 5. Any person holding the office of Research Director shall receive a salary computed upon the following basis: The sum of five hundred forty dollars ($540) per month from and after his appointment, augmented each year in the sum of twenty dollars ($20) per month (commencing on the first day of July in the calendar year next succeeding the date of his appointment), until he is receiving six hundred twenty dollars ($620) per month.".

Amendment No. 5

On page 2, line 16, of the printed bill, strike out "Budget Counsel", and insert "Research Director"

Amendment No. 6

On page 2, lines 19 and 20, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 7

On page 2, line 24, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 8

On page 2, line 32, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 9

On page 2, line 35, of the printed bill, strike out "Budget Counsel", and insert "Research Director".

Amendment No. 10

On page 2, line 38, of the printed bill, strike out "of _____thousand", and insert "of thirty-five thousand"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 972—An act to amend Section 7677 of the Revenue and Taxation Code and Section 4 of the Motor Vehicle Fuel

License Tax Act, relating to delinquency of the motor vehicle fuel license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 7455 and".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 2 and".

Amendment No. 3

In line 4 of the title of the printed bill, between "tax", and the period, insert ", including recoveries on bonds of delinquent distributors".

Amendment No. 4

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 7455 of the Revenue and Taxation Code is hereby amended to read as follows:

7455. *Any recovery on a bond shall decrease the liability of the surety thereon to the extent of the recovery, but the mere recovery of part of the penalty of a bond shall not of itself cancel the remaining liability under the bond, neither shall the execution of a new bond nor the revocation of any license affect existing liabilities under any bond. A surety, however, may relieve itself of further liability pursuant to Section 2851 of the Civil Code.* [No recoveries on any bond or any execution of any new bond shall invalidate any bond, and no revocation of any license shall affect the validity of any bond.]

SEC 2. Section 7677 of the Revenue and Taxation".

Amendment No. 5

On page 1 of the printed bill, strike out line 13, and insert

"SEC. 3. Section 2 of the Motor Vehicle Fuel License Tax Act is hereby amended to read as follows:

Sec 2. Every distributor before April 1, 1931, and after this act becomes effective every person, firm, association or corporation before becoming a distributor shall make an application to the State Board of Equalization for a license authorizing such distributor, person, firm, association or corporation to engage in business as a distributor Applications for such licenses must be made to the State Board of Equalization on forms to be prescribed, prepared and furnished by said board. It shall be unlawful from and after April 1, 1931, for any person, firm, association or corporation to be a distributor without first securing from the State Board of Equalization a license for which provision is made in this section. Before granting any license authorizing any person, firm, association or corporation to engage in business as a distributor, the State Board of Equalization must require such person, firm, association or corporation to file with said board, in such form as shall be prescribed by said board, a bond duly executed by such person, firm, association or corporation as principal and a corporation such as is mentioned in Section 1056 of the Code of Civil Procedure of this State, as surety, payable to the people of the State of California, conditioned upon faithful performance of all the requirements of this act and expressly providing for the payment of all license taxes, penalties and other obligations of such person, firm, association or corporation arising out of this act.

The total amount of the bond or bonds required of any distributor shall be fixed by the State Board of Equalization and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any distributor, the State Board of Equalization must require a bond or bonds equivalent in total amount to twice his estimated monthly license tax determined in such manner as said board may deem proper; provided, however, that, subject to such terms and conditions as the State Board of Equalization may prescribe, any distributor may undertake to pay on each Tuesday the license tax accruing on all of his distributions of motor vehicle fuel during the week ending the Saturday next preceding, and, if any distributor shall so bind himself, said board shall fix his bond or bonds in a total amount equivalent to twice the license tax accruing on account of his estimated weekly distributions determined in

such manner as said board may deem proper; and further provided that the total amount of the bond or bonds required of any distributor shall never be less than one thousand dollars ($1,000) nor more than one hundred thousand dollars ($100,000). [No recoveries on any bond or any execution of any new bond shall invalidate any bond and no revocation of any license shall affect the validity of any bond.]

Any recovery on a bond shall decrease the liability of the surety thereon to the extent of the recovery, but the mere recovery of part of the penalty of a bond shall not of itself cancel the remaining liability under the bond; neither shall the execution of a new bond nor the revocation of any license affect existing liabilities under any bond. A surety, however, may relieve itself of further liability pursuant to Section 2851 of the Civil Code.

In lieu of any such bond or bonds in total amount as fixed hereunder, any distributor may deposit with the State Treasurer, under such terms and conditions as said board may prescribe, a like amount of lawful money of the United States, or bonds or other obligations of the United States, the State of California, or any county or city and county of this State, of an actual market value not less than the amount so fixed by said board. All licenses issued to distributors under this section shall be valid until revoked by the State Board of Equalization.

Nothing in this section shall be construed as relieving any distributor of the duty of filing the sworn monthly statement required by Section 6 of this act. The assessment of any distributor who makes weekly payments shall be shown on the assessment roll prepared under said Section 6 in the same manner as the assessments of other distributors are shown thereon, and the Controller shall apply such payments to the credit of such distributor on the assessment roll for the month during which the distributions covered by such payments were made. Whenever any distributor undertaking to pay his license tax in weekly installments, as provided in this section, shall fail to pay the full amount thereof in accordance with the terms and conditions prescribed by the State Board of Equalization, his license may be revoked forthwith, unless he complies immediately with the requirement of this section relating to the filing of a bond or bonds equivalent in total amount to twice the estimated monthly license tax. In the event of nonpayment of any weekly installment of the license tax, or any part thereof, pursuant to the undertaking of any distributor, the full amount of the license tax accrued against such distributor shall become immediately due and payable and the Controller and the Attorney General shall proceed forthwith to collect the license tax due from such distributor in the manner prescribed by Section 4 of this act with reference to delinquency in the payment of the monthly license tax. All provisions of said Section 4 shall apply with full force and effect to collections required to be made under this section; provided, however, that the 10 per cent penalty for delinquency for which provision is made under Section 4 hereof shall accrue only as provided in said section, and there shall be added to any weekly installment of license tax remaining unpaid at 5 o'clock in the afternoon of the Tuesday following the close of such week, a penalty of 5 per cent on account of such delinquency, the accrual of any such penalty of 5 per cent shall not in anywise affect the 10 per cent penalty for delinquency imposed under Section 4 hereof, but such 10 per cent penalty shall not be computed upon any amount added to such weekly license tax as a penalty under this section.

The license issued hereunder to any distributor shall not be transferable. Whenever a distributor ceases to engage in business as a distributor within the State of California by reason of the discontinuance, sale or transfer of such business, he shall give notice in writing thereof to the State Board of Equalization on or before the date of such discontinuance, sale or transfer. Such notice shall give the date of discontinuance and, in the event of a sale or transfer of the business, the date thereof and the name and address of the purchaser or transferee. All taxes and penalties under this act, not yet due and payable under other provisions hereof, shall become due and payable concurrently with such discontinuance, sale or transfer, and the distributor shall forthwith make a report and pay all such taxes and penalties, and shall surrender to the State Board of Equalization the license theretofore issued. Unless such notice shall have been given as hereinbefore provided, such purchaser or transferee shall be liable for all taxes and penalties under this act accrued against the vendor or transferor to the date of such sale or transfer, but only to the extent of the value of the property and business thereby acquired.

Every producer and every broker before April 1, 1931, and thereafter every person, firm, association or corporation before becoming a producer or broker shall register as such with the State Board of Equalization and make application for a license on forms to be prepared and furnished by the State Board of Equalization. Each such application shall be accompanied by a registration fee of ten dollars ($10).

Upon the receipt of the application of any such producer or broker, accompanied by such license fee, the State Board of Equalization shall issue to every such applicant a license to engage in such business from the date of the issuance thereof, until and including the following December 31, and on or before January 1, of each and every year and before any such producer or broker shall engage in business, an application shall be filed and a license obtained for the calendar year

If any producer or broker shall fail to apply for the license hereby required and to pay the fee hereby specified prior to January 1 of each year, then there shall be added to the amount of such fee a penalty of 25 per cent on account of such delinquency. Any license so issued shall not be transferable and may be revoked by the State Board of Equalization as hereinafter provided All registration fees collected under the provisions of this section shall be credited to the "Motor Vehicle Fuel Fund" hereinafter created.

SEC. 4 Section 4 of the Motor Vehicle Fuel License Tax".

Amendment No. 6

On page 4, line 1, of the printed bill, strike out "SEC. 3. Section 1 of this act takes", and insert

"SEC. 5. Sections 1 and 2 of this act take".

Amendment No. 7

On page 4, line 5, of the printed bill, strike out "Section", and insert "Sections 2 and".

Amendment No. 8

On page 4, line 6, of the printed bill, strike out "is", and insert "are".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1010—An act to amend Section 196 of the Civil Code, relating to the support of children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert

"196. The parents of a legitimate child must give him support and education suitable to their circumstances The father shall be primarily liable for such support and education so long as the parents are living together and the parent entitled to the custody of the child shall be primarily liable therefor, if the parents are living apart. If the parent primarily liable lacks the means wherewith to give adequate education and support to the child, the other parent shall be obliged to give or assist in giving the same, to the extent of his or her ability. The obligation of either parent may be enforced in a civil action on behalf of the child Such an action may be maintained against the parent primarily liable, by the child's guardian or by a guardian ad litem and may be maintained against the other parent, by the parent primarily liable or by the child's guardian, or by a guardian ad litem appointed upon the written application or with the consent of the parent primarily liable; provided, that such application or consent shall not be necessary if the parent primarily liable be dead or incompetent. During the pendency of any such action, the court, in its discretion, may require the defendant to pay any money necessary for the prosecution of the action or for the support and education of the child and execution may issue therefor in the discretion of the court."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1152—An act to amend Sections 630 and 631 of the Probate Code, and to repeal Section 631.1 thereof, relating to summary probate proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

Beginning on the first line of the title of the printed bill, strike out "amend Sections 630 and 631 of the Probate Code, and to repeal Section 31.1 thereof", and insert "repeal Chapter 166 of the Statutes of 1939".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 26, and insert "SECTION 1 Chapter 166 of the Statutes of 1939 is hereby repealed".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 1 to 51, inclusive

Amendment No. 4

On page 3 of the printed bill, strike out all of lines 1 to 8, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "one"; and strike out all of line 21.

Amendment No. 2

On page 2, lines 27 and 28, of the printed bill, as amended, strike out "besides mileage,".

Amendment No. 3

On page 2, line 32, of the printed bill, as amended, strike out "1½ per cent", and insert "1 per cent on the first thousand dollars or less, and one-half of 1 per cent on all sums over one thousand dollars ($1,000)".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 39, 40, 41 and 42; and strike out lines 45, 46 and 47.

Amendment No. 5

On page 3, line 9, of the printed bill, as amended, strike out "provided, that"; and strike out lines 10, 11, 12, 13, 14, 15 and 16.

Amendment No. 6

On page 3 of the printed bill, as amended, strike out lines 50, 51 and 52; and on page 4, strike out lines 1, 2, 3, 4, 5, 6 and 7.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 943—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 6109 to the Public Resources Code, relating to the powers of the State Lands Commission to determine locations of privately owned wells with reference to wells completed in lands of the State."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 6109 is hereby added to the Public Resources Code to read as follows:

6109 The commission may make surveys, conduct investigations, and do any and all things necessary to determine whether oil or gas wells located on private

land actually trespass in, or are bottomed in, State lands, and for this purpose the commission may use such methods as it deems appropriate to determine the facts."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 264—An act to add Section 2264 to the Political Code, relative to field work in connection with the school for the blind at Berkeley, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "faculty", and insert "teaching staff".

Amendment No. 2

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert "education, to assist them in securing remunerative employment, to improve their economic condition in all possible ways, and to provide them with preparatory instruction found necessary for a selected occupation. The field worker must be a person who has had".

Amendment No. 3

On page 1 of the printed bill, strike out lines 22 to 26, inclusive, and insert "Ninety-fourth Fiscal Years to carry out the provisions of Section 2264 of the Political Code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1638—An act to add a new article to the School Code, to be known as Article 8 of Division 3 of Part 4, consisting of Sections 3.685b, 3.685c, 3.685d, 3.685e and 3.685f, relating to establishment of school camps.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 15, of the printed bill, after "pupils", insert ", and only when funds for such purposes are made available to the district from the United States Government or from contracts for reimbursement as provided in Section 3.685d of this code, or from a combination of such sources, but any such district may supply teachers for the schools to be maintained in said camps from its regular teaching force and pay such teachers from any funds available for the payment of teachers' salaries."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1940—An act to amend School Code Section 3.490, relating to the public school system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend School Code Section 3.490", and insert "add Article 5a to Chapter 2, of Part 1, of Division 2, of the School Code".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "change of boundaries of school districts."

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 7, both inclusive, and insert

"SECTION 1. Article 5a is hereby added to Chapter 2, of Part 1, of Division 2, of the School Code, to read as follows:

Article 5a. Elections for Change of Boundaries

2.156. Whenever a petition for the change of boundaries of school districts under which territory of one school district is proposed to be made a part of another school district, is not approved by the county board of supervisors after presentation and hearing as prescribed by Articles 1 and 4, of this chapter, the county superintendent of schools to whom the petition for such change of boundaries was presented, shall call an election to be held in the territory proposed to be made a part of such other district, and in the district of which it is proposed to make such territory a part.

Such election shall be called, held and conducted as are elections for the election of members of governing boards of elementary school districts, except that the returns thereof shall be made to the county superintendent of schools.

The county superintendent of schools shall canvass the votes cast at the election and if it appears that a majority of such votes were cast in favor of the change of boundaries, he shall make and file a certificate to that effect with the county clerk. Upon the filing of such certificate, the change of boundaries shall be deemed effective for all purposes subject to the provisions of Article 8a of Chapter 1, of Part 1, of Division 2, of this code."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2154—An act to repeal Part 2 of Division 5 of the School Code, to repeal Article 7 of Chapter 2 of Part 3 of Division 5 of said code, to repeal Section 5.440 of said code, and to add a new part of Division 5 of the School Code, to be known as Part 2, all relating to authorization of service in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "from the professional staff of the State Department of Education".

Amendment No. 2

On page 3, line 3, of the printed bill, as amended, after "of", insert "teaching or other".

Amendment No. 3

On page 4, line 16, of the printed bill, as amended, after "pass", insert "or to have passed".

Amendment No. 4

On page 5, line 23, of the printed bill, as amended, after "for", insert "the school librarian,".

Amendment No. 5

On page 5, line 49, of the printed bill, as amended, after "of", insert "teaching or other".

Amendment No. 6

On page 5, line 36, of the printed bill, as amended, after "experience", insert "in the field covered by the credential In educational fields that have been in existence for less than three years this last requirement shall not apply "

Amendment No. 7

On page 5, line 49, of the printed bill, as amended, after "of", as it appears for the second time, insert ' teaching or other"

Amendment No. 8

On page 6, line 3, of the printed bill, as amended, after "experience", insert "in the elementary field,"

Amendment No. 9

On page 6, line 10, of the printed bill, as amended, after "of", as it appears for the third time, insert ' teaching or other".

Amendment No. 10

On page 6, line 11, of the printed bill, as amended, after "experience", insert "in secondary schools"

Amendment No. 11

On page 6, line 21, of the printed bill, as amended, after "education", insert "verification of two years of teaching or other successful educational experience in elementary or secondary schools,".

Amendment No. 12

On page 6 of the printed bill, as amended, lines 35 through page 7, line 3, inclusive, strike out

"5 155 For a substitute teacher credential authorizing service as a substitute teacher for not to exceed eight weeks in any one semester the applicant must have held a credential issued under the authority of one or more of the School Code Sections 5 142-5 147 or corresponding credentials previously granted A substitute teacher credential shall be valid for five years, and shall authorize only those services authorized by the regular teacher credential upon which it is based

5 156 The governing board of any secondary school district may employ special lecturers, artists, and demonstrators well qualified in their subjects to speak before classes or school assemblies of regular day schools and evening schools and before special day and evening classes without such lecturers, artists, or demonstrators being required to hold teachers' credentials Permission for the employment of such lecturer, artist, or demonstrator shall be previously obtained from the Commission of Credentials Such lecturer, artist, or demonstrator shall not be employed in any school for more than four lectures in any one semester."

Amendment No. 13

On page 7, line 4, of the printed bill, as amended, strike out "5 157", and insert "5 155".

Amendment No. 14

On page 7, line 9, of the printed bill, as amended, after "grade", insert "or corresponding level".

Amendment No. 15

On page 7, line 10, of the printed bill, as amended, strike out "5 158", and insert "5.156".

Amendment No. 16

On page 7 of the printed bill, following line 15, insert

"5 157 Any standard for the granting of any of the credentials mentioned in this article, when adopted, shall remain in force for not less than four years "

Amendment No. 17

On page 7, line 51, of the printed bill, as amended, after "salary", insert "and under the supervision of a regular teacher".

Amendment No. 18

On page 8, line 27, of the printed bill, as amended, after "secured", insert "in public schools".

Amendment No. 19

On page 9, line 35, of the printed bill, as amended, after "Education", insert "; provided, that upon the request of a candidate whose request for the renewal of a credential is about to be denied, or has been denied, the Commission of Credentials shall give a hearing to said candidate "

Amendment No. 20

On page 9 of the printed bill, as amended, lines 42, through line 49, inclusive, strike out

"County boards of education have power to renew certificates granted in accordance with law, provided, renewal shall not be valid for longer than two years unless

the applicant verifies one school year of successful experience in teaching, in which case a five-year renewal may be granted, except that certificates based upon limited credentials granted by the Commission of Credentials shall be renewed valid for the term of the credential.", and insert

"County boards of education have power to renew certificates granted in accordance with law; provided, that certificate shall be renewed valid for the term of the credential; provided further, that upon the request of a candidate whose request for the renewal of a certificate is about to be denied, or has been denied, the county board shall give a hearing to said candidate."

Amendment No. 21

On page 10 of the printed bill, as amended, lines 18, through line 26, inclusive, strike out

"Each application to the State Board of Education for any credential or document other than a life diploma, if made by a person who has resided in the State of California for the 12 months next preceding the date of application, shall be accompanied by a fee of three dollars ($3), and each such application from a person other than one have resided within the State of California for the 12 months next preceding the date of application shall be accompanied by a fee of five dollars ($5)." and insert

"The application of each person for a credential or renewal of a credential must be accompanied by a fee of three dollars ($3)."

Amendment No. 22

On page 10, line 28, of the printed bill, as amended, strike out "five dollars ($5).", and insert "three dollars ($3)."

Amendment No. 23

On page 10, line 29, of the printed bill, as amended, strike out "5 232", and insert "5.231".

Amendment No. 24

On page 10, line 34, of the printed bill, as amended, strike out "5.233", and insert "5 232".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1280—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "500", and insert "505".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "negligent homicide", and insert "reckless driving".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "500", and insert "505".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert

"505. Reckless Driving. (a) Any person who drives any vehicle upon a highway in [wilful or wanton] *such a manner as to indicate a* disregard for the safety of persons or property is guilty of reckless driving and upon conviction thereof shall be punished by imprisonment in the county jail for not less than five days nor more than 90 days or by fine of not less than twenty-five dollars ($25) nor more than two hundred fifty dollars ($250) or by both such fine and imprisonment, except as provided in subdivision (b) of this section.

(b) Whenever such reckless driving of a vehicle proximately causes bodily injury to any person, the person so driving such vehicle shall upon conviction thereof be

punished by imprisonment in the county jail for not less than 30 days nor more than 6 months or by fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or by both."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 242—An act to add new Section 1461.5 to the Probate Code, relating to the appointment of guardians of insane or incompetent persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add new", and insert "amend".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "1461.5 to", and insert "5752 of".

Amendment No. 3

In line 1 of the title of the printed bill, strike out "Probate", and insert "Welfare and Institutions".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "1461.5", and insert "5752 of the Welfare and Institutions Code".

Amendment No. 5

On page 1, lines 1 and 2, of the printed bill, strike out "added to the Probate Code", and insert "amended".

Amendment No. 6

On page 1 of the printed bill, strike out all of lines 3 to 15, inclusive; and insert "5752. No court proceedings shall be had in relation to the mental condition of a patient in a private institution, hospital, sanitarium, department, or ward for the care or treatment of the mentally ill unless the patient is either present or represented by an attorney. The judge of the superior court before whom the proceedings are to be heard shall appoint two licensed medical examiners who are not connected with any private psychopathic institution to make a personal examination of the patient and to testify before the judge as to the results of such examination. The provisions of this section shall not be applicable to proceedings for the appointment of a guardian under the Probate Code of this State"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 757—An act to amend Section 6660 of the Welfare and Institutions Code, relating to guardianship of the inmates' estates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 2 of the title of the printed bill, after "guardianship", insert "and administration".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out the comma, and insert "or".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out ", or the Inebriate Colony,".

Amendment No. 4

On page 1, lines 10 and 11, of the printed bill, strike out "through the secretary of the Department of Institutions", and insert "acting through its secretary or other designated officer".

Amendment No. 5

On page 1, line 13, of the printed bill, after "person.", insert "For the purposes of this section, the Department of Institutions is hereby made a corporation and may act as executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, under appointment of any court or by authority of any law of this State, and may transact business in such capacity in like manner as an individual, and for this purpose may sue and be sued in any of the courts of this State."

Amendment No. 6

On page 1, lines 18 and 19, of the printed bill, strike out "through the secretary of the Department of Institutions".

Amendment No. 7

On page 1 of the printed bill, strike out lines 23 to 28, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert "The".

Amendment No. 8

On page 2, line 15, of the printed bill, strike out "The secretary shall be bonded"; strike out line 16; and in line 17, strike out "dollars ($250,000)," and insert "The secretary or other officer designated by the department shall be required to give a surety bond in such amount as may be deemed necessary from time to time by the director, but in no event shall the initial bond be less than one hundred thousand dollars ($100,000)."

Amendment No. 9

On page 2, line 25, of the printed bill, strike out "and bond premiums", and insert ", bond premiums and other court expenses"

Amendment No. 10

On page 2, line 26, of the printed bill, strike out "When the assets of such an"; strike out lines 27 to 30, inclusive, and in line 31, strike out "miums advanced, shall be paid", and insert "Whenever the balance remaining in such trust fund account shall exceed a sum deemed necessary by the department for the payment of filing fees, bond premiums or other court expenses of the various estates, such excess shall be paid quarterly".

Amendments read and adopted.

Bill ordered printed and engrossed

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 226—An act to amend Sections 92 and 146 of, and to add Section 108 to, the Civil Code, relating to divorce actions.

Bill read second time, and ordered to third reading

Senate Bill No. 1182—An act to provide for the organization and government of water storage and conservation districts; to provide for the acquisition, construction, maintenance and operation of works for the purposes of such districts, including the drainage, reclamation and irrigation of land; and to prescribe and define the powers, duties, purposes and responsibilities of such districts

Bill read second time, and ordered to third reading

Senate Bill No. 534—An act to add Article 11 to Chapter 2 of Part 1 of Division 2 of the School Code, relating to the inclusion in school districts of lands owned by the United States of America

Bill read second time, and ordered to third reading.

Senate Bill No. 538—An act to amend School Code Section 6.320, relating to the ordering of State textbooks by heads of State institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 55—An act to amend Section 661 of the Political Code, relating to the creation of deficiencies in appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 603—An act to add Section 5.45 to the School Code, relating to the dismissal of employees of State colleges.

Bill read second time, and ordered to third reading.

Senate Bill No. 786—An act to amend School Code Section 3.712, relating to the study of the Constitution of the United States.

Bill read second time, and ordered to third reading.

Senate Bill No. 1301—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 215—An act to amend School Code Sections 2.230, 2.231, 2.232, 2.250, 2.251 and 2.252, all relating to union and joint union elementary school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, after the second comma, insert "and to add Article 9, to Chapter 4, of Part 1, of Division 2, of the School Code,".

Amendment No. 2

On page 2 of the printed bill, following line 41, insert

"SEC. 7. Article 9 is hereby added to Chapter 4, of Part 1, of Division 2, of the School Code, to read as follows:

Article 9 Cessation of Existence

2.305. Whenever the number of districts comprising a union or joint union elementary school district has been reduced to one, the union or joint union elementary school district shall cease to be a union or joint union elementary school district and the district comprising the union or joint union elementary school district shall revert to the status possessed by it prior to the time it became a part of the union or joint union elementary school district.

The governing board of the union or joint union elementary district shall cease to exist when the union or joint union elementary school district ceases to exist. The county superintendent of schools having jurisdiction over the district comprising the union or joint union elementary school district prior to the cessation of the

existence of the union or joint union elementary school district, shall appoint the governing board of such district to serve until the next succeeding first day of July "

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1144—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, after "be", insert "; provided, however, if the punishment for any of said crimes is expressly prescribed to be life imprisonment, then the terms of imprisonment on the other convictions, whether prior or subsequent, shall be merged and run concurrently with such life term"

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 188—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, following "of", insert "and to add Section 688.1 to"

Amendment No. 2

On page 1 of the printed bill, following line 25, insert

"SEC. 2. Section 688.1 is hereby added to the Code of Civil Procedure, to read as follows:

688.1 Upon motion of a judgment creditor of a plaintiff or plaintiffs in an action or special proceeding made in the court in which the action or proceeding is pending, the court, judge, or justice thereof may, in his discretion, order that the judgment creditor be granted a lien upon the cause of action and upon any judgment subsequently procured in such action or proceeding, and, during the pendency of said action, may permit said judgment creditor to intervene therein. Such judgment creditor shall have a lien to the extent of his judgment upon all moneys recovered by his judgment debtor in such action or proceeding, and no compromise, settlement, or satisfaction shall be entered into by or on behalf of said debtor without the consent of said judgment creditor, unless his lien is sooner satisfied or discharged. The clerk or justice of the court shall indorse upon the judgment recovered in such action or proceeding a statement of the existence of the lien, the date of the entry of the order creating the lien, and the place where entered, and any abstract issued upon the judgment shall contain, in addition to the matters set forth in Section 674 of the Code of Civil Procedure, a statement of the lien in favor of such judgment creditor"

Amendments read and adopted.

Bill ordered printed, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 435
Assembly Bill No. 436
Assembly Bill No. 1399

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 14
Assembly Bill No. 347
Assembly Bill No. 350
Assembly Bill No. 679
Assembly Bill No 1016
Assembly Bill No. 1402
Assembly Bill No. 1512
Assembly Bill No. 1513
Assembly Bill No. 1515
Assembly Bill No. 1517
Assembly Bill No. 1781
Assembly Bill No. 1618
Assembly Bill No. 2582

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER Your Committee on County Government, to which were referred:

Assembly Bill No 813
Assembly Bill No 817
Assembly Bill No. 1701
Senate Bill No 783
Senate Bill No 1058

Has had the same under consideration, and reports the same back with the recommendation Do pass

JOHNSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER. Your Committee on County Government, to which were referred:

Assembly Bill No 1838
Assembly Bill No 2475

Has had the same under consideration, and reports the same back with the recommendation Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bills ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 38

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolution ordered engrossed.

Committee on Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No. 1355

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1693 WAIVED

Mr. Dickey waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1693 was passed.

Assembly Bill No. 1693 ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Pursuant to your instruction, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Tulare Times—Howard Freeman

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

MOTION TO BRING IN ABSENTEE

Mrs. Daley moved that Mr. Massion be brought in to the floor of the Assembly.

Substitute Motion

Mr. Bennett moved, as a substitute motion, that all absentees be brought to the floor of the Assembly

The roll was called, and the substitute motion carried by the following vote:

AYES—Allen, Burkhalter, Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Thorp, Thurman, Turner, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Andreas, Bennett, Burns, Hugh M., Cain, Cassidy, Crowley, Dills, Green, Gunlock, Houser, Frederick F., Kilpatrick, Knight, John B., Lowrey, O'Day, Salsman, Sawallisch, Tenney, and Thomas—18

MOTION TO WITHDRAW ASSEMBLY BILL NO. 530 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Cronin moved that Assembly Bill No. 530 be withdrawn from the Committee on Roads and Highways, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried. Time, 11 25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 530

At 11 50 a.m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the motion to withdraw Assembly Bill No. 530 from committee carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D, Cooke, Cronin, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Lowrey, Maloney, McCollister, Miller, O'Day, Richie, Robertson, Russell, Salsman, Sawdlisch, Tenney, Thomas, Thorp, Turner, Voigt, Welch, and Wollenberg—42

NOES—Allen, Bashore, Carlson, Clarke, Daley, Dickey, Dilworth Evans, Field, Hastam, Houser, Frederick F, Howser, F N, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Poulson, Sheridan, Stream, Thurman, Watson, Weybret, and Mr. Speaker—30

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Richie, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Constitutional Amendment No. 59

MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 59 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Richie moved that Assembly Constitutional Amendment No. 59 be withdrawn from the Committee on Constitutional Amendments, and be placed upon the file.

Demand for Previous Question

Messrs. Potter, Call, Field, Hawkins and Pelletier demanded the previous question.

Demand for previous question sustained

The question being on the motion to withdraw Assembly Constitutional Amendment No. 59 from the Committee on Constitutional Amendments.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Richie moved a call of the Assembly

Motion carried Time, 12.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Robertson moved to expunge the record, and rescind the action whereby the motion to enforce the call of the house and to bring all absentees to the floor of the Assembly was this day carried.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Cassidy, Dills, Dilworth, Gunlock, Hawkins, Houser, Frederick F., Kilpatrick, King, Lowrey, Lyon, Meehan, Robertson, Salsman, Sheridan, Tenney, and Thomas—21.

NOES—Bashore, Burkhalter, Call, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Doyle, Field, Gaffney, Green, Johnson, Kepple, Knight, T. Fenton; Leonard, Maloney, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Russell, Stream, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—37.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Kepple, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Concurrent Resolution No. 38.

Hon. John B. Pelletier Presiding

At 12.15 p.m., Hon. John B. Pelletier, member of the Assembly from the Forty-fourth District, presiding.

Request for Unanimous Consent

Mr. Kepple asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 38

Assembly Concurrent Resolution No. 38—Relative to amending Rule No. 11 of the Joint Rules of the Senate and Assembly, regarding the amendment of bills.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Andreas, and Dilworth—2.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 174

Resolved by the Assembly of the State of California, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, upon a seven-day per week basis, and the Controller is hereby directed to draw his

warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 4th to May 10th, only (both dates inclusive)

	Per Day
David Levering, Page	$2 50
Gird Levering, Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Cassidy, Clarke, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act providing for acquisition, construction, operation and maintenance of highways to be known as parkways, which are substantially free throughout their entire length from crossings at grades, defining the power and duties of cities, counties, cities and counties, the California Parkway Authority, which is hereby created, the California Highway Patrol and the State Department of Public Works, in connection therewith, prescribing the terms and conditions of and authorizing the issuance and sale of, revenue bonds to provide funds for the acquisition and construction of parkways, providing for the payment of such bonds through the collection of tolls and other charges for the use of such parkways, providing for the addition of parkways to the State Highway System when the bonds issued to finance the same have been paid or funds set apart for their payment, and making an appropriation for the purposes hereof from the State Highway Fund

Respectfully submitted.

ELEANOR MILLER

Request referred to Committee on Introduction of Bills.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 59

At 12.27 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Assembly Constitutional Amendment No. 59 be withdrawn from the Committee on Constitutional Amendments and placed on file, lost by the following vote:

AYES—Burkhalter, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Doyle, Evans, Hawkins, Kilpatrick, King, Meehan, Miller, O'Day, Pelletier, Richie, Tenney, Thomas, and Voigt—19.

NOES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Middough, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—49

Explanation of Vote

I voted "aye" on Mr. Richie's motion to withdraw Assembly Constitutional Amendment No. 59 because Assembly Constitutional Amendment No. 59 was tabled in committee with only five members out of 13 present

J. B. COOKE

MOTION TO EXCUSE MEMBER

Mr. Robertson moved that Mr. Waters be excused for the balance of the legislative day.

Mrs. Daley seconded the motion.

Motion carried.

RECESS

At 12.40 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 396
Assembly Bill No. 624
Senate Bill No. 186

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1246
Senate Bill No. 417

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 540
Assembly Bill No. 2596

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No 481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

(Signed out)

CRONIN, Chairman	POULSON
GREEN	ANDREAS
PELLETIER	LEONARD
WATSON	O'DAY
LOWREY	GALLAGHER

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Senate Bill No 78	Senate Bill No. 471
Senate Bill No. 319	Senate Bill No. 474
Senate Bill No. 470	

Has had the same under consideration, and reports the same back with the recommendation· Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER· Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1296

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1299

Has had the same under consideration, and reports the same back with the recommendation: Do pass

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No 427

Has had the same under consideration, and reports the same back with amendments with the recommendation· Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No 2447

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No. 2336

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

WOLLENBERG, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1128
Assembly Bill No. 1496
Assembly Bill No. 1571

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER: Your Committee on Natural Resources, to which was referred.

Assembly Bill No 1817

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

(Signed out)

DILWORTH, Chairman	CROWLEY
HOUSER, FREDERICK F	THURMAN
BASHORE	WEBER
DOYLE	HEISINGER
KNIGHT, T FENTON	LYON
RUSSELL	

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER. Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No. 973
Assembly Bill No. 974
Assembly Bill No 286

Has had the same under consideration, and reports the same back with the recommendation Do pass.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 792—An act to amend Sections 12605, 12607 and 12614 of the Business and Professions Code, relating to containers and their contents;

Assembly Bill No. 795—An act to add Section 22141 to the Streets and Highways Code, relating to assessments levied to defray the cost of the planting, maintenance and removal of trees;

Assembly Bill No. 2081—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles;

And reports the same have been correctly enrolled, and presented to the Governor on the second day of May, 1941, at 2.30 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 43	Assembly Bill No 1279
Assembly Bill No. 48	Assembly Bill No 1289
Assembly Bill No 322	Assembly Bill No 1626
Assembly Bill No. 419	Assembly Bill No. 1799
Assembly Bill No. 430	Assembly Bill No. 1836
Assembly Bill No 434	Assembly Bill No 1949
Assembly Bill No 438	Assembly Bill No 1962
Assembly Bill No. 470	Assembly Bill No. 2013
Assembly Bill No 670	Assembly Bill No. 2054
Assembly Bill No 709	Assembly Bill No 2458
Assembly Bill No 748	Assembly Bill No 2495
Assembly Bill No. 751	Assembly Bill No. 2501
Assembly Bill No 752	Assembly Bill No 2526
Assembly Bill No 1009	Assembly Bill No 2527
Assembly Bill No. 1013	Assembly Bill No 2590

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER. Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1846

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

(Signed out)	TENNEY, Chairman	MEEHAN
	BENNETT	HOUSER, FREDERICK F.
	DILLS	POULSON
	JOHNSON	DEL MUTOLO

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 911	Assembly Bill No 1146
Assembly Bill No. 997	Assembly Bill No. 1162
Assembly Bill No 1039	Assembly Bill No. 1966
Assembly Bill No. 1112	Assembly Bill No. 2589

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 463
Assembly Bill No. 1508
Assembly Bill No. 1855

And reports the same correctly re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No 811
Assembly Bill No. 1861

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

KING, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 16

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

KING, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 139—An act to amend Section 2825 of the Streets and Highways Code, relating to special assessments and public improvements, including the preparation of reports on proposed improvement;

Assembly Bill No. 198—An act to add Part 3, consisting of Chapters 1 and 2 consisting of Sections 8300 to 8308 and 8320 to 8324, to Division 9 of the Streets and Highways Code, relating to the vacation of city streets;

Assembly Bill No. 212—An act to amend Sections 6621, 6622 and 6623 of the Streets and Highways Code, relating to the foreclosure and cancellation of street improvement bonds;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1941, at 12.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 279—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section designated Section 14½, relating to claims against the Los Angeles County Flood Control District;

Assembly Bill No. 348—An act to amend Sections 633 and 641 of the Welfare and Institutions Code, relating to term of office, compensation, powers and duties of probation officers;

Assembly Bill No. 577—An act to amend Sections 5510, 5513, 5514, 5515, 5518, 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5540, 5550, 5551, 5552, 5553, 5556, 5570, 5571, 5573, 5574, 5575, 5577, 5600, 5601 and 5602, to repeal Sections 5511, 5512 and 5603 of, and to add Section 5603 to, the Business and Professions Code, relating to the practice of architecture;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1941, at 12.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1148—An act to add a section to be known as Section 1.124 to the School Code, relating to absence of pupils from school for dental services;

Assembly Bill No. 1247—An act to add Section 172 5 to the Penal Code, relating to selling, giving away, or exposing for sale alcoholic beverages;

Assembly Bill No. 2085—An act authorizing any county in the State of California to aid any city operating under a freeholders' charter, or otherwise, in the State of California, in the acquisition of real or personal property for the purpose of constructing and completing improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of same, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1941, at 12 30 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 34—Relative to approving a certain amendment to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the fourteenth day of April, 1941.

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of May, 1941, at 12.30 p.m.

JOHN B. KNIGHT, Chairman

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred

Assembly Bill No. 2315
Assembly Bill No. 2110

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1427

And reports the same re-re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 894

And reports the same re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No. 101
Senate Bill No. 1270

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

DALEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2360

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DALEY, Chairman

Above reported bill ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Andreas.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recom-

mending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Respectfully submitted.

G. A. ANDREAS

Request referred to Committee on Introduction of Bills.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the introduction of a bill.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Andreas:

An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried. Time, 2.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1719, 1716 AND 1717

Mr. Desmond moved that Assembly Bill No. 1719 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

Mr Desmond moved that Assembly Bill No. 1716 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

Mr. Desmond moved that Assembly Bill No. 1717 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 2.25 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Andreas by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Knight, John B., and Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act providing for payment by the State for park property acquired for highway purposes.

Respectfully submitted.

JOHN B. KNIGHT
T. J. DOYLE

Request referred to Committee on Introduction of Bills

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Knight, John B., and Doyle:

An act providing for payment by the State for park property acquired for highway purposes.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2606: By Mr. Andreas—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the

Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice

Referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2607: By Messrs. Knight, John B., and Doyle—An act providing for payment by the State for park property acquired for highway purposes.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insurance Code, relating to the administration of taxes imposed on insurance companies and associations

Respectfully submitted.

JAMES PHILLIPS

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Phillips:

An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insurance Code, relating to the administration of taxes imposed on insurance companies and associations.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2608: By Mr. Phillips—An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insur-

ance Code, relating to the administration of taxes imposed on insurance companies and associations.

Referred to Committee on Insurance.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 356

Mr. Green moved that Assembly Bill No. 356 be withdrawn from the inactive file, and placed on third reading file.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1399—An act to add Section 4.5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1399?

Amendment No. 1

On page 1, line 6, of the printed bill, after "on", insert "officers and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1399 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1399 ordered enrolled.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 640—An act to add Section 132a to the Labor Code, relating to the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 786—An act to amend Section 12024.5 of the Business and Professions Code, relating to the sale of meat, fish and poultry by weight.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate

LEAVE OF ABSENCE

Mr. Dickey was granted leave of absence for the balance of this legislative day, on motion of Mr. Call.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 841—An act to amend Sections 1, 5a and 11 of an act entitled "The California Air Navigation Act," relating to air navigation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2106—An act to amend Section 1003 of the Elections Code, relating to elections, including the publication and posting of election proclamations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None

Bill ordered transmitted to the Senate

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Lyon moved that the Rules be temporarily suspended for the purpose of considering Senate Bill No. 1078, at this time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 2.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dills, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Concurrent Resolution No. 32.

Hon. Norris Poulson Presiding

At 3 p.m., Hon. Norris Poulson, member of the Assembly from the Fifty-sixth District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 32, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 32

Assembly Concurrent Resolution No. 32—Relative to providing suitable space and facilities for the office of the Legislative Counsel.

Resolution read.

Demand for Previous Question

Messrs. Pfaff, Doyle, Middough, Potter and Kellems demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 32.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION FOR TEMPORARY ABSENCE

Mr. Desmond moved that he and Mr. Kepple be excused for 30 minutes in order to appear upon a radio broadcast

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Wollenberg, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1728.

MOTION FOR LEAVE OF ABSENCE BY UNANIMOUS CONSENT

Mr. Sam L. Collins was unanimously granted leave of absence for the balance of the legislative day, on motion of Mr. Bashore.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Wollenberg moved that Rule No. 58 be temporarily suspended for the purpose of considering Assembly Bill No. 1728, at this time.

Demand for Previous Question

Messrs. Pfaff, Potter, Houser, Frederick F., Johnson and Stream demanded the previous question.

Demand for previous question sustained.

The question being: Shall Rule No. 58 be temporarily suspended for the purpose of considering Assembly Bill No. 1728, at this time?

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Welch, Weybret, and Wollenberg—48.

NOES—Andreas, Bashore, Burns, Hugh M., Cain, Call, Crowley, Evans, Field, Gunlock, Hawkins, Lyon, Pelletier, Richie, Sawallisch, Stream, Thomas, Turner, Voigt, and Watson—19.

Withdrawal and Re-reference of Assembly Bill No. 1728

Mr. Wollenberg moved that Assembly Bill No. 1728 be withdrawn from the Committee on Revenue and Taxation, and placed on file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Welch, Weybret, and Wollenberg—50.

NOES—Andreas, Burns, Hugh M., Cain, Call, Crowley, Evans, Gunlock, Hawkins, Lyon, Pelletier, Richie, Sawallisch, Stream, Thomas, Turner, Voigt, and Watson—17.

Motion to Set Special Order

Mr. Wollenberg moved that Assembly Bill No. 1728 be made a special order of business for Tuesday, May 6, 1941, at 2 p.m.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thurman, Weber, Welch, Weybret, and Wollenberg—48

NOES—Andreas, Bashore, Burns, Hugh M., Cain, Call, Crowley, Desmond, Evans, Field, Gunlock, Hawkins, Knight, John B., Leonard, Lowrey, Lyon, Pelletier, Pfaff, Richie, Sawallisch, Stream, Thomas, Thorp, Turner, Voigt, Watson, and Mr. Speaker—26

Motion to Expunge Record and Rescind Action

Mr. Wollenberg moved to expunge the record and rescind the action whereby the motion to set Assembly Bill No. 1728 as a special order was this day lost.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Weber, Welch, and Wollenberg—49.

NOES—Andreas, Burns, Hugh M., Cain, Call, Crowley, Desmond, Evans, Field, Gunlock, Knight, John B., Lowrey, Lyon, Pelletier, Sawallisch, Stream, Thomas, Turner, Voigt, Watson, and Mr. Speaker—20

Assembly Bill No. 1728 ordered to second reading.

Hon. Edward F. O'Day Presiding

At 4.30 p.m., Hon. Edward F. O'Day, member of the Assembly from the Twenty-fourth District, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1078

At 4.45 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to take up Senate Bill No. 1078, at this time, granted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Daley, Desmond, Dilworth, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Sawallisch, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48

NOES—Bennett, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Meehan, O'Day, Richie, Russell, Salsman, Sheridan, Thomas, and Turner—24

THIRD READING OF SENATE BILL NO. 1078 (OUT OF ORDER)

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates

or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Pass on File

Mr. Bennett moved that Senate Bill No. 1078 be passed on file temporarily.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, Lowrey, Meehan, O'Day, Poole, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Turner, and Welch—26

NOES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Potter, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Watson, Weber, Weybret, and Wollenberg—41.

The question being on the passage of Senate Bill No. 1078.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Evans, Field, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, T. Fenton; Meehan, O'Day, Russell, Tenney, Thomas, and Turner—23.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1078

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1078 was this day passed.

MOTION TO SET SPECIAL ORDER

Mr. Johnson moved that Assembly Bill No. 1728 be made a special order of business for Wednesday, May 7, 1941, at 2.15 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1325, at this time.

THIRD READING OF ASSEMBLY BILL NO. 1325 (OUT OF ORDER)

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article, to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

The title of the printed bill is hereby amended to read as follows:

"An act to amend the Building and Loan Association Act by adding thereto a new section, to be numbered Section 13.16d, relating to building and loan associations when the commissioner shall be in possession and whether or not he shall be liquidating their affairs; relating to the rehabilitation, readjustment or reorganization of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937."

Amendment No. 2

On page 4, line 34, of the printed bill, as amended, after "court.", insert "Or a different plan in case the plan of reorganization provides for the issuance of securities of a general corporation, the issuance of which securities otherwise would be subject to the Corporate Securities Act of the State of California, the court considering said plan shall require that notice forthwith be served upon the Commissioner of Corporations. Upon receipt of said notice by said commissioner, he shall prepare forthwith a verified report setting forth his findings and recommendations to said court as to the issuance of the securities of said general corporation based upon the same statutory grounds as provided in the Corporate Securities Act for the issuance or denial of a permit. Said verified report, findings and recommendations shall be filed with said court prior to such court's approving that portion of said plan of reorganization relating to the issuance of securities of such general corporation."

Amendment No. 3

On page 10, line 48, of the printed bill, as amended, strike out "None of the provisions of the Corporate Securities"; strike out all of lines 49 and 50; on page 11, strike out all of lines 1 to 3, inclusive, and in line 4, strike out "actions involving such securities", and insert "The provisions of the Corporate Securities Act requiring a permit from the Commissioner of Corporations authorizing the sale or issue of securities shall not apply to any company, as defined in the Corporate Securities

Act, issuing securities under a plan of reorganization approved by the court under this section as to any securities the sale or issuance of which said court approves"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 908—An act to amend Section 1 of the California Nautical School Act, relating to the State Nautical School.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 50: By Mr. Garland—Relative to memorializing the President, Congress and various officers of the United States to make funds available for the Corcoran Airport.

Request for Unanimous Consent

Mr Garland asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 50, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 50

Assembly Joint Resolution No. 50—Relative to memorializing the President, Congress and various officers of the United States to make funds available for the Corcoran Airport.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie,

Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Leonard, Weybret and Thurman:

House Resolution No. 175

WHEREAS, God in his infinite wisdom has called to his eternal home Millard F. Hoyle, distinguished publisher of The Hollister Evening Free Lance and Weekly Advance, while on tour with the National Editorial Association at Havana, Cuba; and

WHEREAS, Millard F. Hoyle distinguished himself in his chosen profession, as editor and publisher, as historian of San Benito County, and as a leader in his community and the State of California; now, therefore be it

Resolved, That the Assembly of the State of California adjourn out of respect to his memory at the close of this legislative day; and be it further

Resolved, That the sympathy of this body be extended to the bereaved members of his family and to the city and county which he served so well; and be it further

Resolved, That this resolution be spread upon the records of the State Assembly and an engrossed copy, properly signed by the Speaker and the Chief Clerk, be presented to the Hoyle family as a token of our sorrow and esteem.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up House Resolution No. 175, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Knight, John B., and Potter:

House Resolution No. 176

WHEREAS, Peter C. and Emma F. Woods, the parents of Dora Woods, our esteemed friend, are celebrating the fortieth anniversary of their marriage; and

WHEREAS, The couple has been singly blessed in that they have lived the joys of wedded life for almost a half century; now therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend their sincere congratulations to Mr. and Mrs. Peter C. Woods upon this very happy occasion, and express the hope that they may continue their life together until they celebrate their golden anniversary and then for many more years to come; and be it further

Resolved, That the Chief Clerk of the Assembly present an engrossed copy of this resolution to Mr. and Mrs. Peter C. Woods, and also to their daughter, Dora Woods.

Request for Unanimous Consent

Mr. John B. Knight asked for, and was granted, unanimous consent to take up House Resolution No. 176, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 104—An act amending Sections 26 and 28 of the County Employees Retirement Act of 1937, relating to retirement, declaring the urgency thereof and that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1288 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1288 was passed.

Assembly Bill No. 1288 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1080 WAIVED

Mr. Kepple waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1080 was passed.

Assembly Bill No. 1080 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1924—An act to add Section 291.5 to the Agricultural Code, relating to dairies.

Bill read third time.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "in which there are six cows or less".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, after "only", insert "and in which there are six cows or less".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Miss Miller.

An act providing for the acquisition, construction, operation and maintenance of highways to be known as parkways, which are substantially free throughout their

entire length from crossings at grades, defining the power and duties of cities, counties, cities and counties, the California Parkway Authority, which is hereby created, the California Highway Patrol and the State Department of Public Works in connection therewith, prescribing the terms and conditions of and authorizing the issuance and sale of, revenue bonds to provide funds for the acquisition and construction of parkways and providing for the payment of such bonds through the collection of tolls and other charges for the use of such parkways, providing for the addition of parkways to the State Highway System when the bonds issued to finance the same have been paid or funds set apart for their payment, and making an appropriation for the purposes hereof from the State Highway Fund.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2609: By Miss Miller—An act providing for the acquisition, construction, operation and maintenance of highways to be known as parkways, which are substantially free throughout their entire length from crossings at grades, defining the power and duties of cities, counties, cities and counties, the California Parkway Authority, which is hereby created, the California Highway Patrol and the State Department of Public Works, in connection therewith, prescribing the terms and conditions of and authorizing the issuance and sale of, revenue bonds to provide funds for the acquisition and construction of parkways and providing for the payment of such bonds through the collection of tolls and other charges for the use of such parkways, providing for the addition of parkways to the State Highway System when the bonds issued to finance the same have been paid or funds set apart for their payment, and making an appropriation for the purposes hereof from the State Highway Fund.

Referred to Committee on Roads and Highways.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gunlock:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to pay the claim of Thomas W. Maurice against the State of California.

Respectfully submitted.

WM. J. GUNLOCK

Request referred to Committee on Introduction of Bills

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Gunlock:

An act to pay the claim of Thomas W Maurice against the State of California.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—62

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2610: By Mr. Gunlock—An act to pay the claim of Thomas W. Maurice against the State of California.

Referred to Committee on Ways and Means.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dilworth:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Respectfully submitted.

NELSON S. DILWORTH

Request referred to Committee on Introduction of Bills.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 937

Mr Poulson moved that Assembly Bill No 937 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Bill No. 2538.
Assembly Bill No. 1078

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 43 re-referred to Committee on Ways and Means.

Assembly Bill No. 2013 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No 2495 re-referred to Committee on Roads and Highways.

Assembly Bill No 997 re-referred to Committee on Public Morals.

Assembly Bill No. 2590 re-referred to Committee on Public Morals.

RECESS

At 5.31 p m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1001—An act to validate and legalize the conversions of building and loan associations organized under the laws of this State into Federal savings and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Dills, Dilworth, Doyle, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, McCollister, Meehan, Middough, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr. Speaker—48.

NOES—Pfaff—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2100—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of unpaid or unclaimed dividends of liquidated building and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Dills, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton, Leonard, Lowrey, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 96—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the compensation of the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Desmond, Dills, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Mr. Speaker—53.

NOES—Heisinger, Houser, Frederick F., and Pelletier—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1500—An act to amend Sections 781, 782, 784.2, 784.3 and 787 of, and to add Sections 782.3 and 782.6 to the Agricultural Code, relating to fruit, nut and vegetable standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1209—An act to amend Sections 126, 130, 133 and 292, and to add Sections 126.4, 126.6, and Article 8, consisting of Sections 380 to 388, inclusive, to Chapter 2 of Division 1, of the Elections Code, relating to registration of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Dilworth, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Collins, George D., Dills, Gaffney, Hawkins, Johnson, Kilpatrick, King, Lowrey, O'Day, and Richie—10

Bill ordered transmitted to the Senate.

Assembly Bill No. 1271—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Bill read third time.

Demand for Previous Question

Mrs. Daley and Messrs. Hastain, Evans, Doyle and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1271.

The roll was called, and the bill refused passage by the following vote:

AYES—Andreas, Bashore, Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dilworth, Doyle, Gallagher, Green, Kilpatrick, Knight, T. Fenton; Maloney, McCollister, Millington, O'Day, Richie, Russell, Thorp, Turner, Weber, Welch, and Wollenberg—26

NOES—Allen, Bennett, Burkhalter, Cain, Carlson, Cassidy, Crowley, Dills, Donnelly, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Robertson, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Watson, and Weybret—40

Motion to Expunge Record and Rescind Action

Mr. Bashore moved to expunge the record and rescind the action whereby Assembly Bill No. 1271 was refused passage.

Mr. Turner seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, O'Day, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Weber, Welch, and Wollenberg—44.

NOES—Carlson, Cassidy, Evans, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Middough, Miller, Millington, Pelletier, Pfaff, Richie, Thurman, Voigt, Watson, and Weybret—21

Assembly Bill No. 1271 ordered to third reading.

Hon. Roger Alton Pfaff Presiding

At 9.10 p.m., Hon. Roger Alton Pfaff, member of the Assembly from the Sixty-fourth District, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1337

Mr. Desmond moved that Assembly Bill No. 1337 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Demand for Previous Question

Messrs. Thomas, Evans, Bashore, Middough and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 1337 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—48.

NOES—Allen, Bashore, Burkhalter, Daley, Dills, Doyle, Evans, Field, Hastain, Johnson, Kellems, Kilpatrick, Lyon, Middough, Potter, Poulson, Richie, Voigt, and Watson—19

Speaker Presiding

At 9.55 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION TO LIMIT DEBATE

Mr. T. Fenton Knight moved that the rule on limitation of debate be enforced by the Speaker.

Mr. Pfaff seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—51.

NOES—Bennett, Burns, Hugh M., Cassidy, Collins, George D., and Richie—5.

CALL OF THE ASSEMBLY

Mr. Stream moved a call of the Assembly.

Motion carried. Time, 10.05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2426—An act to amend Section 19a of the Penal Code, relating to punishment for crime.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dills, Donnelly, Evans, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Stream, Tenney, Thomas, Thorp, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—56.

NOES—Dilworth—1

Bill ordered transmitted to the Senate

Assembly Bill No. 1740—An act to add Sections 73.5, 73.6 and 73.7 to the Penal Code, relating to the giving of legal or financial assistance in the prosecution of any criminal case.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cassidy, Collins, George D., Cooke, Dills, Evans, Heisinger, King, Meehan, Pelletier, Pfaff, Richie, Russell, Sheridan, Tenney, Thomas, and Voigt—19.

NOES—Allen, Bennett, Burns, Hugh M., Call, Carlson, Clarke, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Potter, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—42.

Notice of Motion to Reconsider Assembly Bill No. 1740

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1740 was this day refused passage.

Assembly Bill No. 1628—An act to amend the title of Article 1, Chapter 5, Division 5 and Sections 911, 912, 913, 914, 915, 916, 917, 919 and 920, and to add Sections 911.5, 911.10, 911.14, 911.15, 911.17, 911.20, 911.21, 911.25, 911.30, 911.35, 911.40, 911 45, 911 50, 911.55, 911.60, 911 65, 911 70, 911.71, 911.72, 911.75, 911.80, 911.81, 911 85, 911.90, 911.95, 911.100, 911.105, 911.110, 911.115, 911.120, 912.5, 912.10, 912..30, 912 35, 912 40, 914 5, 914 7, 914.10, 916.5, 916.10, 916.15, 916.20, 916.25, 916 30, 917.5, 917.10, 917.15, 919.1, 919.5 and 921 to the Agricultural Code, relating to seeds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1457

Mr. Desmond moved that Assembly Bill No. 1457 be withdrawn from the third reading file, and re-referred to the inactive file.

Motion carried.

Hon. Jacob M. Leonard Presiding

At 10.35 p m., Hon. Jacob M Leonard, member of the Assembly from the Thirty-fourth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1501—An act to add Sections 31.5 and 34.5 to, to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3927, 3930, 3946, 7966, 8720, 8721 and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 404—An act to amend Sections 13215 and 13388 of the Health and Safety Code, relating to boilers and boiler rooms in clothes cleaning establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, King, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—54.

NOES—*Carlson, and Donnelly*—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 405—An act to amend Section 13314 of the Health and Safety Code, and to add Section 13314.5 thereto, relating to clothes cleaning establishments, including licenses and license fees and penalties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Knight, T. Fenton; *Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day,* Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Richie moved to expunge the record and rescind the action whereby Assembly Bill No 1740 was this day refused passage.

The roll was called, and the motion lost by the following vote:

AYES—*Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D.,* Cooke, Crowley, Dills, Evans, Gaffney, Gunlock, Heisinger, King, Knight, T. Fenton; Lowrey, Maloney, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sheridan, Tenney, Thomas, Thorp, Turner, Voigt, Weber, and Welch—36

NOES—Carlson, Clarke, Cronin, Daley, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Houser, Frederick F, Howser, F N., Kepple, Leonard, Lyon, *McCollister, Stream, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker*—22.

Assembly Bill No. 406—An act to amend Section 13203 of the Health and Safety Code, relating to clothes cleaning establishments, including the definition of solvents used therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 407—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—50.

NOES—Carlson, and Field—2.

Notice of Motion to Reconsider Assembly Bill No. 407

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 407 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dilworth:

An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2611: By Mr. Dilworth—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Referred to Committee on Judiciary Codes.

MOTION TO EXTEND CONGRATULATIONS

Mr. Lyon moved that congratulations be extended to Mrs. Eleanor Donoghue on the second birthday anniversary of her daughter Judy.

Motion carried unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 10.59 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter Grierson, Mrs. Pat Chaddick and Bob Clark all of Hollywood.

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred P. Glick and Mrs. Wesley Davis.

On request of Mr. T. Fenton Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to B. F. McKibben and A. B. Thomas, of Los Angeles.

ADJOURNMENT

At 11 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1.30 p.m., Monday, May 5, 1941, out of respect to the memory of the late Millard F. Hoyle of Hollister, San Benito County.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY
ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 5, 1941

The Assembly met at 1.30 p.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Waters, Watson, Welch, Weybret, and Wollenberg—55.

Quorum present.

PRAYER

On invitation of the Speaker pro tempore, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Michael J. Burns.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr Del Mutolo, on motion of Mr. Salsman.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1545
And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1639
Assembly Bill No. 1679
Assembly Bill No 1924
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 2154
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 190
Assembly Bill No. 242
Assembly Bill No 264
Assembly Bill No 468
Assembly Bill No. 745
Assembly Bill No 747
Assembly Bill No 749
Assembly Bill No 750
Assembly Bill No. 753
Assembly Bill No 756
Assembly Bill No. 757
Assembly Bill No 771
Assembly Bill No 954
Assembly Bill No 972
Assembly Bill No 1010
Assembly Bill No 1152
Assembly Bill No 1280
Assembly Bill No 1638
Assembly Bill No 1700
Assembly Bill No 1940
Assembly Bill No 2090
Assembly Bill No. 2177
Assembly Bill No. 2215
Assembly Bill No. 2355
Assembly Bill No 2396
Assembly Bill No 2572

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Insurance, to which were referred
Assembly Bill No. 691
Assembly Bill No. 864
Senate Bill No. 880
Has had the same under consideration, and reports the same back with the recommendation: Do pass

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Insurance, to which was referred
Assembly Bill No 1511
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 813—An act to validate county ordinances wherein publication was defective.

Bill read second time, and ordered engrossed.

Assembly Bill No. 817—An act to amend Sections 1, 2, 4, 5 and 6 and to repeal Section 3 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of public defender.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1701—An act to add Article 2.5, comprising Sections 5135 to 5138, inclusive, to Chapter 2 of Division 5 of the Public Resources Code, relating to local art galleries and museums, authorizing counties and cities to accept title to real property therefor and to permit buildings therefor to be erected on public lands, providing for the delegation of authority thereover, and permitting the appropriation of moneys therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1246—An act to add Section 5041.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on accountants, declaring the urgency thereof, and to take immediate effect.

Bill read second time, and ordered engrossed.

Assembly Bill No. 973—An act to amend Section 2302 of the Welfare and Institutions Code, relating to the inspection and licensing of institutions and boarding homes for the aged.

Bill read second time, and ordered to third reading.

Assembly Bill No. 974—An act to amend Section 1622 of the Welfare and Institutions Code, relating to the inspection and licensing of institutions for child care and home finding.

Bill read second time, and ordered to third reading.

Assembly Bill No. 286—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1299—An act to amend Section 665 of the Fish and Game Code, relating to sale of salmon in certain districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 530—An act to add Sections 205, 206 and 207 to, and to amend Sections 251 and 301 of, the Streets and Highways Code, relating to State highways, including an addition to the primary State highway on Route 1, and providing for the maintenance thereof and for the cost of such maintenance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1861—An act to add Section 394.1 to the Military and Veterans Code, relating to enrollment and enlistment in the Military or Naval forces of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "felony", and insert "misdemeanor".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "may, in its", and insert "shall".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "discretion."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1571—An act to amend Section 658 of the Fish and Game Code, relating to the taking of salmon.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, following "31st", strike out the comma and "and between", and insert a period.

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "February 1st and March 15th"

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1496—An act to amend the Fish and Game Code of the State of California, by adding thereto Sections 103.7, 103.7A, 615.6, 615.7, 615.8, relating to steelhead trout fishing in the Carmel River.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "103 7a,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 20, inclusive, and insert
"SEC 2. Section 615.6 is hereby added to the Fish and Game Code, to read as follows:
615.6. In District 103 7 steelhead trout may be taken from December 1 to the last day of February and".

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "Sec 4", and insert "Sec. 3".

Amendment No. 4

On page 2, line 6, of the printed bill, strike out "Sec 5", and insert "Sec 4".

Amendment No. 5

On page 2, line 8, of the printed bill, strike out "in District 103 7 or 103 7a", and insert "or possess in, or within 100 yards of, District 103.7".

Amendment No. 6

On page 2, line 4, of the printed bill, strike out "landing gear, gaffs, nets", and insert "nets, other than hand landing nets,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1128—An act to add Sections 990.5, 990.6 and 994 to the Fish and Game Code, relating to persons applying for or holding commercial fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "990 4, 990.5," and insert "432.6, 990 1, 990 2, 990 3, 990.4, 990.5,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "and 995," and insert "995, 995 1, and 995 2".

Amendment No. 3

In line 4 of the title of the printed bill, as amended, after "licenses", insert "and permits to operate vessels for transporting persons for the purpose of taking fish"

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 1 to 10, and insert

"SECTION 1 Section 432 6 is hereby added to the Fish and Game Code, to read as follows:

432 6. All of the provisions of Sections 990.1, 990 2, 990 3, 990.4, 990 5, 990 6, 990.7, 994, 995, 995.1 and 995.2 shall apply to applicants for or holders of permits pursuant to Section 432 5 in the same manner and to the same extent as said provisions apply to applicants for or holders of commercial fishing licenses

SEC. 2 Section 990.1 is hereby added to said code, to read as follows:

990 1. The application for a commercial fishing license shall contain a statement of the applicant's age, height, and weight, a description of his".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert

"SEC 3 Section 990.2 is hereby added to said code, to read as follows:

990 2. Every applicant for a commercial fishing license who does not present at the time of his application a valid, unexpired identification card shall".

Amendment No. 6

On page 2, line 3, of the printed bill, as amended, strike out "any license issued to the applicant", and insert "the identification card of the licensee issued to him pursuant to this article".

Amendment No. 7

On page 2, line 5, of the printed bill, as amended, strike out "SEC. 2. Section 990.6", and insert

"SEC. 4. Section 990.3".

Amendment No. 8

On page 2, line 12, of the printed bill, as amended, strike out "990.6", and insert "990 3".

Amendment No. 9

On page 2, line 14, of the printed bill, as amended, strike out the period, and insert "; but the fingerprints of an applicant need not be taken if the applicant

presents at the time of application a valid, unexpired identification card issued to him pursuant to this article."

Amendment No. 10

On page 2, line 19, of the printed bill, as amended, strike out "SEC 3 Section 990.7", and insert

"SEC. 5. Section 990.4".

Amendment No. 11

On page 2, line 21, of the printed bill, as amended, strike out "990.7", and insert "990.4".

Amendment No. 12

On page 2, line 25, of the printed bill, as amended, after the period, insert "The license shall bear the number of the identification card of the licensee."

Amendment No. 13

On page 2, line 27, of the printed bill, as amended, strike out "in"; and strike out lines 28 to 38, inclusive, and insert a period and

"SEC. 6. Section 990.5 is hereby added to said code, to read as follows:

990 5 The commission shall at the time of issuing a commercial fishing license issue to each applicant for such a license an identification card unless the applicant presents a valid and unexpired identification card at the time of application. The identification card shall contain a statement of the applicant's age, height and weight, a description of his complexion and color of eyes and hair, and a statement whether or not he is a citizen of the United States, and if not, the name of the country of which he is a citizen and whether he has duly made a declaration of intention to become a citizen of the United States as provided by law

The photograph of the applicant shall be affixed to the identification card issued to him and he shall sign the identification card, in the presence of the officer or employee of the commission issuing it, in such manner that a portion of his signature appears on the photograph and a portion upon the card.

Each identification card shall contain a space sufficient for recording the prints of the thumb and index finger of the licensee. Such prints shall not, however, be required to be placed in the spaces unless the licensee freely and voluntarily assents to the taking of such prints for such purpose

SEC 7. Section 990 6 is hereby added to said code, to read as follows:

990 6 The identification card issued to the applicant for a commercial fishing license shall expire at the end of five years from the date of its issuance, but shall not be valid at any time if it is defaced, mutilated, or altered to such an extent as to be illegible or so as to fail accurately to describe and portray the person to whom it was issued. Such identification card shall be kept in the possession of the licensee at all times while he is engaged in any activity for which a commercial fishing license is required.

SEC 8 Section 990.7 is hereby added to said code, to read as follows:

990.7. All persons holding valid commercial fishing licenses upon the date this section takes effect shall forthwith apply to the commission for an identification card and the commission shall issue such card in conformity with this article without charge The first identification card issued to each licensee shall bear the same date as the then current license validly held by said licensee and such first card shall expire at the end of five years from said date. At the time of application for his first identification card the licensee shall present his license to the commission and the number of the identification card issued to the licensee shall be placed upon his license."

Amendment No. 14

On page 2, line 39, of the printed bill, as amended, strike out "SEC. 4", and insert "SEC. 9".

Amendment No. 15

On page 2, line 50, of the printed bill, as amended, after "may", insert "**sus**pend or".

Amendment No. 16

On page 2, line 52, of the printed bill, as amended, after "and", insert "approaches".

Amendment No. 17

On page 3, line 3, of the printed bill, as amended, strike out "and", and insert "or".

Amendment No. 18

On page 3, line 10, of the printed bill, as amended, strike out "and", and insert "or".

Amendment No. 19

On page 3, line 11, of the printed bill, as amended, strike out "SEC. 5", and insert "SEC. 10".

Amendment No. 20

On page 3, line 13, of the printed bill, as amended, after "be", insert "suspended or"

Amendment No. 21

On page 3 of the printed bill, as amended, after line 24, insert

"SEC. 11. Section 995.1 is hereby added to said code, to read as follows:

995.1. No commercial fishing license shall be revoked or suspended for any violation of this article until after reasonable notice and opportunity to be heard

SEC. 12. Section 995.2 is hereby added to said code, to read as follows:

995.2. Any action of the commission suspending or revoking a commercial fishing license shall be subject to review by any court of competent jurisdiction in accordance with law."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2336—An act to amend Sections 653.1, 653.3, 653.8, 653.9, 653.14, 653.15, of the Civil Code, relating to cooperative corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Corporations:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "653.3," insert "653.5,".

Amendment No. 2

On page 2 of the printed bill, between lines 42 and 43, insert

"SEC. 2.5. Section 653.5 of the Civil Code is hereby amended to read as follows:

653.5. The provisions of the Civil Code, Division 1, Part 4, Title 12, relating to nonprofit corporations shall apply to cooperative corporations formed under this [article] *title*, except where such provisions are in conflict with those of this title. *Corporations formed hereunder shall have and enjoy all rights, powers, and privileges granted generally to corporations by the laws of this State, except as may be inconsistent with the provisions of this title.*"

Amendment No. 3

On page 3 of the printed bill, strike out lines 19 to 28, inclusive, and insert "this title may provide for voting in the affairs of such central organization in proportion to the number of shareholders and/or members entitled to vote in the affairs of each cooperative corporation and/or association which shall be a shareholder or member of such central organization. Certificates".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 624—An act to amend Section 5539 of the Business and Professions Code, relating to partnerships for practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, strike out "During the period of retirement, the architect", and insert "An architect, who has been retired by action of the board,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 19, 20, 21 and 22.

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1355—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Corporations:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "15", and insert "5".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "15", and insert "5".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 17, inclusive; and on page 2, strike out all of lines 1 to 42, inclusive, and insert

"SEC 5. The commissioner, whenever in his opinion the further sale of any securities by any company would be unfair, unjust or inequitable to the purchasers thereof, may order such company to desist and to refrain from the further sale of its securities. If, after such an order is made, a request for a hearing is filed in writing and no hearing is held within 60 days thereafter, such order shall be deemed to have been rescinded.

He shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act.

Every company, *otherwise* subject to the provisions of this act, conducting or carrying on in this State the business of accumulating savings of its [shareholders, stockholders, members or investors] *security holders* and of loaning and/or investing such accumulations in the manner similar to [building and loan] associations as defined in [the "Building and Loan Association Act"] *Chapter 269 of the Statutes of 1931 of the State of California, whether specifically incorporated under said act or not*, shall be [supervised and regulated by the Commissioner of Corporations in the same manner as is provided in the "Building and Loan Association Act" or any amendments or supplements thereto providing for the supervision and regulation of companies, under the jurisdiction of the Building and Loan Commissioner of this State, doing a similar business] *subject to the supervision and regulation of the commissioner whose duty it is to administer said Chapter 269 of the Statutes of 1931 and amendments thereto, and shall not be subject to the provisions of the Corporate Securities Act*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2475—An act to amend Section 4271 of the Political Code, relating to compensation of county and township officers and court reporters in counties of the forty-second class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4271", and insert "4273".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "forty-second", and insert "forty-fourth".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4271", and insert "4273".

Amendment No. 4

On page 1 of the printed bill, between lines 2 and 3, insert

"4273. In counties of the forty-fourth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their offices, the following salaries, to wit:

[1. County Clerk. The county clerk, two thousand four hundred dollars ($2,400) per annum; provided, that in counties of this class there shall be and there is hereby allowed the county clerk, one deputy clerk, who shall be appointed by the county clerk, and shall be paid salary as follows. The sum of one thousand two hundred dollars ($1,200) per annum, which shall be paid by said county in equal monthly installments at the time and in the same manner and out of the same fund as the salary of the clerk is paid; provided, that the county clerk shall appoint as many deputy registration clerks as may be necessary for the convenient registration of voters of the county, which deputy registration clerks in all places in said county other than at the county seat shall receive as compensation for their services the sum of eight cents ($0.08) per name for each and every voter registered by them, said compensation to be paid out of the general fund of the county on the presentation of filing with the board of supervisors of the county a duly verified claim therefor, approved by the county clerk.

2. Recorder. The recorder shall receive a salary of one thousand five hundred dollars ($1,500) per annum, and in addition to his salary 50 per cent of all fees collected by him as such recorder.

3. Sheriff. The sheriff shall receive four thousand dollars ($4,000) per annum, and the fees or commissions for the service of all papers issued by any court of the State outside of his county, also his traveling expenses in the execution of a warrant outside of his county issued by a magistrate or court of his county; provided, that in counties of this class the sheriff is hereby allowed one undersheriff and three deputies, who shall be appointed by the sheriff, the undersheriff shall receive a salary of one thousand eight hundred dollars ($1,800) per annum, and each of the other three deputies shall receive a salary of one thousand five hundred dollars ($1,500) per annum which shall be paid by the county in equal monthly installments at the time and in the manner and out of the same funds as the salary of the sheriff is paid.]

1. [4] The auditor, two thousand four hundred dollars ($2,400) per annum [.]: [provided, that in counties of this class the auditor is hereby allowed one deputy, who shall be appointed by the auditor and who shall receive a salary of nine hundred dollars ($900) per annum, which shall be paid by the county in equal monthly installments, at the time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, two thousand dollars ($2,000) per annum, which shall be in full for all services rendered by him; and he shall pay all fees collected by him into the treasury of the county, in the manner provided by law

6 The tax collector, one thousand one hundred dollars ($1,100) per annum He shall also receive as compensation, to be paid to him for services, one-third of 1 per cent of all moneys collected by him as tax collector

7. The assessor, three thousand dollars per annum.]

2. [8] The district attorney, [two] *three* thousand [four hundred] dollars *($3,000)* per annum[;]. [provided, that in counties of this class the district attorney is hereby allowed a clerk or stenographer, who shall be appointed by the district attorney, and who shall receive a salary of one hundred twenty-five dollars ($125) per month, which shall be paid by the county at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid

9. The coroner, such fees as are now, or may hereafter be allowed by law.

10. The public administrator, such fees as are now, or may hereafter be allowed by law.

11 The superintendent of schools, two thousand four hundred dollars ($2,400) per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of the superintendent of schools, and who shall serve as secretary of the county board of education without compensation, provided, (a), that in counties of this class the superintendent of schools is hereby allowed one deputy who shall receive a salary of one thousand dollars ($1,000) per annum.

12 The surveyor, one thousand five hundred dollars ($1,500) per annum, which shall be in full for all services required of him by the superior court or by the board of supervisors, and as ex officio county recorder; provided, that he shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of any order of the court or board of supervisors; for all other services the fees allowed by law.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them; in townships having a population of 2,500 or more, one hundred twenty-five dollars ($125) per month; in townships having a population of less than 2,500 and more than 900, seventy-five dollars ($75) per month; in townships having a population of less than 901 and more than 500, fifty dollars ($50) per month; in townships having a population of less than 501, thirty dollars ($30) per month; provided, that in townships having a population of 2,500 or more, justices of the peace shall be paid their necessary traveling expenses in the performance of their official duties; and provided, that in townships having a population of 2,500 or more, the board of supervisors shall furnish and maintain at the expense of the county suitable offices for the justices thereof. All fees collected by the justices of the peace shall be paid into the county treasury at the end of each month For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal Census taken in the year 1920.

14 Constables shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid; also their necessary traveling expenses incurred while in the performance of their official duties, which shall be in full for all services rendered by them in criminal cases; in townships having a population of more than 2,500, one hundred dollars ($100) per month; and in townships having a population of less than 2,500 and more than 900, seventy-five dollars ($75) per month; in townships having a population less than 900 and more than 500, fifty dollars ($50) per month; in townships having a population of less than 500, thirty dollars ($30) per month In addition to the compensation received in criminal cases, each constable shall receive and retain for his own use such fees as now or may hereafter be allowed by law for all services performed by him in civil actions; provided, however, in counties of this class constables are required to devote all of their time to the duties of their office. For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the Federal Census taken in the year 1920

15] 3 Supervisors shall receive one hundred [twenty-five] *fifty* dollars *($150) per month, and mileage at the rate of ten cents ($0.10) per mile for each mile* actually traveled by them in the discharge of their duties, either as road commissioner or supervisor, not exceeding in the aggregate two hundred fifty dollars ($250) per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

[16. The official reporter, such fees as are now provided by law

17 Assistants to surveyor The board of supervisors in counties of this class may, by resolution, authorize the county surveyor to employ such assistants as may be necessary to perform such work as may be ordered by the board of supervisors or prescribed by law, and fix the compensation of such assistants and their actual necessary traveling expenses while in the field; such compensation and expenses to be allowed and paid as county charges.

18] 4. Grand and trial jurors of the superior court shall each receive for each day's attendance the sum of three dollars ($3) per day, and for each mile actually traveled in attending court, twenty cents ($0.20) per mile one way only.

[19 There is created for counties of the forty-fourth class, a county librarian, who shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand eight hundred dollars ($1,800) per annum, to be paid at the time and in the manner as other county officers.

20 The following provisions of this act, in relation to compensation, deputies, fees and expenses, to wit: Subdivisions one and three, respectively, are intended to affect present incumbents]"

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 27, inclusive, and strike out all of pages 2, 3 and 4.

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1838—An act to add Section 5439.5 to the Public Resources Code, relating to county recreational districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5439.5 to", and insert "Sections 5439.5 and 5439.7 to, and to amend Section 5450 of".

Amendment No. 2

In line 2 of the title of the printed bill, after "districts", insert ", declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

5439.5 The board of supervisors of any county in which a recreation district is located may determine by a majority vote of the members that the county as a whole will be benefited by the construction of any works or improvements by a recreation district and if so determined as aforesaid the board of supervisors may in the exercise of sound discretion assist the district by contributing to it the use of county equipment, materials or labor, the expense of which shall be a legal charge against the general funds of the county

SEC. 2. Section 5439.7 is hereby added to the Public Resources Code, to read as follows:

5439.7. The trustees may expend funds of the district for advertising and making known the facilities of the district in order that the greatest benefits may be enjoyed from the use of such facilities. Taxes levied in any one fiscal year for this purpose shall not exceed fifty cents ($0.50) on each hundred dollars ($100) of the assessed value of all the property within the recreation district.

SEC. 3. Section 5450 of the Public Resources Code is hereby amended to read as follows:

5450. The trustees shall on or before the tenth day of July in each year, certify to the county board of supervisors in a written statement, the amount of money necessary to be raised by taxation for the payment of all interest and principal of bonds which will be due on or before the tenth day of July of the succeeding year and for operating, improving, maintaining, and keeping sanitary the property, sewage disposal system, garbage disposal, fire equipment, roads, trails, lights, playgrounds and buildings of the district, including the cost of new construction of improvements or building thereon, *and for advertising and making known the facilities of the district*. The board of supervisors shall keep the statement available to inspection by the public up to and including the first day of August of each year. Unless objection is made to the board of supervisors to the statement by 1 per cent or more of the voters in the district, and not less than 10 voters in any event, on or before the first day of August of any year, the statement shall become final. If objection is made, however, the board of supervisors shall call a public meeting at some place within the district on at the county seat.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, and shall, under the provisions of Section 1, Article IV, of the Constitution, take effect immediately.

The facts constituting such necessity are as follows, to wit:

Floods and high water conditions of the preceding winter have altered the streams and banks of water courses of this State, rendering them treacherous and unsafe for use and enjoyment by the people seeking recreation in and along said streams in the summer of 1941. Dams, beach improvement and protective works must be constructed to prevent injuries and excessive deaths by drowning in recreation districts which are unable to finance such works. Counties should be permitted immediately to assist districts to construct such works, before the summer of

1941, so that injury and excessive drowning may be prevented thereby protecting the public peace, health and safety."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2360—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1500", and insert "1501".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "1500", and insert "1501".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"1501. As used in this chapter the following terms have the meaning herein set forth.

(a) "Aid" means financial assistance and support granted under the provisions of this chapter.

(b) An "abandoned child" means one who has been abandoned by both parents for a period of one year and the whereabouts of his parents is unknown; or who has been declared "abandoned" by finding of a court

(c) *An "orphan" includes a child whose parents are both dead.* An "orphan" includes a foundling. A "foundling" means a child, deserted by both parents without means of identification.

(d) A "half-orphan" includes:

(1) *A child whose mother is alive and whose father is dead.*

(2) A child who has been deprived of the father's support or care by reason of his continued absence for a period of at least three years and the whereabouts of whose father during the three years preceding the date of application for aid is unknown, and for whose father a warrant on a failure to provide charge has been issued.

[(2)] *(3)* A dependent illegitimate child whose paternity has not been acknowledged or legally established

[(3)] *(4)* A child of a [parent] *father* who is committed to a State or Federal hospital or who has been deprived of civil rights by reason of commitment to any prison, whether of this or of any other State or of the United States."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 101—An act to amend Section 2020 of the Welfare and Institutions Code, relating to income under the Old Age Security Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out ", and to add Section 2026 to,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 21 to 24, inclusive, and on page 2, strike out lines 1 to 17, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 396—An act to amend Section 13101 of the Health and Safety Code, relating to the compensation of the State Fire Marshal.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"13101. The State Fire Marshal shall be appointed by the Governor with the advice and consent of the Senate and shall".

Amendment read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1846—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "define junk dealers, providing for the licensing"; and strike out lines 2 to 4, inclusive, and insert "add Chapter 13, comprising Sections 22300 to 22414, inclusive, to Division 8 of the Business and Professions Code, relating to the licensing and regulation of junk dealers."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Chapter 13, comprising Sections 22300 to 22414, inclusive, is hereby added to Division 8 of the Business and Professions Code, to read as follows:

CHAPTER 13. JUNK DEALERS

Article 1. General Provisions

22300. This chapter may be cited as the Junk Dealers Act.

22301. As used in this chapter, "person" includes firm, association, and corporation.

22302. As used in this chapter, "junk" means any and all secondhand and used machinery and scrap iron, including automobiles, tools, implements or parts or portions thereof, and any and all secondhand and used furniture or other personal property, or parts or portions thereof.

22303. As used in this chapter, "junk dealer" includes any person engaged in the business of buying, selling and dealing in junk, any person purchasing, gathering, collecting, soliciting or traveling about from place to place procuring junk, and any person operating, carrying on, conducting or maintaining a junk shop or place where junk is gathered together and stored or kept for shipment, sale or transfer.

22304. As used in this chapter, "junk yard" includes any yard, plot, space, enclosure, building or any other place where junk is collected, stored, gathered together and kept.

Article 2. Application of the Chapter.

22330. No person shall engage in the business of junk dealer without first having obtained a license from the Director of Professional and Vocational Standards as provided in this chapter.

22331. This chapter shall not apply to any of the following:
(a) Secondhand furniture merchants.
(b) Pawnbrokers.
(c) Secondhand car dealers or merchants in connection with automobile and motor vehicle sales agencies but not carried on and conducted in conjunction with a junk yard.
(d) Persons engaged in the business of selling new automobile tires or batteries or other equipment taking in part payment used articles of the same kind and thereafter selling or disposing of the same.
22332. This chapter shall not apply to any person who sells junk acquired in the conduct of any business other than that of junk dealer.
22333 No provision of this chapter shall be construed to be a limitation on the power of a county or city to provide for other and additional regulations, nor shall any provision of this chapter be a limitation on the power of such city or county to license for purposes of revenue and regulation.
22334. Every person who engages in business in violation of the provisions of this chapter, or who violates any of the rules and regulations promulgated by the director under the authority and provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not more than one year, or by a fine not exceeding one thousand dollars ($1,000), or by both such fine and imprisonment.

Article 3. Licensing.

22360. Upon the filing of an application for a license under this chapter and the payment of the filing fee, the Director of Professional and Vocational Standards shall, if he finds that the experience, character, business reputation and general fitness of the applicant are satisfactory and such that the best interests of the public will be protected, issue to the applicant a license to engage in business of junk dealer in accordance with the provisions of this chapter, at the location set forth in the license, which shall be effective until the thirty-first day of December next after its issuance, unless sooner suspended or revoked as provided in this chapter.
22361. All applications for licenses under this chapter shall be in writing and verified under oath, and shall be in the form prescribed by the director
22362. Each license issued under this chapter shall authorize the licensee to engage in business at the particular location designated in the application and set forth in the license. For each additional location at which a junk business is to be conducted, a separate license is required.
22363. The director may from time to time amend or alter, either upon his own motion or upon application of the licensee, without any fee therefor, any license theretofore issued by him
22364. The director may, upon reasonable notice to the licensee, stating the contemplated action, and, in general terms, the grounds therefor, and upon reasonable opportunity to the licensee to be heard, suspend and revoke any license issued hereunder, if he finds that the licensee has failed to comply with the terms and provisions of this chapter, or to comply with any rule or regulation made by the director under the provisions of this chapter; or that any fact or condition exists, which, if it had existed at the time of the original application for such license, would have warranted the director in refusing the original issuance of the license
22365 No license issued by the director under this chapter shall be either transferable or assignable.
22366. Every order granting, denying, suspending or revoking a license and every other official act of the director shall be subject to examination by the courts of this State. Upon such review, the burden of proof shall lie upon the applicant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the director under review The examination shall be limited to a consideration and determination of whether there has been an abuse of discretion on the part of the director in making the order, decision, finding, requirement or rule.

Article 4. Revenue

22390. The director shall charge and collect the following fees: For filing an original or a renewal application for a license, twenty-five dollars ($25); for filing an original or renewal application for each additional location of the licensee, fifteen dollars ($15)
22391. All moneys received under this chapter shall be paid into the State Treasury, monthly, at the beginning of each month, to the credit of the Junk Dealers Fund, hereby created The moneys in the Junk Dealers Fund shall be expended in accordance with law for the payment of all actual and necessary expenses incurred in carrying out the provisions of this chapter.

Article 5. Regulation

22410 The director shall require every licensee under this chapter to maintain a record, to be kept by the licensee each and every day. In this record, the licensee shall set forth the names of all persons from whom junk has been purchased, solicited

or obtained, giving the address of the seller, his occupation, the license number of any automobile or machine which he may have used in transporting the junk to or from the place of business of the licensee and such other information as the director may by rule or regulation require. The licensee shall also keep in the record book the name of all persons to whom he shall sell junk, the place of residence of the purchaser, his occupation, the date of the sale, whether the sale was made at the place of business of the licensee or at some other place, the license number of any automobile or motor vehicle which the purchaser may have used in transporting the junk sold by the licensee and such other information as the director may by rule and regulation require.

22411 The licensee shall keep and use at his business such books, accounts and records as will properly enable the director to determine whether the licensee is complying with the provisions of this chapter and with all rules and regulations made by the director under this chapter. The licensee shall preserve such books, accounts and records for at least two years after making the final entry of any purchase or sale of junk.

22412. The director shall establish such rules and regulations as may be necessary for the administration of the provisions of this chapter.

22413 The director shall have access at all times to the books and records of the licensee, and he shall have power to hold hearings, administer oaths, and take testimony of any and all witnesses in connection with the matters contained in this chapter.

22414 The director may employ such persons as are necessary properly to administer this chapter."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 2 to 24, inclusive, and strike out pages 2 to 5, inclusive.

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1817—An act to amend the title and to add four new sections, to be numbered 70, 71, 72 and 73, to an act known as the "California Water Storage District Act," relating to cooperation and contract with the United States to the purchase or lease of electric energy and the construction, acquisition, operation, leasing and control of plants for the generation, distribution, sale and lease of electric energy, to right of ways for electric light and power lines, and to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors, other than taxes.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources.

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend the "California Water Storage District Act," being Statutes of 1921, Chapter 914, as amended, by amending Sections 4, 6 and 17 of said act, and by adding thereto a new Section 25(a), relating to formation, organization and powers of water storage districts, and authorizing such districts to cooperate and contract with the United States under the provisions of any Federal laws now in force, or hereafter to be enacted, for a water supply or for acquisition, purchase, construction, extension operation or maintenance of works for irrigation, storage, flood control or drainage or for the assumption by the district of indebtedness to the United States and to describe the provisions which may be included in any such contract and to provide for the levy, apportionment and collection of assessments to meet any payments required by such contract."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and strike out all of pages 2, 3, 4, 5 and 6, inclusive, and insert

"SECTION 1. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. In order to propose the organization of a water storage district, a petition signed as provided in the preceding section setting forth generally the boundaries

of the proposed district or describing the lands situated therein, and *the proposed source or sources of water supply*, the location proposed for the storage of water to be used for such irrigation, *if storage is proposed*, any drainage or reclamation connected therewith, and any incidental development of hydroelectric energy, and the nature of the proposed works, and praying that the territory embraced within said proposed district may be organized as a water storage district under the provisions of this act, shall be presented to the State Engineer. The petition may consist of any number of separate instruments, and must be accompanied with a good and sufficient undertaking, to be approved by the State Engineer, in double the amount of the probable cost of organizing such district as estimated by said State Engineer, conditioned that the sureties shall pay all of said costs in case said organization shall not be finally effected, and said State Engineer shall have power to require the furnishing of any additional undertaking, or undertakings, or payments of money, in case he should deem the same necessary. Upon the presentation and filing of said petition and undertaking in the office of the said State Engineer the said engineer shall forthwith fix a time and place at which he will hear said petition, which place shall be either the office of the State Engineer at Sacramento or some place within the county, or one of the counties, within which any portion of the lands of said proposed district are situated and which time shall be not less than 30 nor more than 60 days after the presentation and filing of said petition. Said petition, together with a notice stating the time and place of the hearing so fixed by said engineer, shall be published in each county in which any of the lands of said proposed district are situate by said State Engineer once a week for three successive weeks before said hearing. Said notice shall be issued by said State Engineer, shall refer to said petition, and shall be directed to the persons named as petitioner therein, and to all other persons holding title or evidence of title to any lands included within the water storage district proposed in said petition, and to all other persons who may be interested in or affected by the project contemplated in said petition, and shall be substantially in the following form.

Before the State Engineer, State of California

To the persons named as petitioners in the foregoing petition, to all persons holding title or evidence of title to lands included within the water storage district proposed therein; and to all other persons who may be interested in or affected by the project contemplated in said petition:

You, and each of you, are hereby notified that the foregoing petition was filed with the State Engineer on the_____day of_____ and will be heard by said engineer at_____on the_____day of_____at the hour of_____m. of that day, at which time and place said engineer will hear and receive evidence in support of said petition or any objections which may be presented thereto, and will hear and determine the right of all parties holding title or evidence of title to lands not included in the water storage district proposed in said petition, but which lands are already irrigated or susceptible of irrigation from the same common source and by the same system of storage and irrigation works as are particularly referred to and described in said petition, to have said lands included in said district.

This notice is given pursuant to the provisions of an act, approved June 3, 1921, and known as California Water Storage District Act, to which said act particular reference is hereby made

Dated_____.

_____
State Engineer

When contained upon more than one instrument one copy only of said petition need be published but the names attached to all said instruments must appear in such publication. Signatures to the petition may be withdrawn at any time before the publication is commenced as in this section required by filing a declaration signed by the petitioner, with the State Engineer, stating that it is the intention of the petitioner to withdraw therefrom, which declaration shall be acknowledged in the same manner as conveyances of real estate are required to be acknowledged.

The notice herein in this section provided to be published, shall not be published until five days after the presentation and filing of said petition and undertaking in the office of said State Engineer as herein provided.

SEC. 2. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Upon the final hearing of said petition the State Engineer shall make an order reaffirming his conclusions as to the genuineness and sufficiency of the petition, affirming the regularity and sufficiency of the notice of hearing thereon, and determining the practicability, feasibility, and utility of the proposed project. The said engineer shall also in his said order establish the boundaries of the proposed district or describe the lands included therein, specify the location proposed for the storage, *if any*, of water to be used for any of the purposes of this act, *the proposed source or sources of water supply*, and provide an estimate to the probable cost of the proposed project. The said State Engineer shall also in his said order divide said proposed district into five, seven, nine, or eleven divisions in such manner as to segregate into separate divisions lands possessing the same general character of water rights or interests in and to the waters of such common source, which divisions shall be numbered first, second, third, fourth, and fifth, and sixth, seventh,

eighth, ninth, tenth, or eleventh, according to the number of such divisions. The order of said State Engineer, made as in this section provided, shall be signed by him and entered in full upon the records kept by him. A copy of such order certified by said State Engineer, together with a map showing the exterior boundaries of the district and indicating the lands if any excluded therefrom, shall forthwith be filed for record in the office of the county recorder of each county in which any of the lands within the said district are situated. The finding of said State Engineer in favor of the genuineness and sufficiency of the petition and the regularity and sufficiency of the notice of hearing thereon shall be final and conclusive against all persons except the State of California upon suit commenced by the Attorney General. Any such suit must be commenced within 90 days after the date of first filing in the office of any county recorder of such certified copy of said order as hereinabove required.

SEC. 3. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 17. The board of directors shall upon the organization of a water storage district as in this act provided, proceed to make or cause to be made, all such examinations, surveys, detailed plans and specifications, and estimates of costs for the acquisition, appropriation, diversion, storage, conservation and distribution of water, any drainage or reclamation works connected therewith, and the generation of hydroelectric energy incident thereto, and the sale and distribution thereof, as may be necessary or requisite to enable said board of directors to ascertain and estimate the requirements and works necessary as aforesaid, for the purpose of said water storage district, and the probable cost and expense thereof, and to make a report thereof as hereinafter provided, in which connection said board may use and adopt all previous estimates, surveys, reports and other data it may have acquired or which are available to it, adapted to that purpose, and may employ all necessary engineers, attorneys and other assistants for the accomplishment of said purposes, and the cost thereof shall be deemed a part of the expense of said project, and such board may issue warrants therefor, which shall be payable out of the funds of said district and may be included in any bond issue authorized for the purposes of said district.

If the board of directors proposes to acquire any property of any kind or character, or any interest or easement therein for the purposes or use of said water storage district by purchase or lease, or in any manner other than by condemnation proceedings, that fact shall be stated in their said report and a true copy or copies of any instrument or instruments evidencing such proposed acquisition of such property, interest or easement therein, or the right to acquire same shall be made a part of said report.

Except where it is proposed to be acquired by eminent domain proceedings no property of any kind or interest therein belonging to any water corporation which is a public utility, shall be acquired by a water storage district, nor shall any such properties of such public utility be included in the report of the directors in this paragraph provided for, unless and until the Railroad Commission of California shall have first made its order authorizing such sale and such abandonment or curtailment of service by such public utility as would result from the acquisition by said water storage district or said properties of such public utility.

A certified copy of any order of authority so made by the said Railroad Commission shall be made a part of and filed with said report of said board of directors and unless such order of the Railroad Commission in effect finds and declares that such sale and such abandonment or curtailment of service of such public utility through the acquisition of such properties by the water storage district will be to the interest of the consumers of such public utility and that the terms and conditions of such acquisition of such properties of such public utility by the water district is fair, just and equitable to the consumers of such public utility, such report shall be deemed insufficient for any of the purposes of this act.

Said board of directors may at their option segregate and divide the plans, specifications and estimates of cost into one or more units of construction, and may in said plan provide that one or more individual units of construction shall not be entered upon immediately, but shall be authorized and undertaken in such order and at such future time as the board of directors shall thereafter determine. Upon the completion of said examination and study of the proposed project by the said board of directors, the said board shall prepare and file in the office of the State Engineer, and a true copy thereof in the office of the secretary of said board, a report thereof, in which said report shall be set forth in full and in detail the character and nature of the proposed works, a description of the rights both to waters and lands it will be necessary to acquire to carry said project to completion, accompanied by detailed plans and specifications, and a detailed estimate of the cost of said project, including the acquisition of all rights, necessary to the completion and operation thereof. The board of directors shall attach to said report a recommendation that said projects shall be carried out in accordance with the plans and specifications in said report contained, or that said project be abandoned. Such report when completed shall be signed by a majority of the board of directors, and entered in full upon the

minutes of said board. If said board shall determine to segregate and divide the plans, specifications and estimates into more than one unit of construction, such plans, specifications, and estimates shall be complete as to each unit, and the board shall in its report specify the particular unit or units the construction of which shall be immediately entered upon and the particular unit or units reserved for future action.

If the board of directors of any district organized under this act shall fail, neglect, or refuse to complete and file its said report within [10]*15* years from the date of the filing of the order of the State Engineer declaring said district duly organized as provided in Section 11 hereof, the project of said district shall be deemed abandoned and the board of directors thereof shall within ninety (90) days thereafter, pay all outstanding debts and claims against said district and shall within said time remit to the assessment payers of said district in proportion to the amount paid by said assessment payers on the last call or assessment levied by said board of directors, the balance of any funds then remaining with the treasurer of said district or to its credit with the county treasurer or county treasurers within which the lands of said district are situated. Nothing herein contained shall affect, impair, modify or invalidate in any way any report which has already been adopted or approved at an election within the district, and the district and the directors thereof may proceed with such report as so originally adopted

SEC 4 A new section is hereby added to the act cited in the title hereof to be numbered 25(a) and to read as follows:

Sec. 25(a). Any water storage district heretofore or hereafter organized is authorized and empowered to cooperate and contract with the United States whether under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, or under any other act of Congress heretofore or hereafter enacted authorizing or permitting such cooperation or contract, for purposes of construction of works, whether for irrigation, drainage, storage or flood control, or for the acquisition, purchase, extension, operation or maintenance of such works, or for a water supply, or for any or all thereof, or for the assumption as principal or guarantor of indebtedness to the United States, and to carry out and perform the terms of any contract so made, provided that any such contract made between any water storage district and the United States may designate and describe the lands which are to be served with water from the water works or system contemplated under such contract and, in that case, only said lands may be charged with any of the assessments mentioned in this section.

The term "United States" as used in this act shall include besides the United States any board, bureau, agency, officer or officers, department or corporation of the United States

The board of directors shall generally perform all such acts as shall be necessary to carry out the enlarged powers in this section enumerated Said board may enter into any obligation or contract with the United States for the aforesaid purposes and may provide therein for the delivery and distribution of water for the lands of such district under any acts of Congress and under any rules and regulations established thereunder Before entering into any such contract on behalf of the district, the board of directors shall make a report thereon complying with the provisions of Section 17 of this act and setting forth the substantial terms and provisions of such proposed contract, which report may be either the original report of the board of directors or a supplemental or additional report, and which may embody other features in addition to such proposed contract Thereupon the same proceedings for the adoption or rejection of such report, and in case of the adoption thereof, for the levying, apportionment and collection of any assessment or assessments which may be necessary to meet any payments in the nature of capital charges required by such contract, and the other costs of the project described in said report, and for the issuance of bonds, shall be taken with respect to such report as are hereby provided to be taken in connection with the acquisition or construction of works contemplated by an original project

If such contract, in addition to payment of capital charges, also requires the payment by the district of periodic service charges the amount thereof shall be levied from time to time as an assessment on lands in the district on the same basis as any assessment of capital charges shall already have been levied pursuant to the provisions of this section; and such assessment shall thereafter be collected as provided in Section 21 of this act.

If such contract does not provide for any payment or payments in the nature of capital charges, the assessment commissioners appointed under Section 19 hereof shall determine the portion of the total benefits to accrue to the district under such contract which will be realized by each parcel of land in separate ownership in the district, which determination shall be stated in apportionment rolls to be prepared, certified and filed and substantially in form and manner as provided in Section 19, except that the apportionment of benefits shall be stated in percentages of benefits to the district as a whole, or in such other manner as may be determined upon by the commissioners; and thereafter all assessments levied in order to meet the payments due or to become due under such contract shall be apportioned among the respective tracts of land in accordance with said rolls.

In case any contract is made with the United States, bonds of the district which have been authorized either under Section 23 or Section 24 of this act may be transferred to, or deposited with, the United States if so provided by said contract, at not less than their par value, to the amount to be paid by the district to the United States or to any part thereof, and the interest or principal, or both, of said bonds, may be regularly paid to the United States and applied as provided in said contract but said bonds may call for the payment of such interest not exceeding 6 per cent per annum, may be of such denomination, and may call for the repayment of the principal at such times as shall be specified in said contract The contract with the United States may likewise call for the payment of the amount or amounts to be paid by the district to the United States or any part thereof at such times and in such installments and with such interest charges not exceeding the aforesaid rate, as may be provided in said contract The board may accept on behalf of the district appointment of the district as fiscal agent of the United States or authorization of the district by the United States to make collection of moneys for and on behalf of the United States and to assume the duties and liabilities incident to such action, and said board shall have full power to do any and all things required by the Federal statutes now or hereafter enacted in connection therewith and all things required by any rules or regulations now or hereafter established under any said Federal statutes

All water, the right to use of which is acquired by the district under any contract with the United States, may be distributed and apportioned by the district in accordance with the acts of Congress applicable thereto and any rules or regulations thereunder, and provision may be made in the contract between the district and the United States for the refusal of water service to any or all lands which may become delinquent in the payment of any assessment levied for the purpose of carrying out any contract between the district and the United States

As partial consideration for any privileges obtained by the district under any said contract with the United States any rights of way or rights to water or other property owned or acquired by the district may be conveyed by the board to the United States in so far as the same may be needed for the construction, operation and maintenance of works by the United States for the benefit of the district under any contract that may be entered into with the United States pursuant to the provisions hereof

Where a contract shall have been entered into between the district and the United States the contract may provide that the district shall not be dissolved nor shall the boundaries be changed except upon written consent of a specified official of the United States filed with the official records of the district If such consent be given and lands be excluded the areas excluded shall be free from all liens and charges for payments to become due to the United States under any such contract"

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2110—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert "the public on the premises of such establishment, to".

Amendment No. 2

On page 3, line 24, of the printed bill, as amended, after the period, insert "No preference shall be given to, or distinction made in favor of, any patented products or devices because of such patents."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2315—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals are sold.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended, strike out "Agriculture", and insert "Public Health,".

Amendment No. 2

On page 2, line 16, of the printed bill, as amended, strike out "Department"; and strike out all of line 17, and insert "State Department of Public Health."

Amendment No. 3

On page 2, line 19, of the printed bill, as amended, strike out "Department of Agriculture Fund", and insert "current appropriation for the support of, and shall be available for expenditure by, the State Department of Public Health".

Amendment No. 4

On page 2, line 23, of the printed bill, as amended, strike out "Department of Agriculture", and insert "State Department of Public Health".

Amendment No. 5

On page 2 of the printed bill, as amended, strike out lines 29 to 40, inclusive.

Amendment No. 6

On page 2, line 41, of the printed bill, as amended, strike out "Sec 6", and insert "Sec 3".

Amendment No. 7

On page 2, line 45, of the printed bill, as amended, strike out "Sec. 7", and insert "Sec. 4".

Amendment No. 8

On page 2, line 48, of the printed bill, as amended, after "not", insert "less than twenty-five dollars ($25) nor".

Amendment No. 9

On page 2 of the printed bill, as amended, after line 50, insert

"SEC. 5. The provisions of this act shall not apply to any city, county or city and county that has provided or does hereafter provide for the licensing, inspection or regulation of retail markets or cold storage plants."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2447—An act to amend Section 653.16 of the Civil Code, relating to cooperative corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Corporations:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 21 to 28, inclusive, and insert "except that a corporation or association which did business in this State under a name or designation including the word "cooperative" prior to the date of original enactment of this title, and which conducts business on a cooperative basis substantially as set forth in this title, may continue to do business under such name or designation, and except that any other person, firm, individual, partnership, trust, corporation, or association which did business in this State under a name or designation including the word "cooperative" prior to the date of original enactment of this title, but which does not conduct business substantially as set forth in this title may continue to do business under such name or designation if the words "not organized under the law relating to cooperative corporations" be always placed immediately after such name or designation wherever it is hereafter used; and".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 427—An act to add Section 39 to the Fish and Game Code, relating to bounties on predatory animals.

Bill real second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 39 to", and insert "Chapter 15, comprising Sections 1160 to 1167, inclusive, to Part 3 of Division IV of".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Chapter 15, comprising Sections 1160 to 1167, inclusive, is hereby added to Part 3 of Division IV of the Fish and Game Code, to read as follows

CHAPTER 15. BOUNTIES

1160. The commission shall pay a bounty of three dollars ($3) each on coyotes, lynx, and bobcats taken in this State, but such payment shall be made only in the manner, to the extent, and under the conditions provided in this chapter and such rules and regulations as the commission may prescribe to carry out the provisions of this chapter. Payment".

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, after "one", insert "fiscal".

Amendment No. 4

On page 1, line 8, of the printed bill, as amended, strike out "section", and insert "chapter".

Amendment No. 5

On page 1, line 10, of the printed bill, as amended, strike out "section", and insert "chapter".

Amendment No. 6

On page 1, line 12, of the printed bill, as amended, after the period, insert "No bounty shall be paid on any animal which is not taken while at large and in a wild state.

1161. No bounty shall be paid under this chapter for the taking of any animal unless the person claiming the bounty files an affidavit with the commission as provided in this chapter and transmits to the commission within 15 days after the animal is taken the entire unmutilated pelt of the animal"

1162. The affidavit shall state the name, post-office address of the applicant, the date the animal was taken, the county, general locality within the county, in which the animal was taken, a statement that the animal was taken while at large and not in private ownership or possession, a reference to the method whereby the pelt of the animal is transmitted to the commission sufficient to identify the pelt referred to, and a statement that the animal whose pelt is so transmitted is

the animal referred to, that said animal was taken by applicant as stated and that the affiant claims the bounty for taking said animal

1163. The affidavit constitutes the application for the bounty claimed. One affidavit may be used to claim bounties for the taking of several animals if all required information and statements as to each is therein set forth. The affidavit shall be sworn to and subscribed before any officer authorized to administer oaths and the commission may authorize any officer or employe of the commission to administer the oath herein required

1164 The affidavit shall not be transmitted in the package containing the pelts, but such package shall be referred to in said affidavit by reference to the method of transmittal and the date of delivery to the post office, express company, or other transportation agency Subject to postal laws and regulations, the envelope containing the affidavit may be attached to and mailed with the package containing the pelts. Nothing in this section prohibits the delivery of any pelt or affidavit directly to the commission by the applicant or his agent if all other requirements of this chapter are followed.

1165 The commission shall cause to be examined each pelt delivered to it and the affidavit relating thereto If it is determined that the animal was taken by the applicant in this State within 15 days prior to the commencement of transmittal of the pelt thereof to the commission, the commission shall, subject to availability of funds, pay the bounty to the applicant as provided in this chapter If, upon examination of the pelt and affidavit, and upon consideration of any other information or knowledge in the possession of the commission or its agents, it is found that the claim is false or fraudulent in any material particular the commission shall refuse payment of the bounty Every person who makes a false statement for the purpose of obtaining a bounty under this chapter is guilty of a misdemeanor.

1166 All pelts received by the commission pursuant to this chapter shall be returned to the owners thereof unless some other method of disposal is agreed upon by the commission and the owner Before returning any pelt to its owner the commission shall mark or tag the pelt in such manner as the commission may prescribe to facilitate ready identification Such pelts shall be so marked whether or not the bounty in relation to them is paid.

1167 If in any any fiscal year the funds available to pay bounties as provided in this chapter become exhausted the commission may publicly announce that fact in such manner as it deems desirable but nothing in this section requires that any notice of any kind shall be posted, published, or otherwise given or served."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 481—An act to amend Section 2100 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Medical and Dental Laws:

Amendment No. 1

On page 1, line 11, of the printed bill, after "State," insert "and who is a graduate of a medical school approved by the Board of Medical Examiners in this State".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "institution", and insert "State mental hospital or State feeble-minded home".

Amendment No. 3

On page 1, line 13, of the printed bill, after "under the", insert "jurisdiction of the".

Amendment No. 4

On page 1, line 15, of the printed bill, strike out "shall", and insert "must".

Amendment No. 5

At the end of line 16 of the printed bill, insert "Until such person has secured his physician's and surgeon's certificate he must not engage in the practice of medicine in this State, except that he shall be entitled to treat only the inmates of the institution, on the staff of which he has been appointed under the provisions of this section "

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2596—An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, after "and", and before "for", insert ", in connection therewith,".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "in connection therewith".

Amendment No. 3

On page 2, lines 4 and 5, of the printed bill, strike out "from said fund for personnel and expenses", and insert "for State purchases and, in connection therewith, for the employment and compensation of necessary personnel and expenses from the revolving fund created by the act repealed by this section".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 540—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "Each district", and insert "The"

Amendment No. 2

On page 1, lines 12 and 13, of the printed bill, strike out "who is residing or doing business in its district and".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 19, 20 and 21.

Amendment No. 4

On page 1, line 22, of the printed bill, strike out "with the appropriate district board"

Amendment No. 5

On page 1, line 23, of the printed bill, after "complaint", insert "with the board"

Amendment No. 6

On page 2, line 3, of the printed bill, strike out "district".

Amendment No. 7

On page 2, line 5, of the printed bill, strike out "20", and insert "30"

Amendment No. 8

On page 2, line 6, of the printed bill, strike out "district".

Amendment No. 9

On page 2 of the printed bill, strike out all of line 11, and insert "approval of the board, in which case the board".

Amendment No. 10

On page 2, line 17, of the printed bill, strike out "district".

Amendment No. 11

On page 2 of the printed bill, strike out all of line 19, and insert "than 30 days' *notice thereof by mail. The hearing shall be set only in the county in which the* offense is committed or in which the principal place of business of the holder of the certificate is located."

Amendment No. 12

On the following pages of the printed bill, at the following lines, strike out "district":

Page	Line
2	27
2	28
2	32
2	37
3	4
3	5
3	7
3	11
3	14
3	16
3	18
3	22
3	26
3	31
3	35
3	38
3	41
3	43
3	47

Amendment No. 13

On page 3, line 51, of the printed bill, strike out "but not less than one thousand dollars ($1,000),".

Amendment No. 14

On the following pages at the following lines strike out "district":

Page	Line
4	1
4	6
4	17
4	21
4	25
4	27

Amendment No. 15

On page 4 of the printed bill, strike out lines 31 and 32, and insert "his office"

Amendment No. 16

On the following pages at the following lines strike out "district":

Page	Line
4	34
4	38
4	43
4	49

Amendment No. 17

On page 4, line 52, of the printed bill, strike out "district board, or upon the district", and insert "board, or upon the".

Amendment No. 18

On page 5, line 10, of the printed bill, strike out "district".

Amendment No. 19

On page 5, line 24, of the printed bill, strike out "a district", and insert "the"

Amendment No. 20

On page 5, line 25, of the printed bill, strike out "district".

Amendment No. 21

On page 5, line 35, of the printed bill, strike out "district".

Amendment No. 22

On page 5 of the printed bill, strike out all of lines 38 and 39, and insert "report for the board. The board shall review the referee's report".

Amendment No. 23

On page 5 of the printed bill, strike out lines 42 to 45, inclusive

Amendment No. 24

On page 6 of the printed bill, strike out lines 34 and 35, and insert "mentally incompetent by a court, the board shall"

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 474—An act to amend Section 458 of the Fish and Game Code, relating to export of deer or game birds.

Bill read second time, and ordered to third reading.

Senate Bill No. 471—An act to amend Section 1230 of the Fish and Game Code, relating to predatory animals.

Bill read second time, and ordered to third reading.

Senate Bill No. 470—An act to amend Section 493 of the Fish and Game Code, relating to fishing hours.

Bill read second time, and ordered to third reading.

Senate Bill No. 319—An act to amend Section 651 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 417—An act authorizing suits against the State of California to establish the boundaries of, and to quiet title to, lands purchased from the State, and regulating the procedure therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 78—An act to add Section 651.7 to the Fish and Game Code, relating to salmon.

Bill read second time, and ordered to third reading.

Senate Bill No. 1058—An act to amend Section 4271 of the Political Code, relating to compensation for public services in counties of the forty-second class.

Bill read second time, and ordered to third reading.

Senate Bill No. 783—An act to amend Section 4288 of the Political Code, relating to the payment of the salaries of county officers, deputies, clerks and employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 186—An act to repeal Section 70 of, and to add a new Section 70 and Sections 70.4, 70.6 and 80 to, the Streets and Highways Code, relating to the California Highway Commission and providing for the establishment, appointment, organization, and expenses thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, strike out "five", and insert "seven"

Amendment No. 2

On page 2, line 1, of the printed bill, as amended, strike out "five", and insert "seven"

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 3 to 20, inclusive, and insert "District 1, comprising the Counties of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Tuolumne, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Alpine and Mariposa.

District 2, comprising the Counties of Del Norte, Mendocino, Butte, Sutter, Lake, Solano, Sonoma, Napa, Humboldt, Glenn, Yuba, Colusa, Marin and Yolo.

District 3, comprising the Counties of San Francisco and Alameda

District 4, comprising the Counties of Sacramento, Contra Costa, Merced, Fresno, Tulare, San Joaquin, Stanislaus, Madera, Kings and Kern.

District 5, comprising the Counties of San Mateo, San Benito, Monterey, Santa Barbara, Santa Clara, Santa Cruz, San Luis Obispo and Ventura.

District 6, comprising the County of Los Angeles

District 7, comprising the Counties of San Bernardino, San Diego, Orange, Riverside, Imperial, Mono and Inyo.

Of the members first appointed one member shall be appointed to serve until January 15, 1942; two to serve until January 15, 1943; two to serve until January 15, 1944, and two to serve until January 15, 1945."

Amendment No. 4

On page 3, line 5, of the printed bill, as amended, strike out "four", and insert "six".

Amendments read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 1296—An act to amend Section 492 of the Fish and Game Code, relating to mutilation of fish.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the period, and insert a comma and insert "provided, however, a 50-pound tolerance on any species having a weight or size limit will be allowed to persons holding a commercial fishing license"

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 3 of the printed bill, as amended, after line 40, insert

"SEC. 3. The amendments made by this act in Section 2224 of the Welfare and Institutions Code do not apply to causes of action arising prior to the effective date of this act, and, as to such causes of action, Section 2224 of the Welfare and

Institutions Code as it existed immediately prior to the effective date of this act shall apply."

Amendment No. 2

On page 3, line 29, of the printed bill, strike out "In an", and strike out all of lines 30 to 34, inclusive; and in line 35, strike out "ance"

Amendments read and adopted.

Bill ordered printed, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Leonard:

House Resolution No. 177

WHEREAS, The problems arising from the licensing of horse racing, horse racing meetings, and wagering on the results thereof have multiplied with the growth of racing and the enormous unforeseen increases in license fees therefrom accruing to the State; and

WHEREAS, The Legislature is now, and probably will be in the future, faced with a large number of proposals for changes in the law, and

WHEREAS, Some of the more pressing problems, as reflected in proposals for legislation, are:

(1) The increase in the number of county and district fairs;

(2) The administration of county and district fairs, and the selection and qualification of directors of district agricultural associations;

(3) The extent to which moneys should be granted to fairs for permanent improvements, and the purposes for which such money should be expended;

(4) The administration of the auditing of fairs, and the distribution of moneys by the Department of Finance; and

WHEREAS, These problems can best be studied by, and legislation to meet them based upon the report of, a competent Legislative Committee; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Investigating Committee on Exhibitions and Fairs is hereby created, to consist of the Speaker of the Assembly and three other members of the Assembly appointed by the Speaker, which committee shall study, investigate and ascertain all facts relating to the manner and purposes for which license fees from horse racing and wagering on the results thereof are administered and expended, and shall recommend a long range program for the administration and expenditure of such moneys in the best interests of the people of this State

The committee hereby created is hereby authorized to act either during sessions of the Legislature or after final adjournment thereof, but in no event beyond the convening of the regular session of the Fifty-fifth Legislature, and such committee may make reports to the regular or any special session of this Legislature and to the regular session of the Fifty-fifth Legislature.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to Investigating Committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to Investigating Committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assem-

bly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer

Resolution read and referred to Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 5, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the third day of May, 1941, at 11.10 p m., Assembly Bill No. 375 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable John Edward Cain, member of the Assembly.

Respectfully submitted.

CULBERT L OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 3, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith, without my signature, Assembly Bill No. 375, entitled "An act to add Sections 552.1, 1296.1 and 1299.1 to the Labor Code, relating to the sale or distribution of newspapers and other publications by minors."

My objections to this bill are as follows:

Existing law of this State prevents the employment of children under the age of 14 years during the school year and under the age of 12 years during the school vacations. There is no question that this prohibits the *employment* of children to sell newspapers or periodicals if they are under such ages. However, it is contended that these laws do not prohibit the selling of publications to boys over 10 years of age and such boys from selling the same, on the theory that in such cases there is no employment, but that the boys are "little merchants" or independent contractors. The Department of Industrial Relations, which administers the laws prohibiting child labor, does not agree with this contention, and for very sound reason. Contrary to an opinion issued from the Office of the Attorney General, which is in conflict with a previous opinion from that office, the Department of Industrial Relations contends that the provision of Section 1.220 of the School Code which says "no person, firm or corporation shall employ, *suffer* or *permit* any minor under the age of 16 years to work" without a permit as provided in the code, and a similar provision in the Labor Code, means that newsboys, as well as other minors, shall not be *suffered* or *permitted* to work without such permits, whether they are called "little merchants" or not. The School Code does not allow the issuance of permits to children under 14 years of age to work during the school year or to those under 12 years of age during the vacations or on school holidays A test case will undoubtedly come before the courts to settle this question.

This bill would reduce to 10 years the age at which children would be allowed to sell newspapers and periodicals. The bill provides that a boy over 10 years of age may sell or distribute newspapers, periodicals or circulars without receiving any consent from the Labor Commissioner or any school work permit from the school authorities The bill does provide that when a minor is first supplied with newspapers or periodicals, the person so supplying him shall give written notice thereof to the person now authorized to issue school work permits under existing law, and to give a card containing the notice to the minor or his parent or guardian, but the bill does not provide for the issuance of any school or Labor Commissioner's permit.

The bill further provides that the person notified is in turn required to notify the minor's school principal, who is then required to check the minor's health and school record. Whenever either of the latter is certified by the school physician or other school authority to be adversely affected by the minor's outside work, a certificate to that effect is required to be delivered to the minor's parent or guardian and to the person who supplied the newspapers, periodicals or circulars. If the parent or guardian fails to have the minor cease working within five days, the person supplying him with papers, etc., must cease doing so.

I am convinced that those provisions of this bill in practical operation would supply little, if any, protection to the child. As for the protection afforded by the requirement that the consent of the parent be obtained, that, it is regrettable to state, in many instances would afford no protection. All Child Labor Laws have been enacted because parents from economic necessity or demoralization have permitted their children to do work dangerous to their life, destructive of their health or

injurious to their moral well being The working of children of tender years in the mines, mills and factories, which is now prohibited in most States, was done with the consent of parents.

Under this bill no permit of any kind is required. The minor is given the papers to sell, and unless affirmative action to prevent it is taken by the school authorities, according to the impractical procedure specified in the bill the child can continue to sell papers It is likely that with the difficulties placed in his way by this bill a school principal could not effectively prevent this kind of child labor where it should not obtain. Assuming that school principals should feel free to tell the parent or the publisher this or that child must stop the work he is doing, I do not believe that the cursory examination that the principal could give the child's health and school record under this bill would afford sufficient insight into whether the child was being harmed by the work A large number of things could injure the child for the rest of his life which would never show on the school records They would not show the harm done by his trudging in and out of saloons, beer halls and places of prostitution or his away-from-home associations with undesirable persons. They do not show, and they will not protect him from the dangers of traffic into which his immature judgment and discretion may lead him.

I am well aware that there are times and places when and where children of not too tender years may sell newspapers without injury and even with benefit to themselves, but such employments may occur under the administration of the present school and labor codes.

Without going into further detail, I must say that the provisions of this bill seem to be regressive and wholly ineffective to protect children. The people of the State of California have been proud of the success of their efforts to safeguard women and children in industry, as well as of the progressiveness of our laws for the protection of all people who labor. If our legislation on these subjects should prove to be invalid or ineffective, we should not enact cumbersome, impractical or weak measures to supplant them, but we should enact measures which will clearly and effectively extend the needed protection. If there is a doubt as to whether children employed in selling newspapers and periodicals are not fully protected by existing Child Labor Laws, on the theory that they are independent contractors, the law should be amended to specifically include them and remove that doubt.

The experiences of those who have studied child labor and child labor legislation throughout the Nation has shown that, in addition to rigid prohibitions against children of tender years engaging in labor, the laws should establish a system whereby the school authorities issue permits to those children who should be allowed to work, so that the check as to age, consent of the parent, nature of the occupation, and the effect on the child could be made before the child is permitted to work.

Aside from the fact that this bill would prevent the enforcement of laws now on our statute books which seem adequate and substitute a law establishing the policy that children over 10 years of age should work and providing no effective method for their protection, a serious question of ambiguity arises under this bill. From the use of the word "hereafter" in the first sentence of Section 3, the bill, literally read, is easily susceptible of an interpretation that its provisions would not affect minors already engaged in selling newspapers or periodicals. Such interpretation could follow from the fact that this is a criminal statute, which must be strictly construed. I am sure that it was not the intent of the Legislature to so limit the effect of the bill, but from the face of the bill, as I have said, it could be so interpreted.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 375 ordered to unfinished business.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, April 28, 1941; Tuesday, April 29, 1941; Wednesday, April 30, 1941; Thursday, May 1, 1941, and Friday, May 2, 1941, were approved as corrected by the Minute Clerk.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 435—An act to amend Section 1394 of the Labor Code, relating to the hours and places of work of minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 435?

Amendment No. 1

On page 1, line 15, of the printed bill, after "minor", insert "between the ages of 8 and 18 years".

Amendment No. 2

On page 1, line 18, of the printed bill, after the last comma, insert "or".

Amendment No. 3

On page 1, line 19, of the printed bill, strike out ", or any place of amusement,".

Amendment No. 4

On page 1 of the printed bill, following line 28, insert "(e) The appearance of any minor in any radio or television broadcasting exhibition, where the minor receives no compensation directly or indirectly therefor, and where the engagement of the minor is limited to a single appearance lasting not more than one hour, and where no admission fee is charged for the radio broadcasting or television exhibition."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 435 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—59.

NOES—None

Assembly Bill No. 435 ordered enrolled.

Assembly Bill No. 436—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 436?

Amendment No. 1

On page 1, line 4, of the printed bill, after "obtained," insert "or if such consent is not required for radio or television by the provisions of subdivision (e) of Section 1394,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 436 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Welch, Weybret, and Wollenberg—55.

NOES—None

Assembly Bill No. 436 ordered enrolled.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Salsman:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of, such posted property, and providing penalties for violation thereof.

Respectfully submitted

BYRL R. SALSMAN

Request referred to Committee on Introduction of Bills.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 88—An act to amend Section 470 of the Civil Code by clarifying the language thereof with respect to certain restrictions on the power of railroad corporations.

Governor's message stating his objections read previously

The question being: Shall Assembly Bill No. 88 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—58

RECONSIDERATION OF SENATE BILL NO. 1078

In compliance with a notice given on a previous day, Mr. O'Day moved that the vote whereby Senate Bill No 1078 was passed be reconsidered.

Demand for Previous Question

Messrs. Andreas, Stream, Pfaff, Waters and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the vote whereby Senate Bill No. 1078 was passed.

The roll was called, and Senate Bill No. 1078 refused reconsideration by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Lowrey, Masson, Meehan, O'Day, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Thomas, Turner and Waters—32

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Hawkins, Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Sawallisch, Stream, Thorp, Thurman, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

Senate Bill No. 1078 ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour of 1 30 p.m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Amendments
Motion to Table Amendments

Mr. Lyon moved that all amendments pending on Assembly Bill No. 1800 be laid on the table.

Point of Order

Mr Bennett arose to the following point of order: That Mr. Lyon's motion to table the pending amendments to Assembly Bill No. 1800 was out of order because the pending amendments had not been read across the desk.

The Speaker pro tempore ruled the point of order not well taken.

Appeal from Decision of the Chair

Mr. Bennett appealed from the decision of the Chair.

Mr. Thomas seconded the appeal.

Motion to Table Appeal

Mr. Lyon moved that the appeal from the decision of the Chair be laid on the table.

Motion Withdrawn

Mr Lyon withdrew his motion to lay the appeal from the decision of the Chair on the table.

Decision of Chair Sustained

The question being: Shall the decision of the Chair be sustained?

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Knight, John B., Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybert, Wollenberg, and Mr. Speaker—44.

NOES—Andreas, Bennett, Burkhalter, Cain Cassidy, Collins, George D., Cooke, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Russell, and Thomas—26.

Communications

The following communication was received and read, and on motion of Mr Bennett, ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 1, 1941

Honorable F. Ray Bennett, Assembly Chamber
State Capitol, Sacramento, California

Subject: Motions to table
Request. No. 2907

DEAR MR BENNETT: This morning you asked whether if a motion is made to table a series of amendments to a bill the question can be divided so that a separate vote on the tabling of each amendment would be required While a technical consideration of the rules of parliamentary law appears to indicate that a motion to divide the question is not applicable to a motion to table, our analysis of the several parliamentary steps involved indicates that the same result, as a division of the question, may properly be reached.

A motion to table a question may be made only when the question is pending before the House. It is not in order to table a class of questions because they are not pending. (Robert—Section 28).

Therefore it would not be in order, if objected to, to move to table all amendments at the desk to a particular bill until after those amendments had been read and the question of their adoption or rejection is before the House.

If all the amendments at the desk are read and are pending any member may require that the question of their adoption be divided. Upon such division, separate motions could of course be made to table each amendment.

Yours very truly,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Request to Withdraw Amendments

Mr Bashore requested that all of his amendments to Assembly Bill No 1800 that had been read, as well as those pending action, be withdrawn.

Point of Order

Mr. Lyon arose to the following point of order: That Mr Bashore's request was out of order.

The Speaker pro tempore ruled the point of order well taken.

Motion to Withdraw Amendments

Mr. Cronin requested that his amendments to Assembly Bill No. 1800 be withdrawn.

Mr. Evans withheld unanimous consent

Ruling by Speaker pro tempore

The Speaker pro tempore ruled that unanimous consent would not be required as amendments are the property of the author prior to the time of being read across the desk, and can therefore be withdrawn by the author without the consent of the House.

Appeal from Decision of the Chair

Mr. Bennett appealed from the decision of the Chair.

The question being: Shall the decision of the Chair be sustained?

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter,

Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—43

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, and Thomas—25.

Motion to Consider Amendments Read

Mr. Lyon moved that all amendments to Assembly Bill No. 1800 now pending at the desk be considered read.

Demand for Previous Question

Messrs Call, Waters, Leonard, Dickey and Weybret demanded the previous question

Demand for previous question sustained.

The question being on the motion by Mr. Lyon that all of the amendments to Assembly Bill No. 1800 be considered read.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—46

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Tenney, and Thomas—26

Motion to Table Amendments

Mr. Lyon moved that all amendments pending to Assembly Bill No. 1800, including the one now up for reconsideration, be laid on the table.

Division of Question

Mr. Bennett asked for a division of the question.

The Speaker pro tempore ruled that the request was out of order.

Appeal from Decision of the Chair

Mr. Bennett appealed from the decision of the Chair.

The question being: Shall the decision of the Chair be sustained?

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—43

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, and Thomas—29

The question being on the motion to table all amendments pending to Assembly Bill No. 1800, including the one now up for reconsideration.

Roll Call Demanded

Messrs. Heisinger, Lowrey and Cain demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser,

Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Muldough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—44

NOES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Riche, Robertson, Russell, Sawallisch, Tenney, and Thomas—30

Speaker Presiding

At 3:45 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Motion to Amend

Mr. Millington moved the adoption of the following amendments to Assembly Bill No. 1800:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 25 and 26, and insert

"and committees of the Legislature whose personnel is composed in whole or in part of members of the Senate, twenty thousand dollars ..... $20,000.00".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 38 and 39, and insert

"Assembly and committees of the Legislature whose personnel is composed in whole or in part of members of the Assembly, twenty thousand dollars ..... $20,000.00"

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 13 and 14, and insert

"four hundred eleven thousand eight hundred eighty dollars ..... $411,880.00"

Amendment No. 4

On page 3 of the printed bill, as amended, strike out lines 23 to 31, inclusive, and insert

"Administration

Salary and Wages	$376,080.00
Operating Expenses	22,800.00".

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and on page 4, strike out lines 1 to 3, inclusive, and insert

"Administration

Salaries and Wages	$13,800.00
Operating Expenses	9,750.00".

Amendment No. 6

On page 4 of the printed bill, as amended, strike out lines 15 to 17, inclusive, and insert

"Court of Appeal, two hundred ten thousand six hundred dollars ..... $210,600.00".

Amendment No. 7

On page 4 of the printed bill, as amended, strike out lines 28 to 35, inclusive, and insert

"Administration

Salaries and Wages	$200,000.00
Operating Expenses	6,600.00".

Amendment No. 8

On page 4 of the printed bill, as amended, strike out lines 39 to 52, inclusive, and insert

"Court of Appeal, two hundred eight thousand eight hundred dollars $208,800.00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

District Court of Appeal
Second Appellate District

Administration

Operating Expenses	$3,600.00".

Amendment No. 9

On page 5 of the printed bill, as amended, strike out lines 6 to 17, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

District Court of Appeal
Third Appellate District

Administration
Operating Expenses ..... $2,800.00".

Amendment No. 10

On page 5 of the printed bill, as amended, strike out lines 25 to 38, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose

District Court of Appeal
Fourth District Court of Appeal

Administration
Operating Expenses ..... $40,050 00".

Amendment No. 11

On page 6 of the printed bill, as amended, strike out lines 34 to 38, inclusive, and insert

"Salaries and Wages $12,140.00
Operating Expenses ..... 1,000.00".

Amendment No. 12

On page 6 of the printed bill, as amended, strike out lines 45 and 46, and insert

"five hundred thirty-five thousand four hundred fifteen dollars ..... $535,415 00"

Amendment No. 13

On page 7 of the printed bill, as amended, strike out lines 3 to 8, inclusive, and insert

"Investigation
Salaries and Wages $64,090.00
Equipment ..... 1,865 00"

Amendment No. 14

On page 7 of the printed bill, as amended, strike out lines 13 and 14, and insert

"eight hundred sixty-eight thousand one hundred twenty-four dollars $868,124 00"

Amendment No. 15

On page 7 of the printed bill, as amended, strike out lines 23 to 49, inclusive, and insert

"Administration
Operating Expenses $18,700.00
Accounting Division
Operating Expenses 18,500.00
Inheritance Tax Division
Operating Expenses 49,720.00
Tax Collection Division
Operating Expenses 26,480 00
Equipment ..... 1,490 00".

Amendment No. 16

On page 8 of the printed bill, as amended, strike out lines 3 and 4, and insert

"Controller, fifteen thousand dollars ..... $15,000.00".

Amendment No. 17

On page 8 of the printed bill, as amended, between lines 4 and 5, insert

"Item 27.5—For additional support of State Controller (exempt from provisions of Sections 675, 677 and 677.5 of the Political Code, and from Sections 13, 13.5 and 13.6 of this act), one hundred fifty thousand dollars ..... $150,000 00".

Amendment No. 18

On page 8 of the printed bill, as amended, strike out lines 11 to 14, inclusive, and insert

"ler, one hundred thirty-six thousand five hundred seventy-three dollars, payable from the Motor Vehicle Fuel Fund ..... $136,573.00".

Amendment No. 19

On page 8 of the printed bill, as amended, strike out lines 26 to 33, inclusive, and insert

"Operating Expenses $21,408 00
Equipment ..... 2,465.00"

Amendment No. 20

On page 8 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert

"dred fifty-eight thousand fourteen dollars, payable from Tax-Deeded Land Rental Fund ..... $258,014 00".

Amendment No. 21

On page 9 of the printed bill, as amended, strike out lines 3 to 22, inclusive, and insert

"Redemption Tax Division
Operating Expenses $59,396 00
Equipment 2,375 00
Land Classification Commission
Salaries and Wages 20,370 00
Operating Expenses ..... 6,643 00"

Amendment No. 22

On page 9 of the printed bill, as amended, strike out lines 29 to 42, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose

State Employees' Retirement System

Administration
Operating Expenses ..... $6,800.00"

Amendment No. 23

On page 9 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert

"Equalization, one million fifty-two thousand fifty-four dollars ..... $1,052,054 00".

Amendment No. 24

On page 10 of the printed bill, as amended, strike out lines 8 to 51, inclusive, and insert

"General Administration
Operating Expenses $52,292 00
Equipment 2,810 00
Division of Research and Statistics
Operating Expenses $7,532.00
Division of Assessment Standards
Operating Expenses $27,444 00
Equipment 1,724.00
Valuation Division
Operating Expenses $58,378.00
Equipment 3,548.00
Motor Transportation License Tax Division Headquarters
Operating Expenses $26,904 00
District Offices
Operating Expenses $40,857 00
Equipment ..... 2,240 00".

Amendment No. 25

On page 11 of the printed bill, as amended, strike out lines 7 and 8, and insert "dred seventy-nine thousand five hundred forty-nine dollars payable"

Amendment No. 26

On page 11 of the printed bill, as amended, strike out line 20, and insert

"fund) ..... $5,879,549 00".

Amendment No. 27

On page 11 of the printed bill, as amended, strike out lines 30 to 48, inclusive, and insert

"Retail Sales Tax Division Headquarters
Operating Expenses $547,611 00
Equipment 12,612.00
District Offices
Operating Expenses $460,035.00
Equipment ..... 16,289 00".

Amendment No. 28

On page 12 of the printed bill, as amended, strike out lines 16 to 43, inclusive, and insert

"Alcoholic Beverage Control Division

Administration and Enforcement Headquarters	
Operating Expenses	$184,338 00
Administration and Supervision	
District Offices	
Operating Expenses	$243,327.00
Equipment	9,890 00
Tax Assessment	
Operating Expenses	$96,583 00
Equipment	663 00".

Amendment No. 29

On page 13 of the printed bill, as amended, strike out lines 10 to 28, inclusive, and insert

"Motor Vehicle Fuel Tax Division Headquarters

Salaries and Wages	$58,500 00
Operating Expenses	37,387 00
Equipment	1,668 00
District Offices	
Salaries and Wages	$161,166 00
Operating Expenses	26,640 00
Equipment	618 00".

Amendment No. 30

On page 13 of the printed bill, as amended, strike out lines 45 to 52, inclusive; on page 14, strike out lines 1 to 14, inclusive, and insert

"Administration

Executive	
Operating Expenses	$1,800 00
Equipment	340.00
Accounting	
Salaries and Wages	$205,540 00
Operating Expenses	12,700.00
Statistical	
Salaries and Wages	$38,910 00
Franchise Tax Division	
Operating Expenses	$18,090 00".

Amendment No. 31

On page 14 of the printed bill, as amended, strike out lines 39 to 52, inclusive, and insert

"Salaries and Wages	$1,131,695 00
Operating Expenses	243,677 00
Equipment	10,158.00".

Amendment No. 32

On page 15 of the printed bill, as amended, strike out lines 9 to 20, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

California Horse Racing Board

Administration	
Operating Expenses	$28,364 00"

Amendment No. 33

On page 15 of the printed bill, as amended, strike out lines 25 to 27, inclusive, and insert

"Board, five hundred twenty-three thousand nine hundred ninety-eight dollars	$523,998 00".

Amendment No. 34

On page 15 of the printed bill, as amended, strike out lines 37 to 51, inclusive; on page 16, strike out lines 1 to 51, inclusive; on page 17, strike out lines 1 to 21, inclusive, and insert

"Board

Salaries and Wages	$41,920 00
Operating Expenses	15,010.00

No money appropriated by this act is available for expenditure for the salary of Hearing Officer and Confidential Secretary, State Personnel Board.

Administration
Salaries and Wages $67,464.00
Operating Expenses 16,700 00
Records and Transactions
Salaries and Wages $81,403 00
Classification and Pay
Salaries and Wages $47,880 00
Operating Expenses 3,070.00
Testing and Recruiting
Salaries and Wages $207,084 00
Operating Expenses ..... 41,900.00".

Amendment No. 35

On page 17 of the printed bill, as amended, strike out lines 27 to 29, inclusive, and insert
"million two hundred ninety-three thousand five hundred forty-three
dollars ..... $1,293,543.00".

Amendment No. 36

On page 17 of the printed bill, as amended, strike out lines 39 to 49, inclusive, and on page 18, strike out lines 1 to 29, inclusive, and insert
"General Fund
Administration
Salaries and Wages $224,650 00
Operating Expenses 35,460 00
Control and Regulation
Salaries and Wages $782,045 00
Operating Expenses 139,476 00
Hearings and Formal Investigations
Operating Expenses $28,630 00
Publications and Reports ..... $7,000 00".

Amendment No. 37

On page 18 of the printed bill, as amended, strike out lines 36 to 39, inclusive, and insert
"hundred seventy thousand seven hundred fifty-two dollars, pay-
able from the Transportation Rate Fund ..... $770,752.00".

Amendment No. 38

On page 18 of the printed bill, as amended, strike out lines 50 to 52, inclusive; and on page 19, strike out lines 1 to 22, inclusive, and insert
"Administration
Operating Expenses $10,750 00
Control and Regulation
Salaries and Wages $489,660.00
Operating Expenses 139,700.00
Hearings and Formal Investigations
Operating Expenses ..... $15,810 00".

Amendment No. 39

On page 19 of the printed bill, as amended, strike out lines 39 to 51, inclusive, and insert
"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

SECRETARY OF STATE

Collection Agency Fund
Administration
Operating Expenses $9,419.00

Amendment No. 40

On page 20 of the printed bill, as amended, strike out lines 6 to 21, inclusive, and insert
"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose

STATE TREASURER

Administration
Operating Expenses ..... $19,800 00".

Amendment No. 41

On page 20 of the printed bill, as amended, strike out lines 29 to 33, inclusive, and insert
"Agriculture, two million eight hundred forty-nine thousand three
hundred dollars ..... $2,849,300 00".

Amendment No. 42

On page 20 of the printed bill, as amended, strike out lines 34 to 50, inclusive

Amendment No. 43

On page 21 of the printed bill, as amended, strike out lines 6 to 52, inclusive; strike out all of pages 22 to 25, inclusive, and on page 26, strike out lines 1 to 47, inclusive, and insert

"Department of Agriculture
General Fund Activities

Departmental Administration	
Board Members	
Operating Expenses	$2,050 00
Accounts and Disbursements	
Operating Expenses	$8,100 00
General Office	
Operating Expenses	$24,740 00
Equipment	1,970 00
Not more than ten thousand dollars of Salaries and Wages of General Office, Departmental Administration, Department of Agriculture, may be used for salary of Assistant Director, but in lieu thereof, it may be used for the salary of a civil service officer holding the position of Chief of Division of Economics, Department of Agriculture	
Fairs and Exhibits	Nothing
Division of Plant Industry	
Bureau of Entomology and Plant Quarantine	
Entomological Service	
General Entomology	
Operating Expenses	$23,100 00
Equipment	1,930 00
Citrus White Fly Eradication	
Operating Expenses	$6,340 00
Equipment	500 00
Plant Quarantine Service	
Plant Quarantine Service, Sacramento	
Operating Expenses	$9,040 00
Equipment	350 00
Plant Quarantine Service, San Francisco	
Operating Expenses	$9,360 00
Equipment	470 00
Plant Quarantine Service, San Pedro	
Operating Expenses	$6,885 00
Equipment	903 00
Plant Quarantine Service, Border Stations—Permanent	
Operating Expenses	$22,324 00
Bureau of Plant Pathology	
Operating Expenses	$16,490 00
Bureau of Rodent, Plague and Weed Control	
Rodent, Plague and Weed Control	
Operating Expenses	$56,165 00
Equipment	440 00
Predatory Animal Control	
Operating Expenses	$2,470 00
Bureau of Field Crops	
Administration	
Operating Expenses	$2,490 00
Equipment	Nothing
Seed Inspection Service	
Operating Expenses	$6,240 00
Bureau of Chemistry	
Spray Residue Enforcement	
Operating Expenses	$4,280.00
Division of Animal Industry	
Bureau of Live Stock Disease Control	
Administration	
Operating Expenses	$4,285 00
Equipment	130.00
Inspections	
Equipment	$1,435 00
Bovine Tuberculosis Control	
Operating Expenses	$84,714.00
Equipment	3,930.00
Bovine Tuberculosis Indemnities	
Operating Expenses	$122,595.00

Bureau of Meat Inspection	
Supervision	
Operating Expenses	$24,355 00
Equipment	3,655 00
Bureau of Dairy Service	
Administration	
Operating Expenses	$13,350.00
Inspections	
Operating Expenses	$18,140 00
Division of Economics	
Bureau of Markets	
Organization, Development and Arbitration	
Operating Expenses	$24,400 00
Equipment	3,600.00
Bureau of Market News	
Supervisory and Operative	
Equipment	$910.00
Live Stock, Meat and Wool Reporting Service, San Francisco	
Equipment	Nothing
Field Stations	
Equipment	$1,480.00
Bureau of Agricultural Statistics	
Equipment	$406.00
Bureau of Fruit and Vegetable Standardization	
Fruit and Vegetable Standardization	
Equipment	$1,287.00".

Amendment No. 44

On page 27 of the printed bill, as amended, strike out lines 6 to 10, inclusive, and insert

"Agriculture, four million thirteen thousand one hundred eight dollars, payable from the Department of Agriculture Fund ..... $4,013,108.00".

Amendment No. 45

On page 27 of the printed bill, as amended, strike out lines 21 to 52, inclusive; on page 28, strike out lines 1 to 52, inclusive; on page 29, strike out lines 1 to 52, inclusive; on page 30, strike out lines 1 to 52, inclusive; and on page 31, strike out lines 1 to 6, inclusive, and insert

"Division of Plant Industry

Bureau of Nursery Service	
Operating Expenses	$25,740 00
Equipment	1,320.00
Bureau of Field Crops	
Warehouse Inspection Service	
Operating Expenses	$1,565.00
Equipment	100.00
Field Crops Inspection Service	
Operating Expenses	$11,570 00
Equipment	1,280.00
Grain Weevil Inspection Service	
Operating Expenses	$2,090 00
Equipment	140.00
Commercial Feeding Stuffs Service	
Operating Expenses	$56,300 00
Equipment	5,355.00
Bureau of Chemistry	
Administration	
Operating Expenses	$28,170 00
Equipment	1,772 00
Inspections	
Operating Expenses	$19,610.00
Equipment	3,219 00
General Laboratory	
Salaries and Wages	$70,140.00
Operating Expenses	5,770 00
Division of Animal Industry	
Bureau of Meat Inspection	
Regular Inspections	
Operating Expenses	$45,350.00
Relief Inspections	
Operating Expenses	$14,365.00
Swine Disease Control	
Operating Expenses	$374.00

Bureau of Dairy Service	
Ice Cream Inspection Service	
Operating Expenses	$12,110 00
Equipment	1,870 00
Butter Grading Service	
Operating Expenses	$8,395 00
Equipment	730 00
Market Milk Inspection Service	
Salaries and Wages	$34,365 00
Operating Expenses	21,010 00
Equipment	760.00
Bureau of Live Stock Identification	
Cattle Protection Service	
Brand Recording and Licensing	
Operating Expenses	$42,745 00
Equipment	2,905.00
Hide and Brands Inspections	
Operating Expenses	$59,780 00
Equipment	3,150 00
Division of Economics	
Bureau of Markets	
Fluid Milk and Cream Stabilization Service	
Operating Expenses	$82,050.00
Equipment	4,600.00
California Agricultural Products Marketing Act of 1937	
Operating Expenses	$3,130 00
Agricultural Prorate Act	
Operating Expenses	$39,704 00
Bureau of Market Enforcement	
Produce Dealers Service	
Operating Expenses	$55,552 00
Equipment	3,423 00
Processors of Farm Products	
Operating Expenses	$11,802.00
Equipment	1,715 00
Fluid Milk and Cream Stabilization Service	
Operating Expenses	$85,780 00
Equipment	7,709 00
California Agricultural Products Marketing Act of 1937	
Operating Expenses	$1,540 00
Agricultural Prorate Act	
Operating Expenses	$4,060 00
Bureau of Shipping Point Inspection	
Operating Expenses	$352,100 00
Equipment	10,008.00
Bureau of Weights and Measures	
Gasoline, Distillate and Oil Inspection Service	
Operating Expenses	$47,510 00
Equipment	1,060 00".

Amendment No. 46

On page 31 of the printed bill, as amended, between lines 14 and 15, insert

"No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

Poultry Improvement Commission

Administration and Operation	
Salaries and Wages	$7,800.00
Operating Expenses	11,286 00".

Amendment No. 47

On page 31 of the printed bill, as amended, strike out lines 19 to 39, inclusive, and insert

"Improvement Commission, ten thousand five hundred fifty-five dollars ..... $10,555.00".

Amendment No. 48

On page 32 of the printed bill, as amended, strike out lines 6 and 8, inclusive, and insert

"cation, four hundred sixty thousand four hundred seventy-eight dollars ..... $460,478.00".

Amendment No. 49

On page 32 of the printed bill, as amended, strike out lines 18 to 52, inclusive; and on page 33, strike out lines 1 to 25, inclusive, and insert

"Departmental Administration
Operating Expenses $36,592.00
Equipment 2,661.00
Research and Statistics
Operating Expenses $16,070.00
Teacher Training and Certification
Salaries and Wages $36,580.00
Operating Expenses 6,070.00
Elementary and Rural Education
Operating Expenses $6,050.00
Secondary Education
Operating Expenses $5,290.00
Adult and Continuation Education
Operating Expenses $7,890.00
Health and Physical Education
Operating Expenses $3,540.00
Education for Handicapped Children
Operating Expenses $1,610.00
Vocational Education
Operating Expenses $3,450.00
Schoolhouse Planning
Operating Expenses ..... $3,880.00".

Amendment No. 50

On page 33 of the printed bill, as amended, strike out lines 43 to 51, inclusive, and insert

"Operation
Salaries and Wages $211,605 00
Operating Expenses ..... 9,550.00".

Amendment No. 51

On page 34 of the printed bill, as amended, strike out line 6, and insert

"dred fifty thousand dollars ..... $1,150,000 00".

Amendment No. 52

On page 34 of the printed bill, as amended, strike out lines 39 to 47, inclusive, and insert

"Regular Session
Administration
Operating Expenses $8,059.00
Instruction
Salaries and Wages ..... $308,503.00".

Amendment No. 53

On page 35 of the printed bill, as amended, strike out lines 19 to 41, inclusive, and insert

"Regular Session
Administration
Operating Expenses $12,900 00
Instruction
Salaries and Wages $610,482 00
Operating Expenses 52,460 00
Maintenance and Operation of Plant
Salaries and Wages $64,166 00
Equipment ..... 800 00".

Amendment No. 54

On page 36 of the printed bill, as amended, strike out lines 5 to 17, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose.

Humboldt State College

Regular Session
Administration
Operating Expenses ..... $4,864.00"

Amendment No. 55

On page 36 of the printed bill, as amended, strike out lines 31 to 44, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose.

San Diego State College

Regular Session	
Administration	
Operating Expenses	$14,315.00".

Amendment No. 56

On page 37 of the printed bill, as amended, strike out lines 16 to 41, inclusive, and insert

"Regular Session	
Administration	
Operating Expenses	$13,300 00
Instruction	
Salaries and Wages	$646,402.00
Maintenance and Operation of Plant	
Salaries and Wages	$59,760.00".

Amendment No. 57

On page 38 of the printed bill, as amended, strike out lines 14 to 41, inclusive, and insert

"Regular Session	
Administration	
Salaries and Wages	$113,016.00
Operating Expenses	26,770 00
Instruction	
Salaries and Wages	$758,121.00
Maintenance and Operation of Plant	
Salaries and Wages	$69,450.00".

Amendment No. 58

On page 38 of the printed bill, as amended, strike out lines 49 and 50, and insert "College, six hundred ninety-three thousand three hundred eighteen".

Amendment No. 59

On page 39 of the printed bill, as amended, strike out line 3, and insert

"the support of said college	$693,318 00"

Amendment No. 60

On page 39 of the printed bill, as amended, strike out lines 13 to 40, inclusive, and insert

"Regular Session	
Administration	
Salaries and Wages	$84,465.00
Operating Expenses	13,550.00
Instruction	
Salaries and Wages	$578,929.00
Maintenance and Operation of Plant	
Salaries and Wages	$51,920.00".

Amendment No. 61

On page 40 of the printed bill, as amended, strike out lines 15 to 20, inclusive, and insert

"Administration	
Operating Expenses	$2,570.00
Equipment	350.00".

Amendment No. 62

On page 40 of the printed bill, as amended, strike out lines 44 to 52, inclusive; and on page 41, strike out lines 1 to 4, inclusive, and insert

"Administration	
Operating Expenses	$4,350 00
Support and Subsistence	
Salaries and Wages	$69,185 00
Instruction and Care	
Salaries and Wages	$259,319.00".

Amendment No. 63

On page 41 of the printed bill, as amended, strike out lines 23 to 37, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

California Maritime Academy

Administration	
Operating Expenses	$6,950.00".

Amendment No. 64

On page 41 of the printed bill, as amended, strike out lines 41 to 43, inclusive, and insert "fornia, sixteen million six hundred twenty-four thousand three hundred sixty-eight dollars, pro-".

Amendment No. 65

On page 41 of the printed bill, as amended, strike out line 50, and insert "fiscal year $16,624,368 00".

Amendment No. 66

On page 42 of the printed bill, as amended, strike out lines 37 to 52, inclusive; and on page 43, strike out lines 1 to 21, inclusive, and insert

"Departmental Administration	
Operating Expenses	$16,900 00
Accounts and Disbursements	
Operating Expenses	$4,930 00
Division of State Planning	
Salaries and Wages	$18,740.00
Operating Expenses	13,800 00
Division of Budgets and Accounts	
Operating Expenses	$61,850 00
Division of Service and Supply	
Divisional Administration	
Operating Expenses	$2,640.00
Bureau of Purchases	
Operating Expenses	$56,950.00".

Amendment No. 67

On page 43 of the printed bill, as amended, strike out lines 35 and 36, and insert "ject to the provisions of Sections 13, 13 5 and 13 6 of this act, except no part of such money shall be used for the salary of Chief of Division of Fairs and Expositions and not more than six thousand one hundred forty dollars ($6,140) thereof shall be used for "Operating Expenses" of the Division of Fairs and Expositions."

Amendment No. 68

On page 44 of the printed bill, as amended, strike out lines 8 to 15, inclusive, and insert

"Administration	
Operating Expenses	$3,290 00
Los Angeles State Buildings	
Salaries and Wages	$220,446.00".

Amendment No. 69

On page 45 of the printed bill, as amended, strike out lines 7 to 27, inclusive, and insert

"Administration	
Operating Expenses	$21,378 00
Oil Land Control	
Salaries and Wages	$68,200 00
Operating Expenses	11,420 00
Equipment	500 00".

Amendment No. 70

On page 46 of the printed bill, as amended, strike out lines 5 to 8, inclusive, and insert

"Administration	
Operating Expenses	$46,570.00".

Amendment No. 71

On page 46 of the printed bill, as amended, strike out lines 34 to 42, inclusive, and insert

"Departmental Administration	
Salaries and Wages	$62,130.00
Operating Expenses	8,850.00
Equipment	995.00".

Amendment No. 72

On page 46 of the printed bill, as amended, strike out lines 48 and 49, and insert "three thousand eight hundred ninety-five dollars ..... $33,895.00".

Amendment No. 73

On page 47 of the printed bill, as amended, strike out lines 10 to 16, inclusive, and insert

"Operating Expenses $8,300.00
Equipment ..... 275 00"

Amendment No. 74

On page 47 of the printed bill, as amended, strike out lines 23 and 24, and insert "million, one hundred thirty-seven thousand nine hundred ninety dollars ..... $1,137,990 00"

Amendment No. 75

On page 47 of the printed bill, as amended, strike out lines 35 to 52, inclusive; and on page 48, strike out lines 1 to 38, inclusive, and insert

"Administration
Operating Expenses $21,300.00
Accident Prevention
Salaries and Wages $308,610.00
Operating Expenses 53,100 00
Equipment 4,550 00
Hearings and Compensation
Salaries and Wages $566,490.00
Operating Expenses 44,750.00
Equipment ..... 2,360 00".

Amendment No. 76

On page 49 of the printed bill, as amended, strike out lines 5 to 27, inclusive, and insert

"Salaries and Wages $428,910 00
Operating Expenses 90,600.00
Equipment 6,135 00

No money appropriated by this act is available for expenditure for the salary of Confidential Representative, Division of Labor Statistics and Law Enforcement, Department of Industrial Relations."

Amendment No. 77

On page 49 of the printed bill, as amended, strike out lines 33 to 42, inclusive, and insert

"of Industrial Relations, one hundred thirty-seven thousand nine hundred twenty dollars $137,920 00

No money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

Division of Immigration and Housing
Department of Industrial Relations

Salaries and Wages $101,210 00
Operating Expenses 36,010 00
Equipment 700 00

No money appropriated by this act is available for expenditure for the salary of Chief, Division of Immigration and Housing, Department of Industrial Relations, in the event that the functions of such division are transferred to or vested in another State agency."

Amendment No. 78

On page 49 of the printed bill, as amended, strike out line 48, and insert "dustrial Relations, one hundred thirty-three thousand three hundred five dollars ..... $133,305.00".

Amendment No. 79

On page 50 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert

"any of the following purposes in excess of the amount set opposite each designated purpose, respectively:

Division of Industrial Welfare
Department of Industrial Relations

Salaries and Wages $107,430.00
Operating Expenses 25,190.00
Equipment 685 00

No money appropriated by this act is available for expenditure for the salary of confidential secretary, Division of Industrial Welfare, Department of Industrial Relations"

Amendment No. 80

On page 50 of the printed bill, as amended, strike out lines 26 to 40, inclusive, and insert

"Administration

Salaries and Wages	$114,410.00
Operating Expenses	68,048 00
Equipment	1,160 00".

Amendment No. 81

On page 51 of the printed bill, as amended, strike out lines 19 to 50, inclusive, and insert

"Administration

Salaries and Wages	$133,860 00
Operating Expenses	27,800 00
Equipment	2,605 00
Deportation and Transfers	
Salaries and Wages	$8,160.00
Operating Expenses	66,100 00
Social Service and Parole Work	
Salaries and Wages	$25,020 00
Operating Expenses	6,300 00"

Amendment No. 82

On page 52 of the printed bill, as amended, strike out lines 20 and 21, and insert "twenty-two thousand two hundred ninety-five dollars ..... $2,222,295 00".

Amendment No. 83

On page 52 of the printed bill, as amended, strike out lines 32 to 52, inclusive, and on page 53, strike out lines 1 to 3, inclusive, and insert

"Administration

Operating Expenses	$18,180.00
Equipment	3,700 00
Support and Subsistence	
Salaries and Wages	$124,380 00
Care and Welfare	
Salaries and Wages	$1,199,540.00
Farming and Processing	
Salaries and Wages	$43,240 00
Extramural Care	
Operating Expenses	$51,300.00".

Amendment No. 84

On page 53 of the printed bill, as amended, strike out lines 12 and 13, and insert "forty-six thousand four hundred thirty-five dollars ..... $2,146,435.00".

Amendment No. 85

On page 53 of the printed bill, as amended, strike out lines 24 to 52, inclusive; and on page 54, strike out lines 1 to 15, inclusive, and insert

"Administration

Salaries and Wages	$91,415 00
Operating Expenses	24,500.00
Equipment	2,780.00
Support and Subsistence	
Salaries and Wages	$149,860 00
Care and Welfare	
Salaries and Wages	$1,024,570.00
Maintenance and Operation of Plant	
Salaries and Wages	$60,920 00
Farming and Processing	
Salaries and Wages	$94,710 00
Extramural Care	
Operating Expenses	$51,300 00"

Amendment No. 86

On page 54 of the printed bill, as amended, strike out lines 24 and 25, and insert "twenty-seven thousand seven hundred fifteen dollars ..... $1,827,715.00".

Amendment No. 87

On page 54 of the printed bill, as amended, strike out lines 36 to 50, inclusive, and insert

"Administration

Operating Expenses	$20,800.00
Equipment	2,645 00

Care and Welfare
Salaries and Wages $917,810.00
Extramural Care
Operating Expenses ..... $50,300 00".

Amendment No. 88

On page 55 of the printed bill, as amended, strike out lines 22 to 46, inclusive, and insert
"Administration
Operating Expenses $17,300 00
Equipment 510 00
Care and Welfare
Salaries and Wages $1,304,820.00
Maintenance and Operation of Plant
Salaries and Wages $101,770 00
Farming and Processing
Salaries and Wages 882,640.00
Extramural Care
Operating Expenses ..... $50,300 00"

Amendment No. 89

On page 56 of the printed bill, as amended, strike out lines 18 to 47, inclusive, and insert
"Administration
Operating Expenses $10,920 00
Equipment 1,700.00
Support and Subsistence
Salaries and Wages $83,450.00
Care and Welfare
Salaries and Wages $908,060 00
Maintenance and Operation of Plant
Operating Expenses $75,000 00
Farming and Processing
Salaries and Wages $58,470 00
Extramural Care
Operating Expenses ..... $50,400.00".

Amendment No. 90

On page 57 of the printed bill, as amended, strike out lines 18 to 40, inclusive, and insert
"Administration
Operating Expenses $17,700.00
Equipment 1,143 00
Care and Welfare
Salaries and Wages $1,342,340 00
Maintenance and Operation of Plant
Salaries and Wages $78,590 00
Farming and Processing
Salaries and Wages $103,160.00
Extramural Care
Operating Expenses ..... $50,400 00".

Amendment No. 91

On page 57 of the printed bill, as amended, strike out lines 50 and 51, and insert "ninety-nine thousand two hundred three dollars ..... $2,699,203 00".

Amendment No. 92

On page 58 of the printed bill, as amended, strike out lines 11 to 41, inclusive, and insert
"Administration
Operating Expenses $23,560 00
Equipment 4,325.00
Support and Subsistence
Salaries and Wages $154,440 00
Care and Welfare
Salaries and Wages $1,445,440.00
Maintenance and Operation of Plant
Salaries and Wages $115,580.00
Farming and Processing
Salaries and Wages $109,070 00
Extramural Care
Operating Expenses ..... $49,000 00".

Amendment No. 93

On page 59 of the printed bill, as amended, strike out lines 12 to 29, inclusive, and insert

"Administration
Operating Expenses $12,850 00
Equipment 1,186 00
Care and Welfare
Salaries and Wages 561,580.00
Maintenance and Operation of Plant
Salaries and Wages ..... 60,750 00".

Amendment No. 94

On page 59 of the printed bill, as amended, strike out lines 40 and 41, and insert "two thousand four hundred thirty-six dollars ..... $2,192,436 00".

Amendment No. 95

On page 60 of the printed bill, as amended, strike out lines 7 to 31, inclusive, and insert

"Administration
Salaries and Wages $96,546 00
Operating Expenses 16,920 00
Equipment 1,590 00
Support and Subsistence
Salaries and Wages 139,126 00
Care and Welfare
Salaries and Wages 1,120,195 00
Farming and Processing
Salaries and Wages ..... 78,294 00".

Amendment No. 96

On page 60 of the printed bill, as amended, strike out lines 47 to 52, inclusive; and on page 61, strike out lines 1 to 16, inclusive, and insert

"Administration
Operating Expenses $17,600.00
Equipment 523.00
Support and Subsistence
Salaries and Wages 94,010 00
Care and Welfare
Salaries and Wages 537,980 00
Maintenance and Operation of Plant
Salaries and Wages ..... 72,825 00".

Amendment No. 97

On page 61 of the printed bill, as amended, strike out lines 23 to 25, inclusive, and insert

"School, five hundred eighty-nine thousand one hundred forty-four dollars ..... $589,144 00".

Amendment No. 98

On page 61 of the printed bill, as amended, strike out lines 35 to 50, inclusive; and on page 62, strike out lines 1 to 5, inclusive and insert

"Administration
Salaries and Wages $55,690 00
Operating Expenses 10,100 00
Equipment 2,100 00
Care and Welfare
Salaries and Wages $313,240.00
Maintenance and Operation of Plant
Salaries and Wages ..... $17,710 00"

Amendment No. 99

On page 62 of the printed bill, as amended, strike out lines 26 to 41, inclusive, and insert

"Administration
Operating Expenses $3,440 00
Equipment 180 00
Care and Welfare
Salaries and Wages $158,900 00
Maintenance and Operation
Salaries and Wages ..... $13,476 00".

Amendment No. 100

On page 62 of the printed bill, as amended, strike out lines 50 to 51, inclusive, and insert

"six thousand eighty-four dollars ..... $246,084.00"

Amendment No. 101

On page 63 of the printed bill, as amended, strike out lines 10 to 16, inclusive, and insert

"Administration

Operating Expenses	$4,610 00
Equipment	924.00".

Amendment No. 102

On page 63 of the printed bill, as amended, strike out lines 27 to 43, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

Industrial
Workshop for the Blind
Department of Institutions

Administration	
Operating Expenses	$11,710 00".

Amendment No. 103

On page 64 of the printed bill, as amended, strike out lines 8 to 17, inclusive, and insert

"Administration

Salaries and Wages	$12,810.00
Operating Expenses	8,310 00".

Amendment No. 104

On page 64 of the printed bill, as amended, strike out lines 38 to 51, inclusive; and on page 65, strike out lines 1 and 2, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

Division of Banking
Department of Investment

Administration	
Operating Expenses	$38,758.00".

Amendment No. 105

On page 65 of the printed bill, as amended, strike out lines 9 to 12, inclusive, and insert

"ment, one hundred forty-four thousand four hundred sixteen dollars, payable from the Building and Loan Inspection Fund ..... $144,416.00".

Amendment No. 106

On page 65 of the printed bill, as amended, strike out lines 23 to 33, inclusive, and insert

"Administration

Operating Expenses	$16,809.00
Examinations	
Operating Expenses	$8,000 00".

Amendment No. 107

On page 66 of the printed bill, as amended, strike out lines 7 to 18, inclusive, and insert

"Administration

Operating Expenses	$122,812.00
Audits and Investigations	
Operating Expenses	$10,000.00".

Amendment No. 108

On page 66 of the printed bill, as amended, strike out lines 37 to 48, inclusive, and insert

"Administration

Operating Expenses	$211,261.00
Examination	
Operating Expenses	$2,000.00".

Amendment No. 109

On page 67 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert

"three hundred sixty-two thousand twelve dollars, payable from the Real Estate Fund ..... $362,012 00".

Amendment No. 110

On page 67 of the printed bill, as amended, strike out lines 18 to 33, inclusive, and insert

"Administration

Operating Expenses	$83,062.00
Equipment	950.00
Inspections	
Operating Expenses	$10,900.00".

Amendment No. 111

On page 67 of the printed bill, as amended, strike out lines 50 to 52, inclusive, and on page 68, strike out lines 1 to 5, inclusive, and insert

"Administration

Salaries and Wages	$17,400.00
Operating Expenses	2,460.00".

Amendment No. 112

On page 68 of the printed bill, as amended, strike out lines 32 to 52, inclusive; and on page 69, strike out lines 1 to 13, inclusive, and insert

"Administration

Salaries and Wages	$101,520.00
Operating Expenses	16,510.00
Equipment	500.00
Armories and Arsenals	
Salaries and Wages	$155,576.00".

Amendment No. 113

On page 69 of the printed bill, as amended, strike out lines 42 and 43, and insert "(2) Operating expenses"

Amendment No. 114

On page 70 of the printed bill, as amended, strike out lines 49 to 52, inclusive; and on page 71, strike out lines 1 to 17, inclusive, and insert

"Administration

Salaries and Wages	$90,727.00
Operating Expenses	17,750.00
Equipment	600.00
Support and Subsistence	
Salaries and Wages	$315,079.00
Care and Welfare	
Salaries and Wages	$430,274 00".

Amendment No. 115

On page 71 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert

"Administration

Operating Expenses	$2,044.00".

Amendment No. 116

On page 72 of the printed bill, as amended, strike out lines 17 to 32, inclusive, and insert

"Administration

Operating Expenses	$18,101.00
Equipment	200 00
Inspections	
Salaries and Wages	$74,890.00
Operating Expenses	7,146.00".

Amendment No. 117

On page 72 of the printed bill, as amended, strike out lines 49 to 51, inclusive, and on page 73, strike out line 1, and insert

"five hundred forty-one thousand nine hundred seventy-six dollars, payable from the Department of Motor Vehicle Support Fund ..... $12,541,976 00".

Amendment No. 118

On page 73 of the printed bill, as amended, strike out lines 11 to 52, inclusive; and on page 74, strike out lines 1 to 30, inclusive, and insert

"Administration
Salaries and Wages $284,588 00
Operating Expenses 56,755.00
Equipment 4,840.00
Division of Accounting
Salaries and Wages $631,553.00
Operating Expenses 63,893.00
Division of Drivers' Licenses
Salaries and Wages $1,357,204.00
Operating Expenses 201,601 00
Equipment 19,643.00
Division of Registration
Salaries and Wages $2,809,312 00
Operating Expenses 1,532,374.00
Equipment 24,600.00
Division of Enforcement
Operating Expenses $1,180,852 00

No money appropriated by this act is available for the salary of Deputy Director, Administration, Department of Motor Vehicles or for the salary of Deputy Registrar, Division of Registration, Department of Motor Vehicles."

Amendment No. 119

On page 75 of the printed bill, as amended, strike out lines 3 to 22, inclusive, and insert

"Resources, ninety thousand six hundred sixty dollars $90,660 00

No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose.

Department of Natural Resources
Departmental Administration
Operating Expenses ..... $26,240.00".

Amendment No. 120

On page 75 of the printed bill, as amended, strike out lines 27 to 29, inclusive, and insert

"one million six hundred thirty-seven thousand three hundred sixty-six dollars ..... $1,637,366.00".

Amendment No. 121

On page 75 of the printed bill, as amended, strike out lines 40 to 50, inclusive; and on page 76, strike out lines 1 to 15, inclusive, and insert

"Administration
Salaries and Wages $179,560 00
Operating Expenses 62,100.00
Equipment 5,900.00
State Nursery
Operating Expenses $2,700.00
Forest Protection
Forest Fire Prevention and Control
Operating Expenses $662,444.00
Forestry Shop and Warehouse
Operating Expenses $23,350.00

No money appropriated by this act is available for the salary of Executive Secretary, Division of Forestry, Department of Natural Resources."

Amendment No. 122

On page 76 of the printed bill, as amended, strike out lines 20 and 21, and insert "one hundred seventy-one thousand five hundred eighty-four dollars .. $171,584 00".

Amendment No. 123

On page 76 of the printed bill, as amended, strike out lines 29 to 51, inclusive, and insert

"Division of Mines
Department of Natural Resources
Developmental Survey
Salaries and Wages $133,554 00
Operating Expenses 35,470 00
Equipment 2,560 00

No money appropriated by this act is available for expenditure for the salary of Secretary, Developmental Survey, Division of Mines, Department of Natural Resources."

Amendment No. 124

On page 77 of the printed bill, as amended, strike out lines 11 to 15, inclusive, and insert

"two hundred forty-six thousand one hundred thirty dollars, payable from State Park Maintenance and Acquisition Fund ..... $246,130 00".

Amendment No. 125

On page 77 of the printed bill, as amended, strike out lines 23 to 48, inclusive and insert

"Division of Parks
Department of Natural Resources

Administration	
Salaries and Wages	$43,010 00
Operating Expenses	51,050 00
Equipment	1,700 00
Maintenance	
Operating Expenses	$87,950 00
Equipment	9,288.00".

Amendment No. 126

On page 78 of the printed bill, as amended, strike out lines 39 to 46, inclusive, and insert

"stream improvements, four million thirty-three thousand seven hundred sixty-eight dollars, payable from Fish and Game Preservation Fund ..... $4,033,768.00".

Amendment No. 127

On page 79 of the printed bill, as amended, strike out lines 1 to 52, inclusive; and on page 80, strike out lines 1 to 18, inclusive, and insert

"Division of Fish and Game
Department of Natural Resources

Administration	
Operating Expenses	$236,618 00
Equipment	2,975.00
Patrol and Law Enforcement	
Operating Expenses	$525,164.00
Equipment	84,508 00
Marine Fisheries	
Operating Expenses	$87,735 00
Equipment	11,022.00
Fish Conservation	
Operating Expenses	$333,384.00
Equipment	24,830 00
Engineering	
Operating Expenses	$19,690.00
Equipment	1,080.00
Game Conservation	
Operating Expenses	$83,265.00
Equipment	14,698 00
Game Farms	
Operating Expenses	$64,634 00
Equipment	2,250.00
Licenses	
Operating Expenses	$212,840 00
Equipment	745 00"

Amendment No. 128

On page 80 of the printed bill, as amended, strike out lines 45 to 49, inclusive, and insert

"Resources, four hundred twenty-nine thousand two hundred fifty-five dollars, payable from petroleum and gas fund ..... $429,255.00"

Amendment No. 129

On page 81 of the printed bill, as amended, strike out lines 4 to 19, inclusive, and insert

"Division of Oil and Gas
Department of Natural Resources

Administration	
Operating Expenses	$108,867 00
Equipment	1,794 00"

Amendment No. 130

On page 81 of the printed bill, as amended, strike out lines 43 to 51, inclusive, on page 82, strike out lines 1 to 8, inclusive, and insert

"Division of Criminal Identification and Investigation
Department of Penology

Administration	
Operating Expenses	$8,340 00
Investigation	
Operating Expenses	$6,500 00
Teletype	
Operating Expenses	$207,378 00"

Amendment No. 131

On page 82 of the printed bill, as amended, strike out lines 18 and 19, and insert

"Enforcement, one hundred eighty-one thousand one hundred ninety dollars $181,190.00".

Amendment No. 132

On page 82 of the printed bill, as amended, strike out lines 27 to 37, inclusive, and insert

"Division of Narcotic Enforcement
Department of Penology

Investigation and Prosecution	
Operating Expenses	$44,920.00
Equipment	750.00".

Amendment No. 133

On page 82 of the printed bill, as amended, strike out lines 45 to 48, inclusive, and insert "the following purpose in excess of the amount set opposite such purpose ".

Amendment No. 134

On page 83 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert

"Advisory Pardon Board

Administration	
Operating Expenses	$4,650 00"

Amendment No. 135

On page 83 of the printed bill, as amended, strike out lines 15 to 28, inclusive, and insert

'No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose.

Detective License Bureau
Board of Prison Directors

Administration	
Operating Expenses	$6,890 00".

Amendment No. 136

On page 83 of the printed bill, as amended, strike out lines 42 to 50, inclusive, and insert

"Folsom State Prison

Administration	
Operating Expenses	$28,690 00
Equipment	1,040.00".

Amendment No. 137

On page 84 of the printed bill, as amended, strike out lines 5 to 9, inclusive, and insert

"Prison, two million one hundred eighty-eight thousand six hundred eighty-four dollars $2,188,684.00".

Amendment No. 138

On page 84 of the printed bill, as amended, strike out lines 17 to 25, inclusive, and insert

"San Quentin State Prison

Administration	
Operating Expenses	$83,880 00
Equipment	4,984.00".

Amendment No. 139

On page 84 of the printed bill, as amended, strike out line 29, and insert

"Prison, State Board of Prison Directors, twenty thousand dollars $20,000.00".

Amendment No. 140

On page 84 of the printed bill, as amended, strike out lines 41 to 52, inclusive, and insert

"the following purpose in excess of the amount set opposite such purpose

Southern California Prison

Administration
Operating Expenses ..... $19,300.00".

Amendment No. 141

On page 85 of the printed bill, as amended, strike out lines 18 to 29, inclusive, and insert

"California Institution for Women

Administration
Operating Expenses $9,150.00
Equipment 100 00
Care and Welfare
Salaries and Wages ..... $120,088.00"

Amendment No. 142

On page 85 of the printed bill, as amended, strike out lines 31 to 52, inclusive; on page 86, strike out lines 1 to 6, inclusive, and insert

"Terms and Paroles (exempt from the provisions of Sections 13, 13.5 and 13.6 of this act), forty-four thousand eight hundred seventy dollars ..... $44,870 00".

Amendment No. 143

On page 86 of the printed bill, as amended, between lines 6 and 7, insert

"Item 174 5—For support of Parole Department, State Board of Prison Directors (exempt from the provisions of Sections 13, 13 5 and 13 6 of this act), two hundred twenty-eight thousand three hundred ninety dollars ..... $228,390.00".

Amendment No. 144

On page 86, lines 11 and 12, of the printed bill, as amended, strike out "Department of Penology", and insert "State Board of Prison Directors".

Amendment No. 145

On page 86, lines 16 and 17, of the printed bill, as amended, strike out "Board of Prison Terms and Paroles", and insert "State Board of Prison Directors".

Amendment No. 146

On page 86, line 21, of the printed bill, as amended, strike out "Department of Penology", and insert "State Board of Prison Directors".

Amendment No. 147

On page 86 of the printed bill, as amended, strike out lines 33 to 42, inclusive, and insert

"No money appropriated by this act is available for expenditure for the following purpose in excess of the amount set opposite such purpose:

Board of Accountancy

Administration
Operating Expenses ..... $4,247.00".

Amendment No. 148

On page 87 of the printed bill, as amended, strike out lines 3 to 16, inclusive, and insert

"the following purpose in excess of the amount set opposite such purpose

Board of Architectural Examiners
Northern District

Administration
Operating Expenses ..... $3,884.00".

Amendment No. 149

On page 87 of the printed bill, as amended, strike out lines 28 to 41, inclusive, and insert

"the following purpose in excess of the amount set opposite such purpose:

Board of Architectural Examiners
Southern District

Administration
Operating Expenses ..... $4,620.00".

Amendment No. 150

On page 87 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert

"four thousand two hundred twenty-three dollars, payable from State Board of Barber Examiners' Fund ..... $104,223.00".

Amendment No. 151

On page 88 of the printed bill, as amended, strike out lines 6 to 29, inclusive, and insert

"Board of Barber Examiners

Administration	
Operating Expenses	$15,127 00
Examination	
Operating Expenses	$4,400 00
Investigation and Legal	
Salaries and Wages	$41,040.00
Operating Expenses	11,466.00
Equipment	700.00"

Amendment No. 152

On page 89 of the printed bill, as amended, strike out lines 4 to 16, inclusive, and insert

"Board of Registration for Civil Engineers

Administration	
Operating Expenses	$14,240 00
Investigation and Legal	
Operating Expenses	$7,070.00".

Amendment No. 153

On page 89 of the printed bill, as amended, strike out lines 23 to 25, inclusive, and insert

"thousand six hundred eighteen dollars, payable from the Contractors' License Fund ..... $445,618 00 ".

Amendment No. 154

On page 89 of the printed bill, as amended, strike out lines 33 to 51, inclusive, and insert

"Contractors' License Board

Administration	
Operating Expenses	$71,054 00
Investigation and Legal	
Operating Expenses	$79,424 00
Equipment	970 00"

Amendment No. 155

On page 90 of the printed bill, as amended, strike out lines 17 to 35, inclusive, and insert

"Board of Cosmetology

Administration	
Operating Expenses	$38,037.00
Investigation and Legal	
Operating Expenses	$17,470.00
Equipment	Nothing".

Amendment No. 156

On page 91 of the printed bill, as amended strike out lines 4 to 15, inclusive, and insert

"Board of Dental Examiners

Administration	
Operating Expenses	$15,419 00
Investigation	
Operating Expenses	$6,552 00".

Amendment No. 157

On page 91 of the printed bill, as amended, strike out lines 21 to 24, inclusive, and insert

"Directors and Embalmers, forty thousand five hundred sixty-three dollars payable from Funeral Directors' and Embalmers' Fund $40,563 00".

Amendment No. 158

On page 91 of the printed bill, as amended, strike out lines 32 to 48, inclusive, and insert

"Board of Funeral Directors and Embalmers

Administration	
Operating Expenses	$6,773 00

Investigation and Legal
Operating Expenses ..... 7,050.00".

Amendment No. 159

On page 92 of the printed bill, as amended, strike out lines 4 to 8, inclusive, and insert
"Standards, one hundred fifty thousand two hundred thirty-nine dollars, payable from the Bureau of Furniture and Bedding Inspection Fund ..... $150,239 00".

Amendment No. 160

On page 92 of the printed bill, as amended, strike out lines 16 to 37, inclusive, and insert

"Bureau of Furniture and Bedding Inspection
Department of Professional and Vocational Standards

Administration
Operating Expenses $24,339.00
Investigation and Legal
Operating Expenses ..... $24,390 00".

Amendment No. 161

On page 93 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and insert

"Board of Medical Examiners

Administration
Operating Expenses $26,545.00
Investigation
Operating Expenses ..... $14,494.00".

Amendment No. 162

On page 93 of the printed bill, as amended, strike out lines 29 to 40, inclusive, and insert

"Board of Nurse Examiners

Administration
Operating Expenses $23,114.00
Examination and Investigation
Operating Expenses ..... $11,876.00".

Amendment No. 163

On page 94 of the printed bill, as amended, strike out lines 4 to 14, inclusive, and insert

"Board of Optometry

Administration
Operating Expenses $3,307.00
Investigation and Legal
Operating Expenses ..... $3,840.00".

Amendment No. 164

On page 94 of the printed bill, as amended, strike out lines 20 to 23, inclusive, and insert
"Pharmacy, one hundred seventeen thousand five hundred thirty-four dollars, payable from Pharmacy Board Contingent Fund..... $117,534.00".

Amendment No. 165

On page 94 of the printed bill, as amended, strike out lines 31 to 47, inclusive, and insert

"Board of Pharmacy

Administration
Operating Expenses $21,038.00
Investigation and Legal
Operating Expenses $17,532.00
Equipment ..... 690.00".

Amendment No. 166

On page 95 of the printed bill, as amended, strike out lines 7 to 19, inclusive, and insert
"the following purpose in excess of the amount set opposite such purpose:

Structural Pest Control Board

Administration
Operating Expenses ..... $7,084 00".

Amendment No. 167

On page 95 of the printed bill, as amended, strike out lines 37 to 47, inclusive, and insert

"Board of Examiners in Veterinary Medicine

Administration	
Operating Expenses	$1,965 00
Examination and Investigation	
Operating Expenses	$2,580.00".

Amendment No. 168

On page 96 of the printed bill, as amended, strike out lines 24 to 37, inclusive, and insert

"Board of Chiropractic Examiners

Administration	
Operating Expenses	$4,827 00
Examination	
Operating Expenses	$1,370.00
Investigation	
Operating Expenses	$3,400 00"

Amendment No. 169

On page 97 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert

"Board of Osteopathic Examiners

Administration	
Operating Expenses	$3,289.00
Directory	
Operating Expenses	$900.00
Investigations	
Operating Expenses	$1,550.00".

Amendment No. 170

On page 97 of the printed bill, as amended, strike out lines 22 to 24, inclusive, and insert

"Cannery Inspection, seven hundred eighty-seven thousand six hundred sixty-five dollars	$787,665 00".

Amendment No. 171

On page 97 of the printed bill, as amended, strike out lines 32 to 51, inclusive; and strike out all of pages 98 and 99, inclusive, and insert

"Department of Public Health
(Exclusive of Bureau of Cannery Inspection)

Departmental Administration	
General Administration	
Salaries and Wages	$70,800.00
No money appropriated by this act is available for expenditure for the salary of secretary to the board.	
General Administration, Departmental Administration, Department of Public Health	
Operating Expenses	$21,240.00
Equipment	300.00
Orthopedics	
Operating Expenses	$1,790.00
Division of Communicable Diseases	
Bureau of Epidemiology	
Operating Expenses	$7,850.00
Equipment	1,685 00
Psittacosis Control	Nothing
Bureau of Tuberculosis	
Operating Expenses	$4,200.00
Bureau of Venereal Diseases	
Salaries and Wages	$142,294 00
Operating Expenses	23,160 00
Division of Laboratories	
Bureau of Laboratories	
Salaries and Wages	$87,450.00
Operating Expenses	22,440.00
Division of Vital Statistics	
Salaries and Wages	$58,620.00
Division of Public Health Education	
Bureau of Child Hygiene	
Operating Expenses	$2,580.00

Division of Sanitation
Bureau of Sanitary Engineering
Operating Expenses $8,500.00
Equipment 100.00
Bureau of Sanitary Inspections
Operating Expenses $15,600 00
Equipment 765.00
Bureau of Food and Drug Inspections
Operating Expenses $10,735 00
Equipment 480.00
Wine and Brandy Standardization
Operating Expenses $11,070 00
Prevention of Misbranding, Mislabeling and Adulteration of Alcoholic Beverages
Operating Expenses ..... $6,310.00".

Amendment No. 172

On page 100 of the printed bill, as amended, strike out lines 26 to 31, inclusive, and insert

"Bureau of Cannery Inspection
Department of Public Health
Operating Expenses ..... $129,517.00".

Amendment No. 173

On page 101 of the printed bill, as amended, strike out lines 4 to 8, inclusive, and insert

"Regulation of Clinical Laboratories
Department of Public Health
Operating Expenses ..... $2,010 00".

Amendment No. 174

On page 101 of the printed bill, as amended, strike out lines 19 to 30, inclusive, and insert
"the following purpose in excess of the amount set opposite such purpose

"Inspection of Walnut Shelling Plants
Department of Public Health
Operating Expenses ..... $2,148.00".

Amendment No. 175

On page 101 of the printed bill, as amended, strike out lines 46 and 47, inclusive, and insert
"two hundred eight thousand nine hundred seventy-three dollars..... $208,973 00".

Amendment No. 176

On page 102 of the printed bill, as amended, strike out lines 4 to 17, inclusive, and insert

"Division of Architecture
Department of Public Works
Supervision of State Building Construction
Operating Expenses $39,524.00
Equipment ..... $2,840.00".

Amendment No. 177

On page 102 of the printed bill, as amended, strike out lines 24 to 27, inclusive, and insert
"lic Works, one hundred eighty-six thousand five hundred forty-one dollars, payable from Division of Architecture Public Building Fund $186,541.00".

Amendment No. 178

On page 102 of the printed bill, as amended, strike out lines 35 to 45, inclusive, and insert

"Division of Architecture
Department of Public Works
Supervision of Public School Building Construction
Operating Expenses $24,040.00
Equipment ..... $2,700.00".

Amendment No. 179

On page 103 of the printed bill, as amended, strike out lines 2 and 3, inclusive, and insert
"dred eighteen thousand two hundred eleven dollars..... $818,211.00".

Amendment No. 180

On page 103 of the printed bill, as amended, strike out lines 11 to 49, inclusive, and insert

"Division of Water Resources
Department of Public Works

Administration	
Operating Expenses	$141,800.00
Equipment	$8,345.00
Furtherance of Central Valley Project	Nothing
Water Rights and Water Resources	
Salaries and Wages	$196,332.00
Operating Expenses	$53,860.00
Regulation of Safety of Dams	
Salaries and Wages	$80,407.00
Operating Expenses	$7,150.00
Reclamation and Flood Control	
Salaries and Wages	$120,038.00
Operating Expenses	$141,800.00".

Amendment No. 181

On page 103 of the printed bill, as amended, between lines 49 and 50, insert

"Item 208 3—For additional expenditure by the Department of Public Works, Division of Water Resources, upon the east levee of Sutter By-Pass and levees of the Wadsworth Canal of the Sacramento River Flood Control Project, for construction, repair, reconstruction, operation, maintenance, control, lands, rights of way, easements and general administrative operation and overhead, two hundred thousand dollars	$200,000 00
Item 208 5—For construction, renewal, and repair of work for restraining, impounding, and control of debris resulting from mining operations, natural erosion, and other causes along the Yuba River, Department of Public Works, Division of Water Resources, thirty thousand dollars; provided, however, that the money herein appropriated shall be available subject to the provisions of Sections 2 3 and 4 of Chapter 686, Statutes of 1935	$30,000 00"

Amendment No. 182

On page 104 of the printed bill, as amended, strike out lines 26 and 27, inclusive, and insert

"thirty-six thousand three hundred forty dollars $1,036,340 00".

Amendment No. 183

On page 104 of the printed bill, as amended, strike out lines 34 to 52, inclusive, and insert

"State Reclamation Board
(Sacramento-San Joaquin Drainage District)

Administration	
Salaries and Wages	$96,125.00
No money appropriated by this act is available for expenditure for the salary of secretary, Administration, State Reclamation Board	
Operating Expenses	$15,700.00
Equipment	$2,632 00".

Amendment No. 184

On page 105 of the printed bill, as amended, strike out lines 8 to 18, inclusive, and insert

"the following purpose in excess of the amount set opposite such purpose:

Colorado River Board

Administration	
Operating Expenses	$3,972 00"

Amendment No. 185

On page 105 of the printed bill, as amended, strike out lines 35 to 52, inclusive, and insert

"Department of Social Welfare

Division of Child Welfare	
Bureau of Adoptions	
Operating Expenses	$7,514 00
Division of Adult and Family Welfare	
Bureau of Probation	
Operating Expenses	$4,800 00
Equipment	Nothing"

Amendment No. 186

On page 106 of the printed bill, as amended, strike out lines 1 to 14, inclusive.

Amendment No. 187

On page 107 of the printed bill, as amended, between lines 3 and 4, insert

"Item 217—For special emergency fund, five hundred thousand dollars, to be expended only on written authorization of the State Department of Finance for augmentation of the appropriations for support of the State prisons, State hospitals, and other State institutions, when and if commodity prices increase during the Ninety-third and Ninety-fourth Fiscal Years---------- $500,000.00".

Amendment No. 188

On page 110 of the printed bill, as amended, strike out lines 35 to 52, inclusive; on page 111, strike out lines 1 to 44, inclusive; and insert

"SEC. 13. It is the intent of the Legislature to prohibit the expenditure of money for certain specified purposes and to limit the amount that may be expended for certain other specified purposes. This intent is expressed in each instance in the form of a declaration that "no money appropriated by this act is available for expenditure for any of the following purposes in excess of the amount set opposite each designated purpose, respectively" (or similar form of expression), followed by a designation of the officer, department, division, bureau or other agency (such as "State Controller" or "Department of Education"), a designation of the function, if any (such as "Headquarters" or "Instruction"), the designated purpose (such as "Salaries and Wages," "Operating Expenses," or "Equipment"), and the maximum allowable expenditure for that purpose (such as "Nothing" or "$20,000.00"), using in that connection the same words, terms and phrases as are used in the detailed budget of such officer, department, division, bureau or other agency contained in that document entitled "State of California Budget for the Biennium July 1, 1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to the Legislature at the Fifty-fourth Session, except, however, that the terms "Materials and Supplies" and "Service and Expense," as used in that document, are combined under the designation "Operating Expenses" for the purposes of this act. For the purpose of interpreting the meaning of such words, terms and phrases, reference is hereby made to such document and the appropriate portions thereof.

Each such provision of this act is a prohibition, restriction or limitation upon the expenditure of the appropriations made by this act, does not itself appropriate any money and is not itself an item of appropriation.

Except as may otherwise be provided in this act, each such provision of this act prohibiting, limiting or restricting the expenditure of money for any designated purpose is absolute, and where "nothing" may be expended or a maximum is provided for any purpose, no money or no money in excess of such maximum, as the case may be, shall be withdrawn from the State Treasury for such purpose, whether from the appropriations made by this act, from unexpended balances of previous appropriations, by creation of deficiencies under Section 661 of the Political Code, or otherwise.

SEC. 13.5. The expenditure of the appropriations made by this act is hereby further restricted and limited as follows:

Wherever the appropriation for the support of an officer, department, division, bureau, or other agency, is not expressly limited by this act in the manner provided by Section 13 as to the total amount that may be expended for "Salaries and Wages," "Operating Expenses," or "Equipment," no expenditure shall be made from any appropriation made by this act, except from any emergency fund created hereby, by such officer, department, division, bureau, or other agency, in an amount in excess of that provided for "Salaries and Wages," or "Operating Expenses," or "Equipment," for such officer, department, division, bureau, or other agency in that document entitled, "State of California Budget for the Biennium July 1, 1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to the Legislature at the Fifty-fourth Session and particularly in that portion thereof entitled "Detailed budgets of departments and other State agencies."

For the purpose of this section, "Materials and Supplies" and "Service and Expense," as used in the document mentioned in the preceding paragraph in respect to any one officer, department, division, bureau, other agency or function, shall be deemed combined under the single designation "Operating Expenses."

SEC. 13.6. Except when necessary for the employment of such temporary help as may be required and for whose employment money is made available by this act, no money appropriated by this act for the support of any officer, department, division, bureau, other agency or function during the Ninety-third and Ninety-fourth Fiscal Years may be used at any one time during either of such years for the employment or the payment of salaries of a greater number of persons than the maximum number for such officer, department, division, bureau, other agency or function specified in that document entitled, "State of California Budget for the Biennium July 1,

1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to the Legislature at the Fifty-fourth Session.

SEC. 13.7. The provisions of Sections 13, 13.5 and 13.6 are not applicable to the appropriations made by Items 57, 81 and 212 (except as to amounts available for the use of the Bureau of Child Welfare, Division of Child Welfare, and the Bureau of Probation, Division of Adult and Family Welfare, Department of Social Welfare).

SEC. 13.8. Any funds received by any officer, department, division, bureau or other agency of this State during the Ninety-third and Ninety-fourth Fiscal Years from any other officer, department, division, bureau, or other agency of this State, from any county, city and county or city of this State, or any agency of any thereof, from the Federal Government, or any agency thereof, from any appropriation (other than one contained in this act) made by the Legislature at the Fifty-fourth Session, or from any other source, the expenditure of which is not provided or accounted for or taken into consideration for the receiving agency in that document entitled, "State of California Budget for the Biennium July 1, 1941, to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years," submitted by the Governor to this Legislature at the Fifty-fourth Session, may be expended by the receiving agency free from the provisions of Sections 13, 13.5 and 13.6. However, the expenditure of such funds is exempt from the provisions of Section 13.6 only when it is necessary for the receiving agency to hire additional personnel in order to earn, or as a condition to or as a consequence of the receipt of, such funds."

Demand for Previous Question

Messrs. Turner, Leonard, Thorp, Call and Dickey demanded the previous question.

Demand for previous question sustained.

The question being on the amendments to Assembly Bill No. 1800 offered by Mr. Millington.

Amendments adopted.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Crowley, ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, April 19, 1941

Honorable Seth Millington, Chairman
Assembly Ways and Means Committee
Sacramento, California

DEAR MR. MILLINGTON: Since the preparation and presentation to the Legislature of the Budget for the Ninety-third and Ninety-fourth Fiscal Years by Governor Culbert L. Olson, there has been brought to our attention by the Department of Public Works a dangerous seepage and foundation condition which exists along the east levee of the Sutter By-pass and the levees of the Wadsworth Canal of the Sacramento River Flood Control Project. The maintenance of these levees has been considered the duty and responsibility of the State of California.

These important levees protect from flood waters of the Sacramento River an area of more than 50,000 acres of developed and valuable agricultural land in Sutter County. The total length of the levees affected is about 20 miles. Continued high flood stages in the Sutter By-pass have contributed to partial failure of the levees in some places with imminent danger of sectional failure at several points should a flood condition arise. Should these failures occur there would possibly be loss of life, and certainly tremendous property damage. It is estimated that the repair and restoration of the levee will cost approximately $200,000.

Because of the serious situation outlined above, which requires immediate action, I am presenting for your consideration an amendment to the Budget Bill to provide for the appropriation of $200,000 necessary to rectify the dangerous condition which has been pointed out to us by the Department of Public Works.

A further situation has been brought to our attention by the Department of Public Works and Lieutenant Colonel R. C. Hunter of the California Debris Commission with reference to the need for an additional $30,000 for the storage of mining debris along the Yuba River Debris Control Project.

The Legislature in 1935 appropriated under Chapter 686, $24,000 to provide for the construction, renewal, and repair of works for reconstruction, impounding, and control of debris resulting from mining operations, natural erosion, and other causes along the Yuba River. The appropriation was subject to provision that it be matched by an equal amount from the Federal Government. It was not until March 22, 1941, that our attention was called to the fact that this appropriation

would be exhausted July 1, 1941, and that $60,000 will be required to carry on this work during the next biennial period, of which amount $30,000 is to be provided by the Federal Government.

In view of this situation I am inclosing an additional amendment to the Budget Bill to provide the required $30,000, subject to this sum being matched by contributions from the Federal Government. I ask that you request the Assembly to adopt this amendment.

There is inclosed a further amendment to the Budget Act to restore to the Budget of the Division of Water Resources those items which the Committee on Ways and Means recommended be reduced. The Division of Water Resources carries on a wide program of activities affecting the water rights, water resources, safety of dams, reclamation and flood control, and other projects throughout the entire State of California. The work of this division should not be crippled to the extent which would be necessary if the reduction recommended by the Ways and Means Committee should prevail The appropriation recommended in the Budget of this division, we believe, is its minimum need for the next biennial period, $78,962 having been eliminated from the request of the division by the Department of Finance before the Budget was sent to the Legislature.

Your cooperation in securing the adoption of the three inclosed amendments to the Budget Bill now before you will be appreciated.

Yours very truly,

GEORGE KILLION, Director of Finance

MOTION TO SET SPECIAL ORDER

Mr. Millington moved that Assembly Bill No. 1800 be made a special order of business for Wednesday, May 7, 1941, at 1.30 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—73.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1120—An act to add Section 219.1 to the Penal Code of the State of California, relating to vehicles of common carriers, when wrecked, punishment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1120

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1120 was this day passed.

MOTION TO SET SPECIAL ORDER

Mr. Wollenberg moved that Assembly Bill No. 1728 be made a special order of business for Tuesday, May 6, 1941, at 2 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1508—An act to add Section 5.852-1 to the School Code, relating to members of the California State Teachers' Retirement System serving in the armed forces of the United States of America or of the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Weybret Wollenberg, and Mr. Speaker—66.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1931—An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1931:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 1931

"An act to authorize the creation of a branch of the University of California at Santa Barbara, California, to abolish Santa Barbara State College, to transfer to The Regents of the University of California all properties belonging to or used for the benefit of said college, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems, and to repeal all acts or parts of acts in conflict with this act",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1931 as an emergency measure

Respectfully submitted

CULBERT L. OLSON, Governor of California

Demand for Previous Question

Messrs. Doyle, Collins, Sam L., Pfaff, Andreas and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1931.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cain, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, King, Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Waters, Welch, Weybret, and Mr. Speaker—43.

NOES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Dickey, Dilworth, Gaffney, Johnson, Kepple, Knight, John B., Leonard, Millington, Potter, Poulson, Richie, Sheridan, Thomas, Thorp, Thurman, Turner, Watson, and Wollenberg—28

Bill ordered transmitted to the Senate.

Assembly Bill No. 1311—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, strike out "him", and insert "or for him or under his direction".

Amendment read and adopted

Bill ordered reprinted and re-engrossed

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2608

Mr. Phillips moved that Assembly Bill No. 2608 be withdrawn from the Committee on Insurance, and re-referred to the Committee on Revenue and Taxation.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1813

Mr. Heisinger moved that Assembly Bill No 1813 be withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Revenue and Taxation.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: On March 18th I advised you that the appropriation contained in Assembly Bill No. 253 was insufficient to cover unemployment relief needs for the fourth quarter of the current fiscal year and that the amount should have been $4,617,000 instead of $2,042,000, a difference of $2,575,000 (page 1031 of the Assembly Journal). You did not see fit to heed my recommendation and enacted this bill at the lower figure.

The present relief load of approximately 39,000 cases is 3,000 cases in excess of the best estimates of the Relief Administration and the Department of Finance, despite all efforts by the Administration and the Department of Employment to return persons on the rolls to private employment. This is due to the facts that farm employment has been delayed by stormy weather and that the Work Projects Administration quotas have been drastically curtailed, reducing the number of cases closed by the SRA to the WPA and returning many of the cases eliminated by the WPA to the SRA rolls. The WPA rolls have been reduced in excess of 14,000 cases in the past two months.

Expenditures for the month of April total approximately $2,057,000 as against an original estimate of $2,044,000. Although expenditures for direct relief total $125,000 in excess of estimates, strict economy in administration and increased collections of board from WPA workers in single men's camps have held the net increase in total expenditures to approximately $13,000. The number of employees of the State Relief Administration has been reduced to 2,595 as of April 30th, (including approximately 200 separated as of the termination of their vacations), and the total administrative costs have been reduced to a much lower figure than at any previous date in the history of this agency.

After reservation for April expenditures unpaid on May 1st, a balance of approximately $560,000 remains which is estimated to last until May 10th. This does not include the amount of $650,000 set aside as a Federal Stamp Revolving Fund which the Attorney General has just advised is not available for expenditure or encumbrance for any other purpose.

I therefore recommend again that an additional appropriation of $2,575,000 be granted immediately for the balance of the fourth quarter and that a separate revolving fund be appropriated to release the $650,000 mentioned above. It appears that the first item can be best accomplished by Assembly Bill No. 1910 and the second by Senate Bill No. 1165. One or both of these bills must be enacted into law by May 7th to prevent the stoppage of relief disbursements.

Your are therefore advised that ASSEMBLY BILL No. 1910—

> "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately."

and SENATE BILL No. 1165—

> "An act to add Section 2.5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitute emergency bills within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

Respectfully submitted

CULBERT L. OLSON, Governor of California

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 286
Assembly Bill No. 530
Assembly Bill No. 813
Assembly Bill No. 817
Assembly Bill No. 1246
Assembly Bill No. 1299
Assembly Bill No. 1701

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Prisons and Reformatories, to which were referred:

Assembly Bill No. 1906
Assembly Bill No. 2515

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER Your Committee on Prisons and Reformatories, to which was referred:

Senate Bill No. 1151

Has had the same under consideration, and reports the same back with the recommendation Do pass

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 679—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435 1, 1435 2, 1435 3, 1435 4, 1435 5, 1435 6, 1435 7, 1435 8, 1435 9 and 1435 10 to Division 4, Chapter 11 thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code;

Assembly Bill No. 1016—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property;

Assembly Bill No. 1399—An act to add Section 4 5 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1941, at 3:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1402—An act to amend Sections 1392 and 1401 of the Insurance Code, relating to reciprocal insurance,

Assembly Bill No. 1512—An act to amend Section 1020 of, and to add Section 1026.1 to the Insurance Code, relating to claims against and property of insolvent or delinquent insurers,

Assembly Bill No. 1513—An act to add Section 12977 to the Insurance Code, relating to fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1941, at 3:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1515—An act to amend Section 986 of the Insurance Code and to add Section 10486.9 thereto, all relating to insurance;

Assembly Bill No. 1517—An act to amend Sections 10129 and 10172 of, and to add Sections 10173, 10174, 10175 and 10291.5 to, the Insurance Code, to amend and renumber the article heading of the second Article 5 of Chapter 4, Part 2, Division 2 of said code, and to add Article 5.5, comprising Sections 10370 to 10374, inclusive, to said Chapter 4, all relating to insurance;

Assembly Bill No. 1618—An act to amend Section 1034 of the Political Code, relating to date of receipt of communications by mail;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1941, at 3:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1781—An act to add Section 4154a to the Political Code, relating to the defense of county officers and employees;

Assembly Bill No. 2582—An act to grant the consent of the State of California to the United States to use certain territorial waters of the State in connection with target practice operations on United States land adjacent thereto, and providing that the act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1941, at 3:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 14—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to sale of intoxicating liquors, and to provide that this act shall go into effect immediately;

Assembly Bill No. 347—An act to amend Section 726 of the Welfare and Institutions Code, relating to serving of notice of hearing by mail,

Assembly Bill No. 350—An act to amend Section 1871 of the Code of Civil Procedure, relating to expert witnesses;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of May, 1941, at 3:30 p.m.

JOHN B. KNIGHT, Chairman

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1349—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Article 5.5, comprising Sections 26310 to 26316", and insert "Chapter 5, comprising Sections 1650 to 1657".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "to Chapter 2 of Division 21", and insert "to Division 2".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert "SECTION 1 Chapter 5, comprising Sections 1650 to 1657, inclusive, is hereby added to Division 2 of the".

Amendment No. 4

On page 1, line 5, of the printed bill, as amended, strike out "Article 6.5", and insert "Chapter 5".

Amendment No. 5

On page 1, line 7, of the printed bill, as amended, strike out "26310", and insert "1650".

Amendment No. 6

On page 1, line 14, of the printed bill, as amended, strike out "article", and insert "chapter".

Amendment No. 7

On the following pages of the printed bill, as amended, at the following lines, do the following:

Page	Line	Strike out	Insert
1	16	26311	1651
1	21	26312	1652
2	1	26313	1653
2	5	26314	1654
2	11	26315	1655

Amendment No. 8

On page 2 of the printed bill, as amended, strike out line 14, and insert "1656. Violations of this chapter constitute a misdemeanor".

Amendment No. 9

On page 2, line 23, of the printed bill, as amended, strike out "article", and insert "chapter".

Amendment No. 10

On page 2 of the printed bill, as amended, after line 24, insert "1657. Within 10 days after the beginning of each month for the month preceding the Board of Pharmacy shall report to the State Controller and deposit in the State Treasury to the credit of the Pharmacy Board Contingent Fund all revenue collected under the provisions of this chapter All of the money deposited in the Pharmacy Board Contingent Fund under the provisions of this chapter is hereby appropriated to the board for expenditure under the provisions of this chapter."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 368—An act to amend Sections 7301, 7303, 7314, 7315, 7393 and 7400 of, and to add Sections 7385, 7414 and 7417 to, the Business and Professions Code, relating to the practice, the training for, and the government of cosmetology.

Bill read third time.

Motion to Amend

Mr. Pfaff moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "7301,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 7302 of the Business and Professions Code is hereby amended to".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 822—An act to repeal Sections 301 to 304, both inclusive, and to amend Section 300 of the Labor Code, all relating to assignment of wages.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 8 to 11, inclusive, and insert

"This section shall not apply to deductions which the employer may be requested by the employee to make for the payment of life, retirement, disability or unemployment insurance premiums, for the payment of taxes owing from the employee, for contribution to funds, plans or systems providing for death, retirement, disability, unemployment, or other benefits, for the payment for goods or services furnished by the employer to the employee or his family at the request of the employee, or for similar purposes."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Salsman:

An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of, such posted property, and providing penalties for violation thereof

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2612: By Mr. Salsman—An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of, such posted property, and providing penalties for violation thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 39: By Mr. Desmond—Relative to providing suitable space and facilities for the office of the Attorney General in the Library and Courts Building.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Massion:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 7 (comprising Sections 3 759 to 3 759e) to Part 5 of Division 3 of the School Code, relating to instruction in traffic laws, traffic safety and accident prevention.

Respectfully submitted.

JACK MASSION

Request referred to Committee on Introduction of Bills.

By Mr. Massion:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to regulate clerical, vocational, trade or business schools, to provide for the licensing thereof and providing penalties.

Respectfully submitted.

JACK MASSION

Request referred to Committee on Introduction of Bills.

COMMUNICATIONS

The following communications were received and read, and on motion of Mr. Bashore, ordered printed in the Journal:

UNIVERSITY OF CALIFORNIA
OFFICE OF THE PRESIDENT, April 4, 1941

Dr. Jesse Randolph Kellems, California Legislature
State Capitol, Sacramento California

DEAR DR KELLEMS. The following information is sent to you in response to your letter of April 2d, and a similar letter from Assemblyman Alfred W. Robertson, asking me to state the position of the University on Assembly Bill No 1931, which proposes to create a branch of the University of California at Santa Barbara in place of the Santa Barbara State College.

The Regents of the University have stated that position by voting unanimously "their willingness, if the State desires them to do so, to add one of the existing State colleges to the University System, provided said college comes into the system as an integral part of the university subject to the same control and jurisdiction as all other parts."

As to my own position, which you also request me to state, I subscribe to the conclusions of the Commission of Seven and to the recommendation in the so-called Suzzallo Report of the Carnegie Foundation for the Advancement of Teaching, that the teachers colleges (now called State colleges) should be brought under The Regents and made part of the University of California. These conclusions and recommendations, it should be remembered, were the fruits of months of careful, well-financed, highly intelligent study by a group of leading educators from parts of the United States other than California, whose thinking was not obscured by personal or institutional interests or prejudices.

As a member of the Council on Educational Planning and Coordination, I have consistently and vigorously advocated the proposals of the Suzzallo Report as the best solution for the problem of higher educational organization in our State I have had, also, an open mind toward alternative proposals for bringing order out of the chaos which now exists, but only toward proposals which would bring all higher education into the State University System.

In response to questions from you, and from others properly interested, I have said on a number of occasions that, if the Legislature wished to transfer Santa Barbara State College to The Regents with instructions to make it an integral part of the University of California, we should endeavor to maintain and improve the college so that it might, like the other parts of the university, be an institution of which the people of California could justly be proud. I have said, also, that it seemed clear to me that the college should continue to be a four year, degree granting institution, not patterned exactly after any other unit of the university, but expressing its own individuality and, in particular, developing the courses in which it has already demonstrated unusual success.

I trust that the foregoing paragraphs will help to clarify for you and your colleagues a situation which has been much beclouded by unauthorized statements and conflicting claims

With kind personal regards, I am

Yours sincerely,

ROBERT G SPROUL

Memorandum Prepared by University of California Officials Presenting Views of Board of Regents Concerning Assembly Bill No. 1931

The University of California has for many years been interested in the coordination of higher education in this State, and has believed that all higher education above the junior college level should be under the administration of a single board

There have been two reports presented to the Legislature of the State of California in past years, both reports recommending that all higher education be under one board.

The position of The Regents of the University of California in connection with Assembly Bill No. 1931 is one of cooperation in the interest of higher education. This matter was discussed two years ago and The Regents' position at that time, as well as now, can be stated as follows: "that The Regents expressed their willingness, if the State desires them to do so, to add one of the existing State colleges to the university's system provided said college comes into the system as an integral part of the university, subject to the same control and jurisdiction as all other parts"

If Assembly Bill No. 1931 becomes law, the University of California will endeavor to do the very best job possible in the preservation of the splendid work and activities now carried on by the Santa Barbara State College There is no attempt to destroy the worthwhile activities of this agency of the State Educational System, but merely to coordinate its activities along its present lines with that of the University of California. The work in vocational training is essential to the activities of this institution and The Regents of the University of California are privileged to carry on such activities, if that is their desire Likewise, the entrance requirements for these specialized fields can be adjusted to meet the demands and without handicap to students desiring to carry on work in these vocational fields

It is the desire of the University of California and all those connected with it to render the best service possible in the educational field, and, if it is the wish of the Legislature that Santa Barbara State College be under the jurisdiction of the University of California, you can rest assured that every effort will be made to coordinate its activities for the best interest of education for the people of the State of California.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 178

Resolved by the Assembly of the State of California, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, upon a seven-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, May 5, 1941

	Per Day
Marie Pope, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Call, Carlson, Clarke, Collins George D, Collins, Sam L, Cooke, Cronin, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney,

Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Frederick F. Houser, ordered printed in the Journal:

OAKLAND, May 5, 1941

The Members of the California Assembly in Session
State Capitol

DEAR SIRS: The board of managers of the California Congress of Parent-Teachers Association urges favorable action on Assembly Bill No. 255 by Dilworth when it comes to the floor of the Assembly for consideration. We feel that this is a further step towards equalizing the educational opportunities of all children. We respectfully request that this message be read into the record.

MRS. E. K. STIMY, President

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

WHEREAS, The year 1942 will mark the four hundredth anniversary of the discovery of California by Juan Rodriquez Cabrillo; and

WHEREAS, The anniversary of so important an event should be marked by Californians in such manner as not only to recall its historical significance locally but to focus the attention of the Nation upon it as well; now, therefore, be it

Resolved by the Municipal Finance Officers Association of Southern California, That said association does hereby most respectfully memorialize the Legislature of the State of California, now in session in the City of Sacramento, that before adjournment it take such appropriate action as may be necessary in order to provide for the evolving, planning, financing and execution of a suitable plan for the proper observance and celebration of the said anniversary in such manner and by use of such funds and the appointment of such commission or body as may be necessary in order to insure that this quadri-centennial shall not pass by without an adequate effort on the part of the people of this great State to mark its passing.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 376	Assembly Bill No. 1443
Assembly Bill No. 790	Assembly Bill No. 1804
Assembly Bill No. 1408	Assembly Bill No. 1899

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 11	Assembly Bill No. 1859
Assembly Bill No. 395	Assembly Bill No. 1969
Assembly Bill No. 850	Assembly Bill No. 2151
Assembly Bill No. 1151	Assembly Bill No. 2182
Assembly Bill No. 1322	Assembly Bill No. 2568
Assembly Bill No. 1323	Assembly Bill No. 2052

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 45
Senate Bill No. 94
Senate Bill No. 620
Senate Bill No. 665

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 23

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 45—An act to amend Section 23 of the Agricultural Prorate Act, relating to the termination of proration programs.

Referred to Committee on Agriculture.

Senate Bill No. 94—An act to amend Section 4 of the Central Valley Projects Act of 1933, relating to units.

Referred to Committee on Irrigation.

Senate Bill No. 620—An act to amend Section 6 of, and to add Section 10 to, an act entitled "An act providing for State and county exhibits at the Golden Gate International Exposition to be held in the San Francisco Bay region, California, providing for the construction of a State building or buildings therefor and the gardening and improvement of the surrounding grounds, providing for the disposition or demolition of buildings, exhibits, and other property upon the termination of the exposition, creating a California Commission for the Golden Gate International Exposition to have charge and control of such exhibits and such building or buildings, defining its powers and duties and making an appropriation therefor," approved May 25, 1937, relating to the disposal of the property of the California Commission for the Golden Gate International Exposition, abolishing the California Commission for the Golden Gate International Exposition and transferring its powers, duties, purposes, responsibilities and jurisdiction to the Department of Finance.

Referred to Committee on Exhibitions and Fairs.

Senate Bill No. 665—An act to add Section 57.6 to the Unemployment Insurance Act, relating to qualification for benefits.

Referred to Committee on Unemployment.

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam.

Referred to Committee on Rules.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 1740.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2584.
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Bill No. 407.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2572 re-referred to Committee on Ways and Means.
Assembly Bill No. 2177 re-referred to Committee on Ways and Means.
Assembly Bill No. 2215 re-referred to Committee on Ways and Means.
Assembly Bill No. 972 re-referred to Committee on Revenue and Taxation.
Assembly Bill No. 1010 re-referred to Committee on Judiciary General.
Assembly Bill No. 1152 re-referred to Committee on Judiciary General.
Assembly Bill No. 1639 re-referred to Committee on Judiciary General.
Assembly Bill No. 264 re-referred to Committee on Education.
Assembly Bill No. 1638 re-referred to Committee on Education.
Assembly Bill No. 1940 re-referred to Committee on Education.
Assembly Bill No. 2154 re-referred to Committee on Education.
Assembly Bill No. 1280 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 242 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 757 re-referred to Committee on Judiciary Codes.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. S. Olson, teacher; and the history class of Vallejo High School, as follows: Pearl Abouaf, George Ball, Ray Bentley, Kathleen Biava, Gordon Bayer, John Barnes, Dale Buxton, Marilyn Dow, Audrey Fadem, Aletta Gidlund, Gloria

Gray, Carolyn Grigg, Tyrell Harton, Bill Heath, Fred Hicks, Barbara Hutchins, Dick Johnson, Faye Ellen Kennedy, Wilbur Lear, Ellyse Lolly, Marie Luchsinger, Helen Luck, Lois Lundberg, Lorraine Lyall, Arthur Marsden, Charles Murphy, Harold Nelson, Bill Parker, George Patchin, Pearl Pizanti, Andy Schell, Annabel Suess, Betty Totten, Paula Travis, Bobbie Wilson, Ralph Levee, Kay Casper and Margo Fourgessi.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John Hayduk and daughter Jacqueline Hayduk of Los Angeles

On request of Messrs. Thomas and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Fred Reaves of San Pedro.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Assemblyman Frank L. Baynham of Pomona, P. H. Brown of Ontario, Adolph M. Whitney of Chino, and George Russell of Ontario.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lawrence Lewis of Oakland, Mrs Helen S Baldwin of Oakland and Mrs. Frederica Ross of Los Angeles.

ADJOURNMENT

At 5 50 p m , on motion of Mr. Frederick F Houser, the Speaker declared the Assembly adjourned until 1 p.m , Tuesday, May 6, 1941.

C WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 6, 1941

The Assembly met at 1 p.m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—54

Quorum present.

PRAYER

On invitation of the Speaker, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Burkhalter.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Massion, on motion of Mr. Turner.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Massion:

An act to add Article 7 (comprising Sections 3.759 to 3.759e) to Part 5 of Division 3 of the School Code, relating to instruction in traffic laws, traffic safety and accident prevention

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 1.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Turner, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the introduction of a bill.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Massion:

An act to regulate clerical, vocational, trade or business schools, to provide for the licensing thereof and providing penalties

MIDDOUGH, Chairman

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Turner moved a call of the Assembly.

Motion carried. Time, 1 35 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 691
Assembly Bill No. 864
Assembly Bill No. 1355
Assembly Bill No. 1817
Assembly Bill No. 2336
Assembly Bill No 2447
Assembly Bill No 2475
Assembly Constitutional Amendment No 44

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which were referred:

Assembly Bill No 2598
Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

LEONARD, Chairman

Above reported bills ordered to second reading

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Senate Bill No. 1122
Senate Bill No. 1313
Senate Bill No 154
Assembly Bill No 2602
Assembly Bill No 2603

Has had the same under consideration, and reports the same back with the recommendation: Do pass

POULSON, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred

Assembly Bill No 2600
Senate Bill No 463

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

POULSON, Chairman

Above reported bills ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 396
Assembly Bill No. 540
Assembly Bill No 811
Assembly Bill No. 1496
Assembly Bill No. 1571
Assembly Bill No. 1838
Assembly Bill No. 1861
Assembly Bill No. 2360
Assembly Bill No. 2596

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 101
Assembly Bill No. 427
Assembly Bill No. 481
Assembly Bill No. 624
Assembly Bill No. 1128
Assembly Bill No. 2110
Assembly Bill No. 2315

And reports the same correctly re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1311
Assembly Bill No. 1349

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 368
Assembly Bill No. 1846

And reports the same correctly re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Bill No. 409

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 272

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

THORP, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred:

Assembly Bill No. 1481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

VOIGT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred:

Senate Bill No. 1272

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

VOIGT, Chairman

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 1285
Senate Bill No. 745
Senate Bill No. 1183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Senate Bill No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1789
Assembly Bill No. 2538

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 44

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 17

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 191
Assembly Bill No. 1000
Assembly Bill No. 1568

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 1309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Field moved to expunge the record and rescind the action whereby Assembly Bill No. 943 was amended on May 2d.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L. Cooke, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Ptaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—52

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 943
Assembly Bill No 1325
And reports the same not engrossed Amendments do not conform to bills in present form

JOHN B. KNIGHT, Chairman

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 943

Mr. Field moved that Assembly Bill No. 943 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 691—An act to amend Section 5705 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 864—An act to amend Section 4453 of the Labor Code of the State of California, relating to workmen's compensation and insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1906—An act to amend Section 1 of an act entitled "An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the revolving fund from the manufacture and sale of jute.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Prisons and Reformatories:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out all after "amend", and insert "Section 2710 of the Penal Code, relating to the San Quentin Manufacturing Revolving Fund."

Amendment No. 2

In the title of the printed bill, strike out lines 2 to 6, inclusive.

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 2710 of the Penal Code is hereby amended to read as follows:

2710. There is hereby constituted a permanent revolving fund in the sum of not less than [fifty thousand dollars ($50,000)] *one hundred thousand dollars ($100,000)* to be known as the San Quentin Manufacturing Revolving Fund to be used to meet the expenses necessary in the purchasing of material and equipment and for the maintenance of the manufacturing departments of the State Prison at San Quentin. Said fund shall at all times contain the amount of [fifty thousand dollars ($50,000)] *one hundred thousand dollars ($100,000)*, either in cash or assets, consisting of raw materials and finished or unfinished products inventory at cost, or both. Money received from the sale of manufactured products in San Quentin Prison shall be paid to the State Treasurer monthly and shall be credited to said revolving fund. At such time as the board or the Director of Finance decide that the balance in said revolving fund is greater than is necessary to carry out the purposes of this section, it, or he, shall so inform the State Controller and request a transfer of the unneeded balance from the said revolving fund to the General Fund of the State of California. The Controller is authorized to transfer such balances upon the request of the Director of Finance.

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 24, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2515—An act to establish State Rehabilitation and Vocational Farms and to provide for the employment of prison labor thereon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Prisons and Reformatories:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "establish", and insert "add Article 7, comprising Sections 2800 to 2811, to Chapter 6 of Title 1 of Part 3 of the Penal Code, relating to the establishment of"

Amendment No. 2

In line 2 of the title of the printed bill, strike out "to provide for".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "The", and insert "Article 7, comprising Sections 2800 to 2811, is hereby added to Chapter 6 of Title 1 of Part 3 of the Penal Code, to read as follows.

"Article 6. Rehabilitation and Vocational Farm

2800. The".

Amendment No. 3.5

On page 1, line 5, of the printed bill, strike out "act", and insert "article".

Amendment No. 4

On page 1 of the printed bill, after line 5, insert

"2801. The board shall employ a superintendent for each rehabilitation and vocational farm, who shall be the executive head thereof, and the board may remove such superintendent for misconduct, incompetency, or neglect of duty. The board shall establish such other positions as the need of the service may require from time to time, and fix and change the salaries to be paid. Appointment to the positions shall be made and terminated by the superintendent. The superintendent shall cause rehabilitation and vocational farms to be properly tilled and cultivated, and the crops harvested, and the live stock inspected and cared for as required by law, under the direction and advice of the Director of Agriculture.

2802. The board shall establish rules and regulations requiring that all prisoners shall receive the same food, clothing, accommodations, privileges and treatment; and shall establish such other regulations as they may deem necessary for the discipline, confinement, care and government of said prisoners as may be most expedient to reform and restore them as self-supporting and self-respecting citizens. Such rules shall include provision for keeping records of each prisoner, and his

conduct, progress, health and physical condition It shall be the duty of the superintendent to carry out and enforce the rules and regulations of the board.

2803 The board may transfer from the State prisons such prisoners who, by meritorious conduct and diligent work have proven worthy to be classed as honor prisoners, and who in the judgment of the board can be reformed and restored to a life of honest industry The board may establish rules by which any prisoner appearing to be incorrigible, or who violates prison farm regulations, may be returned to the State prison from whence he came No prisoner shall be transferred to a rehabilitation and vocational farm until he has served at least six months confinement in one of the State prisons immediately preceding such transfer Any prisoner who escapes from any rehabilitation and vocational farm or other industry established under this act shall be punished as provided in Section 105 of the Penal Code.

2804. The board shall provide that each prisoner transferred to the rehabilitation and vocational farms shall be employed thereon in such capacity as the superintendent may deem best suited to his ability, and that each prisoner shall perform such hours of faithful service per day or per week as may be required Said board shall allow to such prisoners such sum above the cost of their maintenance as the board may deem proper for the services rendered, and allow additional time credits

2805. The products of the rehabilitation and vocational farms shall be used; first, to maintain the prisoners and employees on such farms; second, to supply the State prisons; and third, to supply other State institutions, county, municipal, school or other public use Each prison farm shall collect or be credited with the fair market price therefor.

2806. A commission consisting of the Governor, or representative designated by him, the Director of Agriculture, a member of the Fish and Game Commission, and three members of the State Board of Prison Directors, is hereby created for the purpose of selecting and acquiring farm sites and segments of streams The commission shall have power to select the same and negotiate for the purchase thereof or to obtain the same by unconditional gift, or lease, or by the use of lands and streams owned by the State The title or interest in the lands or stream segments shall be taken in the name of the State of California

2807 The board may acquire in like manner lands, streams and water rights for the purpose of propagating, feeding and protecting game birds and animals for distribution, and fish for stocking the waters of the State; or said board may, by and with the consent of the Fish and Game Commission, take over and operate with convict labor such game farms and fish hatcheries owned by the State as said board may deem proper. The board shall appoint a superintendent for each game farm and fish hatchery, to have like powers and duties as hereinbefore enumerated The operation of said game farms and fish hatcheries shall be under the direction and advice of the Fish and Game Commission.

2808. Upon the sites selected and acquired by said site commission, the board shall construct and equip in accordance with law suitable buildings, structures and facilities; and install the necessary machinery and equipment to carry out the purposes of this article The board shall purchase or otherwise acquire such live stock as it may deem proper

2809 The Governor may negotiate with the proper agencies of the Federal Government to obtain funds to build the necessary buildings and structures on the rehabilitation and vocational farms, and equip the same.

2810. Out of any money in the State Treasury not otherwise appropriated the board may expend not to exceed two hundred fifty thousand dollars ($250,000) to establish a revolving fund in the State Treasury for the operation and maintenance of farms established under this article Money received from the sale of products of the farm shall be paid to the State Treasury monthly and credited to the revolving fund established under this section. At such time as the board or the Director of Finance decides that the balance in the revolving fund is greater than is necessary to carry out the purposes of this article it, or he shall so inform the State Controller and request a transfer of the unneeded balance from the revolving fund to the General Fund The Controller is authorized to transfer such balances upon the request of the Director of Finance.

2811 It is the purpose of this article to provide farm work for honor prisoners; to train such prisoners in modern agricultural methods, and to rehabilitate them morally and physically and restore them to good citizenship It is the further purpose of this article to supply farm products for State, county, municipal, school or other public uses and to provide greater quantities of fish and game for use by the citizens of this State"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1511—An act to add Section 32 5 to the Insurance Code and to add Article 2 5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance brokers

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 27, of the printed bill, as amended, strike out the comma

Amendment No. 2

On page 1 of the printed bill, as amended, after line 27, insert

"(e) Any person employed by an employer who on behalf of his employer or any employee of his employer transacts life insurance with, but not on behalf of an insurer; or,

Advises his employer or any employee of his employer in any manner concerning life insurance, if:

(1) The employer receives no compensation by reason of such transactions or advice; and

(2) Such person receives no compensation from any source other than his employer for such transactions and advice"

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 4 to 9, inclusive, and insert "of investment, (b) The lien for delinquent taxes or assessments delinquent at the time of investment, which are being contested by any legal proceedings, provided that indemnity has been given pursuant to the indenture under which the bonds and notes are issued, or otherwise, for the payment of any amount which may be found to be due upon the final adjudication of such contest, (c) The lien of taxes and assessments becoming delinquent subsequent to the time of investment, (d) Outstanding mineral, oil or timber rights, (e) Easements or rights of way, (f) Sewer rights, (g) Rights in walls, (h) Building restrictions or other restrictive covenants, or conditions or regulations of use, or leases under which rents or profits are reserved to the owner."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation

therefor," approved July 9, 1935, relating to renaming the Southern California Prison.

Bill read second time, and ordered to third reading.

Senate Bill No. 880—An act to add Section 1100.1 to the Insurance Code, relating to investments and advancements of credit by insurers.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Stream, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Concurrent Resolution No. 33.

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twenty-second day of April, 1941.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 33, at this time, without reference to committee, print or file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 33

Senate Concurrent Resolution No. 33—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twenty-second day of April, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastain, Hawkins, Houser, Frederick F., Howser F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 1315

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1315—An act to amend Sections 579 and 611 of the Agricultural Code, relating to substitutes for butter and cheese which are colored in imitation thereof.

Referred to Committee on Live Stock and Dairies.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Joint Resolution No 1

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered to unfinished business file

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 179

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Walsh & Day (Repairing microphone)	$3 45
Department of Finance (Work and materials)	56 38
Department of Finance (Pro-rate telephone service)	212 41
Sleepers Stamp & Stationery Co (Page badges)	30 63
Capital City Planing Mill (Stand on Rostrum)	59 23
Bureau of Purchases (Supplies)	160 71
H. S Crocker Co (Supplies)	3 09
Walter M Dunphy (Work on Room 224)	5 00
W. P Fuller & Co. (Glass—Speaker's desk)	4 02
Geo N. Hammond Typewriter Co (Typewriter rental)	134 69
Pacific Telephone & Telegraph Co (Tolls, March)	68 95
Western Union (Tolls, April)	4 54
Pacific Telephone & Telegraph Co. (Tolls, April)	53 65
Department of Finance (Change microphones)	108 15

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Green, Hastain, Hawkins, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55

NOES—None.

By Committee on Rules:

House Resolution No. 180

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—57

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 51: By Mr. Hawkins—Relative to poll taxes.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Bill read third time

Motion to Amend

Mr. Waters moved the adoption of the following amendments.

Amendment No. 1

On page 6, line 6, of the printed bill, as amended, after "any", insert "public".

Amendment No. 2

On page 6 of the printed bill, as amended, strike out line 7, and insert "houses, or any part"

Amendment No. 3

On page 6, line 41, of the printed bill, as amended, after "Federal," insert "city,"

Amendment No. 4

On page 11, line 25, of the printed bill, as amended, after "licenses", insert "and branch office registrations".

Amendment No. 5

On page 11, line 28, of the printed bill, as amended, strike out the period, and insert "and for renewal of branch office registrations, if any"

Amendment No. 6

On page 17, line 40, of the printed bill, as amended, after "license", insert "and any branch office registration"

Amendment No. 7

On page 17, line 41, of the printed bill, as amended, after "license", insert "or branch office registration".

Amendment No. 8

On page 17, line 43, of the printed bill, as amended, after "license", insert "or registration".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed

THIRD READING OF SENATE BILLS

Senate Bill No. 792—An act to amend Section 1065 of the Agricultural Code, relating to the sale of economic poisons.

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, strike out "or for which he is in any way responsible", and insert "in print"

Amendment No. 2

On page 2, line 16, of the printed bill, as amended, strike out "for which", and insert "of"; and in the same line, strike out "is responsible".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 376—An act to amend Section 212 of the Agricultural Code, relating to bringing goats into this State.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 376?

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "agglutinin", and insert "agglutination".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 376 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 376 ordered enrolled.

Assembly Bill No. 790—An act to amend Section 12409 of the Business and Professions Code, relating to bushel weights

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 790?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, immediately preceding "Indian", insert "shelled".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, immediately preceding "or", insert "flaxseed,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 790 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 790 ordered enrolled.

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to contest the validity of tax deeds to the State and quieting title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1899?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended, strike out "a State Controller's district office", and insert "tax deeded lands".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after "description", insert "and special assessments collected on the roll".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1899 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1899 ordered enrolled.

Assembly Bill No. 1031—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1031?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, after "of," insert "or".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1031 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Heisinger,

Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1031 ordered enrolled

Assembly Bill No. 1804—An act to add Sections 6953, 6954, 6955 and 6956 to the Labor Code, relating to the use of safety glass on electric cars and electric locomotives

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1804?

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert "laminated".

Amendment No. 2

On page 1, line 4, of the printed bill, after "with", insert "laminated".

Amendment No. 3

On page 1, line 19, of the printed bill, after "with", insert "laminated".

Amendment No. 4

On page 1, line 22, of the printed bill, strike out "Safety", and insert "Laminated safety".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1804 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None

Assembly Bill No. 1804 ordered enrolled

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1358—An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1480—An act to amend Sections 2.02, 2.04 and 12.06 of the Building and Loan Association Act, relating to building and loan associations, names and articles, and restrictions on advertising.

Bill read third time.

Demand for Previous Question

Messrs. Knight, T. Fenton; Bashore, Collins, Sam L., Waters and Howser, F. N. demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1480

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Voigt, Waters, and Wollenberg—41.

NOES—Bennett, Burns, Hugh M., Burns, Michael J, Cain, Call, Carlson, Clarke, Cronin, Desmond, Dills, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Kilpatrick, King, Leonard, Lowrey, Maloney, Millington, Pfaff, Phillips, Russell, Sheridan, Thurman, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—33.

Notice of Motion to Reconsider Assembly Bill No. 1480

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1480 was this day passed.

Assembly Bill No. 1427—An act relating to the licensing of operators of motor vehicles and to add Sections 245, 246 and 776.1 to and to amend Sections 250, 251, 252, 253, 254, 258, 264, 267, 268, 269, 271, 272, 273, 310, 314 and 315 of the Vehicle Code, relating to the licensing of operators of motor vehicles.

Bill read third time

Motion to Re-refer

Mr. Carlson moved that Assembly Bill No. 1427 be re-referred to the Committee on Motor Vehicles.

Mr. Field seconded the motion

Motion to Table Motion

Mr. Bashore moved that the motion to re-refer Assembly Bill No. 1427 to the Committee on Motor Vehicles be laid on the table.

Motion lost.

Motion Withdrawn

Mr. Carlson withdrew his motion to re-refer Assembly Bill No. 1427 to the Committee on Motor Vehicles.

Request to Pass Bill on File

Mr. Bashore requested that Assembly Bill No. 1427 be passed on file.

Renewal of Motion to Re-refer

Mr. Carlson renewed his motion to re-refer Assembly Bill No. 1427 to the Committee on Motor Vehicles

Mr. Field seconded the motion.

Demand for Previous Question

Messrs. Andreas, Collier, Waters, Robertson and Johnson demanded the previous question.

Demand for previous question sustained.

The question being on the motion to re-refer Assembly Bill No. 1427 to the Committee on Motor Vehicles.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo,

Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—70

NOES—Burns, Hugh M., and Knight, John B.—2

RECESS

On motion of Mr. Call, the Assembly recessed for five minutes to hear from the Hon. General Frank Aiken, Minister of Defense for the Government of Eire.

REASSEMBLED

After five minutes the Assembly reconvened

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1186—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the Harbor of San Francisco, as described in the act, providing for the disposition of revenues derived from the operation of said harbor, providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire.

Bill read third time.

Motion for Additional Time for Debate

Mrs. Daley moved that Mr. Cronin be allowed an additional five minutes to explain Assembly Bill No. 1186.

Motion carried.

Demand for Previous Question

Messrs. Turner, Heisinger, Burkhalter, Collins, Sam L., and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1186.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman,

Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—59.

NOES—Cassidy, Clarke, Desmond, Dills, Field, Knight, T. Fenton; Pfaff, Thorp, Watson, and Mr Speaker—10.

Bill ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 40: By Mr. T. Fenton Knight—Relative to suspension of Joint Rule No. 10.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. T. Fenton Knight, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Concurrent Resolution No. 40.

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 40, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 40

Assembly Concurrent Resolution No. 40—Relative to suspension of Joint Rule No. 10.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson Kelleins, Kepple, Kilpatrick, Knight, John B., Knight T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received, and on motion of Mr. T. Fenton Knight, ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 5, 1941

MEMORANDUM

IN RE: Assembly Bill No 150—Reclassification of Counties

There is herewith presented a series of amendments to Assembly Bill No. 150, reclassifying the counties according to the Federal Census of 1940 and changing the county government sections with respect to this new classification.

These amendments and this bill, if and when enacted into law, have operative effect only upon the noncharter counties.

These amendments give full effect to the 1933 Amendment of Section 5 of Article XI. Under this amendment the Legislature is required to regulate the compensation in every county of (1) members of the board of supervisors, (2) the auditor and (3) the district attorney. The Legislature is authorized, but not required, to regulate the compensation of grand and trial jurors.

The compensation of all other county officers, except those above noted, and of all deputies, assistants and employees is subject to regulation by the board of supervisors.

For the foregoing reason, there has been eliminated from those sections still containing them, references to all officers and to all deputies, assistants and employees. Although this language will have been eliminated, Section 5 of Article XI of the Constitution and Section 4056d of the Political Code will preserve their full and complete effect as ordinances of the county unless and until the board of supervisors acts

Where this obsolete language referring to compensation subject to regulation by the board of supervisors has already been eliminated, no change is made in the section

In preparing these amendments, no compensation has been changed.

For convenience of the members, the counties, are listed alphabetically in two groups, those whose classification is not changed and those whose classification is changed Detailed comments with reference to those counties whose classifications are changed appear below.

UNCHANGED COUNTIES

(Since their classification is unchanged the sections affecting them are not placed in the bill)

County	*Class*	*Section*
Alameda	3	4232
Alpine	58	4287
Butte	27	4256
Los Angeles	1	4230 (Repealed 1931)
Mono	57	4286
Sacramento	7	4236-4236s
San Bernardino	8	4237-4237.9
San Diego	4	4233
San Francisco	2	4231
San Joaquin	10	4239-4239w
Sierra	56	4285
Trinity	55	4284

CHANGED COUNTIES

County	*New Class*	*New Section*	*Old Class*	*Old Section*
Amador	48	4277	46	4275

Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed The compensation of all other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.

Calaveras	50	4279	52	4281

No change in the present provisions of law.

Colusa	47	4276	44	4273

Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed. The compensation of all other officers, including deputies, assistants, employees and justices of the peace of townships, is fixed by board of supervisors

Contra Costa	15	4244	13	4242 4242.3 4242a

Provisions regarding compensation of particular officers is unchanged but general provision regarding compensation from any other source modified to apply only to those officers whose compensation the Legislature is authorized to regulate.

Del Norte	54	4283	53	4282

Provisions regarding witness fees and granting board of supervisors power to determine mileage in lieu of the 6 cents per mile fixed by statute were deleted.

El Dorado	42	4271	47	4276

Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors In regard to the auditor's salary, some change appears necessary as Section 4099a of the Political Code, to which the present law refers, was repealed in 1937

CHANGED COUNTIES (Continued)

County	New Class	New Section	Old Class	Old Section
Fresno	5	4234	6	4235
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace in townships, is fixed by the board of supervisors. In regard to the jurors' mileage, some question may arise as to the period of time "now" refers.			
Glenn	43	4272	42	4271
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Humboldt	25	4254	22	4251
	No change in present provisions of law			
Imperial	21	4250	18	4247
	No change in present provisions of law.			
Inyo	52	4281	51	4280
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Kern	9	4238	11	4240
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Kings	28	4257	30	4259
	No change in present provisions of law.			
Lake	51	4280	50	4279
	No change in present provisions of law			
Lassen	40	4269	39	4268
	No change in the present provisions relating to the auditor, district attorney, supervisors and jurors, but the provisions relating to the compensation of witnesses is eliminated as not within the power of the Legislature to regulate under this system of the classification of counties.			
Madera	36	4265	35	4264
	No change in present provisions of law			
Marin	22	4251	23	4252
	Only compensation of auditor, district attorney and supervisors is fixed. The fees of grand and trial jurors will continue to be fixed by general law as at present The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships, is fixed by the board of supervisors.			
Mariposa	53	4282	54	4283
	No change in present provisions of law.			
Mendocino	34	4263	33	4262
	No change in present provisions of law.			
Merced	24	4253	26	4255
	No change in present provisions of law, except that the limitation as to the deputy of the district attorney is eliminated.			
Modoc	49	4278	48	4277
	No change in present provisions of law.			
Monterey	17	4246	21	4250
	No change in present provisions of law			
Napa	32	4261	34	4263
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Nevada	37	4266	43	4272
	No change in present provisions of law			
Orange	11	4240	9	4238
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors			

CHANGED COUNTIES (Continued)

County	New Class	New Section	Old Class	Old Section
Placer	33	4262	31	4260
	No change in present provisions of law			
Plumas	44	4273	49	4278
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. Provisions relating to the compensation of the surveyor, official reporter and witnesses are eliminated as not within the competency of the Legislature to fix by a classification of counties			
Riverside	14	4243	12	4241
	No change in present provisions of law			
San Benito	45	4274	41	4270
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
San Luis Obispo	29	4258	28	4257
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. Provisions relating to the compensation of witnesses have been deleted as not within the competency of the Legislature to fix by a classification of counties.			
San Mateo	12	4241	15	4244
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Santa Barbara	18	4247	16	4245
	No change in present provisions of law.			
Santa Clara	6	4235	5	4234
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. Provisions relating to the compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Santa Cruz	26	4255	25	4254
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors. The last paragraph, which, if it has any operative force, only applies to the district attorney, may be obsolete.			
Shasta	30	4259	37	4266
	No change in present provisions of law.			
Siskiyou	31	4260	29	4258
	No change in present provisions of law.			
Solano	23	4252	24	4253
	No change in present provisions of law.			
Sonoma	20	4249	17	4246
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Stanislaus	16	4245	19	4248
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Sutter	38	4267	36	4265
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Tehama	41	4270	38	4267
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed. The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			
Tulare	13	4242	14	4243
	No change in present provisions of law			

CHANGED COUNTIES (Continued)

County	New Class	New Section	Old Class	Old Section
Tuolumne	46	4275	45	4274
	No change in present provisions of law.			
Ventura	19	4248	20	4249
	Except for certain language relating to deputies and employees of the auditor and district attorney, the present provisions of law are unchanged			
Yolo	35	4264	32	4261
	No change in present provisions of law.			
Yuba	39	4268	40	4269
	Only compensation of auditor, district attorney, supervisors and grand and trial jurors is fixed The compensation of other officers, including deputies, assistants, employees and justices of the peace of townships is fixed by the board of supervisors.			

FRED B. WOOD, Legislative Counsel
By ARTHUR MCHENRY, Deputy

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 150—An act to amend Section 4005c of the Political Code, relating to the population of the counties of California.

Bill read third time

Further consideration continued until next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Tenney:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the support of the Department of Motor Vehicles.

Respectfully submitted.

JACK B. TENNEY

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2272—An act to add Section 48.2 to the State Lands Act of 1938, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "gas", insert "to the highest responsible bidder"

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, after "gas", insert "to the highest responsible bidder".

Amendments read and adopted

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 2162—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Com-

mission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Bill read third time.

Motion to Amend

Mr Desmond moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Article 8, comprising Sections 420 to 421, to Chapter 2, Part 1, Division 1 of the Health and Safety Code and to repeal Chapter 3, comprising Sections 75 to 77, of Division 1 of the Labor Code, relating to the Division of Immigration and Housing and the Commission of Immigration and Housing in the Department of Industrial Relations, and to the State Department of Public Health."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 29, inclusive, and insert

'SECTION 1. Article 8, comprising Sections 420 to 421, is hereby added to Chapter 2, Part 1, Division 1 of the Health and Safety Code, to read as follows

Article 8 Immigration and Housing

420 Upon the effective date of this section the State Department of Public Health shall succeed to and shall have and exercise all of the jurisdiction, powers, duties, purposes, and functions, including those arising out of Part 5, comprising Sections 1460 to 1486, and Article 4, comprising Sections 2410 to 2425, of Chapter 1, Part 9, of Division 2 of the Labor Code, and Part 2, comprising Sections 18100 to 18802, Division 13 of this code, which immediately prior to the effective date hereof were vested in the Division of Immigration and Housing and the Commission of Immigration and Housing in the Department of Industrial Relations.

On the effective date hereof the unencumbered balance of all funds heretofore lawfully available for the maintenance and support of the division and the Commission of Immigration and Housing shall become available for the maintenance and support of the State Department of Public Health, subject to the same limitations as heretofore existed with respect thereto

On the effective date hereof the Division of Immigration and Housing and the Commission of Immigration and Housing in the Department of Industrial Relations are hereby abolished.

On the effective date hereof, and subject to the power of the board to organize the State Department of Public Health and exercise the powers granted it under Section 113 with the approval of the Governor, all civil service employees of the Division of Immigration and Housing shall become the employees of the State Department of Public Health and the records and property of the Department of Industrial Relations in charge of the Division of Immigration and Housing shall be transferred to the possession and control of the State Department of Public Health.

421 *The State Department of Public Health shall maintain a Bureau of Immigration* and Housing which shall have charge of **such matters and shall have such** powers as may be referred and delegated to it by the department.

SEC 2 Chapter 3, comprising Sections 75 to 77 of Division 1 of the Labor Code is hereby repealed"

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 101—An act to amend Section 2020 of the Welfare and Institutions Code, relating to income under the Old Age Security Law.

Bill read third time

Motion to Amend

Mr Welch moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended May 5, 1941, strike out "person", and insert 'individual"

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment.

Amendment No. 1

On page 1, line 11, of the printed bill, as amended April 15, 1941, after the period, insert "Such reasonable classifications may, among other factors reasonably related to the risk or experience, be based on the following.
(a) The type of motor vehicle covered.
(b) The character of use.
(c) The loss experience of the district in which the vehicle is to be used.
(d) The benefits or coverages afforded or excluded"

Amendment read and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2090—An act to add Sections 1443, 1444, 1445, 1446, to the Probate Code, relating to the appointment of guardians of minors and incompetent persons

Bill read third time.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendment.

Amendment No. 1

On page 2, line 14, of the printed bill, as amended, after the period, insert "The report and recommendation of the probation officer shall be filed with the court within three weeks of the filing of the original petition with the probate clerk."

Amendment read and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2280—An act to amend Section 7457 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 7457 of", and insert "add Section 7377 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1, 2 and 3; and in line 4, strike out "section", and insert
"SECTION 1. Section 7377 is hereby added to the Business and Professions Code, to read as follows:
7377. Every person who, on the effective date of Section 7457".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out all of lines 15 to 20, inclusive; and in line 21, strike out "time."

Amendments read and adopted.
Bill ordered reprinted, and re-engrossed.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, May 6, 1941

Honorable Mr Speaker and Members of the Assembly
Assembly Chamber, State Capitol

My attention has been called today to the fact that through an error, an invoice from T. E Cain, Inc, has been rendered to the State of California, in the amount of $2.98, to cover a piece of glass for the Speaker's desk.

It has been my intention at all times that this would be a contribution to the Speaker's desk as a sentimental gift. Will you, therefore, disregard the erroneous invoice and accept this gift which I am so highly honored to be in a position to furnish.

I respectfully request that this letter be read before the Assembly and published in the Assembly Daily Journal in order that my position will not be misconstrued

Sincerely,

JOHN EDWARD CAIN, Assemblyman, Eighth District

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Rules, to which were referred

Assembly Joint Resolution No. 25
Assembly Concurrent Resolution No 39
Senate Joint Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

LYON, Chairman

Above reported resolutions ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Mr Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39

Assembly Concurrent Resolution No. 39—Relative to providing suitable space and facilities for the office of the Attorney General in the Library and Courts Building.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None

Resolution ordered transmitted to the Senate

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, without reference to file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 25

Assembly Joint Resolution No. 25—Relative to the Sewing Projects of the Works Projects Administration

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 23, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 23

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

Resolution ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 4 p.m., on motion of Mr. Turner, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and permission to introduce a bill granted to Mr. Massion by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 4:03 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Massion by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Millington:

An act to provide for the licensing and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

MIDDOUGH, *Chairman*

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2613: By Mr. Massion—An act to add Article 7 (comprising Sections 3.759 to 3.759e) to Part 5 of Division 3 of the School Code, relating to instruction in traffic laws, traffic safety and accident prevention.

Referred to Committee on Education.

Assembly Bill No. 2614: By Mr. Massion—An act to regulate clerical, vocational, trade or business schools, to provide for the licensing thereof and providing penalties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2615: By Mr. Millington—An act to provide for the licensing and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Referred to Committee on Education.

MOTION TO PURCHASE FANS

Mr Lyon moved that the Superintendent of Buildings and Grounds be instructed to purchase eight 16-inch fans.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 1764

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Joint Resolution No. 50

J A. BEEK, Secretary of the Senate
By CHARLES BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No 104

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1728 was taken up.

Assembly Bill No. 1728—An act to defer final assessment and determination of sales and use taxes in certain instances, to take effect immediately.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Lyon moved that the Assembly resolve itself into a Committee of the Whole for 30 minutes for the purpose of considering Assembly Bill No. 1728.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland, presiding.

On motion of Mr. Maloney, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H Garland presiding
Chief Clerk Arthur A. Ohnimus at the desk.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Maloney moved that the Assembly resolve itself into a Committee of the Whole for 15 minutes for the purpose of considering Assembly Bill No. 1728.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Gordon H. Garland presiding.

The allotted time having expired, the Speaker ordered that the committee do now arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H Garland presiding.
Chief Clerk Arthur A Ohnimus at the desk

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Lyon moved that the Rules be temporarily suspended for the purpose of allowing Mr Dixwell Pierce to remain in the Chamber

Motion carried.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1728—An act to defer final assessment and determination of sales and use taxes in certain instances, to take effect immediately.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendments.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly April 18, 1941, after "An act to", insert "amend Section 5 1 of the Retail Sales Tax Act of 1933 and Section 6381 of the Revenue and Taxation Code, both relating to exemption from retail sales taxes; to".

Amendment No. 2

In the last line of the title of the printed bill, as amended in the Assembly April 18, 1941, after "instances," insert "to define certain terms relating to said taxes, to declare the legislative intent with respect thereto,"

Amendment No. 3

On page 1, line 1, of the printed bill, as amended in the Assembly April 18, 1941, insert

"SECTION 1 Section 5 1 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows.

Sec 5 1 There are hereby specifically exempted from the provisions of this act and from the computation of the amount of taxes levied, assessed or payable hereunder the gross receipts from the sale of any tangible personal property to the United States or any agency or instrumentality thereof except a corporate agency or a corporate instrumentality ; *provided, that this exemption shall not apply to the gross receipts from the sale of any tangible personal property to contractors purchasing such property either as the agents of the United States or for their own account and subsequent resale to the United States for use in the performance of contracts with the United States for the construction of improvements on or to real property.*

SEC. 2 Section 6381 of the Revenue and Taxation Code is hereby amended to read as follows.

6381 There are exempted from the computation of the amount of the sales tax the gross receipts from the sale of any tangible personal property to the United States or any agency or instrumentality thereof except a corporate agency or a corporate instrumentality , *provided, that this exemption shall not apply to the gross receipts from the sale of any tangible personal property to contractors purchasing such property either as the agents of the United States or for their own account and subsequent resale to the United States for use in the performance of contracts with the United States for the construction of improvements on or to real property.*"

Amendment No. 4

On page 1, line 2, of the printed bill, as amended in the Assembly April 18, 1941, after "Section", strike out "1", and insert "3".

Amendment No. 5

On page 1, line 9, of the printed bill, as amended in the Assembly April 18, 1941, strike out "used", and insert "purchased prior to the effective date of this act by contractors for use"

Amendment No. 6

On page 1 of the printed bill, as amended in the Assembly April 18, 1941, strike out all of lines 18 and 19, and on page 2, strike out all of lines 1 to 8, both inclusive.

Amendment No. 7

On page 2, line 9, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "3", and insert "4".

Amendment No. 8

On page 2, line 10, of the printed bill, as amended in the Assembly April 18, 1941, strike out "Sections 1 and 2", and insert "Section 3".

Amendment No. 9

On page 2, line 15, of the printed bill, as amended in the Assembly April 18, 1941, strike out "sections", and insert "section".

Amendment No. 10

On page 2, line 17, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "4", and insert "5"

Amendment No. 11

On page 2, line 20, of the printed bill, as amended in the Assembly April 18, 1941, strike out "Sections 1 and 2", and insert "Section 3".

Amendment No. 12

On page 2, line 27, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "5", and insert "6".

Amendment No. 13

On page 2, line 31, of the printed bill, as amended in the Assembly April 18, 1941, strike out "Sections 1 and 2", and insert "Section 3"

Amendment No. 14

On page 2, line 36, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "6", and insert "7".

Amendment No. 15

On page 2, line 45, of the printed bill, as amended in the Assembly April 18, 1941, after "at retail.", insert "The Legislature hereby further declares that in enacting Section 5.1 of the Retail Sales Tax Act of 1933 and Section 6381 of the Revenue and Taxation Code, it did not intend to exempt from the sales tax the gross receipts from sales of tangible personal property used in the performance of contracts with the United States for the construction of improvements on or to real property.

SEC. 8 Notwithstanding any of the provisions of this act, the Retail Sales Tax Act of 1933, the Use Tax Act of 1935 or the Revenue and Taxation Code, a sale of tangible personal property to a contractor or subcontractor for use in the performance of contracts with the United States for the construction of improvements on or to real property is hereby declared to be a retail sale within the meaning of that term as defined in said acts or said code, and, accordingly, the gross receipts from such a sale or the purchase price of property so sold shall be included in the measure of the tax imposed under said acts or said code, or any of them "

Amendment No. 16

On page 2, line 46, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "7", and insert "9".

Amendment No. 17

On page 3, line 2, of the printed bill, as amended in the Assembly April 18, 1941, after "SEC.", strike out "8", and insert "10".

Amendment No. 18

On page 3, line 5, of the printed bill, as amended in the Assembly April 18, 1941, strike out the period after "immediately", and insert "; provided, however, that the provisions hereof amending Section 6381 of the Revenue and Taxation Code shall become operative at the same time as Part 1, Division 2 of the Revenue and Taxation Code, passed by the Legislature at its Fifty-fourth Session"

Amendments read.

Point of Order

Mr Johnson arose to the following point of order: That Mr. Lyon's amendments were not germane to the bill which is before the Assembly at this time, namely, Assembly Bill No. 1728.

The Speaker ruled the point of order not well taken.

Speaker Pro Tempore Presiding

At 5.30 p m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Demand for Previous Question

Messrs Kepple, Carlson, Collins, Sam L, Waters and Evans demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the amendments to Assembly Bill No. 1728.

Roll Call Demanded

Messrs. Johnson, Carlson and Dills demanded a roll call.

The roll was called, and the amendments to Assembly Bill No. 1728 were refused adoption by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Call, Collins, Sam L, Dickey, Evans, Knight, John B., Leonard, Lyon McCollister, O'Day, Pelletier, Pfaff, Phillips, Salsman, Sheridan, Thomas, and Turner—19

NOES—Allen, Andreas, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green Hastain, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton, Lowrey, Maloney, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—51

Bill read third time.

Demand for Previous Question

Messrs Waters, Field, Hawkins, Stream and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1728

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D. Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—Bashore, Collins, Sam L., Evans, Knight, John B., Leonard, Lyon, Pelletier, Pfaff, Phillips, and Turner—10.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 215 16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

Respectfully submitted.

LLOYD W LOWREY

Request referred to Committee on Introduction of Bills.

RESOLUTIONS

The following resolutions were offered:

By Messrs Johnson, Waters, Wollenberg, Maloney, Houser, Frederick F., Meehan and Field:

House Resolution No. 181

Relative to the Birthday of Honorable Arthur W. Carlson

WHEREAS, Honorable Arthur W Carlson of Piedmont, our good-natured, genial comrade and the able Member of the Assembly from the Sixteenth District, is today celebrating the anniversary of his birth; and

WHEREAS, This day marks one more milestone in the path of a very full and happy life, and finds our Colleague busily engaged in the many official duties of a Legislator; and

WHEREAS, All of the Members of this Assembly are delighted to find his charming wife, Charlotte Ham Carlson, among us today, sharing in the happiness of this important event; now, therefore, be it

Resolved, That every Member of the Assembly extends the happiest birthday greetings to Assemblyman Arthur W Carlson and wishes him many more years of happiness and success; and be it further

Resolved, That this Assembly expresses to both Assemblyman and Mrs. Arthur W. Carlson our most sincere best wishes for many happy years together; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare a suitably engrossed copy of this resolution for presentation to Honorable Arthur W. Carlson.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 181, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Gunlock, Lyon, Maloney and Thurman:

House Resolution No. 182

WHEREAS, Agnes Estella Collins (born Simpson), the beloved wife of Richard E. Collins, veteran member and Chairman of the State Board of Equalization was called this day to her eternal reward; and

WHEREAS, Mrs Collins, born in Millville in 1878, and educated at the Woodland Convent and married to Richard E. Collins in 1903, had been a resident of Redding for upwards of 36 years and was known and beloved by countless friends and neighbors and by every member of this Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby extends to her surviving husband, and daughter, its profound sympathy in his deep and irreparable loss; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of the Assembly to Honorable Richard E Collins, and be it further

Resolved, That when the Assembly adjourns this day it do so out of respect to the memory of the late Mrs Richard E Collins.

Request for Unanimous Consent

Mr Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 182, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. T. Fenton Knight:

House Resolution No. 183

WHEREAS, Allan Christopher Balch, born at Valley Falls, New York, and Janet Jacks, born to California pioneer parents at Monterey, California, were married on April 29, 1891; and

WHEREAS, God has rewarded the many good works of the couple by granting them many years together in wedded life so that they are this year celebrating the golden anniversary of their marriage; and

WHEREAS, Allan Christopher Balch from the time when he took his degree in electrical engineering at Cornell University and later in 1896 settled at Los Angeles, California, has distinguished himself in the field of electricity in this country; having installed the first long-distance power line into Los Angeles; was one of the first to use electrical power for pumping for irrigation and drilling and pumping oil wells; founded a number of the leading power companies in the State of California; is a past president of the Los Angeles Symphony Orchestra Association and of the Hollywood Bowl Association; is now president of the Board of Trustees of the California Institute of Technology, and of Good Hope Hospital Association; and

WHEREAS, Allan Christopher Balch has been most generous with the possessions which have come to him in his life's labors, having given to Cornell University Balch Hall, giving to Tulare County, Balch Park; endowing the Balch Graduate School of Geological Sciences at California Institute of Technology; and giving to the California Institute of Technology its beautiful Athenaeum; and

WHEREAS, Though the couple were not blessed with any children of their own, they have undertaken the higher education of a countless number of young men and women, who will forever be grateful to the goodness that prompted the generosity of this eminent couple; and

WHEREAS, On May 10, 1941, there will be held a reception at the Athenaeum at California School of Technology in Pasadena at which many hundreds of friends of the happy couple from all parts of the State of California will join with them in celebrating the golden anniversary of their marriage, now, therefore, be it

Resolved by the Assembly of the State of California, That it rejoices in the attainment by Mr and Mrs Allan Christopher Balch of 50 years of wedded life together, a life which has marked them as one of the most distinguished couples in our fair State, and joins their host of friends in extending to them sincere congratulations upon the occasion of their fiftieth wedding anniversary, and good wishes that they may continue to live together in health and happiness for many more years to come; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably engrossed copy of this resolution to Mr. and Mrs Allan Christopher Balch

Request for Unanimous Consent

Mr T Fenton Knight asked for, and was granted, unanimous consent to take up House Resolution No. 183, at this time, without reference to committee

Resolution read and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered.

Assembly Joint Resolution No. 52: By Messrs. O'Day and Others—Relative to memorializing the President and Congress to sell materials to Eire.

Referred to Committee on Rules

Request for Unanimous Consent

Mr. O'Day asked for unanimous consent to take up Assembly Joint Resolution No. 52, at this time, without reference to committee, print or file, and that the same be considered engrossed.

Messrs. Pfaff and Dilworth withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. O'Day moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No. 52, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, King, Leonard, Lowrey, Maloney, Meehan, Middough, Millington, O'Day, Pelletier, Poulson, Russell, Salsman, Sheridan, Thomas, Thurman, Waters, Weber, Welch, Weybret and Wollenberg—39

NOES—Allen, Burkhalter, Collins, Sam L., Cooke, Dilworth, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lyon, Miller, Pfaff, Phillips, Potter, Richie, Robertson, Stream, Thorp, Turner, and Watson—25.

Motion to Re-refer

Mr. O'Day moved that Assembly Joint Resolution No. 52 be referred to Committee on Rules.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 776

Mr. Sheridan moved that Assembly Bill No. 776 be withdrawn from the inactive file, and re-referred to the Committee on Judiciary Codes.

Motion carried.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1120 WAIVED

Mr. Maloney waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1120 was passed.

Assembly Bill No. 1120 ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 1820.
Assembly Bill No. 407.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No 532.
Assembly Bill No 717.
Assembly Bill No. 2584.
Assembly Bill No. 2538.
Assembly Bill No. 1078

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1846 re-referred to Committee on Judiciary General.

Assembly Bill No. 1817 re-referred to Committee on Natural Resources.

Assembly Bill No. 2110 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2315 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2447 re-referred to Committee on Corporations.

Assembly Bill No. 427 re-referred to Committee on Ways and Means.

Assembly Bill No. 481 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2596 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 540 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 943 re-referred to Committee on Governmental Efficiency and Economy

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss June Kegley and Miss Helen Kegley of Seattle, Washington, and Mr and Mrs John W. Daehler of Los Angeles.

On request of Mr Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George H. Harnish, Wallace McIntyre of Lemon Cove, R. E. Barger of Spring Valley, and Jack Millan of Chula Vista.

On request of Mr. Phillips and the Alameda Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Citizenship Class of the following Oakland Public Schools: Golden Gate Junior High School and Emerson High School—Miss Ethel Rose Taylor, instructor, and Miss Wackaye Michisaki, Mrs Petrina Nilssen, Mrs. Gilda Brignolio, Mrs Margherita Fiora, Mrs. Lina Canepa, Mrs. Anna Spalasso, Mrs. Molly Benjamin, Mrs. Elsa Lindstrom, Mrs. Palmino Morino, Mrs. Angela Arman, Mrs. Julia Silva, Mrs Mary Meneghetti, Mr. William Kyrios, Mr. Folke

Anderson, Mrs Isabella Anderson, Mrs. Marie Hupp, Mrs Ruth Wik, Mrs Lydia V. Billing, Miss Alice Jane Thornbury, Mrs. Angelina Ferrando, Mrs. Caroline Accomosso, Mrs Pasqualina Avanzino, Mrs Theresa Piazzi, Mrs Minnie Miki, Mrs Ida Masagna, Mrs Caterina Bealessio, Mrs Adalgisa Maiolini, Mrs Angela Viale, Mrs Beatrice Favris, Mrs Carmen Gonzales, Mrs Domenica Maglia, Mrs Maria Icardi, Mrs Ida Mari Lind, Mrs Maria Balbi, Mrs Louise Trochet, and Mr Giovanni D'Asaro

On request of Mr Desmond the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mabel Walker, principal, and the following students of Washington School at Perkins Mitsurje Minda, Mary Itonaga, Haruye Okumura, Peggy Dedier, Ethel Cayocca, Robert Lee, Masatoma Kawoakira, Joe Saiki, Jimmie Leske, Betty Irvin Yuhiko Onishi, Yuriko Namba, Perez Beasver, Alice Uda, Doris Kawakira, Pejo Furumoto, John Namba, Masao Nakayama, George Craddock, Saturnino Mateos, Bob Stefani, Doris Cortopassi, Audrey Davis, Olga Sambuceti, Kiyo Ichida, Teruko Hironaka, Grace Mijoguchi, and Maxine Geer

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the junior and senior class of Saint Joseph Academy at Sacramento, as follows. Junior Class (accompanied by Sister Mary Rita and Sister Mary Benedicta)—Doris Aglietti, Peggy Barcena, Catharine Belinge, Gerry Bellesi, Margarat Brown, Jennie Cavagnaro, Barbara Colwell, Emily Culbard, Gertrude Deckman, Genevieve Domich, Virginia Du Hain, Irene Engvall Mary Fada, Florberta Ferry, Ethel Fonseca, Ita Fox, Marjorie Jean Gallagher, Marcella Geraghty, Elaine Goulart, Barbara Goyette, Mary Ellen Griffin, Anna Horgan, Patricia Kienle, Enid Johnson, Lupe Lopez, Jane Ellen Lovett, Jerry Lou Lovett, Genevieve Lyon, Henrietta Madeiros, Josephine Mandella, Mary Martha, Frances Martin, Marjorie Mae Meyers, Naomi Miranda, Veva Jean Moore, Emma Mulligan, Cecile O'Connor, Bertha O'Kelly, Kay O'Reilly, Marie Ostoja, Mary Pera, Sally Perez, Mary Jane Pultz, Mary Radman, Antonia Sepeda, Sallykit Tappan, Bernice Taxara, Edna Valeria, Mary Vierra, Mary Vranesh, Dorothy Wentworth, and Carmen Zazzatti; and the Senior Class (accompanied by Sister Mary Cecilia and Sister Mary Oliver)—Madelyn Arthur, Alice Bathurst, Gloria Benninger, Alma Bonini, Pauline Canavan, Ida Consani, Elizabeth Constantine, Eleanor Corsiglia, June Curran, Evelyn Domich, Marian Dravis, Maryetta Fisher, Rose Gable, Margaret Giles, Barbara Gormley, Rose Guerra, Mary Jane Hawthorne, Helen Jacinto, Joan Keating, Virginia Lawrence, Julie Lincecium Rosemary Loverde, Bernice Luiz, Jane Lysaght, Mary Louise McCormick, Dorothy Meyers, Margaret Melarkey, Mary Agnes Moriarty, Lena Natali, Dorothy Neeley, June Packard, Jaeileen Rackerby, Mary Revering, Mary Reyes, Patricia Reynolds, Constance Sapnaro, Isabel Sartore, Mary Jane Silva, Patricia Soderlund, Patsy Soost, Madeleine Stambuk, Mary Stephens, Anna Torscher, and Dorothy Trimble.

On request of Messrs Call Garland and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: The Honorable General Frank Aiken, Minister of Defense for the Government of Eire, and his

escorts. Hon. George Reilly, member State Board of Equalization; Mr. James McNamara, president United Irish Societies; Capt. Deputy Chief Michael Riordan, San Francisco Police Department and National officer Ancient Order of Hibernians; and Fire Chief Terrence Mulligan of Sacramento and State President Ancient Order of Hibernians.

On request of Messrs Middough and Howser, F. N., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leslie K. Lynn, assistant engineer; W C Wolfe, vice chairman Democratic County Central Committee; Cleveland Hoytes, member State Democratic Central Committee, and Attorney Verne Garten, all of Long Beach.

On request of Mr. Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr James Montgomery of San Francisco

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of Woods School of Woodbridge: Helen Archer, Bertha Murray, Fumi Hayashi, Betty Plambeck, Mildred Riley, Wanda Shrum, Verda Strother, Irene Hoff, Bertha Batch, Pearl Meyers, Aiko Nishiyama, Betty Rhoads, Eva Romero, Eva Strazi, Alice Taylor, Lena White, Glenn Barrick, Elmer Brenning, Jackie Fromm, Frank Kuwabara, Hiroshi Iwamiya, Charley Nishiyama, Kenneth Rouse, Tom Sakoda, Donald Woolsey, Bevan Travis, Robert Mercado, Edward Mobley, Glenn Beier, Ray Cooper, Tony Hinojosa, Akira Komatsu, Donald Lipelt, Owen Portwood, Albert Ruggiero, James Bell, Cecil McLaughlin, Alvin White and Clifford Martin; and Erma B Reese, principal.

ADJOURNMENT

At 6.25 p.m., on motion of Mr. Lyon, the Speaker pro tempore declared the Assembly adjourned until 1 p.m., Wednesday, May 7, 1941, out of respect to the memory of the late Mrs Richard E Collins of Redding.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 7, 1941

The Assembly met at 1 p.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cooke, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—48.

Quorum present

PRAYER

On invitation of the Speaker, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kilpatrick.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 154—An act to amend Sections 26541 and 26542 of the Health and Safety Code, relating to food, and the standards prescribed by the State Board of Public Health in relation thereto.

Bill read second time, and ordered to third reading

Senate Bill No. 1122—An act to add Chapter 7 to Part 3 of Division 13 of the Health and Safety Code, including the addition of Section 19800 to said code, relating to refrigerants and refrigerating plants and regulations governing the same.

Bill read second time, and ordered to third reading.

Senate Bill No. 1313—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Bill read second time, and ordered to third reading

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1309—An act making an appropriation for construction, improvements, and equipment at the Whittier State School.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation for construction, improvements, and equipment at", and insert "to add Section 1555 to the Welfare and Institutions Code, relating to".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 5, inclusive, and insert "SECTION 1. Section 1555 is hereby added to the Welfare and Institutions Code, to read as follows:

1555. The Whittier State School shall hereafter be known and designated as the California State School. Where in this code the name "Whittier State School" appears it shall hereafter be understood to mean and shall be construed as "California *School for Boys*"."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1285—An act to amend Sections 583 and 586 of the Vehicle Code, relating to the stopping, standing or parking of a vehicle.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out the period, and insert ", except that parking necessary for loading or unloading persons or property shall be permitted *at points where space outside of the traveled way is provided therefor and* signs or other markings indicate that such stopping or parking is permitted"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2600—An act to amend Sections 7643, 7662, 7665, 7666, 7668 and to repeal Section 7664 of the Business and Professions Code, relating to embalmers and apprentices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 10 of the printed bill, strike out "first".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 16 to 23, inclusive, and insert "(c) Have completed a course of instruction of not less than nine months which embraces the subjects specified in Section 7646 of this code in an embalming school approved by the board."

Amendments read and adopted
Bill ordered printed and engrossed.

Assembly Bill No. 2598—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture.

Amendment No. 1

In the title of the printed bill, strike out line 2, and insert "to the Sixth District Agricultural Association."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "Each", and insert "The Sixth

Amendment No. 3

On page 1, line 4, of the printed bill, after "expend", insert "out of any funds appropriated to it"

Amendment No. 4

On page 1 of the printed bill, strike out lines 5 and 6 and insert "four thousand dollars ($4,000) annually to assist in the".

Amendment No. 5

On page 1, line 8, of the printed bill, after "by the", insert "sixth".

Amendments read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 1463—An act to amend Section 89 of the Agricultural Code, relating to district agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Exhibitions and Fairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "89" and insert "92"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "89", and insert "92"

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"92. The Department of Finance shall apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs to the various agricultural fairs on the basis of the amount which each fair actually paid in premiums for agricultural, horticultural, mineral and live stock exhibits, *and exhibits of domestic arts and agricultural mechanics made or manufactured for other than commercial purposes*, in each year. The money so apportioned shall be paid to the several counties and district agricultural associations as soon as such apportionment is determined.

The Department of Finance, out of any money on hand to be apportioned may advance to any county or district agricultural association, for the purpose of paying premiums, at any time during the year, any portion of the money to which, in the opinion of the Director of Finance, the county or district agricultural association will become entitled for that year. The county or district agricultural association shall deposit such money in a separate bank account approved by the Director of Finance in accordance with the provisions of Section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the cus-

body of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended. Such money may be expended for premiums, capital outlay, including purchase of land, construction, improvements, equipment, or other purposes for the encouragement of county or district agricultural association fairs pursuant to a budget submitted to, and approved by, the Department of Finance subject to the provisions of Section 677.5 of the Political Code.

All sums expended from such moneys for construction and improvements by counties shall be subject to the provisions of Section 4041.18 of the Political Code. The county auditor or secretary of any such fair desiring to share in any such appropriation shall file with the Department of Finance on or before December 31st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in that year.

Six thousand dollars ($6,000) shall be the maximum base of allocation paid any fair for its first year of operation, and thereafter in each subsequent year in which a fair is held the maximum base of allocation shall increase by 10 per cent over the maximum base for the year in which a fair was last held.

In the event the premiums paid during any year in which a fair is held are less than the maximum base of allocation for that year, the base of allocation for that year shall be the premiums so paid during such year. For any fair operated prior to 1933 which received, or was qualified to receive, money from appropriations for the support of agricultural fairs, the basis may be increased 10 per cent for each year in which a fair was held from the time the fair was first held, except that if no fair was held by the county or district for a period of five or more years the percentage of increase shall apply only from the first fair held after said period. Any fair may pay premiums in an amount greater than that used as the base of apportionment to it.

The Department of Finance shall prescribe rules and regulations for the judging of exhibits, and the maximum amount of premiums which may be offered and paid for all classes, sections, and types of exhibits. No fair shall receive any apportionment of funds under this section unless it complies with such rules and regulations.

No allotment from the appropriation herein provided shall be made for more than one fair in any one year in any county or district. The fact that a county or district contracts one with the other or with a county fair association, to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated, except that no county or district may hold a joint or combined fair and receive an allotment of money under the provisions of this section. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs.

The Department of Finance, in its discretion, may at any time examine the books and records of any fair to determine the correctness of any statement or report filed with the Department of Finance."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 8, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 191—An act making an appropriation for acquisition of real property and construction of improvements for the California National Guard Coast Artillery Training Camp in Santa Cruz County

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "sixty-five thousand dollars ($65,000)", and insert "thirty-eight thousand dollars ($38,000)".

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "construction, improvements and equipment, including"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1000—An act making an appropriation for purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements, and equipment thereat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, between "to" and "add", insert "amend Sections 154, 5355 and 5356 of, to".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, before "Chapter", insert "Sections 155, 5358 and".

Amendment No. 3

On page 1, line 4, of the printed bill, as amended, strike out "Spadra State Hospital", and insert "California Institution for Boys".

Amendment No. 4

On page 2, line 1, of the printed bill, as amended, after "of", insert "male".

Amendment No. 5

On page 2, line 6, of the printed bill, as amended, after "Sec. 2", insert "Section 154 of said code is hereby amended to read as follows:

154. The department has jurisdiction over the following institutions:
Agnews State Hospital
Camarillo State Hospital
Industrial Home for the Adult Blind
Mendocino State Hospital
Napa State Hospital
Norwalk State Hospital
Pacific Colony
Patton State Hospital
Sonoma State Home
[State Narcotic Hospital]
Stockton State Hospital
Preston School of Industry
Ventura School for Girls
Whittier State School
The California Institution for Boys

SEC. 3. Section 155 of said Code is hereby repealed.

SEC. 4. Section 5355 of said code is hereby amended to read as follows.

5355. If, after a hearing and examination, the judge believes the person charged is a drug addict, he shall make an order [that the person be confined in the State Narcotic Hospital] *committing such person to the Department of Institutions for placement in a designated hospital* for an indeterminate period of not less than eight months nor more than two years; but no such order shall be made in respect to any person who has theretofore been committed to and has received treatment at the hospital unless there has been first filed with the court a written report of the medical superintendent of the hospital stating that the person is a suitable case for treatment at the hospital and if such report is not filed, the drug addict shall forthwith be discharged. [The court may commit any female drug addict or any drug addict who is afflicted with tuberculosis or any communicable disease to any State hospital.]

SEC. 5. Section 5356 of the Welfare and Institutions Code is hereby amended to read as follows:

5356. At the hearing the court shall inquire into the financial condition of the person committed or, if the person is a minor, of the parent, guardian, or other person charged with his support. If the court finds such person or persons able to do so in whole or in part, a further order shall be made requiring him or them to pay, to the extent the judge considers just, the expenses of the proceedings in connection with his commitment [to the State Narcotic Hospital], and to pay to the county of which he is a bona fide resident, such sums as the court deems proper, during such time as the person committed remains in the hospital. The court shall

make a further order requiring such person or persons to pay to the Department of Institutions the expense of delivery of the patient to the [State Narcotic Hospital,] *State hospital to which he was committed*, which shall be paid to and collected by the department and credited to the appropriation for transportation of patients

The county auditor shall keep a record of such payments ordered to be made to the county, and shall receive, receipt for, and record such payments made, pay over such payments to the county treasurer, see that the persons ordered to make such payments comply with such orders, and report to the court any failure on the part of such persons to make such payments

SEC. 6. Section 5358 of said code is hereby repealed

SEC 7 Chapter 5, comprising Sections 7200 to 7213, inclusive, of Part 4 of Division 6 of the Welfare and Institutions Code, is hereby repealed.

SEC. 8 "

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 14 to 16, inclusive

Amendment No. 7

On page 2, lines 11 and 12, of the printed bill, as amended, strike out "two hundred fifty thousand dollars (*$250,000*)", and insert "three hundred thousand dollars ($300,000)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Constitutional Amendment No. 17—Proposed amendment to Articles IV and V of the Constitution, proposing to amend Sections 1, 2, 3, 4, 5, 6, 7, 17, 23 and 24 of Article IV and Sections 15 and 19 of Article V of the Constitution of the State of California, and to add to said Article IV new Section 14a, relating to the Legislature.

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "1," "5," "7," "17,"

Amendment No. 2

On page 1, line 6, of the printed measure, strike out "1,".

Amendment No. 2a

On page 1, line 7, of the printed measure, strike out "5," "7," "17,".

Amendment No. 3

On page 1 of the printed measure, strike out lines 10 to 25, inclusive.

Amendment No. 4

On page 2 of the printed measure, strike out lines 1 to 21, inclusive; and in line 22, strike out "Second", and insert "First".

Amendment No. 5

On page 3, line 1, of the printed measure, strike out "Third", and insert "Second".

Amendment No. 6

On page 3, line 18, of the printed measure, strike out "Fourth", and insert "Third".

Amendment No. 7

On page 3 of the printed measure, strike out lines 30 to 44, inclusive.

Amendment No. 8

On page 3, line 45, of the printed measure, strike out "sixth", and insert "Fourth".

Amendment No. 9

On page 5 of the printed measure, strike out lines 4 to 22, inclusive.

Amendment No. 10

On page 5, line 23, of the printed measure, strike out "Ninth", and insert "Fifth".

Amendment No. 11

On page 5, line 34, of the printed measure, strike out "Tenth", and insert "Sixth".

Amendment No. 12

On page 6, line 1, of the printed measure, strike out "Eleventh", and insert "Seventh".

Amendment No. 13

On page 7, line 8, of the printed measure, strike out "Twelfth", and insert "Eighth".

Amendment No. 14

On page 7 of the printed measure, strike out lines 13 to 15, inclusive, and insert "He shall be President of the Senate, but shall have only a casting vote therein, but otherwise he shall have the same powers as the Speaker of the Assembly, and he shall receive an"

Amendment No. 15

On page 7, line 17, of the printed measure, strike out "Thirteenth", and insert "Ninth".

Amendment No. 16

On page 7 of the printed measure, strike out lines 24 to 27, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1568—An act making an appropriation to the University of California for the purpose of establishing and operating a laboratory in Riverside County for the study and investigation of diseases of poultry.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out all of the title of the printed bill, following "to", and insert "The Regents of the University of California for the purpose of constructing, equipping and maintaining an insectary or laboratory upon the grounds of the citrus experiment station of the University of California, in Riverside County, for the study and investigation of insect pests"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "out of any money"; and strike out lines 2 to 8, inclusive, and insert "to The Regents of the University of California, out of any money in the State Treasury not otherwise appropriated, the sum of thirty-five thousand dollars ($35,000), to be expended by The Regents of the University of California for the construction, equipment and maintenance on the grounds of the citrus experiment station of the University of California, in Riverside County, California, of an insectary or laboratory for the study and investigation of insect pests, and in particular insect pests injurious to or destructive of citrus trees and fruit."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1481—An act to amend Section 12.06 of the Building and Loan Association Act, relating to building and loan associations and advertising thereof.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "12.06", and insert "9.18".

Amendment No. 2

Strike out line 3 of the title of the printed bill, and insert "the making of loans by such associations, declaring the urgency hereof, and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 9.18 of the Building and Loan Association Act is hereby amended to read as follows.

Sec. 9.18. National Housing Act Loans and Insurance. An association (a) either with or without security, may make loans, advance credit, and purchase obligations representing loans and advances of credit, pursuant to Title 1 of the National Housing Act, as amended, for the purpose of financing repairs, alterations or improvements upon or in connection with existing structures upon real property securing a loan then held by such association, or upon real property owned by such association and sold by such association under contract of sale or leased by such association with or without option to purchase, and for the purpose of financing the building of new structures, provided that such loans for the purpose of financing the building of new structures must be secured by a first mortgage or first trust deed upon fee title to real property, if the Federal Housing Administrator shall insure such association against losses which it may sustain as a result of such loans, advances of credit and purchases made by such association for such purposes, to the extent of 10 per cent of the total amount of the loans, advances of credit and purchases made by such association for such purposes on and after the date of the enactment of the National Housing Act Amendments of 1938; (b) may make loans upon the security of improved real property pursuant to the provisions of this section and pursuant to Title 2 and Title 6 of the National Housing Act, as amended, if the Federal Housing Administrator pursuant to said Title 2 or Title 6 shall have insured, or shall have made a commitment to insure, such association against losses of principal which it may sustain as a result of such loans; and (c) may secure insurance pursuant to said National Housing Act. No law of this State prescribing the nature, amount or form of security or requiring security upon which loans or advances of credit may be made or prescribing or limiting the period for which loans or advances of credit may be made, shall be deemed to apply to loans, advances of credit or purchases made pursuant to this section.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall take effect immediately. The facts constituting this necessity are as follows:

It is essential to our National defense that adequate housing be available in defense areas. Amendments to the National Housing Act have just been enacted providing for the insuring of mortgages on property in areas or localities in which the President of the United States finds that an acute shortage of housing exists or impends which would impede National defense activities. By permitting building and loan associations to take advantage of these new provisions of the National Housing Act, the construction of housing will be stimulated in defense areas.

It is therefore imperative that this act take effect immediately in order that adequate housing may be obtained in all defense areas in this State."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 27, inclusive; and strike out all of page 2

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1789—An act to add Section 1a to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed, regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for

the punishment of the same," approved March 6, 1909, relating to sanitation of butcher shops and equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1a", and insert "Sections 1a, 1b, and 1c".

Amendment No. 2

On page 1 of the printed bill, after line 10, insert

"SEC. 2. Section 1b is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1b. Every machine used for grinding meat, hamburger, or other foodstuffs, shall be provided or equipped with covers or closures approved by the State Department of Public Health, and so designed as to effectively cover or close all openings into said machine through which meat or other foodstuffs are fed or introduced or discharged or removed, and prevent the entrance of blow-flies and all other larvae, maggot or egg-laying insects, and of rodents and germ carriers. Such covers or closures shall function to cover or close all openings when the motive power of said machine is shut off.

SEC 3. Section 1c is hereby added to the act cited in the title hereof, to read as follows:

Sec 1c Nothing in this act shall be construed to give a preference or monopoly to any patented product or device."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2538—An act to amend Sections 7301, 7303 and 7315 of the Business and Professions Code, relating to members of the board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 2 of the title of the printed bill, after "board", insert "of Cosmetology".

Amendment No. 2

On page 1, line 6, of the printed bill, after "Governor", insert ", except as provided in Section 7303".

Amendment No. 3

On page 1 of the printed bill, strike out lines 14 to 21, inclusive, and insert

"Appointments to fill vacancies occurring shall be made as follows: When a vacancy occurring January 15, 1942, no appointment shall be made; when a vacancy occurring January 15, 1943, one appointment shall be made; for the vacancy occurring January 15, 1944, one appointment shall be made; and for the two vacancies occurring January 15, 1945, one appointment shall be made."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2602—An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2603—An act to amend Section 7608 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Bill read second time, and ordered engrossed.

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 409—An act to add a new section to the Agricultural Code to be numbered Section 735.3-1, relating to market milk and cooperative marketing associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of line 3, and insert 735.3-1. (a) "Purchase," "sell," or any other form of either of such terms, includes any transaction or means by which title, possession, or control, or the right to title, possession, or control of fluid milk or fluid cream passes to another person and shall include the transfer of fluid milk or fluid cream to any person on consignment, the handling or receiving of fluid milk or fluid cream through agencies, agency agreements, or by any and all similar methods for the purpose of transferring possession or obtaining title to or control of fluid milk or fluid cream; provided, however, that the actual physical possession alone by any bona fide employee of a distributor of fluid milk, or fluid cream or dairy products, shall be deemed to be the product of his employer and shall not constitute "purchase" or "sale" as such terms are herein defined.

(b) "Payment" means to pay in full in lawful money at not less than the minimum price prescribed by the director in any stabilization and marketing plan or order establishing minimum wholesale and minimum retail prices for fluid milk or fluid cream; provided, however, that in any place where a stabilization and marketing plan is not in effect the prices to be paid by distributors to producers shall be those specified in a written contract filed with the director pursuant to the provisions of Section 736.3 (5) of this chapter

(c) Nothing in this chapter shall prevent a cooperative".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, after "producers", insert "of milk".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 7 to 12, inclusive, and insert "471 (a) of this code, from withholding, after first calculating, computing and reporting to producer-members the minimum prices to be paid to producer-members for fluid milk as prescribed by any stabilization and marketing plan formulated and established under the provisions of this chapter, authorized sums from payments due to such".

Amendment No. 4

On page 1, line 14, of the printed bill, as amended, strike out "(a)", and insert "(1)".

Amendment No. 5

On page 1, line 15, of the printed bill, as amended, strike out "(b)", and insert "(2)".

Amendment No. 6

On page 1, line 16, of the printed bill, as amended, strike out "(c)", and insert "(3)".

Amendment No. 7

On page 1, line 18, of the printed bill, as amended, strike out "(d)", and insert "(4)".

Amendment No. 8

On page 1, line 19, of the printed bill, as amended, strike out "(e)", and insert "(5)".

Amendment No. 9

On page 1, line 20, of the printed bill, as amended, before "sale", at the beginning of the line, insert "direct".

Amendment No. 10

On page 1, line 23, of the printed bill, as amended, after "producers", insert "of milk".

Amendment No. 11

On page 2, line 1, of the printed bill, as amended, strike out "735 3 (e)", and insert "471 (a)".

Amendment No. 12

On page 2 of the printed bill, as amended, at the end of line 4, strike out the period, and insert ", provided, however, that the operating deficiencies constituting the subject matter of this subparagraph shall be provided for only by withholding from payments to such producer-members such authorized sums as shall not be more than necessary to provide currently for such operating deficiencies, and such operating deficiencies shall not be provided for by deductions authorized under any other subparagraph hereof;

(6) Making authorized adjustments essential to the operation of any basic pooling plan adopted by the association."

Amendment No. 13

On page 2, line 13, of the printed bill, as amended, strike out the period, and insert ", which statement shall definitely specify the purpose for which each of such deductions is made and the amount deducted for such purposes."

Amendments read and adopted.

Bill ordered printed, and to third reading

Senate Bill No. 745—An act to add Section 465.7 to the Vehicle Code, relating to signs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended, and insert "warning signs, lights and devices"

Amendment No. 2

On page 1, line 3, of the printed bill, as amended, strike out "Warning Signs and lights for highway repairs.", and insert "Warning Signs, Lights and Devices for Highway Work"

Amendment No. 3

On page 1, line 5, of the printed bill, as amended, strike out "a uniform type", and insert "uniform types".

Amendment No. 4

On page 1, line 6, of the printed bill, as amended, strike out "sign or lights", and insert "signs, lights and devices".

Amendment No. 5

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "any excavation or repair".

Amendment No. 6

On page 1, line 10, of the printed bill, as amended, strike out "or lights", and insert ", lights and devices".

Amendment No. 7

On page 1, line 12, of the printed bill, as amended, strike out "the excavation or repair".

Amendments read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 1183—An act to add Section 45.5 to the Vehicle Code, relating to definition of implement of husbandry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert "45.5 A trailer or semitrailer used for the transportation of liquefied petroleum gas for use by the owner or lessee of agricultural property in connection with his agricultural pursuits, shall be deemed to be an implement of husbandry."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1272—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner (unless the proceeding provided for by Section 13.12 of this act shall have been commenced and no judgment which shall have become final shall have been rendered therein, or unless the time within which such proceeding may be commenced has not expired, or unless a proceeding under Section 13.16d of this act is pending) to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, or other rights or claims for property or for securities issued by a corporation organized to hold or liquidate such property, and to continue to hold as a legal investment any property or securities so received.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Building and Loan Associations:

Amendment No. 1

On page 4, line 13, of the printed bill, as amended, strike out "E", and insert "D".

Amendment No. 2

On page 4, line 28, of the printed bill, as amended, strike out "F", and insert "E".

Amendment No. 3

On page 4, line 49, of the printed bill, as amended, strike out "G", and insert "F".

Amendment No. 4

On page 5, line 11, of the printed bill, as amended, strike out "H", and insert "G".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, as amended, between lines 14 and 15, insert "Removable boards or rails installed on or attached to the body or chassis of a commercial vehicle and used occasionally for convenience in transporting property do not constitute a part of the unladen weight of a vehicle."

Amendment No. 2

On page 2, line 18, of the printed bill, as amended, strike out "3,000", and insert "3,300".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 23 to 28, inclusive, and insert "less than 6,000".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 463—An act to amend Section 26470 of the Health and Safety Code, relating to adulterated food and the failure to comply with standards of freshness and purity.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "poultry or a", and insert "a canned".

Amendment read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 101
Assembly Bill No. 2272

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1591
Assembly Bill No. 1593

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MEEHAN, Co-Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1594
Assembly Bill No. 1595
Assembly Bill No. 1596
Assembly Bill No. 1724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MEEHAN, Co-Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1906

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2162
Assembly Bill No. 2280

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1514

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2332

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1800

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which were referred:

Assembly Bill No. 678
Senate Bill No. 569
Senate Bill No. 855

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SALSMAN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 272

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Live Stock and Dairies.

MILLINGTON, Chairman

Above reported bill re-referred to Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 1984

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 1249

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No. 2447

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

KNIGHT, T. FENTON — WOLLENBERG, Chairman
VOIGT — KILPATRICK
O'DAY — BENNETT
EVANS — COLLINS, GEORGE D.
POTTER

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 303
Senate Bill No. 1076
Senate Bill No. 1322
Senate Bill No. 1328

J. A. BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 303—An act to amend Section 4243 of the Political Code, relating to salaries and compensation for public services in counties of the fourteenth class.

Referred to Committee on County Government.

Senate Bill No. 1076—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public work contracts in cities of the sixth class.

Referred to Committee on County Government

Senate Bill No. 1328—An act to amend Sections 737xx, 4248d and 4248h, and to repeal Sections 4248a, 4248b, 4248c, 4248e, 4248f, 4248g, 4248i, 4248j, 4248k, 4248l, 4248m, 4248n, 4248o, 4248q, 4248t, 4248u and 4248v of the Political Code, relating to compensation of public officers.

Referred to Committee on Municipal Corporations.

Senate Bill No. 1322—An act to add Section 651 to the Penal Code, relating to traffic in Federal Order Stamps, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary Codes.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1408—An act to add Sections 11343, 11344, 11345 and 11346 to, to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections 985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 453i and 453.14 of the Civil Code, all relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1408?

Amendment No. 1

On page 2, line 47, of the printed bill, as amended, strike out "admitted foreign society", and insert "any society specified in Section 11343".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1408 by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter,

Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—48.
NOES—None

Assembly Bill No. 1408 ordered enrolled.

Assembly Joint Resolution No. 1—Relative to the hunting season on migratory wild fowl.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 1?

Amendment No. 1

On page 2 of the printed measure, strike out lines 9 to 26, inclusive, and insert "WHEREAS, Because of the great length of the State, its sharply varying topography, and its marked differences in climatic conditions, it is essential that there be fixed two shooting seasons for ducks in this State, one for the northern portion of the State, and one for the balance of the State; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Secretary of Interior be requested to establish two duck shooting seasons within California, the dividing line to be determined by the Director of Interior; and be it further".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Joint Resolution No. 1 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Dickey, Donnelly, Doyle, Evans, Field, Gunlock, Hawkins, Heisinger, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—48
NOES—None.

Assembly Joint Resolution No. 1 ordered enrolled.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors, to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom, to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "or to amend the title and", and strike out lines 5 to 11, inclusive, and insert a comma

Amendment No. 2

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "State Prison at Chino", and insert "Correctional Institution".

Amendment No. 3

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution, or the Rancho el Rincon"

Amendment No. 4

On page 1, lines 16 and 17, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 5

On page 2, lines 4 and 5, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 6

On page 2, line 14, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 7

On page 2, line 19, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 8

On page 2, lines 26 and 27, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 9

On page 2, line 33, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 10

On page 2, line 43, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 11

On page 3, lines 6 and 7, of the printed bill, as amended, strike out "California State Prison at Chino", and insert "California Correctional Institution".

Amendment No. 12

On page 3 of the printed bill, as amended, strike out lines 12 to 47, inclusive.

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 106

Mr. Andreas moved that Senate Bill No. 106 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on County Government

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gunlock, Hawkins, Heisinger, Howser, F. N. Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Mr. Speaker—49.

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1296

Mr. Leonard moved that Senate Bill No. 1296 be withdrawn from the file, and re-referred to the inactive file.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT RESOLUTION NO. 28

Mr. Doyle moved that Assembly Concurrent Resolution No. 28 be withdrawn from the file, and re-referred to the Committee on Federal Relations.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 161—An act to amend Section 21 of the Agricultural Code, relating to the salary of the Director of Agriculture.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Poulson, Waters, Pelletier and Knight, John B., demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Daley, Del Mutolo, Dickey, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Mr. Speaker—48

NOES—Cronin, Dills, Donnelly, Evans, Kilpatrick, Lowrey, Maloney, Richie, and Thomas—9.

The question being on the passage of Assembly Bill No. 161.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—52.

NOES—Carlson, Cronin, Dilworth, Evans, Gallagher, Knight, John B., Massion, Middough, and Thomas—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 899—An act to add Section 569 to the Streets and Highways Code, relating to State highways.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—51

NOES—Bashore, Carlson, Dickey, Dilworth, Hastain, Knight, John B., McCollister, Sheridan, and Weybret—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 236—An act adding Section 956 8 to, and amending Section 958 of, the Streets and Highways Code, relating to the abandonment of county highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2492—An act to amend Section 159 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2256—An act to amend Section 164 of the Vehicle Code, relating to the registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1278—An act to amend Sections 382 and 384 of the Vehicle Code, relating to the registration of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robert-

son, Russell, Salsman, Stream, Tenney, Thomas, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act to amend Section 375 of the Vehicle Code, relating to fees to be paid by manufacturers, transporters and dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63.
NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1274—An act to amend Sections 158, 162, 178, 179, 183 and 226 of, and to add Section 195 5 to, the Vehicle Code, relating to the registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 443—An act to amend Section 374.5 of the Vehicle Code, relating to license plates for exempt vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.
NOES—Crowley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2204—An act to amend Section 504 of the Public Resources Code, relating to the Department of Natural Resources and changing the name of the Division of Parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin,

Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—61.

NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2518—An act to add Section 2877 to the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2519—An act to amend sundry article and chapter headings, to repeal Section 679a of, and to add Section 2876 to, the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Knight T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2520—An act to add Article 4, comprising Section 2690, to Chapter 4, Title 1, Part 3, of the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Dilworth—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2521—An act to add Section 3404 to the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1756—An act to amend Sections 5.792 and 5.796 of the School Code, relating to the merit system of noncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Johnson, Kellems, Kilpatrick, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—56.

NOES—Call, Collins, Sam L., Dilworth, Knight, T. Fenton; Leonard, Lowrey, McCollister, Millington, Watson, Weybret, and Mr. Speaker—11.

Bill ordered transmitted to the Senate.

Explanation of Vote

Due to misunderstanding the explanation concerning Assembly Bill No. 1756 I voted against the bill. I did this because I thought I was protecting the rights of employees such as school janitors Had I had time to analyze the bill I would have cast an "Aye" vote.

LLOYD W. LOWREY

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lowrey:

An act to add Section 215 16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Mr. Speaker—64

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2617: By Mr. Lowrey—An act to add Section 215.16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

Referred to Committee on Live Stock and Dairies.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 748—An act to amend Section 670 of the Fish and Game Code, relating to sale of canned salmon.

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, following the period after "668", insert "In Districts 12, 12B, 12C and 13, salmon may not be sold at any time when fishing with nets is prohibited in said districts."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO PURCHASE FLORAL PIECE

Mr. Thurman moved that the Chief Clerk be instructed to send a suitable floral piece to the funeral of the late Mrs. Richard E. Collins.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1838—An act to add Section 5439.5 to the Public Resources Code, relating to county recreational districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell,

Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2501—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19065, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19012.5, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, after "19007.5,", insert "19010.5,".

Amendment No. 2

In line 6 of the title of the printed bill, after "19012.5", insert "19049,".

Amendment No. 3

On page 1, line 15, of the printed bill, after "furniture", strike out the comma.

Amendment No. 4

On page 1, line 17, of the printed bill, after "furniture", strike out the comma.

Amendment No. 5

On page 2 of the printed bill, between lines 14 and 15, insert
"SEC. 4.5. Section 19010.5 is hereby added to said code, to read as follows:
19010.5. A "retailer" is a person who sells any article or thing to a consumer or user of the article as purchased."

Amendment No. 6

On page 2 of the printed bill, between lines 48 and 49, insert
"SEC. 7.5. Section 19049 is hereby added to said code, to read as follows:
19049. It shall be unlawful for any person to engage in a business regulated by this chapter unless he has first obtained the proper license as required by this chapter."

Amendment No. 7

On page 2, line 52, of the printed bill, after "advertises", strike out "or solicits or sells work on", and insert ", solicits, or contracts to manufacture, repair, or renovate".

Amendment No. 8

On page 3, line 29, of the printed bill, strike out "on", and insert "one".

Amendment No. 9

On page 3 of the printed bill, strike out lines 46 to 52, inclusive, and insert
"19070. This chapter shall not apply to upholstered furniture or bedding manufactured, repaired or renovated which is for sale without the borders of this State, except that if such articles when manufactured, repaired, or renovated, contain, in whole or in part, secondhand materials, such articles shall be sterilized in accordance with this chapter."

Amendment No. 10

On page 6, line 3, of the printed bill, strike out "cotton", and insert "Before being sold, offered or exposed for sale, cotton".

Amendment No. 11

On page 6 of the printed bill, strike out lines 49 to 52, inclusive, and insert
"19123.6. Every article of upholstered furniture or bedding repaired, renovated, or reconditioned, and all filling material to which has been added secondhand

material from any source, shall be sterilized in accordance with the provisions of this chapter."

Amendments read and adopted

Bill ordered reprinted, and re-engrossed.

WITHDRAWAL OF ASSEMBLY BILL NO. 2069 FROM INACTIVE FILE

Mr. Poulson moved that Assembly Bill No. 2069 be withdrawn from the inactive file for purpose of amendment.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NO. 2069

Assembly Bill No. 2069—An act to amend Section 661 of the Political Code, relating to deficiency appropriations.

Bill read third time.

Motion to Amend

Mr. Poulson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert "661. The State Board of Control shall have power to authorize the creation".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 9 to 16, inclusive, and insert "emergency in character No deficiency shall be authorized except upon the unanimous consent of the State Board of Control, expressed in the form of a resolution setting forth the reasons and necessity for authorizing the deficiency and entered upon the minutes of the board

SEC. 2. Notwithstanding anything to the contrary contained in the Budget Act of 1941, the creation of a deficiency in any special fund appropriation may be authorized pursuant to Section 661 of the Political Code as amended by this act."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1910

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended, and be re-referred to Committee on Ways and Means

DALEY, Chairman

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up Assembly Bill No. 1910, at this time, without reference to file.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1910—An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately.

Bill read second time

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for", and insert "to add Section 1.6 to the Unemployment Relief Appropriation Act of 1940, relating to".

Amendment No. 2

On page 1, line 2, of the printed bill, after "unemployment", strike out ", and", and strike out all of line 3, and insert "and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 1.6 is hereby added to the Unemployment Relief Appropriation Act of 1940, to read as follows:

Sec. 1.6. (a) Out of any money in the State Treasury, not otherwise appropriated, the sum of six hundred fifty thousand dollars ($650,000) is hereby appropriated to the Relief Administrator and the Relief Commission for the relief of hardship and destitution due to and caused by unemployment and the administration thereof as provided in this act and the California Unemployment Relief Act of 1935, during the fourth quarter of the Ninety-second Fiscal Year.

(b) Except for the apportionment for the administrative expenses of the Controller, all sums remaining unexpended under Sections 1, 1.5 and 3 of this act shall be available for expenditure during the fourth quarter of the Ninety-second Fiscal Year by the Relief Administrator and the Relief Commission. The apportionment for the administrative expenses of the Controller provided in Sections 1 and 1.5 of this act remaining unexpended shall be available for expenditure by the Controller during the fourth quarter of the Ninety-second Fiscal Year.

(c) As used in this section, (i) "Unexpended" describes sums of money which are unencumbered and against which no commitments have been made by the Relief Administrator and Relief Commission or which having been encumbered or committed, have been unencumbered and the commitment released by the Relief Administrator and the Relief Commission, and (ii) "Expended" describes sums of money which are encumbered and against which commitments are made.

(d) "Appropriation," as used in this act (including Section 18) refers to the appropriation made by this section.

(e) The sum appropriated by subdivision (a) shall, upon order of the State Controller, be transferred to the Unemployment Relief Fund and shall be disbursed therefrom for the purposes herein provided. Until such time as such transfer is made, or when there is no money in said fund, the procedure for transfer of money from other funds prescribed by Section 1a of the California Unemployment Relief Act of 1935 shall be applicable hereto.

(f) All money appropriated by this section shall be subject to all the limitations and conditions imposed by this act upon the money appropriated by Section 1 and Section 1.5.

SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. The facts constituting such necessity are as follows:

The appropriation for unemployment relief is about to be totally expended and it is necessary that additional funds be made available immediately. Unless this act providing immediate funds and the means for the expenditure thereof and safeguards upon their use takes effect immediately relief operations will have to be suspended at a time when the need is great, which will result in untold hardship and suffering to a great number of persons receiving relief in this State at this time, and will cause serious unrest throughout the State."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 16, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was introduced, and read for the first time:

Assembly Joint Resolution No. 53: By Mrs. Daley and Mr. Crowley—Relative to memorializing Congress to pass House Resolution

3570, allocating funds for the building and operation of emergency schools necessitated by reason of National defense.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 53, at this time, without reference to committee, print or file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 53

Assembly Joint Resolution No. 53—Relative to memorializing Congress to pass House Resolution 3570, allocating funds for the building and operation of emergency schools necessitated by reason of National defense.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John, B., Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1032—An act to amend the Agricultural Code by amending Sections 795, 828.5, 828.85 and 829.1 thereof, by adding new sections thereto to be numbered 795.1, 795.2, 795.3, 795.4, 828.9 and 828.91, and by repealing Sections 796 and 797 thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof to provide for mandatory standard containers for citrus fruits and the marking thereof.

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "795," insert "828,".

Amendment No. 2

On page 4, line 15, of the printed bill, as amended, after "any", insert "such".

Amendment No. 3

On page 4, line 24, of the printed bill, as amended, strike out "all citrus fruits", and insert "oranges, lemons and limes".

Amendment No. 4

On page 9, line 16, of the printed bill, as amended, strike out "ageing", and insert "aging".

Amendment No. 5

On page 11, line 36, of the printed bill, as amended, strike out "this standard", and insert "the standards for citrus fruits established in this chapter".

Amendment No. 6

On page 11, line 40, of the printed bill, as amended, strike out "and" preceding "grape-".

Amendment No. 7

On page 11 of the printed bill, as amended, strike out all of lines 41 to 49, inclusive, and insert "fruit, and lemons when packed shall be in standard containers as provided and designated for each such citrus fruit in Section 828.83."

Amendment No. 8

On page 12 of the printed bill, as amended, between lines 10 and 11, insert

"SEC. 7.5. Section 828 of the Agricultural Code is hereby amended to read as follows:

There are hereby established [permissive] standard containers and standard packs for the fruits, nuts and vegetables mentioned in Section 829, when being packed or placed in any container, or after packing, or when delivered for shipment, loaded, shipped, being transported, or sold in any container. *These standard containers are permissive unless otherwise provided in this chapter* The words "standard" or "standard container" shall not be placed on any container unless such container conforms to the requirements specified for the standard containers of such fruit, nut or vegetable. When the fruit, nut or vegetable is packed in a standard container and in conformity to the standard pack established for such product, and then only, may the container be marked with the words "standard pack" or "standard container and pack."

The numbers, names, and dimensions of standard containers are set forth in the following sections. All measurements, unless otherwise specified, are measurements inside in inches, and reading from left to right are measurements of depth, width, and length, respectively."

Amendment No. 9

On page 12, line 19, of the printed bill, as amended, strike out "han", and insert "than".

Amendment No. 10

On page 12 of the printed bill, as amended, strike out line 34, and insert "4. Cherries, numbers 4, 10, 11, 12, 12A, 22C, 25 or 27."

Amendment No. 11

On page 12 of the printed bill, as amended, strike out line 36, and insert "numbers 56, 57, or 58, 59, as provided in Section 828.83."

Amendment No. 12

On page 13 of the printed bill, as amended, between lines 44 and 45, insert

"For the purpose of permitting to be used up lemon box shook manufactured or contracted for to comply with former standards, the following containers numbers 58 and 59 shall be considered as standard for lemons only until December 31, 1942, and after that date containers numbers 56 and 57 shall be the only standard containers for lemons."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour of 1.30 p m. having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion for Roll Call

Mr. Bennett moved that a roll call be had on every amendment.

Motion carried.

Consideration of Amendments to Assembly Bill No. 1800

Motion to Amend

Mr. Lyon moved adoption of the following amendments.

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 26, and insert "and legislative committees".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 42 and 43, and insert "Assembly and Legislative Committees whose personnel is com-".

Amendment No. 3

On page 13 of the printed bill, as amended, strike out lines 38 to 40, inclusive, and insert "hundred thirty-eight thousand nine hundred forty-five dollars payable from the Alcoholic Beverage Control".

Amendment No. 4

On page 13 of the printed bill, as amended, strike out line 41, and insert
"Fund ---------- $2,638,945.00"

Amendment No. 4.5

On page 15 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert
"missioner, three hundred thirty-six thousand seven hundred four
dollars ---------- $336,704.00".

Amendment No. 4.6

On page 16 of the printed bill, as amended, strike out lines 38 and 39, and insert "six thousand three hundred fifty dollars, payable from the".

Amendment No. 4.7

On page 16 of the printed bill, as amended, strike out line 45, and insert
"of 1935) ---------- $1,606,350.00".

Amendment No. 4.8

On page 17 of the printed bill, as amended, strike out lines 4 to 23, inclusive, and insert

"Franchise Tax Commissioner

Personal Income Tax	
Administration	
Pro rata general administration	$220,820.00
Personal Income Tax Division	
Salaries and Wages	$1,131,695.00
Operating Expenses	243,677.00
Equipment	10,158.00".

Amendment No. 4.9

On page 21, line 44, of the printed bill, as amended, strike out "thousand seventy", and insert "thousand seven".

Amendment No. 5

On page 31 of the printed bill, as amended, strike out line 36, and insert

"Operating Expenses	$2,470.00
Equipment	500.00".

Amendment No. 6

On page 32 of the printed bill, as amended, strike out line 17, and insert

"Operating Expenses	$18,140.00
Equipment	1,200.00".

Amendment No. 7

On page 41 of the printed bill, as amended, strike out line 24, and insert
"Operating Expenses ---------- $38,592.00".

Amendment No. 8

On page 44 of the printed bill, as amended, strike out line 24, and insert
"Operating Expenses ---------- 54,460.00".

Amendment No. 9

On page 47 of the printed bill, as amended, strike out line 46, and insert
"Operating Expenses ---------- 26,570.00".

Amendment No. 10

On page 48 of the printed bill, as amended, strike out line 9, and insert "thousand eight hundred fifty-eight".

Amendment No. 11

On page 48 of the printed bill, as amended, strike out line 14, and insert "the support of said college---------- $693,858.00".

Amendment No. 12

On page 49 of the printed bill, as amended, strike out line 17, and insert "Salaries and Wages---------- $52,460.00".

Amendment No. 13

On page 49 of the printed bill, as amended, strike out line 39, and insert "Operating Expenses ---------- $2,970.00".

Amendment No. 14

On page 53, line 38, of the printed bill, as amended, after "except", insert "that".

Amendment No. 14.5

On page 63, lines 22 and 23, of the printed bill, as amended, strike out "Department of Institutions,".

Amendment No. 14.6

On page 90, line 40, of the printed bill, as amended, strike out "of of", and insert "of".

Amendment No. 15

On page 91 of the printed bill, as amended, strike out lines 37 and 38, and insert "one hundred sixty-one thousand four hundred eighty-four dollars- $161,484.00".

Amendment No. 16

On page 103 of the printed bill, as amended, strike out line 37, and insert "and 13 6 of this act), fifty".

Amendment No. 17

On page 103 of the printed bill, as amended, strike out line 39, and insert "dollars ---------- $50,870.00".

Amendment No. 18

On page 103 of the printed bill, as amended, strike out line 44, and insert "act), two hundred twenty-two".

Amendment No. 19

On page 103 of the printed bill, as amended, strike out lines 45 and 46, and insert "thousand three hundred ninety-eight dollars----------$222,398.00".

Amendment No. 20

On page 109 of the printed bill, as amended, strike out line 50, and insert "Operating Expenses ----------$15,409.00".

Amendment No. 21

On page 126, line 2, of the printed bill, as amended, after "overhead", insert "(exempt from the provisions of Sections 13, 13 5 and 13 6 of this act)".

Amendment No. 22

On page 126, line 11, of the printed bill, as amended, after "Resources", insert "(exempt from the provisions of Sections 13, 13.5 and 13 6 of this act)".

Amendment No. 23

On page 136, line 6, of the printed bill, as amended, strike out "Child Welfare", and insert "Adoptions".

Amendment No. 24

On page 11 of the printed bill, as amended, strike out lines 13 and 14, and insert "Equalization, one million sixty thousand eight hundred fifty-four dollars ----------$1,060,854 00".

Amendment No. 25

On page 12 of the printed bill, as amended, after line 33, insert:

"Twenty-eight thousand eight hundred dollars ($28,800.00) of the amount appropriated by this item is available only for the salaries of members of the State Board of Equalization representing one of the equalization districts of the State."

Amendment No. 26

On page 114 of the printed bill, as amended, strike out lines 27 to 48, inclusive; and on page 115, strike out lines 1 to 4, inclusive, and insert "trol Board, nineteen thousand six hundred dollars, payable from Structural Pest Control Board Fund----------$19,600 00".

Amendment No. 26.5

On page 87 of the printed bill, as amended, beginning at line 23 of the printed bill, as amended May 5, insert:

"Item 146½—For additional support of Department of Motor Vehicles, thirty-one thousand six hundred eighty dollars, to be used for the employment of eight radio telephone operators.....$31,680 00".

Amendments read and adopted.

Motion to Amend

Mr. Johnson moved adoption of the following amendments:

Amendment No. 27

On page 51 of the printed bill, as amended, strike out lines 27 and 28, and insert "fornia, seventeen million one hundred twenty-four thousand three hun-".

Amendment No. 28

On page 51 of the printed bill, as amended, strike out line 36, and insert "third fiscal year.....$17,124,368.00

No money received by the University of California from the Fair and Exposition Fund during the Ninety-third and Ninety-fourth Fiscal Years shall be expended by the University for its support."

Amendments read.

Demand for Previous Question

Messrs. Howser, F. N., Knight, John B., Pfaff, Kellems and Collins, Sam L., demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Field, Hawkins, Heisinger, Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Andreas, Bennett, Burns, Hugh M., Collins, George D., Dills, Dilworth, Gaffney, Gallagher, Hastain, Johnson, Kellems, Lowrey, Maloney, Massion, O'Day, Potter, Poulson, Russell, Waters, and Watson—20.

The question being: Shall Amendments Nos. 27 and 28 to Assembly Bill No. 1800 by Mr. Johnson be adopted?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Johnson moved a call of the Assembly.

Motion carried. Time, 3.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Hon. C. Don Field Presiding

At 3.21 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

Motion to Temporarily Suspend the Rules

Mr. Bennett moved that Rule No. 99 be temporarily suspended for the purpose of allowing four persons from the Department of Finance to remain in the Assembly Chambers at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, and Wollenberg—58.

NOES—Allen, Call, Collins, Sam L., Dilworth, Field, Knight, John B., Leonard, McCollister, Turner, Watson, Weybret, and Mr. Speaker—12.

Motion to Suspend Rule No. 99

Mr. Bennett moved that Rule No. 99 be suspended to allow Mr. Gould of the Legislative Counsel to sit at Mr. Millington's desk.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Donnelly, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Amendments Nos. 29 to 35, inclusive, to Assembly Bill No. 1800.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendments:

Amendment No. 29

On page 24 of the printed bill, as amended, strike out all of lines 9 to 11, inclusive, and insert

"Agriculture, three million twenty-eight thousand one hundred seventy-four dollars ---------- $3,028,174.00".

Amendment No. 30

On page 24 of the printed bill, as amended, strike out all of lines 29 to 34, inclusive.

Amendment No. 31

On page 30 of the printed bill, as amended, strike out all of lines 30 to 52, inclusive; on page 31, strike out all of lines 1 to 51, inclusive; and on page 32, strike out all of lines 1 to 38, inclusive.

Amendment No. 32

On page 32 of the printed bill, as amended, strike out all of lines 49 to 52, inclusive, and insert

"Agriculture, four million one hundred sixty-two thousand seven hundred six dollars, payable from the Department of Agriculture Fund ---------- $4,162,706.00".

Amendment No. 33

On page 33 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 34

On page 37 of the printed bill, strike out all of lines 1 to 48, inclusive; and on page 38, strike out all of lines 1 to 45, inclusive.

Amendment No. 35

On page 136, line 4, of the printed bill, as amended, immediately preceding "57", insert "45, 47,".

Amendments read.

Demand for Previous Question

Messrs. Turner, Waters, Pfaff, Burkhalter and Allen demanded the previous question.

Demand for previous question sustained.

The question being, Shall Amendments Nos. 29 to 35, inclusive, to Assembly Bill No. 1800 by Mr. Donnelly be adopted?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Donnelly moved a call of the Assembly.

Motion lost.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, and Tenney—34.

NOES—Burns, Michael J., Call, Carlson, Cronin, Daley, Dickey, Dilworth, Field, Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—33.

Call of the Assembly

Time, 3.54 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Amendment No. 36 to Assembly Bill No. 1800.

Motion to Amend

Mr. Cain moved the adoption of the following amendment:

Amendment No. 36

On page 113 of the printed bill, as amended, strike out lines 8 to 35, inclusive, and insert

"Optometry, eighteen thousand seven hundred thirty-seven dollars, payable from Board of Optometry Fund---------- $18,737 00".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Sawallisch, Thomas, Turner, and Welch—34

NOES—Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Miller, Millington, Pfaff, Phillips, Poole, Poulson, Salsman, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—39

REQUEST FOR UNANIMOUS CONSENT

Mr. T. Fenton Knight asked for unanimous consent to take up Assembly Concurrent Resolution No. 40 at this time.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 40

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

Mr. T. Fenton Knight requested unanimous consent to temporarily suspend Assembly Rule No. 33 to allow the placing of a call of the Assembly on Assembly Bill No. 150.

Mr. Evans withheld unanimous consent.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

Mr. Lyon requested unanimous consent to temporarily suspend Assembly Rule No. 33 to allow the placing of a call of the Assembly on further amendments to Assembly Bill No. 1800

Mr. Bennett withheld unanimous consent.

UNANIMOUS CONSENT WITHHELD

Mr. Lyon withheld unanimous consent to take up any further amendments to Assembly Bill No. 1800 while under call of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 29 TO 35, INCLUSIVE, TO ASSEMBLY BILL NO. 1800

At 4.10 p.m., on motion of Mr. Donnelly, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendments Nos. 28 to 35, inclusive, to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Thomas, and Welch—32.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F.,

Howser F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—45.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 821

Mr. Bashore moved that Assembly Bill No. 821 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Demand for Previous Question

Messrs. Turner, Burns, Michael J., Waters, Stream and Andreas demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 821 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—Collins, George D., Evans, Hawkins, Pelletier, Pfaff, and Thomas—6.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 6, 1941

To the Honorable Members of the Assembly,
Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 75, entitled "An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class."

My objections to this bill are as follows:

This bill reduces the salary of the district attorney of Merced County from $4,000 to $3,000 per annum, and deletes from the present law a provision that neither he nor his deputy shall engage in private practice.

I believe that it is sound public policy that judges, justices of the peace, and district attorneys should devote their full time to the duties of the offices which they fill, and that exceptions to this policy which would permit them to hold their offices and also engage in the private practice of the law be made only when it is very clear that it is extremely impractical to have full time officers.

Those who come into contact with the courts or law enforcement problems can cite innumerable reasons why this policy is sound, but, by and large they can be summarized into several general reasons:

1. According to the old proverb a man cannot serve two masters. If he must make a choice as to whether he will perform some of the duties of his office or serve a private client, it is possible that the officer will neglect the duties of the office. Also, his official decisions may be affected by his private practice.

2. An official's position may be used, consciously or unconsciously, to his advantage in his private dealings.

In all instances the public good may suffer.

As to the application of this policy to the County of Merced, many representative citizens and organizations of that county have stated their views that the duties of the offices in question require the full time of the office holders. The population of that county would appear to bear that out amply, and there appears to be no justification for a deviation from the said policy set forth herein.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 75 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 7, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS. I have this day delivered to the Secretary of State Assembly Bill No. 638. I objected to the appropriation made by such bill, and reduced the amount of such appropriation by appending to the bill, at the time of signing it, a statement of the items to which I objected and the reasons therefor.

In accordance with the provisions of Section 16 of Article IV of the Constitution, I am transmitting herewith a copy of such statement.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

I object to the appropriation of $50,000 and hereby reduce the sum to $25,000. With this reduction I approve the bill.

My reasons for reducing the amount of said appropriation are as follows:

The total of the appropriation proposed to be made by this bill, together with the $45,000 already appropriated to the Assembly Contingent Fund, far exceeds the total amount appropriated to the Assembly Contingent Fund of previous regular sessions. This total even exceeds the unusually large appropriations made for the previous regular legislative session to cover extremely large sums spent by numerous special Assembly and Joint Legislative Investigating Committees. This additional amount of $25,000 which I have approved together with the amount remaining from previous appropriations, I know is ample to cover all necessary expenditures from the Assembly Contingent Fund. It is inconceivable that the normal contingent expenses that could be incurred by the Assembly during the remainder of this regular session could possibly exceed the sum of $25,000 more than the amount now in the fund, even though the session were to last another 60 days. If at a later date a still further appropriation to this fund should become necessary, I will willingly approve the same.

CULBERT L. OLSON, Governor of California

Dated May 6, 1941

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Tenney moved to expunge the record and rescind the action whereby Assembly Bill No. 2616 was introduced.

Mr. John B. Knight seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—66.

NOES—None

RESOLUTIONS

The following resolution was offered:

By Messrs Dills and Green:

House Resolution No. 184

WHEREAS, The National Youth Administration has established a National defense resident center at North Sacramento in order to train young men as aviation mechanics; and

WHEREAS, The project, beginning in November, 1940, with 19 young men, expanded to a total of 175 by March, 1941, and will be further expanded to a capacity of 300 in the near future; and

WHEREAS, These youths work 44 hours a week at the Sacramento Army Air Depot under the supervision of skilled mechanics and Army officials; and

WHEREAS, These youths are assigned to regular work in such shops as motor assembly and disassembly, machine shop, electrical accessories, instrument repair, sheet metal, and radio repair; and

WHEREAS, The related training from four to six hours a week is provided by Army Air Depot instructors under the direction of the State Department of Education; and

WHEREAS, The young men are housed and fed at Grant Union High School and further enjoy its recreational and educational facilities; and

WHEREAS, The method of selection by the National Youth Administration has been so successful and the young men have learned so rapidly and well that by April 1, 1941, 107 of them had received permanent civil service appointments as mechanic helpers at the Sacramento Air Depot; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby congratulate the administration of the Grant Union High School, Lieutenant Colonel Fred C. Nelson, and his staff at the Sacramento Army Air Depot, and the Administrators of the National Youth Administration for California upon the efficient conduct of this vital National Defense Project; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Robert Wayne Burns and Aubrey Williams, State and National Administrators of the National Youth Administration.

Resolution read, and referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 15 AND 2594

Mr. Stream moved that Assembly Bill No. 15 be withdrawn from the file, and re-referred to the inactive file.

Motion carried.

Mr. Stream moved that Assembly Bill No. 2594 be withdrawn from the file, and re-referred to the inactive file.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators DeLap, Crittenden and Shelley as a Committee on Conference concerning:

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13 16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1078

The Speaker announced the appointment of Messrs. Lyon, Knight, T. Fenton, and Burns, Hugh M., as a Committee on Conference concerning Senate Bill No. 1078.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: The Committee on Conference concerning

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 6, line 13, of the printed bill, as amended, strike out "at said time and place", and insert "directing the clerk of the court to mail, or cause to be mailed, to each of the stockholders, shareholders, investment certificate holders and creditors *of such association, a notice of the time and place fixed for said hearing, a copy* or summary of the plan approved by the court, a statement setting forth the consents necessary to the plan becoming operative and a notice that all parties desiring to consent or dissent may file written consents or dissents with the clerk of the court before the time fixed for said hearing at the time and place so fixed or to which said hearing may be continued".

Amendment No. 2

On page 6, line 32, of the printed bill, as amended, strike out "must be stayed", and insert "may be stayed, in the discretion of the court".

DELAP	LYON
CRITTENDEN	BURNS, HUGH M.
SHELLEY	KNIGHT, T. FENTON
Senate Committee on Conference	Assembly Committee on Conference

Speaker Presiding

At 4.30 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 27 AND 28 TO ASSEMBLY BILL NO. 1800

At 4.31 p m., on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Cain, Cassidy, Clarke, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thurman, Waters, Weber, Welch, and Wollenberg—44

NOES—Allen, Bashore, Burns, Michael J., Call, Collins, Sam L., Evans, Field, Houser, Frederick F., Howser, F. N., Knight, John B., Leonard, Lyon, Millington, Pfaff, Potter, Stream, Thorp, Turner, Voigt, Watson, and Mr. Speaker—21.

Time, 4.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 27 AND 28 TO ASSEMBLY BILL NO. 1800

At 4.35 p.m., on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Waters, Weber, Welch, and Wollenberg—48.

NOES—Allen, Bashore, Burns, Michael J., Call, Clarke, Collins, Sam L., Cooke, Dilworth, Field, Houser, Frederick, F., Leonard, Lyon, Millington, Pfaff, Potter, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Weybret, and Mr. Speaker—23

Time, 4.36 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 27 AND 28 TO ASSEMBLY BILL NO. 1800

At 4.44 p.m., on motion of Mr. Cooke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendments Nos. 27 and 28 to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bennett, Carlson, Cassidy, Collins, George D., Cronin, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Richie, Russell, Salsman, Thomas, and Wollenberg—32.

NOES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dilworth, Doyle, Field, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Millington, Pfaff, Poole, Potter, Poulson, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—46.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Motion to Deem Amendment Read

Mr. Lyon moved that all of the amendments to Assembly Bill No. 1800 be deemed read.

Motion carried.

Motion to Expunge Record and Rescind Action

Mr. Bennett moved to expunge the record, and rescind the action whereby the amendments to Assembly Bill No. 1800 were laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Thomas, Turner, Waters, and Welch—45.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Field, Green, Hastain, Howser, F. N., Kellems, Knight, John B., Leonard, Lyon, Millington, Pfaff, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—31.

Motion to Table Amendments

Mr. Lyon moved that all of the amendments to Assembly Bill No. 1800 deemed read be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Collins, Sam L., Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Richie, Robertson, Sawallisch, Thomas, and Welch—35

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 37

On page 81, lines 29, 30 and 31 of the printed bill, as amended in the Assembly May 5, 1941, strike out
"nineteen thousand nine hundred sixty dollars ----------$19,960 00",
and insert
"twenty-three thousand, four hundred forty dollars ----------$23,440 00".

Amendment No. 38

On page 82, line 2, of the printed bill, as amended in the Assembly May 5, 1941, strike out "$17,400", and insert "$20,880".

Amendments read and adopted

MOTION TO TABLE AMENDMENTS

Mr. Robertson moved that Amendments Nos. 37 and 38 to Assembly Bill No. 1800 be laid on the table.

Motion lost.

The question being: Shall Amendments Nos. 37 and 38 to Assembly Bill No. 1800 be adopted?

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller,

Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Collins, Sam L., Evans, and Pfaff—3.

Motion to Deem Amendments Read

Mr. Lyon moved that all amendments to Assembly Bill No. 1800 be deemed read.

Motion carried.

Motion to Expunge Record and Rescind Action

Mr. Bennett moved to expunge the record and rescind the action whereby the amendments to Assembly Bill No. 1800 were deemed read.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Thomas, and Welch—34.

NOES—Allen, Bashore, Burns, Michael J., Call, Collins, Sam L., Daley, Desmond, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, McCollister, Middough, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—39.

Motion to Table Amendments

Mr. Lyon moved that all amendments to Assembly Bill No. 1800 deemed read be laid on the table.

Roll Call Demanded

Messrs. Bennett, Heisinger, and Gaffney demanded a roll call.

The roll was called, and the motion to table the amendments carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Collins, Sam L., Daley, Desmond, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnsen, Kepple, Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—37

NOES—Andreas, Bennett, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Richie, Robertson, Russell, Sawallisch, Tenney, Thomas, and Welch—34.

Motion to Amend

Mr. Cronin moved the adoption of the following amendments:

Amendment No. 39

On page 100 of the printed bill, as amended, strike out lines 3 to 30, inclusive, and insert

"(exempt from the provisions of Sections 13, 13.5 and 13.6 of this act), nineteen thousand five hundred ninety dollars, payable from Private Detective Agency Contingent Fund ..... $19,590.00"

Amendment No. 40

On page 100 of the printed bill, as amended, between lines 30 and 31, insert

"Item 165.5—For additional support of Detective License Bureau Board of Prison Directors (exempt from the provisions of Sections 13, 13.5 and 13.6 of this act), fourteen thousand one hundred dollars, payable from Private Detective Agency Contingent Fund ..... $14,100.00".

Amendments read and refused adoption

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 41

On page 84 of the printed bill, as amended, strike out lines 35 to 37, inclusive, and insert

"California, eight hundred forty-four thousand and thirty-four dollars____$844,034".

Amendment No. 42

On page 85, line 25, of the printed bill, as amended, strike out "315,079", and insert "322,279".

Amendments read.

Motion to Lay Amendments Nos. 41 and 42 on the Table

Mr. Lyon moved that Amendments Nos. 41 and 42 by Mr. Crowley, be laid on the table.

The roll was called, and the amendments laid on the table by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Call, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—42.

NOES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Tenney, and Welch—33

Point of Order

Mr. Lyon arose to the following point of order:

That Assembly Bill No. 1800 must be sent out to reprint.

The Speaker ruled the point of order well taken.

Bill ordered reprinted and re-engrossed

MOTION TO ADOPT CONFERENCE REPORT

Mr. Lyon moved the adoption of the conference report concerning Senate Bill No. 1078.

The roll was called, and the report adopted by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gunlock, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, O'Day, Richie, Russell, Tenney, Thomas, and Turner—24.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1910

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLINGTON, Chairman

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. O'Day:

Resolved, That Assembly Bill No 1910 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1910

Assembly Bill No. 1910—An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately.

Bill read second time.

Assembly Bill No. 1910—An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch Weybret, Wollenberg, and Mr. Speaker—72

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 409

Mr. Thorp moved that Senate Bill No 409 be withdrawn from the file, and re-referred to the Committee on Live Stock and Dairies.

Demand for Previous Question

Messrs. Turner, Lyon, Potter, Call and Mrs. Daley demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Cassidy, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, and Mr. Speaker—45.

NOES—Andreas, Bennett, Burkhalter, Collins, George D., Gaffney, Gallagher, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Russell, Thomas, and Welch—14.

The question being on the motion to re-refer Senate Bill No. 409 to the Committee on Live Stock and Dairies.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burns, Michael J, Call, Carlson, Cassidy, Cronin, Crowley, Daley, Desmond, Doyle, Hastain, Leonard, Lyon, Maloney, McCollister, Middough, Millington, Poole, Sheridan, Stream, Thurman, Turner, Watson, Weber, Wollenberg, and Mr. Speaker—26.

NOES—Allen, Andreas, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L, Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Massion, Miller, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Tenney, Thomas, and Welch—37.

NOTICE OF MOTION TO RECONSIDER ADOPTION OF CONFERENCE REPORT CONCERNING SENATE BILL NO. 1078

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby the Conference Report concerning Senate Bill No. 1078 was this day adopted.

RECONSIDERATION OF SENATE BILL NO. 1078

In compliance with a notice given, Mr. Lyon moved that the vote whereby the Conference Report concerning Senate Bill No. 1078 was passed be reconsidered.

Conference Report concerning Senate Bill No. 1078 refused reconsideration by the following vote:

AYES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Donnelly, Doyle, Gaffney, Gunlock, Kilpatrick, King, Lowrey, Massion, Russell, and Tenney—17.

NOES—Allen, Bashore, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Daley, Field, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Millington, Pfaff, Poole, Potter, Poulson, Richie, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—37.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No. 1800 be made a special order of business for Thursday, May 8, 1941, at 1.30 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gun-

lock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1910

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 1889

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

(Signed out)

POOLE, Chairman
WOLLENBERG
BENNETT
GALLAGHER
LOWREY
JOHNSON

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER. Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1055
Assembly Bill No. 1611
Assembly Bill No 1612
Assembly Bill No. 2213
Assembly Bill No. 2489

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR. SPEAKER. Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2129

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1057

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1511

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2090

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Senate Bill No. 464

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2515
Assembly Bill No. 2602
Assembly Bill No. 2603

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 11—An act to amend Section 6.771 of the School Code, relating to the use of school buildings or grounds;

Assembly Bill No. 395—An act to add Chapter 3 to Division 4a of the Fish and Game Code, relating to trapping wild boar;

Assembly Bill No. 435—An act to amend Section 1394 of the Labor Code, relating to the hours and places of work of minors;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 436—An act to amend Section 1395 of the Labor Code, relating to the employment of minors in radio broadcasting and television studios;

Assembly Bill No. 850—An act to repeal Section 3616 of, to add Sections 3602.5, 3614.5 and 3616 to, and to amend Sections 3606 and 3615 of the Revenue and Taxation Code, relating to property taxation including redemption of tax-delinquent property and the termination of the right of redemption thereto, suits to quiet title to tax-delinquent property; declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1151—An act to repeal Sections 124, 127, 3511.5, 3521, 3543, 3550, 3552, 3571, 3572, 3574, 3651, 3661, 3691, 3807, 4101, 4111, 4112, 4113 and 4147 of, to amend Section 3555 of, and to add Sections 124, 127, 133, 3511.3, 3511.5, 3521, 3543, 3546.5, 3550, 3550.5, 3552, 3571, 3571.3, 3571.5, 3572, 3574, 3651, 3661, 3691, 3707.5, 3807, 4101, 4108.5, 4111, 4112, 4113 and 4147 to the Revenue and Taxation Code, and to repeal Sections 3773.1, 3785.4, 3785.5, 3785.6, 3833.3, 3857.2, 3859.20, 3860.05, 3860.07, 3860.08, 3860.09, 3860.10, 3860.11, 3860.12,

3860.13, 3860.14, 3860.15, 3860.16, 3860.17, 3860.18, 3860.19, 3860.20, 3860.21, 3860.22, 3860.24, 3860.25, 3860.26, 3860.27, 3860.28, 3860.29, 3860.30, 3860.31 and 3860.32 of, and to repeal Chapter 9c, consisting of Sections 3861.1 to 3861.8, inclusive, of Title 9 of Part 3 of the Political Code, relating to property taxation and tax-delinquent property, including redemption of tax-delinquent property and the termination of the right of redemption thereto, distressed assessment districts and the right of redemption of property therein, the classification and control of tax-delinquent property, contracts for the purchase thereof, and making an appropriation, to take effect immediately;
And reports the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1322—An act making an appropriation for construction, improvements, equipment and the purchase of land for the San Diego State College, to take effect immediately;

Assembly Bill No. 1323—An act to add Sections 802.3 and 802.4 to the Agricultural Code, relating to grapes, declaring the urgency thereof, and that this act take effect immediately;

Assembly Bill No. 1859—An act to amend Section 161 of the Fish and Game Code, relating to Game Refuge 4B;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1969—An act to amend Sections 3803 and 3804 of, and to add Sections 3793.5, 3793.6, 3807.5 and 3807.8 to, the Revenue and Taxation Code, relating to property taxation, including purchases from the State by taxing agencies and the division of the proceeds of the sales of such property, the allowing of deductions prior to division, termination of the right of redemption, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2052—An act to amend Section 1299.18 of the Agricultural Code, relating to liens of producers of farm products sold to processors;

Assembly Bill No. 2151—An act to amend Section 6.224 of the School Code, relating to the sale of property of a school district;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1804—An act to add Sections 6953, 6954, 6955 and 6956 to the Labor Code, relating to the use of laminated safety glass on electric cars and electric locomotives;

Assembly Bill No. 1899—An act to add Chapter 5.7, consisting of Sections 3618 to 3637, inclusive, to Part 6, of Division 1 of the Revenue and Taxation Code, relating to property taxation, including actions to contest the validity of tax deeds to the State and quieting title against tax deeds and the interests of taxing agencies and revenue districts, providing a procedure therefor, and the effect thereof, terminating the right of redemption, and declaring the urgency hereof, to take effect immediately;

Assembly Joint Resolution No. 50—Relative to memorializing the President, Congress, and various officers of the United States to make funds available for the Corcoran Airport;
And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2182—An act to repeal Section 3085 of the Elections Code relating to signatures to nomination papers;

Assembly Bill No. 2568—An act to amend Sections 883 and 924 of the Fish and Game Code, relating to gill nets and round haul nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3 30 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 376—An act to amend Section 212 of the Agricultural Code, relating to bringing goats into this State;

Assembly Bill No. 790—An act to amend Section 12409 of the Business and Professions Code, relating to bushel weights;

Assembly Bill No. 1031—An act to amend Section 500 of the Vehicle Code, relating to negligent homicide;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1941, at 3 30 p m.

JOHN B KNIGHT, Chairman

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1941

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 309

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

HUGH M BURNS, Chairman

Above reported bill ordered to second reading

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 1716
Senate Bill No. 59
Senate Bill No 480

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1717

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THORP, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 41: By Mr. Middough—Relative to a Joint Committee on California Child Legislation.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 42: By Mr. Voigt—Creating a Joint Legislative Committee designated the California Legislative Council, and defining its powers and duties.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 128
Assembly Bill No. 163

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 785
Assembly Bill No. 787
Assembly Bill No. 791
Assembly Bill No. 793
Assembly Bill No. 1220
Assembly Bill No. 1473
Assembly Bill No. 1475

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13 16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 25

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 189
Senate Bill No. 151
Senate Bill No. 298
Senate Bill No. 563
Senate Bill No. 691
Senate Bill No. 824
Senate Bill No. 963
Senate Bill No. 1035

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 189—An act to amend Section 750 of the Vehicle Code, relating to color of uniforms and vehicles of enforcement officers.

Referred to Committee on Motor Vehicles.

Senate Bill No. 151—An act to create a Department of Corrections to administer the penal system of this State, to transfer to it certain correctional institutions and the functions of the Board of Prison Terms and Paroles, and to repeal acts and parts of acts specified herein.

Referred to Committee on Judiciary General.

Senate Bill No. 298—An act to amend Sections 103, 112 and 113 and to repeal Sections 109 and 114 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 536—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural commodities, and providing for production adjustment payments.

Referred to Committee on Agriculture.

Senate Bill No. 691—An act to amend Section 48 of the California Irrigation District Act, relating to irrigation district assessments and land sold or deeded or both for delinquency therefor.

Referred to Committee on Irrigation.

Senate Bill No. 824—An act to amend Sections 51a, 51c, 51g and 52 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Senate Bill No. 963—An act to amend Section 5502 of, and to add Sections 5500 1 and 5502 5 to the Welfare and Institutions Code, relating to sexual psychopaths

Referred to Committee on Judiciary Codes.

Senate Bill No. 1035—An act to add Section 158.5 to the Welfare and Institutions Code, relating to officers and employees at State institutions.

Referred to Committee on Social Service and Welfare.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 407.
Assembly Bill No. 1820.
Assembly Bill No. 1480.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2538.
Assembly Bill No. 1078.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1514 re-referred to Committee on Insurance.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Poole, Kilpatrick and Knight, John B., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Louis H. Rusga of Los Angeles.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. P. Hale of Venice, A. L. Carney of Bellflower and R. L. Isitt of Hollywood.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Arnold of Williams.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Barbara Stafford, teacher, and the following students of Granite School, Folsom: William Smith, Gerry Landrum, Lyelle Landrum, Harold Rhyne, William Wahr, George Goodell, Ted Castro, Wendell Van Winkle, Donald Brekke, Leroy Conley, Charles Gallagher, Robert Walden, Garland Potter, Phyllis Garvey, Norvin Kyburz, Philip Armstrong, Jessie Cavitt, Garno Martin, Louise Vincent, Doris Landrum, Theresa Albertano, Frances Buljan, Francis Mendes, Rose Marie Voss, Marie McKiernan, June Hawes, and Ollie Dudley; also Mrs. J. Cavitt, Mrs. C. Gallagher, Mrs. C. Smith, Mrs. G. Goodell, and Mrs. R. Armstrong.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. R. D. Finnie from Sacramento.

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Noah Batum of Los Angeles.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence of Hollywood.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following Eighth Grade students of Empire Grammar School: Edward Akins, Dorothy Andrews, Hilda Barmettler, Juanita Barrick, Tenabell Bonsack, Anthony Cabral, Carla Carter, John Cotton, Betty Jean Cover, Patricia Crews, Dorothy Cunningham, Neil Cupp, Jimmy Da Braeo,

Selby Dye, Richard French, Luava Fullmer, Carl Harms, Margaret Heisel, Genevieve Irwin, Evelyn Jamison, Norman Johnson, Wilma McCoy, Barbara Miller, Margaret Miranda, Marilyn Monaco, Kathryn Motter, Harry Peters, Allen Porter, Vernadine Richardson, Vern Roberts, Joyce Robirds, Eldon Root, Phyllis Sayre, Erma Schutte, La June Smith, Ada Mae Walters, Kenneth Weimer, Loren Welsh, Richard Wood, James Yamasaki, Harry York, Raymond York and Randell Young; also Mrs Domecq, Mrs. Goodwill, Mrs. Vosburg, and Mr. Duane Vosburg.

ADJOURNMENT

At 5.55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 1 p.m., Thursday, May 8, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 8, 1941

The Assembly met at 1 p.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Mr. Speaker—50

Quorum present

PRAYER

On invitation of the Speaker, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Miss Miller.

COMMUNICATIONS

The following petition was received, and on motion of Mr. Tenney, ordered printed in the Journal:

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 13,000 names from your respective districts, protesting against the passage of Senate Bill No. 877. These names with others previously printed in the Assembly Journal aggregate approximately 30,000 names protesting the passage of Senate Bill No. 877.

The following is the tabulation of the appended names:

	District	Names
Everett G. Burkhalter	42	842
C. Don Field	43	1133
John Pelletier	44	871
Tom J. Doyle	45	465
Jack B. Tenney	46	946
Eleanor Miller	47	250
T. Fenton Knight	48	85
Lee T. Bashore	49	431
Gerald C. Kepple	50	651
F. Ray Bennett	51	940
Wm. H. Poole	52	1956
Frederick F. Houser	53	685
John B. Knight	54	472
Vernon Kilpatrick	55	678
Norris Poulson	56	138
Franklin J. Potter	57	1178
Frank J. Waters	58	560
Chas. W. Lyon	59	381
Jesse R. Kellems	60	319
Ernest O. Voigt	61	1350
Augustus Hawkins	62	627
Don A. Allen	63	654
Roger A. Pfaff	64	715
John W. Evans	65	861
Jack Masson	66	1266
Cecil R. King	67	1103
Vincent Thomas	68	708
Ralph C. Dills	69	1397
Lorne D. Middough	70	1830
Fred N. Howser	71	543
Godfrey A. Andreas	72	445
Frank C. Russell	73	294
C. A. Watson	74	168
Sam L. Collins	75	116
Nelson S. Dilworth	76	467
H. E. Hastain	77	62
Jeanette E. Daley	78	34
Paul Richie	79	12
Chas. Stream	80	9

To the Honorable Assembly Body of the State of California

We, the undersigned, members of organized labor and their friends, do petition you not to pass Senate Bill 877, commonly known as the "Secondary Boycott Bill."

DEWEY E. LADD AND 13,000 OTHERS

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1800

And reports the same correctly re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1621

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR SPEAKER. Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No 609
Assembly Bill No. 2465
Assembly Bill No. 2470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DALEY, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER. Your Committee on Education, to which was referred:

Assembly Bill No 2096

Has had the same under consideration and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 1554
Assembly Bill No. 1876

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TURNER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 2478

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 518
Assembly Bill No. 157
Assembly Bill No. 242
Assembly Bill No. 2158
Assembly Bill No. 389
Assembly Bill No. 2611
Assembly Bill No. 210
Assembly Bill No. 757
Assembly Bill No. 660
Assembly Bill No. 2208
Assembly Bill No. 1913
Senate Bill No. 256
Senate Bill No. 188

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1758
Assembly Bill No. 2605
Senate Bill No. 306

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 540
Assembly Bill No. 1027
Assembly Bill No. 2120
Assembly Concurrent Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 943
Assembly Bill No. 945
Assembly Bill No. 2112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1173

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 542
Senate Bill No. 1307
Senate Bill No. 788
Senate Bill No. 221
Senate Bill No. 269

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER. Your Committee on Unemployment, to which were referred:

Assembly Bill No 1217
Senate Bill No 92

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

T. FENTON KNIGHT, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR SPEAKER. Your Committee on County Government, to which were referred.

Senate Bill No 230
Senate Bill No. 424
Senate Bill No 500
Assembly Bill No 13
Senate Bill No. 696
Senate Bill No. 861
Senate Bill No 1321
Senate Bill No. 1328

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER. Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 677
Assembly Bill No. 301
Assembly Bill No. 278

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR. SPEAKER. Your Committee on Judiciary General, to which were referred:

Assembly Bill No 1448
Assembly Bill No. 1152
Assembly Bill No. 187
Senate Bill No 458
Senate Bill No 803
Senate Bill No. 666
Senate Bill No 820

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 1639
Assembly Bill No. 355
Senate Bill No 235

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

TENNEY, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 8, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS. Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the seventh day of May, 1941, at 11.15 p.m. Assembly Bill No 1583 was returned without my signature and, together with

a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 7, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1583, entitled: "An act to amend Section 155 of the State Civil Service Act, relating to reinstatements."

My objections to this bill are as follows:

Section 155 of the State Civil Service Act now provides that the Personnel Board, on the request of an appointing power, may approve the reinstatement within three years of any person having probationary or permanent status who is separated from his position through resignation without fault or delinquency on his part, if within that time there is need for his services in a position in the class from which the employee was separated or in a position in another class having substantially similar duties, responsibilities, and qualifications, and substantially the same salary range. The amendment made by this bill is that the board may also approve the reinstatement of any person who has applied therefor within three years subsequent to the adoption of Article XXIV of the Constitution of this State, if such person makes reapplication therefor and if at the time of reinstatement there is need for his services in a position in the class from which the employee was separated or in a position in another class having substantially similar duties, responsibilities and qualifications, and substantially the same salary range, but the amendment does not provide that the reinstatement may be made only on the request of the appointing power, nor does it provide that the applicant must have been separated from his position through resignation "without fault or delinquency on his part." I see no reason why these same provisions in the existing law should not be included in the amendment. The same rule should apply to all applicants for reinstatement.

Respectfully submitted

CULBERT L. OLSON, Governor of California

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1583—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 1583 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Waters, Watson, Welch, and Mr. Speaker—50

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 74—An act to add Chapter 4, comprising Sections 440 to 446, to Division 3 of the Agricultural Code, relating to the buying and selling of horses and mules, and the regulation thereof.

Bill read second time, and ordered to third reading.

Assembly Bill No. 678—An act to add a new section to the Civil Code to be numbered 955, relating to the assignment of accounts receivable and conditional contracts of sale.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2129—An act to repeal Section 55.8 of the Alcoholic Beverage Control Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2447—An act to amend Section 653.16 of the Civil Code, relating to cooperative corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1591—An act to amend the act entitled "District Investigation Act of 1933," relating to sanitary and sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "giving", and insert "given".

Amendment No. 2

On page 1, lines 17, 18 and 19, of the printed bill, strike out "; and the actual assessment thereafter made therein shall be subject to the debt limitation provisions of Section 10 hereof", and insert ", that the proposed project is feasible, and the properties to be assessed will be able to carry the burden of such proposed assessments, and that the limitations on the amount of the assessments herein provided may be dispensed with."

Amendment No. 3

On page 1 of the printed bill, after the period in line 20, insert "The findings and determinations herein provided shall be final and conclusive upon all persons in the absence of actual fraud."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1593—An act to amend the act entitled "Special Assessment Investigation Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "instituting", and insert "in which"

Amendment No. 2

On page 1, line 7, of the printed bill, after "proceedings", insert "are instituted".

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "thereof", and insert "conducting said proceedings".

Amendment No. 4

On page 1, lines 17, 18 and 19, of the printed bill, strike out "; and the actual assessment thereafter made therein shall be subject to the debt limitation provisions of Section 10 hereof", and insert ", that the proposed project is feasible, that the properties to be assessed will be able to carry the burden of such proposed assessments, and that the limitations on the amount of the assessments therein provided may be dispensed with"

Amendment No. 5

On page 1 of the printed bill, after the period in line 20, insert "The findings and determinations herein provided shall be final and conclusive upon all persons in the absence of actual fraud".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1984—An act to add Section 820.5 to the Streets and Highways Code, relating to cooperation with the United States in connection with right of ways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "820.5", and insert "104.9".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "relating to deeds and other evidences of title in connec-"

Amendment No. 3

In line 3 of the title of the printed bill, strike out the period, and insert "and other property necessary for highway purposes."

Amendment No. 4

On page 1, line 2, of the printed bill, strike out "820.5", and insert "104.9".

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 27, inclusive, and insert "104.9. None of the deeds, conveyances or other evidences of title to or interests in real property acquired by the department under the provisions of this code for highway purposes, need be recorded by the Secretary of State."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "736.11,".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 10 to 12, inclusive, and insert a period.

Amendment No. 3

On page 6 of the printed bill, as amended, strike out lines 6 and 7, and insert "(6) The purchasing, processing, bottling, transporting, deliver-".

Amendment No. 4

On page 6 of the printed bill, as amended, strike out lines 16 to 23, inclusive, and insert

"(7) The payment of a lesser price by a distributor to any producer for fluid milk or fluid cream which is distributed to any person, including agencies of the Federal, State or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk or fluid cream for said marketing area."

Amendment No. 5

On page 8 of the printed bill, as amended, between lines 5 and 6, insert

"(f) Provision whereby sales stimulation or consumer educational programs may be formulated and administered to increase the consumption of fluid milk and fluid cream, or other dairy products, provided, that such programs shall be carried on without reference to a particular brand or trade name; and provided further, that no such sales stimulation or consumer educational program shall be carried on which shall make use of false or unwarranted claims on behalf of such products or which disparages the quality, value, sale or use of any fluid milk or fluid cream or any other agricultural commodity authorized by law to be marketed within such marketing area

Before any stabilization and marketing plan may provide for sales stimulation and consumer educational programs, not less than 65 per cent of the producers and who produce not less than 65 per cent of the total volume of fluid milk consumed in any marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan. If such a program is requested by distributors it shall be necessary that not less than 65 per cent of the total number of distributors and who distribute not less than 65 per cent of the total volume of fluid milk for consumption in the marketing area shall petition the director in writing for the inclusion of such a program as part of the stabilization and marketing plan.

The petition shall bear the signatures of petitioners, their addresses and the approximate daily volume of fluid milk handled in gallons and milk-fat pounds and the type of product distributed, together with the estimated cost of the program each month and the number of months the program is to continue in operation.

A sales stimulation and consumer educational program instituted by producers shall be financed by all producers supplying fluid milk to the marketing area. Such program, if instituted by distributors, shall be financed by all distributors supplying fluid milk to the marketing area. If such program is instituted by both producers and distributors, both producers and distributors shall finance the program equally.

If the program is instituted by producers the director is hereby empowered to require producers to pay assessments of not more than one-fifth of one cent per pound milk fat, or if the program is instituted upon a gallonage basis not more than three-fifths of one cent for each 10 gallons of fluid milk received by distributors, including the production of distributors who are also producers.

If the program is instituted by distributors the director is hereby empowered to require distributors to pay assessments of not more than one-fifth of one cent per pound milk fat, or if the program is instituted upon a gallonage basis not more than three-fifths of one cent for each 10 gallons of fluid milk received by distributors, including the production of distributors who are also producers

If the program is instituted by both producers and distributors the director is hereby empowered to require both producers and distributors to pay assessments for the purpose of providing funds for formulating, administering and carrying on such program The assessments to be paid by distributors shall not exceed one-fifth of one cent per pound milk fat, or if the program is instituted upon a gallonage basis not more than three-fifths of one cent for each 10 gallons of fluid milk received by distributors including the production of distributors who are likewise producers. Assessments of not more than one-fifth of one cent per pound milk fat, or if the program is instituted upon a gallonage basis, not more than three-fifths of one cent for each 10 gallons of fluid milk produced by producers and received by distributors, shall likewise be paid by producers In no instance shall the combined assessments exceed two-fifths of one cent per pound milk fat, or if the program is instituted upon a gallonage basis not more than one and one-fifth cents for each 10 gallons of fluid milk received from producers and processed by distributors for distribution in the marketing area in the form of whole milk, fluid cream, or manufactured dairy products derived from fluid milk

Before a program may be instituted a public hearing shall be called by the director, the procedure for which public hearing is to be the same as that required for the institution of a stabilization and marketing plan for fluid milk At such public hearing testimony and evidence shall be taken to determine the necessity of such a program, the estimated costs of the program, the time during which the program is to be continued, and such other matters as are necessary in the institution of the program

If, after public hearing and consideration of the testimony and evidence presented at said hearing, the director finds that a sales stimulation and consumer educational program will tend to effectuate the purposes of this chapter, he shall issue an order making effective such program Such order shall state the number of months the program shall continue in operation, the rate of assessment per pound milk fat or per gallon to be paid by those petitioning for the program, the names, addresses and business locations of the persons appointed to administer the program and such order may contain other provisions which are necessary and incidental to the operation of the program

The person named in the order to administer the program shall be selected by the director in the following manner and in the following number·

(a) If the program was instituted by producers the director shall name five representative producers from nominations made at the public hearing by the petitioners

(b) If the program was instituted by distributors the director shall name five representative distributors from nominations made at the public hearing by the petitioners

(c) If the program was instituted by both producers and distributors the director shall name three representative producers from nominations made at the public hearing by the petitioning producers and three representative distributors from nominations made at the public hearing by petitioning distributors.

(d) Distributors who are also producers shall be eligible to nomination for service on, and may be named by the director to serve on the committee to administer any program for which they will be required to pay assessments, and at least one of the persons named by the director to serve on any committee to administer any program for which distributors who are also producers will be required to pay assessments shall be a distributor who is also a producer.

All programs shall be administered by the persons named in the order of the director making the program effective, and shall be administered subject to the approval of the director.

All amounts required to be paid to the director under this section by producers or distributors shall be paid to such director on or before the fifteenth day of the month following the month during which such fluid milk was received by distributors and all distributors receiving milk from producers in any area where the provisions of this section are in effect whereby the director is empowered to require payments from producers shall deduct and pay to the director such payments provided for under this section from the payments due for such distributors to such producers for fluid milk

Upon the termination of any program, if there are any obligations arising thereunder, the final accrual or ascertainment of which requires further acts by any producer or distributor or by the persons appointed to administer the program or by the director, the power or duty to perform such further acts shall continue, notwithstanding such termination.

All moneys received by the director pursuant to this section shall be deposited in the Department of Agriculture Fund in the State Treasury allocated to each separate marketing area from which they are allocated and disbursed only for the purposes specified subject to the approval of the director.

Any money received by the director in excess of the amount required for any program shall be returned at such time as the director may determine on a pro rata basis to the persons from whom such funds were collected."

Amendment No. 6

On page 8 of the printed bill, as amended, strike out lines 6 to 51, inclusive; and on page 9, strike out lines 1 to 8, inclusive

Amendment No. 7

On page 14 of the printed bill, as amended, after line 16, insert

"SEC. 10. If any article, section, subsection, sentence, clause or phrase of any provision of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining provisions of said act. The Legislature hereby declares that it would have enacted each article, section, subsection, sentence, clause or phrase of said act irrespective of the fact that one or more other articles, sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment No. 8

On page 3 of the printed bill, as amended, strike out all of lines 23 to 45, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on State Grounds and Parks:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on April 30, 1941, strike out "attorneys,".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1724—An act to amend the title of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," and to amend Section 28 of said act, relating to the dissolution of such districts, and to add a new Section 30 to said act, relating to cooperative contracts with the United States, and to add thereto, new Sections 31, 32 and 33, relating to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors other than taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 4, line 9, of the printed bill, as amended, strike out "4".

Amendment No. 2

On page 5, line 44, of the printed bill, as amended, insert a period after "section"; strike out the comma and the remainder of the line; and strike out lines 45, 46 and 47, and insert

"Notwithstanding anything to the contrary in this section contained, the provisions of this section are limited to municipal utility districts organized and existing prior to the effective date of this section and may be resorted to and utilized by such districts solely for the purposes of: First, acquiring or constructing, or acquiring and constructing works or parts of works within or without, or partly within and partly without the district for the purpose of obtaining the delivery of electric energy to electric substations or lines, or substations and lines, which may be owned or operated or owned and operated by such district; and second, carrying out any contract or contracts convenient or necessary to the purchase by such districts of electric energy."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1596—An act to amend Section 6541.5 of the Health and Safety Code, relating to special assessment proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 4774 and 6544 to,"

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 4774 is hereby added to the Health and Safety Code, to read as follows:

4774. The improvements authorized to be constructed or acquired under this article are restricted to those permitted to be constructed or acquired by such districts under Article 4 of this chapter

SEC. 2. Section 6541.5 of said code".

Amendment No. 3

On page 1 of the printed bill, after line 5, insert

"SEC. 3. Section 6544 is hereby added to said code, to read as follows:

6544. The improvements authorized to be constructed or acquired by this article are restricted to those permitted to be constructed or acquired by such districts under Article 1 of this chapter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1595—An act to amend Sections 6, 14 and 20 of the act entitled "District Investigation Act of 1933," relating to the investigation reports and debt limitations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 6, 10, 14, 15, 16 and 20, and to add Sections 24, 25 and 26 to an act entitled".

Amendment No. 2

On pages 1 to 4, inclusive, of the printed bill, strike out beginning with line 1, page 1, to and including page 4, line 22, and insert

"SECTION 1. Section 6 of the act cited in the title is hereby amended to read as follows:

Sec. 6. In addition to such matters as may be required by the supervisory body, the following information must be included in the report:

(a) A map or maps showing the boundaries of the proposed district, the general nature, location and extent of the proposed project, and the lands to be assessed or taxed to pay any part of the cost thereof,

(b) All essential data as to the needs of present and estimated future population, in regard to the proposed project;

(c) Economic factors involved in the proposed project,

(d) Preliminary plans showing the nature, type and arrangement of all facilities to be constructed, together with general specifications and itemized estimates of cost based upon such plans,

(e) The total estimated itemized cost of any alternative method of procedure recommended for obtaining the same desired general purpose showing the advantages and disadvantages of each of such alternatives;

[(f) The assessed valuation of each parcel of land to be separately assessed or taxed, as shown on the last equalized county assessment roll, and the total assessed valuation of such lands. If the assessed valuation of any such parcel of land is not separately shown upon the county assessment roll, an estimated assessed valuation of such parcel shall be made by the county assessor and such estimate, for the purpose of this act, shall be considered the assessed value of such parcel of land.

(g) The total assessed value of improvements on such lands as shown by the last equalized county assessment roll.

(h) The total true value of said lands;

(i) The true value of each parcel of said lands;

(j) An itemized statement of all unpaid special assessments or taxes, exclusive of interest and penalties, and of any assessment or taxes for payment of interest on or principal of bonds issued therefor, which have been theretofore levied, all separately stated as to each parcel of land within the proposed district; and the

total amount of such unpaid assessments or taxes upon all lands in the proposed district;

(k) An itemized estimated statement of all assessments or taxes which will be thereafter levied upon each parcel of land within the proposed district to pay the principal and interest on bonds theretofore issued, and the total estimated amount of such assessments or taxes upon all such lands. Such estimate shall be apportioned, as nearly as possible, according to the assessed value of such lands as shown by the last equalized county assessment roll. If the bonds were issued against a district divided into zones, the estimate shall also be apportioned, as nearly as possible, according to the percentages of such zones;

(l) An estimated itemized statement of all assessments and taxes for any project theretofore initiated or completed, whether levied in one lump sum or levied annually in proportion to the assessed value of the lands for the purpose of general taxation, which will be levied upon each parcel of land within the proposed district, but for which no assessment or tax has been levied; and the total amount of such estimated assessments and taxes upon all lands within the proposed district;

(m) An itemized statement of all unpaid tax liens upon any parcel of land and total estimated amount of all such unpaid taxes,

(n) An itemized statement of all other bonds and interest thereon for which the property within the proposed district is subject to taxation or assessment, and the aggregate amount of such bonds and interest;

(o) The estimated amount of the assessments or taxes for the proposed project which will be levied upon each parcel of land situated within the proposed district, and the total amount of all such assessments or taxes on all such lands. If the assessment or tax is to be made in proportion to the assessed value of lands for the purpose of general taxation, then the basis for the computation of the assessment of each parcel shall be the assessed value of such lands as shown by the last equalized assessment roll of the county wherein such land is situate, proportioned to the total assessed value of land in the district, and the total estimated cost of the proposed project. If the district is to be divided into zones, such zones and percentages thereof shall be shown on a district map and such estimated assessment shall be proportioned according to such zones and percentages;]

(f) An itemized estimated statement of each of the following matters as to each parcel of real property within the proposed district, stated in a separate column as to each of said matters, and the total estimated amount of each of said matters as to all of said properties within said district, to wit:

(1) The assessed value of land, as shown on the last equalized assessment roll. If such value of any parcel is not shown upon said roll the assessor who made said roll shall estimate the assessed value thereof, and such estimate shall be controlling for the purpose of this report.

(2) The assessed value of the improvements on said lands, as shown on said roll, or such estimate thereof when not shown thereon.

(3) The true value of such real property, computed as herein provided.

(4) All unpaid matured special assessments, and all unpaid matured special assessments and special assessment taxes, exclusive of penalties, costs or interest, to pay any bonds and interest coupons theretofore issued.

(5) All special assessments and special assessment taxes not yet due and payable, which will be thereafter levied to pay any bonds and interest coupons theretofore issued. Where said amounts constitute specific liens, the amounts thereof shall be tabulated from the records showing same. In all other instances, such amounts shall be apportioned in the manner set forth in the act pursuant to which they were provided to be levied.

(6) The estimated cost of all projects theretofore initiated or completed, for which special assessments or special assessment taxes will thereafter be levied, but as to which no part of the cost has yet been assessed or taxed. Where there is a record of the estimated cost of such project, the amount thereof shall be used. In all other instances such cost shall be estimated by the person making the report.

(7) All taxes thereafter to be levied to pay all outstanding unmatured general obligation bonds and interest coupons for which no levy has been theretofore made. Said report shall contain a tabulated estimate of such liability, designating each particular bond issue, the corporate entity issuing same, the total outstanding unmatured amount of said bonds, an estimate of the amount to be levied for unmatured interest coupons thereon, for which no levy has been made, and the portion of the total thereof for which any of the properties in the district are liable.

(8) All other unpaid tax liens not otherwise herein provided for, exclusive of penalties, costs and interest thereon, which have been theretofore levied, including levies to pay any outstanding matured or unmatured general obligation bonds or interest coupons thereon.

(9) The estimated cost of the proposed project. The report shall contain an itemized estimate of such cost, together with a brief explanation of the manner in which it is apportioned therein between the several parcels of property within the proposed district.

[(p) The land to be taxed or assessed which is on the latest county delinquent list;

(q)] *(g)* A brief summary of the essential facts of the report in a concise, understandable form.

SEC 2. Section 10 of said act is hereby amended to read as follows.

Sec. 10. The notice of the hearing shall.

(a) State the name and nature of the district and the title of the act under which the district is being formed;

(b) State that a report has been filed with the supervisory body concerning the advisability of forming the proposed district and that the report is available for inspection at the office of the clerk of said body;

(c) Designate the boundaries of the proposed district, *which may be by reference to said report,*

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the body organizing the district;

(f) Set out the summary of the report as required by Section 6, paragraph [q] *(g)*, of this act.

(g) In mailed notices a further statement that land in which the person addressed is interested *within the proposed district* may be assessed or taxed for the proposed project *in the event said district is formed.*

SEC. 3. Section 14 of said act is hereby amended to read as follows

Sec. 14. The proceedings shall terminate or be so modified that the amount to be assessed or levied for the cost of the *proposed* project will be less than the limits herein established, if the report shows.

(a) [That the total amount of assessments or taxes for the proposed project as estimated in paragraph (e) of Section 6 of this act, upon any parcel or parcels of land in the proposed district, when added to the total amount of all assessments and taxes thereon, as estimated in paragraphs (j), (k), (*l*), and (n) of Section 6 of this act, will exceed one-half of the true value of any such parcel or parcels of land, whose assessed value, separately or in the aggregate, exceeds 5 per cent of the total assessed value of all lands within the proposed district computed on the last equalized county assessment roll] *That the total amount of assessments and taxes and proposed assessments and taxes, as estimated under Subdivisions (4) to (9) inclusive of part (f) of Section 6 of this act, upon any parcel or parcels of real property in the proposed district, will exceed one-third of the assessed value of such parcel or parcels of property whose assessed value, separately or in the aggregate, exceeds 5 per cent of the total assessed value of all real property within the proposed district;*

(b) [That the total amount of assessments or taxes for the proposed project as estimated in paragraph (o) of Section 6 of this act, upon all the land of the district, when added to the total amount of all assessments and taxes on land within the district, as estimated in paragraphs (j), (k), (*l*), and (n) of Section 6 of this act, will exceed one-half of the true value of all the lands included in the proposed district] *That the total amount of assessments and taxes and proposed assessments and taxes, as estimated under Subdivisions (4) to (9) inclusive of part (f) of Section 6 of this act, upon all the real property within the district, will exceed one-third the true value of all the real property within the proposed district.*

SEC. 4. Section 15 of said act is hereby amended to read as follows:

Sec. 15. *Notwithstanding anything in this act contained, if the legislative body conducting the proceedings, after the report provided for herein has been filed and considered, shall find by four-fifths vote of all members thereof entered upon its minutes that the proposed project is feasible and that the properties to be assessed will be able to carry the burden of such proposed assessment or tax, the limitation on the amount of the assessments or taxes herein provided may be exceeded and dispensed with both with respect to the limitations named with reference to the district as a whole and as to the limitations respecting an individual parcel or group of parcels. In the event of such finding by said legislative body, then the limitations provided in subdivisions (a) and (b) of Section 14 shall not apply. A finding and determination by such legislative body that the limitation of the assessments or taxes herein provided may be exceeded or dispensed with shall, when made, be final and conclusive upon all persons in the absence of actual fraud.*

SEC. 5. Section 16 of said act is hereby amended to read as follows:

Sec. 16. Said proceedings shall also terminate if prior to the time it is determined that the district shall be formed, written protests against the formation of the district are filed with the clerk of the supervising authority by owners of a majority of the property subject to assessment for district purposes, computed according to the assessed value of same as appearing on the last equalized county assessment roll.

SEC 6 Section 20 of said act is hereby amended to read as follows

Sec 20. If the actual cost of [any] *the* project *set out in the report* shall exceed the total estimated cost of [the] *said* project as [set out] *stated* in [the] *said* report by more than 10 per cent of such estimated cost, no part of the excess over said 10 per cent shall be assessed or taxed upon [lands] *properties* within the district, *unless the supervisory body of the entity which formed said district shall first make the finding provided in Section 15 hereof.*

SEC 7 A new section is hereby added to said act, numbered and to read as follows:

Sec 24 This act shall not apply to proceedings for the formation of a sanitary or sanitation district when such proceedings have been recommended by the health officer of the county instituting such proceedings as necessary as a health measure, given in writing and spread upon the minutes of the legislative body thereof, and such necessity is found to exist by resolution adopted by the affirmative vote of four-fifths of the members thereof; provided, however, that before adopting the resolution or ordinance of intention to make such improvement, said legislative body shall also find by resolution adopted by four-fifths vote of its members, that in its opinion the contemplated acquisition and/or improvement is one in which the probable assessments will not exceed the limitations set up in this act, that the proposed project is feasible, that the properties to be assessed will be able to carry the burden of such proposed assessments, and that the limitations on the amount of the assessments herein provided may be dispensed with; provided, further, that the majority protest provisions hereof shall apply The findings and determinations herein provided shall be final and conclusive upon all persons in the absence of actual fraud

SEC 8. A new section is hereby added to said act, numbered and to read as follows.

Sec 25. This act shall be liberally construed in order to effectuate its purposes.

SEC 9. A new section is hereby added to said act, numbered and to read as follows:

Sec. 26 Any action, suit or proceedings of any kind or nature in which the validity of any proceedings taken under the provisions of this act is questioned or attacked shall be commenced within 30 days after the adoption of the resolution or ordinance finally acting on the investigation report, and in case such action is not brought within said 30 days, then thereafter all persons whatsoever shall be barred in any action, suit or proceedings from pleading asserting or claiming that any of the proceedings under this act were defective, faulty or invalid in any respect."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1594—An act to amend Sections 13 and 14 and to add Section 13b to the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to waiver of report, limitation of sections, and costs on abandonment

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after the word "sections", insert "2802, 2804, 2820, 2904, 2905,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out ", 3010".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "ion", and insert "ions 2809 and".

Amendment No. 4

On page 2 of the printed bill, after line 7, insert

"SECTION 1 Section 2802 of the act cited in the title is hereby amended to read as follows:

2802 As used in this division, "assessment roll" or "taxation assessment roll" when used with reference to a county, *or district or other public corporation,* means the taxation assessment roll of the county, and when used with reference to a city means the assessment roll of the county in which the city is located unless a correction factor is established for the purpose of determining true value as provided for in Part 8, in which event those terms mean the taxation assessment rolls of the city.

SEC. 2 Section 2804 of said act is hereby amended to read as follows:

2804. This division shall not apply to any [flood control, irrigation, reclamation, sanitary, sanitation or other district organized or incorporated under the laws of

this State where such district constitutes a public or municipal corporation] *proceeding otherwise subject hereto when one or more of the following situations exist: (1) when the proceedings are undertaken by a district or public corporation within one year of its incorporation, and the proposed improvements are substantially described in an investigation proceeding had under the District Investigation Act of 1933 for the incorporation of said district or public corporation; or (2) when said improvement proceedings are by a charter city, and said city has complied with the provisions of Section 17 of Article XIII of the Constitution; or (3) when all of the owners of more than 80 per cent in area of the property subject to assessment for said proposed improvement have signed and filed with the clerk or secretary of the legislative body undertaking said proceedings a written petition for said improvements and waiver of said investigation proceedings. The words "substantially described" as used herein shall be deemed to mean that additional improvements of the same or similar nature may not be provided unless the estimated cost thereof shall not exceed 10 per cent of the estimated cost of the improvements provided in said former report.*

SEC 3. A new section is hereby added to the Streets and Highways Code, to read as follows:

2809. As used in this division "legislative body" shall include the governing body of any district or other public corporation authorized by law to construct such public improvements

SEC 4 Section 2820 of said act is hereby amended to read as follows:

2820. Before any *final* ordinance or resolution [of intention] may be adopted[, or other initial action prescribed by any law of this State taken] by the legislative body of any county, [or] city, *district or other public corporation*, for *ordering* the construction of any public improvement or the acquisition of any property for public use where the cost of such construction or acquisition is to be paid in whole or in part by special assessments or through special assessment taxes upon lands, the proceedings required by this division shall be taken.

SEC. 5. Section 2904 of the Streets and Highways Code is hereby amended to read as follows.

2904. Whenever an improvement contract has been awarded, the county or city *or district or other public corporation*, the legislative body of which is conducting the proceeding, shall, if the actual cost of the improvement, including incidental expenses, exceeds the amount that may be specially assessed upon benefited property, pay such excess cost from the general or any fund available and the balance shall be specially assessed under the statute under which the proceeding is conducted.

If the property to be specially assessed is within the jurisdiction of more than one legislative body and consents to such proceeding have been given by all the legislative bodies having jurisdiction, any such legislative body whose consent has been so given may appropriate all or any part of such excess cost from any available funds under its control, and may pay the amount so appropriated into the treasury of the county or city *or district or other public corporation* whose legislative body has jurisdiction over the proceeding to be applied in payment of such excess.

SEC 6. Section 2905 of the Streets and Highways Code is hereby amended to read as follows.

2905. Notwithstanding anything in this division, if the legislative body conducting the proceedings, after the report or reports provided for in this division have been filed and considered and prior to the *final* adoption of the ordinance or resolution [of intention] *ordering the improvement*, finds by a four-fifths vote of all members thereof entered upon its minutes that the proposed project is feasible and that the lands to be assessed will be able to carry the burden of such proposed assessment, the limitations on the amounts of assessments provided for in this part may be disregarded, both with respect to the limitation on the district as a whole and as to the limitation on individual specific assessments. If the legislative body makes such a finding none of the limitations upon the amounts of assessments contained in this division shall thereafter apply to any assessment or assessment proceedings thereafter had or taken However, if at the hearing on the report protests in writing are filed as provided in Section 2856 by the owners (as defined in the law under which the acquisition or improvement proceedings are to be taken) of a majority in area of the lands to be assessed, such limitations shall not be exceeded A finding and determination by the legislative body that the limitation on assessments herein provided may be disregarded shall be final and conclusive upon all persons in the absence of actual fraud."

Amendment No. 5

On page 2, line 8, of the printed bill, strike out "1", and insert "7".

Amendment No. 6

On page 4, line 34, of the printed bill, strike out "2", and insert "8".

Amendment No. 7

On page 5, line 8, of the printed bill, strike out "3", and insert "9".

Amendment No. 8

On page 5, lines 14 and 15, of the printed bill, strike out "or city and county", and insert ", district or other public corporation".

Amendment No. 9

On page 5, line 16, of the printed bill, strike out "4", and insert "10".

Amendment No. 10

On page 5, line 20, of the printed bill, strike out "act", and insert "division".

Amendment No. 11

On page 5, line 22, of the printed bill, strike out "and publication".

Amendment No. 12

On page 5, lines 23 and 24, of the printed bill, strike out "of intention to order the acquisition and/or improvement", and insert "finally acting on said investigation report".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, preceding the period, insert "by the Division of Parks, and for the development and protection of public beaches owned by counties or municipalities where the Division of Parks determines that such development and protection is a matter of general public and State interest and concern".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after the period, insert "No portion of this appropriation shall be expended in any county which has not adopted a master plan of beaches for that county, which plan shall provide for the acquisition, development, and control of ocean beaches in such county."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1717—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 736.1", and insert "Sections 736.1 and 736.11".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, after "the", insert "stabilization and".

Amendment No. 3

On page 3 of the printed bill, as amended, after line 9, insert

"SEC. 2. Section 736.11 of the Agricultural Code is hereby amended to read as follows:

736.11 The director shall, as soon as possible, after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing.

(a) Minimum wholesale prices which, as used herein, shall mean prices at which fluid milk or fluid cream or both *or any combination of fluid milk and fluid cream containing a milk fat content in excess of 6.0 per cent and less than the minimum statutory requirements for fluid cream shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream* shall be sold by distributors to retail stores, restaurants, confectioneries and other places for consumption on the premises but excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributors [; and], *and also shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to other distributors, provided, however, that such interdistributor prices may differ from minimum prices for other types or methods of wholesale distribution.*

(b) Minimum retail prices which, as used herein, shall mean prices at which fluid milk or fluid cream, or both, *or any combination of fluid milk and fluid cream containing a milk fat content in excess of 6.0 per cent and less than the minimum statutory requirements for cream,* shall be sold by distributors and retail stores to consumers.

At [the] *any* time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of Section 736.12.

In all marketing areas wherein a stabilization and marketing plan now or hereafter designates or prescribes, or provides methods for designating or prescribing prices for Class 2 fluid milk or for fluid cream, sold or used for consumption as cream, the director shall designate or prescribe, or provide methods for designating or prescribing minimum wholesale prices and minimum retail prices for cream sold for consumption as such.

The director shall in making effective any stabilization and marketing plan for fluid cream, correlate the price to producers for fluid cream to the cost of distributors of cream obtained from Class 2 fluid milk taking into consideration the value of skim milk obtained by separation of Class 2 fluid milk, transportation charges and other factors entering into the production of fluid cream and cream obtained from Class 2 fluid milk."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 309—An act declaring all buildings and places nuisances wherein or upon which any of the acts which are offenses under Section 337a of the Penal Code, relating to pool-selling and book-making, are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 6 of the title of the printed bill, after "nuisances", insert "and amending Section 337a of, and adding Section 337g to, the Penal Code, relating to gaming and gambling by pool-selling, book-making, bets and wagers, and providing the punishment for the violation thereof".

Amendment No. 2

On page 1, line 1, of the printed bill, after "in", insert "the first 10 sections of".

Amendment No. 3

On page 3 of the printed bill, after line 37, insert

"SEC. 11. Section 337a of the Penal Code is hereby amended to read as follows:

337a. Every person,

1. Who engages in pool-selling or book-making, with or without writing, at any time or place; or

2. Who, whether for gain, hire, reward, or gratuitously, or otherwise, keeps or occupies, for any period of time whatsoever, any room, shed, tenement, tent, booth,

building, float, vessel, place, stand or inclosure, of any kind, or any part thereof, with a book or books, paper or papers, apparatus, device or paraphernalia, for the purpose of recording or registering any bet or bets or any purported bet or bets, or wager or wagers, or any purported wager or wagers, or of selling pools, or purported pools, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

3. Who, whether for gain, hire, reward, or gratuitously, or otherwise, receives, holds, or forwards, or purports or pretends to receive, hold, or forward, in any manner whatsoever, any money, thing or consideration of value, or the equivalent or memorandum thereof, staked, pledged, bet or wagered, or to be staked, pledged, bet or wagered, or offered for the purpose of being staked pledged, bet or wagered, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

4. Who, whether for gain, hire, reward, or gratuitously, or otherwise, at any time or place, records, or registers any bet or bets, wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever, or

5. Who, being the owner, lessee or occupant of any room, shed, tenement, tent, booth, building, float, vessel, place, stand, inclosure or grounds, or any part thereof, whether for gain, hire, reward, or gratuitously, or otherwise, permits the same to be used or occupied for any purpose, or in any manner prohibited by Subdivisions 1, 2, 3 or 4 of this section; or

6. Who lays, makes, offers or accepts any bet or bets, or wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus,

Is punishable by imprisonment in the [county jail or] State prison for [a period of] not less than [thirty days] *one year* and not exceeding [one] *10 years*

This section shall apply not only to persons who may commit any of the acts designated in Subdivisions 1 to 6 inclusive of this section, as a business or occupation, but shall also apply to every person or persons who may do in a single instance any one of the acts specified in said Subdivisions 1 to 6 inclusive

SEC. 12. Section 337g is hereby added to the Penal Code, to read as follows

337g. Any corporation, organization, association or person who directly or indirectly knowingly furnishes any telephone, telegraph or other service or information or who uses any telephone, telegraph or other instrument aiding in the commission of any of the acts designated in Subdivisions 1 to 6, inclusive, of Section 337a of the Penal Code is guilty of a felony

This section shall not apply to the transmission of messages solely within the race meeting grounds or inclosure where racing of animals may be lawfully conducted."

Amendment No. 4

On page 2, line 37, of the printed bill, after "property" add a comma, and insert "except property used in rendering public utility services,".

Amendment No. 5

On page 2, line 40, of the printed bill, after "and", insert "may direct".

Amendment No. 6

On page 2, line 43, of the printed bill, after "provided", strike out the period, and insert "; except that such order of abatement, or any judgment for fees, costs and allowances, shall not be directed against the owner or lessee of a building used for residential purposes unless it shall have been established in such action that said owner or lessee was a party to committing the nuisance or that he had personal knowledge thereof and had not taken action to correct or abate said nuisance or to seek the correction or abatement thereof."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1055—An act to add Section 4.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages in satisfaction of liens of warehousemen.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 7 of the printed bill, after "ages", insert "to a licensed wholesaler, and only a licensed wholesaler".

Amendment read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1611—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to sales of beer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In the title of the printed bill, after "6.1", insert "and 49.1".

Amendment No. 2

In line 2 of the title of the printed bill, strike out the period, and insert "and to importations of alcoholic beverages for personal consumption."

Amendment No. 3

At the beginning of line 9 of the printed bill, insert "or".

Amendment No. 4

In line 9 of the printed bill, strike out ", or school".

Amendment No. 5

Add a new section to the printed bill as follows:

"SEC. 2. Section 49.1 is hereby added to the Alcoholic Beverage Control Act to read as follows:

Sec. 49.1. Any person arriving in this State from a foreign country, or territory or possession of the United States, as a passenger on board a ship engaged in passenger service, may import into this State for personal consumption alcoholic beverages not to exceed one wine gallon, when such alcoholic beverages have been entered with the United States Bureau of Customs for immediate consumption."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1612—An act to add Section 55.3 to the Alcoholic Beverage Control Act, relating to sales tax on sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 55.3 to", and insert "amend Section 8 of"

Amendment No. 2

In line 2 of the title of the printed bill, strike out "sales tax on sale of alcoholic beverages", and insert "renewal of alcoholic beverage licenses"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "55.3 is hereby added to", and insert "8 of".

Amendment No. 4

On page 1, line 2, of the printed bill, strike out the comma, and insert "is hereby amended".

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"Sec. 8. All retailer's on-sale licenses, except on-sale distilled spirits licenses for seasonal businesses, shall be issued on a calendar year basis, except that the board may issue special licenses for the sale of beer or wine on a temporary basis for premises temporarily occupied by the licensee for a picnic, social gathering, or similar occasion at a fee of five dollars ($5) per day. All other licenses issued under this act shall be issued on the basis of a fiscal year, commencing July 1 and ending June 30.

Every license issued under this act, effective on or after January 1, 1938, other than a temporary license, shall be renewable unless such license has been revoked; provided, that renewal application is made and the fee therefor is paid on or before the date on which payment thereof is due; *and provided, that the board may refuse any license when the applicant is delinquent in the payment of any taxes owing under this act, the Retail Sales Tax Act of 1933, as amended, or the Use Tax Act of 1935, as amended.* If the fee for any license is not so paid, such license is automatically suspended, but may be reinstated by the board within [30] *31* days thereafter upon payment of the amount due. Unless such license is so reinstated, it is automatically revoked [30] *31* days after the date upon which payment therefor is due, and no license shall be issued to the licensee thereunder except upon a new application."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2213—An act to amend Section 13, and to add Section 13a, 13b, 13c to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13, and to add Sections 13a, 13b,"; and strike out lines 2 to 11, inclusive, and insert "Sections 19621, 19622, 19624 and 19626 of the Business and Professions Code, relating to fairs and exhibitions"

Amendment No. 2

On page 1 of the printed bill, strike out line 1 and insert

"SECTION 1. Section 19621 of said code is hereby amended to read as follows:

19621. There is hereby *appropriated annually* out of the fund the following: [Thirty thousand dollars ($30,000)] *Seventy-five thousand dollars ($75,000)* to the board to defray the expenses of the officers and employees provided for herein, [and ten thousand dollars ($10,000)] *thirty thousand dollars ($30,000)* to the Department of Finance for supervision and auditing of district agricultural fairs and district agricultural associations; *and one thousand dollars ($1,000) to the Attorney General for services rendered agricultural district associations and fair associations and for other services rendered by and under this chapter.*

SEC. 2. Section 19622 of said code is hereby amended to read as follows:

19622. There is hereby annually appropriated out of the fund the following: (i) [one hundred twenty-five thousand dollars ($125,000)] *one hundred thirty-five thousand dollars ($135,000)* for the support of the California State Fair; *fifteen thousand dollars ($15,000) to the State Agricultural Society for the support of a Junior Live Stock Show;* (ii) one hundred twenty-five thousand dollars ($125,000) to the Los Angeles County Fair; and (iii) fifteen thousand dollars ($15,000) to the Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging and stimulating such industries, resources and products, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association. No admission fee shall be charged by such exposition.

The money appropriated to the Los Angeles County Fair under this section may be expended for the payment of premiums, and, with the approval of the Department of Finance, for capital outlay, including purchase of land, construction, improvements and equipment for such fair.

SEC. 3. Section 19624 of said code is hereby amended to read as follows:

19624. The first balance of the fund is hereby annually appropriated as follows. *(a)* Five per cent for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations *or district* or county fairs, [to be apportioned between such citrus fruit fairs upon the basis of the population of the several counties in which such fairs are held, and if only one such fair is held, then it shall receive all of the appropriation,] *for the purpose of conducting and carrying on annually citrus fruit fairs and expositions, to promote and encourage the citrus fruit industry of this State.*

Of said 5 per cent, one hundred thousand dollars ($100,000) thereof is appropriated and allocated annually to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of 160,000 as shown by the last Federal Census, according to population, and if there be but one of such fairs held in counties having a population in excess of 160,000 then the whole of said one hundred thousand dollars ($100,000) is appropriated and allocated for the use of such citrus fruit fair

The balance of said 5 per cent is appropriated and allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code held in counties having a population of 160,000 or less, and to those other citrus fruit fairs and expositions in such counties which have been conducted and carried on annually for not less than 20 years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California, upon the basis of population of the several counties in which such fairs are held; but no such citrus fruit fair shall receive more than five thousand dollars ($5,000) in any one year. The balance of the 5 per cent remaining after the foregoing appropriations and allocations shall revert to and become a part of said first balance of said fund; (b) forty per cent for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of *the State Fair*, the Los Angeles County Fair, the Sixth District Agricultural Association and citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law[.] *, but no such* county, district or combined county and district agricultural fair shall receive a sum greater than sixty-five thousand dollars ($65,000) from the fund in any one year

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172 79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code.

SEC. 4. Section 19626 of said code is hereby amended to read as follows:

19626. The second balance of the fund is hereby allocated for expenditure without regard to fiscal years, as follows: Twenty-five per cent for permanent improvements at, or support of, the California Polytechnic School; 33 per cent for permanent improvements at, or support of, the University of California; *ten thousand dollars ($10,000) annually to the Second District Agricultural Association, for the purpose of conducting a wine and grape festival;* the remainder for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes; in such amounts as may be allocated by executive order of the Director of Finance

The money appropriated to the Second District Agricultural Association under this section may be expended for the payment of premiums at the wine and grape festival, and with the approval of the Department of Finance, for capital outlay, including purchase of land, construction, improvement and equipment for such festival."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 19, inclusive; and strike out all of pages 2, 3 and 4.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2489—An act to amend Section 19433 of the Business and Professions Code, relating to the regulation of horse racing, and the administration of the chapter.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "_____dollars ($_____)".

Amendment read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1889—An act to add Section 288.1 to the Penal Code, relating to punishments for crimes against children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime Problems:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert "of 14 years shall not have his sentence suspended until the court obtains a report from a reputable psychiatrist, and such person shall not be paroled from prison until a report is received from the prison psychiatrist setting forth the mental condition of the prisoner and stating that the prisoner was under observation while confined in prison."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 569—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read second time, and ordered to third reading

Senate Bill No. 855—An act to revise an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision; and regulating the rates of interest and other

charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, so as to define industrial loan companies, provide for their incorporation, powers and supervision; and regulate the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies.

Bill read second time, and ordered to third reading.

Senate Bill No. 59—An act to amend Section 305 of the Agricultural Code, relating to the slaughtering of animals, the manufacturing of meat food products, and the inspection of meat intended for food purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, strike out "twenty-nine", and insert "twenty-eight".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 480—An act to add a new section to the Agricultural Code, to be numbered 736 5-1, relative to sales of milk for cash

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended, following "same", strike out "the", and insert "in".

Amendment No. 2

On page 2, line 11, of the printed bill, strike out "agreed price of the delivery".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 464—An act to add Chapter 12, comprising Sections 9201 to 9225, inclusive, to Part 4, Division 8 of the Health and Safety Code, relating to abandonment of cemeteries by public cemetery districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 2, line 31, of the printed bill, after "mailed", insert "by registered letter".

Amendment read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 163—An act to amend Sections 342 and 367 of the Agricultural Code, relating to live stock marks and brands.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 163?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Senate on May 1, 1941, after the period, strike out the remainder of line 14, and all of line 15.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 163 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dilworth, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Thorp, Thurman, Waters, Watson, Welch, and Mr. Speaker—49.

NOES—Robertson—1.

Assembly Bill No. 163 ordered enrolled

Assembly Bill No. 1764—An act to add a new section to the Agricultural Code, to be numbered 553 5, relating to sterilized milk and cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1764?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "in this State"; and strike out lines 10 to 12, inclusive, and insert "for use in this State unless such sterilized milk or sterilized cream is made from Grade "A" or Grade "A" cream, and, in any area in which a price stabilization and marketing plan is in effect, unless the milk or cream used in such sterilized milk or sterilized cream is purchased and such sterilized milk or sterilized cream is sold at the prices established for fluid milk and fluid cream in that area"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1764 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N. Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Mr. Speaker—54

NOES—None.

Assembly Bill No 1764 ordered enrolled.

EXPLANATION OF VOTE ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 1078

Through error I was recorded as voting "No" yesterday on the Conference Report concerning Senate Bill No. 1078, whereas it was my intention to vote "Yes."

LORNE D. MIDDOUGH

Hon. Charles W. Lyon Presiding

At 1.45 p.m., Hon Charles W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1855—An act to add Section 1630 to the Civil Code, relating to contracts for the sale of agricultural products.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Howser, F. N., Collins, Sam L., Doyle and Watson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1855.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—57.

NOES—Call, Carlson, Dickey, Field, Gallagher, Johnson, Knight, T. Fenton; Phillips, and Sheridan—9.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1846

Mr. Hastain moved that Assembly Bill No. 1846 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1443—An act to amend Sections 3669c and 3669cc of the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1443?

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

On page 4 of the printed bill, after line 31, insert

"SEC. 3. Section 3669c of the Political Code is hereby amended to read as follows.

3669c. [The corporate rights, privileges and powers of any domestic insurance company heretofore suspended pursuant to the provisions of this code shall be incapable of being exercised for any purpose or in any manner, except to defend any action brought in any court against said company, until such corporate rights, privileges and powers are restored as hereinafter provided. A foreign insurance company whose right and privilege to transact intrastate business in this State have been forfeited may be relieved from such forfeiture and its right and privilege to transact intrastate business in this State restored as hereinafter provided.

The certified copies of lists of corporations which have failed to pay the taxes imposed upon insurance companies heretofore transmitted by the State Controller to

county clerks and county recorders for filing in their respective offices, or any copy of such lists certified by the Controller shall be received in evidence in any court in lieu of the original record of suspension or forfeiture on file with the Controller and shall be prima facie evidence of the truth of all statements contained therein.

Every person who attempts or purports to exercise any of the rights, privileges or powers of any suspended domestic corporation or attempts to transact any intrastate business in this State in behalf of any forfeited foreign corporation shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail not less than fifty days nor more than five hundred days, or by both such fine and imprisonment. The jurisdiction of such offense shall be held to be in the county in which any part of such attempted exercise of such powers or any part of such transaction of business was had or occurred. Every contract made in violation of this section is hereby declared to be void.]

All corporate powers, rights and privileges suspended or forfeited *prior to June 12, 1939*, may be revived and restored to full force and effect by the payment of all accrued taxes due to the State under Sections 3664b and 3664b-1 of this code *as they read prior to their repeal*, together with the penalties thereon, and also, in addition thereto, a sum of money equal to the tax last assessed under the provisions of said sections of this code, [for each year succeeding the year in which such tax was levied, and to the time of such revivor. "Year" within the meaning of the preceding sentence is hereby defined as the period between the first Monday in March of any calendar year and the first Monday in March of the following calendar year.] *together with the penalties thereon. Application for restoration shall be made by any stockholder, or by any member or policyholder of the corporation if the corporation is a nonstock company, or any creditor of the corporation or by a majority of the surviving trustees or directors of the corporation, and the application shall be filed with the State Controller.*

Upon payment of all such taxes and penalties the State Controller shall issue a certificate under his seal evidencing such payment and restoration, which certificate when recorded in the office of any county recorder shall constitute a release of all existing liens for such taxes upon the property of such corporation. Each county recorder shall keep an index of all such Controller's certificates recorded by him. Upon presentation of such Controller's certificate of revivor to any county clerk said officer shall make a record thereof in his office in a book kept for such purpose. The record so made by said county clerk shall be prima facie evidence of the restoration to such corporation of all previously suspended or forfeited rights, powers and privileges unless it appears from the records in the office of such county clerk or of the Secretary of State that subsequent to the date of such certificate of revivor the powers of said corporation have been suspended or its right to do intrastate business forfeited.

A foreign insurer whose right and privilege to transact intrastate business in this State have been forfeited prior to June 12, 1939, may be relieved from such forfeiture and its right and privilege to transact business in this State restored upon complying with the provisions of this section

[The Controller may, on or before the thirtieth day of April next following the delinquency of any tax imposed upon insurance companies under the provisions of Article XIII of the Constitution and sections of this code enacted to carry the same into effect bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, to collect any delinquent taxes, together with any penalties which have not been paid in accordance with the provisions of this code and appearing delinquent upon the record of assessment of insurance companies hereinbefore mentioned, and such actions shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial

The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required.

In the case of companies whose right to do business has been forfeited or corporate powers suspended, service of summons may be made upon the persons provided for by law to be served as agents or officers of any of such companies and such persons shall be deemed to be the agents of such companies for all purposes necessary in order to prosecute such action. In the case of corporations whose powers have been suspended, the persons constituting the board of directors thereof shall have the power and right to defend such action Payment of the amount of the judgment recovered in such action must be made to the State Controller

In such actions the Record of Assessments of Insurance Companies, or a copy of so much thereof as is applicable in said action, duly certified by the Controller, or by the secretary of the State Board of Equalization showing unpaid taxes against any company, person or association assessed by the State Board of Equalization, is prima facie evidence of the assessment of such taxes, the delinquency thereof, the

amount of the taxes and penalties due and unpaid to the State, and that the company, person, or association is indebted to the people of the State of California in the amount of taxes and penalties therein appearing unpaid, and that there has been compliance with all the requirements of law in relation to the assessment and levy of such taxes.]

SEC 4. The amendment which Section 3 hereof makes to Section 3669c of the Political Code takes effect only if Part 7 of Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fourth Session, and at the same time as Part 7 takes effect, in such case and at such time superseding the amendment which Section 1 hereof makes to Section 3669c."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1443 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—67.

NOES—None.

Assembly Bill No. 1443 ordered enrolled.

Hon. C. Don Field Presiding

At 2.04 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1865—An act to add Sections 5014 and 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund and providing the manner in which the moneys in said fund may be expended.

Bill read third time.

Demand for Previous Question

Messrs. Pfaff, Middough, Bennett, Pelletier and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1865.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Collins, Sam L., Cooke, Daley, Dills, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Voigt, Waters, Watson, and Weber—43.

NOES—Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Leonard, Lowrey, Maloney, Meehan, Millington, O'Day, Phillips, Salsman, Sheridan, Thorp, Thurman, Turner, Weybret, and Wollenberg—29.

Notice of Motion to Reconsider Assembly Bill No. 1865

Messrs Call and Burns, Michael J., gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Bill No. 1865 was this day passed.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Amendments

Motion to Amend

Messrs. O'Day and Wollenberg moved the adoption of the following amendments:

Amendment No. 1

On page 47, line 14, of the printed bill, as amended, after the words "Motor Vehicles", strike out "twelve million", and lines 15 to 18, inclusive, and insert "five hundred forty-seven thousand six hundred seventy-six dollars,
payable from the Department of Motor Vehicles Support
Fund ----------$12,547,676.00".

Amendment No. 2

On page 48 of the printed bill, as amended, after line 4, insert "Five thousand seven hundred dollars ($5,700) of the money appropriated by this act is available for expenditure only for the salary of Supervisor, Traffic Safety Education, Administration, Department of Motor Vehicles"

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion carried. Time, 2.41 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1033—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out "primaries held on August 27, 1940," and insert "primary held in 1942".

Amendment No. 2

On page 4, line 52, of the printed bill, as amended, after "primary", insert "in May, 1944, and on the third Tuesday in May every two years thereafter".

Amendment No. 3

On page 5, line 3, of the printed bill, as amended, after "committee", insert ", including the county central committee elected at the Direct Primary in 1942 in a county, except a city and county, containing 20 or more Assembly districts,".

Amendments read

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Daley, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weybret, and Wollenberg—53.

NOES—Cain, Dills, Donnelly, Evans, Meehan, and Pelletier—6.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1011—An act to amend Sections 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8772, 8781 and 8792, and to repeal Sections 8703, 8704 and 8705 of the Business and Professions Code, relating to the regulation of persons engaged in land surveying.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Sections", insert "8705,".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "and to repeal Sections 8703, 8704 and 8705".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", insert "Section 8705 of the Business and Professions Code is hereby amended to read as follows:

8705. A subordinate is any person [who assists] *directly supervised* by a licensed land surveyor or registered civil engineer *and who assists a licensed land surveyor or registered civil engineer* in the practice of land surveying without assuming responsible charge of work.

SEC. 1.5".

Amendment No. 4

On page 1, line 17, of the printed bill, as amended, after "of", strike out the comma, and insert "the earth's surface".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out line 18, and insert "position of fixed objects thereon or related thereto."

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 50 to 52, inclusive, and insert

"The provisions of this section shall not prevent the use of the name of any partnership, firm, company, association or corporation in existence on June 1, 1941, provided all of the members or officers and directors thereof were on that date individually licensed as land surveyors pursuant to the provisions of this chapter or registered as civil engineers pursuant to the provisions of Chapter 7 of Division 3 of this code."

Amendment No. 7

On page 3, line 4, of the printed bill, as amended, before "Officers", insert "(a)".

Amendment No. 8

On page 3 of the printed bill, as amended, between lines 5 and 6, insert

"(b) In so far as he acts in such capacity,

(1) Any State, county, city, or district employee directly responsible to a licensed land surveyor or registered civil engineer

(2) Any subordinate to a land surveyor or civil engineer licensed or registered as required by the laws of this State in so far as he acts as a subordinate."

Amendment No. 9

On page 3 of the printed bill, as amended, between lines 15 and 16, insert "Credits earned toward graduation from an approved school or college shall likewise be accepted as the equivalent of their proportionate part of three years of practice."

Amendment No. 10

On page 5 of the printed bill, as amended, strike out lines 20 and 21.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 763—An act to amend Section 7052 of the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "7052", insert "and Section 7050".

Amendment No. 2

On page 1 of the printed bill, after line 17, insert

"SEC. 2. Section 7050 of the Welfare and Institutions Code is hereby amended to read as follows:

7050. As used in this chapter, "defective or psychopathic delinquent" means any minor who is mentally defective or psychopathic, and who is an habitual delinquent or has tendencies toward becoming an habitual delinquent, if his delinquency is such as to constitute him a menace to the health, person, or property of himself or of any other person, and the minor is not a proper subject for commitment to a State correctional school, to a State home for the feeble-minded as a feeble-minded person, or to a State hospital as an insane person or as a person addicted to the intemperate use of alcoholic beverages or narcotic or stimulant drugs. *As used in this chapter "minor" means any person under 21 years of age.*"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 773—An act to amend Section 740 of the Welfare and Institutions Code, pertaining to the order of commitment of juvenile delinquents.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, after "hearing.", insert "The statute of limitations shall not run against any claim of the Department of Institutions against the estate of the incompetent for board, care, maintenance or transportation if the account is settled without giving the notice prescribed above."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "124", insert a comma and "126".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 20, insert

"SEC. 2. Section 126 of the Vehicle Code is hereby amended to read as follows:

126. Offices and Stations. (a) The department shall maintain an office at the State capital.

(b) The director, as and where he may deem necessary, may establish and maintain (1) branch offices [and] (2) stations at the State boundary line [.] *and (3)* [(c) The Chief of the California Highway Patrol shall,] in counties having charters other than counties of the first and second class, and [may from time to time,] in such localities of this State as he deems most suitable, [establish] headquarters or substations for the efficient performance of the duties of the California Highway Patrol and for [that purpose] *such purposes* may lease or purchase lands and buildings, in accordance with law."

Amendment No. 3

On page 2, line 1, of the printed bill, as amended, strike out "Sec 2", and insert "Sec. 3".

Amendment No. 4

On page 2, line 19, of the printed bill, as amended, strike out "Sec 3", and insert "Sec. 4".

Amendment No. 5

On page 2, line 24, of the printed bill, as amended, strike out "Sec 4", and insert "Sec. 5".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Presiding

At 3.01 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 1 AND 2 TO ASSEMBLY BILL NO. 1800

At 3.02 p.m., on motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

Motion carried. Time, 3.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, May 5, 1941; Tuesday, May 6, 1941, and Wednesday, May 7, 1941, were approved as corrected by the Minute Clerk.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 1 AND 2 TO ASSEMBLY BILL NO. 1800

At 3.23 p m., on motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendments Nos. 1 and 2 to Assembly Bill No. 1800 refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Potter, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Weber, and Wollenberg—38.

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Richie, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—40.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. O'Day moved to expunge the record and rescind the action whereby Amendments Nos. 1 and 2 to Assembly Bill No. 1800 were this day refused adoption.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion lost.

The roll was called, and the motion to expunge the record and rescind the action on Amendments Nos. 1 and 2 to Assembly Bill No. 1800 lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Sheridan, Thomas, Weber, and Wollenberg—37

NOES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Hastain, Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poulson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—38

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1800

Motion to Amend

Mr. Thomas moved the adoption of the following amendment:

Amendment No. 3

On page 62 of the printed bill, strike out lines 34 to 39, inclusive, and insert "Brokers Commission, eight thousand nine hundred eighty-two dollars, payable from the Yacht and Ship Brokers Commission Fund ..... $8,892 00"

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Thomas moved a call of the Assembly.

Motion lost.

The roll was called, and Amendment No. 3 refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Lowrey, Massion, Meehan, O'Day, Pelletier, Russell, Tenney, and Thomas—24.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—43

Motion to Amend

Mr George D. Collins moved the adoption of the following amendments:

Amendment No. 4

On page 70 of the printed bill, as amended, strike out lines 21 and 22, and insert "Item 216—For emergency fund, one million dollars, exempt".

Amendment No. 5

On page 70, line 33, of the printed bill, as amended, strike out the figure "$750,000 00", and insert "$1,000,000.00".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, and Thomas—29.

NOES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—43.

Motion to Amend

Mr. George D Collins moved the adoption of the following amendments:

Amendment No. 6

On page 70 of the printed bill, as amended, strike out lines 39 and 40, and insert "Item 217—For emergency fund, seven hundred fifty thousand dollars, to be".

Amendment No. 7

On page 70, line 49, of the printed bill, as amended, strike out "$500,000.00", and insert "$750,000.00"

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Sheridan, Tenney, and Thomas—28

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—42

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 8

On page 54 of the printed bill, as amended, strike out lines 43 to 45, inclusive, and insert

"Prison, two million one hundred ninety-three thousand one hundred eighty-four dollars ..... $2,193,184 00".

Amendment No. 9

On page 54 of the printed bill, as amended, strike out lines 46 to 49, inclusive; and on page 55, strike out lines 1 to 8, inclusive.

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Collins, George D, Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, and Thomas—31.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Houser, Frederick F, Howser, F. N, Kellems, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Pfaff, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—40

Motion to Deem Amendments Read

Mr. Cooke moved that all proposed amendments to Assembly Bill No. 1800 at the desk be deemed read.

Motion lost.

Motion to Amend

Mr. Cain moved the adoption of the following amendment:

Amendment No. 10

On page 20 of the printed bill, as amended, strike out lines 51 and 52, and insert "of Education, one million two hundred ninety-nine thousand dollars..$1,299,000.00".

Amendment read.

Motion to Table Amendment

Mr. Lyon moved that Amendment No 10 to Assembly Bill No. 1800 be laid on the table

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burns Michael J., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Houser, Frederick F, Howser, F N, Kellems, Kepple, Knight, John B, Knight, T Fenton,

Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—41

NOES—Andreas, Bennett, Burkhalter, Cain, Collins, George D. Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, Thomas, and Wollenberg—31.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 11

On page 8 of the printed bill, as amended, strike out lines 12 to 14, inclusive, and insert

"Equalization, one million sixty-nine thousand six hundred fifty-four dollars ---------- $1,069,654 00".

Amendment No. 12

On page 8 of the printed bill, as amended, strike out lines 42 and 43, and insert "Fifty-six thousand seven hundred dollars of the".

Amendment No. 13

On page 9 of the printed bill, as amended, strike out lines 37 to 39, inclusive, and insert

"hundred thirty-five dollars, payable from the Alcohol Beverage Control Fund ---------- $2,638,935.00".

Amendment No. 14

On page 42 of the printed bill, as amended, strike out lines 27 to 30, inclusive, and insert

"Administration

Salaries and Wages	$134,773.00
Operating Expenses	122,812.00
Audits and Investigations	
Salaries and Wages	$159,410.00
Operating Expenses	19,120.00".

Amendment No. 15

On page 42 of the printed bill, as amended, strike out line 47, and insert

"Operating Expenses ---------- $217,261.00".

Amendment No. 16

On page 47 of the printed bill, as amended, strike out lines 15 to 18, inclusive, and insert

"five hundred seventy-three thousand six hundred fifty-six dollars, payable from the Department of Motor Vehicle Support Fund ---------- $12,573,656.00".

Amendment No. 17

On page 47 of the printed bill, as amended, strike out lines 28 to 32, inclusive.

Amendment No. 18

On page 47 of the printed bill, as amended, strike out lines 48 and 49, and insert

"Division of Enforcement

Salaries and Wages	$4,815,770.00
Operating Expenses	1,180,852.00".

Amendment No. 19

On page 49 of the printed bill, as amended, strike out lines 28 and 29, and insert "one hundred seventy-one thousand five hundred eighty-four dollars ---------- $171,584 00".

Amendment No. 20

On page 49 of the printed bill, as amended, strike out line 42, and insert

"Operating Expenses ---------- $45,570 00".

Amendment No. 21

On page 56 of the printed bill, as amended, strike out lines 17 and 18, and insert

"sand three hundred ninety dollars ---------- $222,390.00".

Amendment No. 22

On page 62, line 12, of the printed bill, as amended, after "dollars", insert "(exempt from the provisions of Sections 13, 13 5 and 13 6)".

Amendments read.

Motion to Postpone Consideration of Amendments

Mr. Bennett moved that the consideration of Amendments Nos. 11 to 22, inclusive, be postponed temporarily.

Motion ruled out of order.

Demand for Division of the Question

Mr. Bennett demanded a division of the question and that each and every amendment starting with Amendment No. 11 and ending with Amendment No. 22, be voted upon separately with a roll call on each amendment.

The question being on the adoption of Amendment No. 11 to Assembly Bill No. 1800.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Donnelly, Gaffney, Gunlock, Kellems, Kilpatrick, Lowrey, Massion, Meehan, Richie, and Thomas—16.

The question being on the adoption of Amendment No. 12 to Assembly Bill No. 1800.

Mr. Lyon moved that the previous roll call be deemed the roll call on the adoption of Amendment No. 12.

Motion carried.

The question being on the adoption of Amendment No 13 to Assembly Bill No. 1800.

Mr. Millington moved that the previous roll call be deemed the roll call on the adoption of Amendment No. 13.

Motion carried.

Point of Order

Mr. Bennett arose to the following point of order: That Mr. Lyon's motion was out of order.

The Speaker ruled point of order not well taken.

Appeal from Decision of Chair

Mr. Bennett appealed from the decision of the Chair.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—44

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Dills, Donnelly, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, and Thomas—17.

Motion to Expunge Record and Rescind Action

Mr. Bennett moved to expunge the record and rescind the action whereby Amendments Nos. 12 and 13 to Assembly Bill No. 1800 were this day adopted.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—67.

NOES—Carlson, and Collins, Sam L.—2.

Demand for Division of the Question Withdrawn

Mr. Bennett withdrew his demand for a division of the question.

Motion to Adopt Amendments

Mr. Lyon moved that Amendments Nos. 12 to 22, inclusive, to Assembly Bill No. 1800 be adopted.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Kilpatrick, Lowrey, Middough, and Thomas—4.

Assembly Bill No. 1800 ordered reprinted and re-engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article, to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, on page 2, strike out lines 3 to 6, inclusive, and insert "tions and including associations in the possession of the Building and Loan Commissioner without regard to whether or not he shall be liquidating their affairs, providing for the rehabilitation, readjustment or"

Amendment No. 2

On page 5 of the printed bill, as amended, strike out lines 16 to 39, inclusive, and insert

"At such hearing any interested stockholder, shareholder, certificate holder or creditor shall have the right, without the necessity of formal intervention, to appear either in support of the plan or in opposition thereto or may propose a modification or modifications of any plan then before the court or a different plan. In case the plan of reorganization provides for the issuance of securities of a general corporation, the issuance of which securities otherwise would be subject to the Corporate Securities Act of the State of California, the court considering said plan shall require that notice forthwith be served upon the Commissioner of Corporations. Upon receipt of said notice by said commissioner, he shall prepare forthwith a verified report setting forth his findings and recommendations to said court as to the issuance of the securities of said general corporation based upon the same statutory grounds as provided in the Corporate Securities Act for the issuance or denial of a permit. Said verified report, findings and recommendations shall be filed with said court prior to such court's approving that portion of said plan of reorganization relating to the issuance of securities of such general corporation. No plan shall be approved by the court unless the court is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors or creditors, and is feasible."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

Bill read third time.

Motion to Amend

Mr Salsman moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "The", and insert

"Excepting in a district the governing board of which has adopted a salary schedule for substitute employees of the district under School Code Section 5.736, the".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 150—An act to amend Section 4005c of the Political Code, relating to the population of the counties of California.

Bill read third time.

Motion to Amend

Mr T. Fenton Knight moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4005c of", and insert "Sections 4005c, 4006, 4234, 4235, 4238, 4240, 4241, 4242, 4243, 4244, 4245, 4246, 4247, 4248, 4249, 4250, 4251, 4252, 4253, 4254, 4255, 4257, 4258, 4259, 4260, 4261, 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, 4270, 4171, 4272, 4273, 4274, 4275, 4276, 4277, 4278, 4279, 4280, 4281, 4282, and 4283 and to repeal Sections 4234a, 4242.1, 4242.2, 4242.3, 4242a, 4248a, 4248b, 4248c, 4248d, 4248e, 4248f, 4248g, 4248h, 4248i, 4248j, 4248k, 4248l, 4248m, 4248n, 4248o, 4248p, 4248p2, 4248q, 4248r, 4248s, 4248t, 4248u, 4248v, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254l, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, 4254t, 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263j,

4263k, 4263*l*, 4263m, 4263n, 4263*o*, 4263p, 4263q, 4263r, 4263s, 4265a, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270*l*, 4270m, 4270n, 4270*o*, 4270p, 4270q, 4270r, and 4272a of".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "to the classification of the counties of California and providing for the compensation of public personnel in said counties as so classified"

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 27, inclusive; and on page 2, strike out all of lines 1 to 36, inclusive, and insert

"SECTION 1. Section 4005c of the Political Code is hereby amended to read as follows:

4005c. The population of the counties of this State is hereby ascertained and determined to be and is as follows.

1	Los Angeles	2,785,643
2	San Francisco	634,536
3	Alameda	513,011
4	San Diego	289,348
5	Fresno	178,565
6	Santa Clara	174,949
7	Sacramento	170,333
8	San Bernardino	161,108
9	Kern	135,124
10	San Joaquin	134,207
11	Orange	130,760
12	San Mateo	111,782
13	Tulare	107,152
14	Riverside	105,524
15	Contra Costa	100,450
16	Stanislaus	74,866
17	Monterey	73,032
18	Santa Barbara	70,555
19	Ventura	69,685
20	Sonoma	69,052
21	Imperial	59,740
22	Marin	52,907
23	Solano	49,118
24	Merced	46,988
25	Humboldt	45,812
26	Santa Cruz	45,057
27	Butte	42,840
28	Kings	35,168
29	San Luis Obispo	33,246
30	Shasta	28,800
31	Siskiyou	28,598
32	Napa	28,503
33	Placer	28,108
34	Mendocino	27,864
35	Yolo	27,243
36	Madera	23,314
37	Nevada	19,283
38	Sutter	18,680
39	Yuba	17,034
40	Lassen	14,479
41	Tehama	14,316
42	El Dorado	13,229
43	Glenn	12,195
44	Plumas	11,548
45	San Benito	11,392
46	Tuolumne	10,887
47	Colusa	9,788
48	Amador	8,973
49	Modoc	8,713
50	Calaveras	8,221
51	Lake	8,069
52	Inyo	7,625
53	Mariposa	5,605
54	Del Norte	4,745
55	Trinity	3,970
56	Sierra	3,025
57	Mono	2,299
58	Alpine	323

SEC 2. Section 4006 of said code is hereby amended to read as follows.

4006. For the purpose of regulating the compensation of all officers herein provided for, the several counties of this State are hereby classified, according to their population as ascertained and determined in Section 4005c of this code as follows, to wit

Counties containing a population of 900,000 and over shall belong to and be known as counties of the first class.

Counties containing a population of 600,000 and under 900,000 shall belong to and be known as counties of the second class.

Counties containing a population of 400,000 and under 600,000 shall belong to and be known as counties of the third class.

Counties containing a population of 200,000 and under 400,000 shall belong to and be known as counties of the fourth class.

Counties containing a population of 176,000 and under 200,000 shall belong to and be known as counties of the fifth class.

Counties containing a population of 173,000 and under 176,000 shall belong to and be known as counties of the sixth class.

Counties containing a population of 168,000 and under 173,000 shall belong to and be known as counties of the seventh class.

Counties containing a population of 150,000 and under 168,000 shall belong to and be known as counties of the eighth class.

Counties containing a population of 135,000 and under 150,000 shall belong to and be known as counties of the ninth class.

Counties containing a population of 134,000 and under 135,000 shall belong to and be known as counties of the tenth class.

Counties containing a population of 125,000 and under 134,000 shall belong to and be known as counties of the eleventh class.

Counties containing a population of 110,000 and under 125,000 shall belong to and be known as counties of the twelfth class.

Counties containing a population of 106,000 and under 110,000 shall belong to and be known as counties of the thirteenth class.

Counties containing a population of 103,000 and under 106,000 shall belong to and be known as counties of the fourteenth class

Counties containing a population of 90,000 and under 103,000 shall belong to and be known as counties of the fifteenth class.

Counties containing a population of 74,000 and under 90,000 shall belong to and be known as counties of the sixteenth class.

Counties containing a population of 72,000 and under 74,000 shall belong to and be known as counties of the seventeenth class.

Counties containing a population of 70,000 and under 72,000 shall belong to and be known as counties of the eighteenth class.

Counties containing a population of 69,500 and under 70,000 shall belong to and be known as counties of the nineteenth class.

Counties containing a population of 65,000 and under 69,500 shall belong to and be known as counties of the twentieth class.

Counties containing a population of 57,000 and under 65,000 shall belong to and be known as counties of the twenty-first class.

Counties containing a population of 51,000 and under 57,000 shall belong to and be known as counties of the twenty-second class.

Counties containing a population of 48,000 and under 51,000 shall belong to and be known as counties of the twenty-third class.

Counties containing a population of 46,000 and under 48,000 shall belong to and be known as counties of the twenty-fourth class.

Counties containing a population of 45,500 and under 46,000 shall belong to and be known as counties of the twenty-fifth class.

Counties containing a population of 44,000 and under 45,500 shall belong to and be known as counties of the twenty-sixth class.

Counties containing a population of 40,000 and under 44,000 shall belong to and be known as counties of the twenty-seventh class.

Counties containing a population of 34,000 and under 40,000 shall belong to and be known as counties of the twenty-eighth class

Counties containing a population of 30,000 and under 34,000 shall belong to and be known as counties of the twenty-ninth class.

Counties containing a population of 28,700 and under 30,000 shall belong to and be known as counties of the thirtieth class.

Counties containing a population of 28,550 and under 28,700 shall belong to and be known as counties of the thirty-first class.

Counties containing a population of 28,300 and under 28,550 shall belong to and be known as counties of the thirty-second class.

Counties containing a population of 28,000 and under 28,300 shall belong to and be known as counties of the thirty-third class.

Counties containing a population of 27,500 and under 28,000 shall belong to and be known as counties of the thirty-fourth class

Counties containing a population of 25,000 and under 27,500 shall belong to and be known as counties of the thirty-fifth class.

Counties containing a population of 20,000 and under 25,000 shall belong to and be known as counties of the thirty-sixth class.

Counties containing a population of 19,000 and under 20,000 shall belong to and be known as counties of the thirty-seventh class.

Counties containing a population of 18,000 and under 19,000 shall belong to and be known as counties of the thirty-eighth class.

Counties containing a population of 17,000 and under 18,000 shall belong to and be known as counties of the thirty-ninth class

Counties containing a population of 14,400 and under 17,000 shall belong to and be known as counties of the fortieth class.

Counties containing a population of 14,000 and under 14,400 shall belong to and be known as counties of the forty-first class.

Counties containing a population of 13,000 and under 14,000 shall belong to and be known as counties of the forty-second class.

Counties containing a population of 12,000 and under 13,000 shall belong to and be known as counties of the forty-third class.

Counties containing a population of 11,400 and under 12,000 shall belong to and be known as counties of the forty-fourth class.

Counties containing a population of 11,000 and under 11,400 shall belong to and be known as counties of the forty-fifth class.

Counties containing a population of 10,000 and under 11,000 shall belong to and be known as counties of the forty-sixth class.

Counties containing a population of 9,000 and under 10,000 shall belong to and be known as counties of the forty-seventh class.

Counties containing a population of 8,800 and under 9,000 shall belong to and be known as counties of the forty-eighth class.

Counties containing a population of 8,500 and under 8,800 shall belong to and be known as counties of the forty-ninth class.

Counties containing a population of 8,100 and under 8,500 shall belong to and be known as counties of the fiftieth class.

Counties containing a population of 7,900 and under 8,100 shall belong to and be known as counties of the fifty-first class.

Counties containing a population of 6,000 and under 7,900 shall belong to and be known as counties of the fifty-second class.

Counties containing a population of 5,000 and under 6,000 shall belong to and be known as counties of the fifty-third class.

Counties containing a population of 4,000 and under 5,000 shall belong to and be known as counties of the fifty-fourth class.

Counties containing a population of 3,500 and under 4,000 shall belong to and be known as counties of the fifty-fifth class.

Counties containing a population of 2,400 and under 3,500 shall belong to and be known as counties of the fifty-sixth class.

Counties containing a population of 1,000 and under 2,400 shall belong to and be known as counties of the fifty-seventh class.

Counties containing a population less than 1,000 shall belong to and be known as counties of the fifty-eighth class.

SEC. 3. Section 4234 of said code is hereby amended to read as follows:

4234. In counties of the fifth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand two hundred dollars ($3,200) per annum.

2. The district attorney, four thousand eight hundred dollars ($4,800) per annum. The district attorney shall devote his entire time during office hours to the work of the county and State and is prohibited from engaging in private work during office hours.

3. Each supervisor, three thousand dollars ($3,000) per annum for all services, either as supervisor or road overseer.

4. Grand jurors and trial jurors in the superior courts, three dollars ($3) per day while engaged in the performance of the duties required of them by law, and in addition shall receive the mileage now allowed by law; except that jurors excused before 12 o'clock noon shall receive only two dollars ($2) for the day so excused; trial jurors in the justices' courts shall receive two dollars ($2) per day and no mileage.

The county officers provided for in this section shall receive as compensation for the services required of them by law or by virtue of their offices, the salaries and expenses herein set forth, except that the members of the board of supervisors, auditor and district attorney shall be allowed all actual expenses which are necessary to the performance of their duties under the law. The expenses and the salaries designated in this section for such officers except as in this section otherwise specifically provided, shall be as full and complete compensation for giving their entire time and attention to the duties required of them by law, or which are, for any reason imposed upon or performed by them under the laws of or on behalf of the United States or this State or any political subdivision thereof, or any public corporation

All other fees, statutory mileage or other remuneration or compensation of any kind or character received by such officers or their deputies from the United States or this State or any political subdivision thereof or any public corporation, shall be by such officers named in this section paid into the county treasury, except that the requirements of this paragraph shall not apply to that portion of any such fees collected which is authorized by statute to be paid to other persons or is necessarily diverted to other persons for the purpose of carrying out the objects of the statute.

SEC. 4. Section 4234a of said code is hereby repealed.

SEC. 5. Section 4235 of said code is hereby amended to read as follows:

4235. In counties of the sixth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums.

1. The auditor, four thousand two hundred dollars ($4,200) per annum. He shall pay into the county treasury all fees received by him in his official capacity.

2. The district attorney, four thousand two hundred dollars ($4,200) per annum. He shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. All fees and commissions collected by him shall be paid into the county treasury.

3. Each supervisor, three thousand dollars ($3,000) per annum and mileage of ten cents ($0.10) per mile for each mile actually traveled in going to and from his residence to the county seat or in the performance of the duties required of him by law or by virtue of his office. In attending sessions of the board only four mileages shall be allowed for each month. The total mileage allowed shall not exceed five hundred dollars ($500) in any one calendar year.

4. Grand jurors and trial jurors in the superior courts of said counties of this class, in civil and criminal cases shall be three dollars ($3), in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants. The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

Whenever under the provisions of law or otherwise a bond is required of any county officer provided for in this section the premium of such bonds shall be paid from the general funds of the county.

SEC. 6. Section 4238 of said code is hereby amended to read as follows:

4238. In counties of the ninth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand six hundred dollars ($3,600) per annum, together with his necessary expenses incurred while traveling in the performance of his official duties. The auditor shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity, other than the official salary herein provided.

2. The district attorney, four thousand five hundred dollars ($4,500) per annum and the necessary expenses incurred in the discharge of his official duties. All fees and commissions or compensations received by the district attorney in his official capacity, from any source, shall be paid into the county treasury, other than the official salary herein provided.

3. Each supervisor, three thousand six hundred dollars ($3,600) per annum and actual and necessary expenses incurred in the performance of the duties of their office.

4. For attending as a grand juror, for each day's actual attendance, per day, two dollars ($2), and ten cents ($0.10) per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same. For attending as a trial juror, for each day's actual attendance, per day, three dollars ($3), and ten cents ($0.10) per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage, and the treasurer shall pay the same. For attending as a trial juror in criminal cases in justice court, two dollars ($2) per day, for each day of actual service as a juror, and the justice of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and the treasurer shall pay the same.

SEC. 7. Section 4240 of said code is hereby amended to read as follows:

4240. In counties of the eleventh class, the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, three thousand four hundred dollars ($3,400) per annum.

2. The district attorney, three thousand eight hundred dollars ($3,800) per annum. The district attorney, in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county, and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred by him in the investigation and detection of crime, the prosecution of criminal and civil actions and proceedings, and all other matters in which the county is interested, all of which said charges and expenses so incurred by him shall be a legal charge against the county.

3. Each supervisor, two thousand five hundred fifty dollars ($2,550) per annum, payable in monthly installments, and the necessary and actual expenses incurred by him while engaged in county business outside of his own district, not exceeding in the aggregate the sum of two hundred dollars ($200) per annum.

4. Grand and trial jurors, in superior courts shall receive for each day's attendance, per day, the sum of three dollars ($3). In justice courts in civil cases, jurors shall receive for each day's attendance, per day, the sum of two dollars ($2). In justice courts in criminal cases jurors shall receive for each day's attendance, per day, the sum of one dollar and fifty cents ($1.50) and all jurors shall receive for each mile actually and necessarily traveled from their residences to the place of service, in going only, the sum of ten cents ($0.10) per mile, such mileage to be allowed but once during the trial of any single cause and in any event not more than once in any one day, during any session of the court where such jurors serve The fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid, and jurors in criminal cases in city court shall be paid by the municipality in which such court is or may be established.

SEC. 8. Section 4241 of said code is hereby amended to read as follows.

4241. In counties of the twelfth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand nine hundred dollars ($3,900) per annum.

2. The district attorney, three thousand nine hundred dollars ($3,900) per annum. The district attorney shall be allowed, in addition to the salary herein allowed, the sum of sixty dollars ($60) per month, which shall be in full for all of his traveling and other personal expenses in criminal cases and civil actions in which the county is interested, as provided for in subdivision two of Section 4307 of the Political Code.

3 Each supervisor, one hundred seventy-five dollars ($175) per month and twenty cents ($0.20) per mile for traveling from his residence to the county seat, provided, that when a supervisor is also road commissioner he shall receive in addition to the twenty cents ($0.20) per mile allowed to him by law as such road commissioner his actual traveling expenses, and additional expenses not in any one year to exceed the sum of three hundred dollars ($300).

4. Grand jurors and trial jurors in the superior court shall each receive for each day's attendance, per day, the sum of three dollars ($3), and for each mile actually and necessarily traveled from their residence to the county seat, in going only, per mile, the sum of twenty cents ($0.20), such mileage to be allowed but once during each session such jurors are required to attend

All fees, perquisites, commissions, and other moneys received by any county official provided for in this section, by virtue of the office or employment of such county officer shall each month be paid into the county treasury, and shall belong to the county.

In counties of this class, no county official provided for in this section may, during his term of office accept or hold any other office, appointment, position or employment with compensation from this or any other State, or from the county or any county, city, city and county, or any district, or other political subdivision or any public agency. The term "compensation" as used in this provision includes any direct or indirect reward, whether in the form of salary, wage, per diem, fee, percentage, commission, or otherwise, or whether in money, evidence of indebtedness, property, or otherwise, but not actual, necessary traveling expenses. This provision, however, shall not prevent any official from holding an ex officio position as provided for by law, but he shall not receive any further compensation therefor other than provided in this section.

SEC 9 Section 4242 of said code is hereby amended to read as follows:

4242. In counties of the thirteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their office, the following sums:

1. The county auditor, three thousand three hundred dollars ($3,300) per annum

2. The district attorney, three thousand seven hundred eighty dollars ($3,780) per annum.

3. Each supervisor shall be paid a salary of two thousand four hundred dollars (2,400) per annum for all personal services performed by him as supervisor member of the Board of Equalization and road commissioner, and in addition thereto each supervisor shall receive his actual and necessary traveling expenses incurred in performing any of the duties of his office, the claim for which shall be allowed and paid out of the county general fund in the same manner as other claims are

allowed and paid: provided, however, that the said traveling expenses exclusive of meals and hotel accommodations shall not exceed the sum of five cents ($0.05) per mile.

4. For attending as a grand juror in the superior court for each day's attendance per day four dollars ($4); for attending as a trial juror in the superior court, for each day's attendance per day two dollars ($2), for attending as a trial juror in the justice's court for each juror sworn to try the cause, per day two dollars ($2), for each mile actually traveled in attending court or meetings of the grand jury as a juror, five cents ($0.05) per mile each way.

SEC. 10. Section 4242.1, 4242.2, 4242.3 and 4242a of said code are hereby repealed.

SEC. 11. Section 4243 of said code is hereby amended to read as follows:

4243. In counties of the fourteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand six hundred dollars ($3,600) per annum. Such deputies and employees as are allowed the auditor by the board of supervisors shall be appointed by the auditor and shall be paid by said county in equal monthly installments at the same time, in the same manner and out of the same fund as the salary of the auditor is paid.

2. The district attorney, five thousand dollars ($5,000) per annum, and actual traveling expenses while away from his office on county business. Such deputies and employees as are allowed the district attorney by the board of supervisors shall be appointed by the district attorney and their salaries shall be paid in equal monthly installments at the same time, in the same manner and out of the same fund as the salary of the district attorney is paid.

3. Each supervisor, two thousand one hundred dollars ($2,100) per annum, payable in monthly installments, and actual traveling expenses from his residence to the place of meeting of the board at the county seat, and the necessary actual expenses incurred by him while engaged in county business outside his district, not exceeding in the aggregate the sum of three hundred dollars ($300) per annum; provided further, that each supervisor shall spend one day in each week, other than the day when the said board is officially in session, at the office of the board of supervisors in the county courthouse at the county seat. The particular day which each supervisor shall be on duty as herein required, shall be determined by lot, so that a supervisor will be on duty as aforesaid on Tuesday, Wednesday, Thursday, Friday and Saturday of each week.

Each member of the board of supervisors shall be required to obtain and keep in force a public liability bond in the amount of fifty thousand dollars ($50,000), insuring to the benefit of any and all persons who may be injured or aggrieved by any act or omission of said supervisor in his official capacity; provided, that the premium or charge of such bond shall not exceed one-half of 1 per cent per annum on the amount of such bond, and provided further, the premium or charge for such bonds shall be paid by the said county in the manner that the premiums or charges for the bonds of public officials are paid.

If any paragraph, sentence, clause, or phrase of this section for any reason is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The Legislature hereby declares that it would have passed each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses, or phrases, be declared unconstitutional.

SEC. 12. Section 4244 of said code is hereby amended to read as follows:

4244. In counties of the fifteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, four thousand two hundred dollars ($4,200) per annum.

2. The district attorney, five thousand dollars ($5,000) per annum.

3. Each supervisor two thousand four hundred dollars ($2,400) per annum for personal services performed by him as supervisor, member of the board of equalization and road commissioner. There is hereby allowed to each supervisor a sum not to exceed 25 per cent of his monthly salary for expenses necessarily incurred in the conduct of his office. Each supervisor shall file an itemized statement, supported by receipts or vouchers, on the first day of each and every month, designating the actual expenditure on his part of expenses necessarily incurred in the conduct of his office for the preceding month, and no allowance shall be made to any supervisor for expenses necessarily incurred in the conduct of his said office unless the same shall be itemized and designated in said claim filed by him as herein provided.

4. Grand jurors and trial jurors, three dollars ($3) per day and mileage for each attendance at the rate of seven cents ($0.07) for each mile actually traveled.

No official of the county, whose compensation is fixed by this section, shall receive any other compensation in any form in any other capacity from the county. The salaries and expenses provided in this section shall be in full compensation for the services required of them by law, or by virtue of their offices, and all

other fees, mileage, or other remuneration or compensation of any kind or character received by such officers for or by reason of any duty imposed by law on such officers, or by virtue of their offices shall be by such officers paid into the county treasury at such times and in such manner as required by law, except that until such time as the county provides for such officers and makes available to their use such numbers of automobiles as are reasonably necessary to carry out the duties of their respective offices, such officers shall be allowed to retain for their own use and benefit such mileage as may be allowed by law.

SEC. 13. Section 4245 of said code is hereby amended to read as follows:

4245. In counties of the sixteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums.

1. The auditor, two thousand six hundred dollars ($2,600) per annum.

2. The district attorney, three thousand dollars ($3,000) per annum.

3. Each supervisor, two thousand one hundred dollars ($2,100) per annum and, except as otherwise provided, mileage at the rate of ten cents ($0.10) per mile for each mile traveled in coming to and from the meetings of the board; provided, that only one mileage at any one session of the board shall be allowed. Counties of this class may furnish automobiles to the supervisors thereof for use on any trips taken in performance of their official duties for which mileage would otherwise be allowed. All expense for fuel, oil, supplies, upkeep, and maintenance of such automobiles shall be paid from county funds. Such use of automobiles shall be in lieu of any mileage elsewhere provided. The supervisors shall act as road commissioners in their respective districts.

4. Grand and trial jurors in the superior court, shall each receive for each day's attendance, per day, the sum of three dollars ($3), and for each mile from their residence to the county seat the sum of ten cents ($0.10) per mile, such mileage to be allowed for each day such jurors are required to and do attend. The court shall make an order directing the auditor to draw his warrant on the county treasury for the amount due, and the auditor, unless otherwise specifically ordered, shall draw said warrants on the first and fifteenth days of each and every month, and the treasurer shall pay the same.

SEC. 14. Section 4246 of said code is hereby amended to read as follows.

4246. In counties of the seventeenth class, the following shall receive as compensation for the services required of them by law, or by virtue of their offices, the following sums.

1. The auditor, three thousand dollars ($3,000) per annum. In the event the auditor shall serve as, and perform the duties of, the county purchasing agent, he shall receive, as full compensation for such services, the sum of eight hundred fifty-five dollars ($855) per annum.

2. The district attorney, three thousand six hundred dollars ($3,600) per annum The district attorney shall be allowed the amount of his actual and necessary traveling and other expenses, when incurred in connection with the prosecution of criminals, within the county.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum, and seven cents ($0.07) per mile for all distances actually traveled in the performance of his duty as road commissioner, not to exceed four hundred fifty dollars ($450) per annum, together with mileage, at the rate of seven cents ($0.07) per mile in going from his place of residence to the county seat and returning at each session of the board.

4. Grand jurors and trial jurors in the superior court shall receive for each day's attendance three dollars ($3), and for every mile actually traveled in attending court as such juror, in going only, fourteen cents ($0.14).

SEC. 15 Section 4247 of said code is hereby amended to read as follows:

4247. In counties of the eighteenth class, the following shall receive as compensation for services required of them by law or by virtue of their offices the following sums:

1. The auditor, four thousand dollars ($4,000) per annum.

2. The district attorney, five thousand dollars ($5,000) per annum for all services. The district attorney shall devote his entire time during office hours to the duties of his office and shall not engage in private practice of the law during his term of office.

3 Each supervisor for all services required of him as supervisor and ex officio road commissioner, one thousand five hundred dollars ($1,500) per annum and twenty cents ($0.20) per mile for traveling from his residence to the county seat to attend meetings of the board of supervisors. Where necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

4. Grand jurors three dollars ($3) per diem and trial jurors in the superior court three dollars ($3) in civil and criminal actions, and trial jurors in courts of justices of the peace two dollars ($2) in civil and criminal actions, for each day's attendance. In addition, mileage fees shall be allowed all jurors to be computed

at the rate of fifteen cents ($0.15) per mile for each mile traveled in attending court or in attending sessions of the grand jury, in going only

SEC. 16. Section 4248 of said code is hereby amended to read as follows:

4248. In counties of the nineteenth class the following shall receive as full compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand six hundred dollars ($3,600) per annum.

2. The district attorney, five thousand dollars ($5,000) per annum and actual traveling expenses while away from his office on county business, and when traveling in his own car, the district attorney shall receive five cents ($0.05) per mile for each mile actually traveled. The district attorney shall not personally engage in the private practice of law.

3. *Each supervisor, two thousand four hundred dollars ($2,400) per annum and* his necessary expenses when attending to the business of the county. When traveling in his own car on county business he shall receive five cents ($0.05) per mile for each mile actually traveled.

4. For acting as a grand juror in the superior court, each juror shall be paid for each day's attendance upon regularly called grand jury meetings, committee meetings, or when appointed by the foreman of a grand jury to make individual investigations, the sum of three dollars ($3) per day. For every mile actually traveled as a grand juror in attending court, grand jury meetings, regularly called committee meetings or when properly appointed by the foreman of the grand jury to make individual investigations, five cents ($0.05) per mile for each mile actually traveled.

SEC. 16.5. Sections 4248a, 4248b, 4248c, 4248d, 4248e, 4248f, 4248g, 4248h, 4248i, 4248j, 4248k, 4248l, 4248m, 4248n, 4248o, 4248p, 4248p2, 4248q, 4248r, 4248s, 4248t, 4248u and 4248v of said code are hereby repealed.

SEC. 17. Section 4249 of said code is hereby amended to read as follows:

4249. In counties of the twentieth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand sixty dollars ($3,060) per annum. All fees and commissions of whatever character received by the auditor shall be deposited in the county treasury and become the property of the county.

2. The district attorney, four thousand five hundred dollars ($4,500) per annum and his actual and necessary expenses when traveling on county business. He shall devote his entire time to the duties of his office and he shall not engage in private practice of law.

3. Each supervisor, two hundred dollars ($200) per month as salary, and seven cents ($0.07) per mile in traveling to and from his place of residence to the courthouse on each day of a board meeting. Any member of the board of supervisors when required to travel within or without the county on official business of the county, may use or travel in any vehicle owned and maintained by said county for official purposes. This does not permit the board of supervisors to purchase, set aside or designate automobiles or other vehicles for the sole use of the board, but shall only give them the right to use such vehicles as are ordinarily kept available for general county use. When traveling on official business the expense of maintenance and upkeep of such automobiles and of all necessary supplies therefor shall be borne by the county.

4. For attending as a grand juror or juror in the superior court, or as a member of any committee of the grand jury duly called by the secretary or committee chairman, for each day's attendance, while serving as such juror, or on such committee per day, three dollars ($3); for each day's attendance when not selected to serve, two dollars ($2), but in no case shall there be charged for more than one per diem *on any one calendar day. For attending justice's court, for each juror sworn to* try the cause, per day, in civil cases, only, one dollar and fifty cents ($1.50). A juror excused at his own request shall not be entitled to a per diem fee but shall be entitled to mileage for each mile actually and necessarily traveled in attending court as a juror, or in attending the regular sessions of the grand jury, or any committee meeting of the grand jury duly called, except in criminal cases in justice's courts, for which no allowance shall be made, per mile, ten cents ($0.10).

SEC. 18. *Section 4250 of said code is hereby amended to read as follows:*

4250. In counties of the twenty-first class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand four hundred dollars ($2,400) per annum.

2. The district attorney, three thousand two hundred dollars ($3,200) per annum.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum which shall be in full for all services performed by him as supervisor and road commissioner for each year. Each supervisor shall be allowed his necessary and actual traveling expenses at the rate of seven cents ($0.07) per mile for each mile traveled within the county in attending the meetings of the board of supervisors and in performing his duties as road commissioner. In case it shall be necessary for any member of said board of supervisors to travel outside of the county and within the

State of California, on official matters pertaining to his duties as supervisor and as road commissioner, he shall receive his actual and necessary expenses only and shall file his demand in the same manner as other county officers and shall submit signed receipts and vouchers for all such expenses

4 Grand jurors, and trial jurors in superior court, in criminal cases, shall receive as compensation for each day's attendance the sum of three dollars ($3), and for each mile actually and necessarily traveled from their residence in attending the superior court or the grand jury, one way only, the sum of ten cents ($0.10), such mileage to be allowed once each day said jurors are required to attend in regular session Jurors in justice's courts shall receive as compensation for each day's attendance the sum of one dollar and fifty cents ($1.50), and for each mile actually and necessarily traveled from their residence in attending said justice's court, one way only, the sum of ten cents ($0.10), such mileage to be allowed once each day said trial jurors are required to attend

SEC. 19. Section 4251 of said code is hereby amended to read as follows:

4251 In counties of the twenty-second class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1 The auditor, three thousand six hundred dollars ($3,600) per annum.

2. The district attorney, three thousand two hundred dollars ($3,200) per annum. In the event that the offices of district attorney and public administrator are consolidated, the holder of said consolidated office shall receive a salary of three thousand two hundred dollars ($3,200) per annum and he shall also retain for his own use all fees received by him while he is performing the duties of public administrator

3 Each supervisor one hundred dollars ($100) per month, and eight cents ($0.08) per mile while traveling on official business from his residence to the county seat, or returning therefrom, and also mileage for his services as road commissioner at the rate of eight cents ($0.08) per mile, for the distance actually traveled in the discharge of his duties as road commissioner The mileage as road commissioner shall not in any one year exceed the sum of three hundred dollars ($300).

In all cases where the mileage of any county officer mentioned in this section is not provided by general law, or provided for herein, such mileage shall be the sum of eight cents ($0.08) per mile for each mile actually and necessarily traveled in the performance of his duties.

The county officers mentioned in this section shall be allowed their actual and necessary expenses incurred while traveling to and from the annual convention of their respective associations, but in no event shall such expenses exceed the sum of twenty-five dollars ($25) for each of said officers in any one year.

SEC 20 Section 4252 of said code is hereby amended to read as follows:

4252. In counties of the twenty-third class, the following shall receive as compensation for their services required of them by law or by virtue of their offices the following sums.

1 The auditor, three thousand dollars ($3,000) and such fees as are allowed by law

2 The district attorney, three thousand dollars ($3,000) per annum.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum for all services rendered including mileage and including services as road commissioners, provided, that when required to go on business to any point outside of the county, they shall be allowed actual expenses.

SEC 21. Section 4253 of said code is hereby amended to read as follows:

4253 In counties of the twenty-fourth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1 The auditor, three thousand dollars ($3,000) per annum. When required by the board of supervisors to compile an annual statistical report, the auditor shall receive one hundred fifty dollars ($150) from the general fund of the county as compensation for compiling such report

2. The district attorney, four thousand dollars ($4,000) per annum The district attorney shall not engage in private practice and he shall devote all his time and attention during business hours to the duties of his office

3 Each supervisor, two thousand one hundred dollars ($2,100) per annum for all services performed by them as supervisors, as members of the board of equalization and as road commissioners No mileage allowance is necessary as the county furnishes automobiles for the use of supervisors and road commissioners.

4 For attending as a grand juror, or a trial juror in the superior court, for each day's attendance, three dollars ($3) per day; for each mile he travels in attending court as such juror, twelve cents ($0.12) per mile in going only

5 The salaries of all county and township officers and their deputies shall be payable in equal monthly installments from the salary fund of the county on the first day of each month

SEC 22. Section 4254 of said code is hereby amended to read as follows:

4254 In counties of the twenty-fifth class, the following officers shall receive, as compensation for services required of them by law, or by virtue of their office, the following sums:

1 The auditor, three thousand six hundred dollars ($3,600) per annum In addition to the duties of the auditor in counties of the twenty-fifth class as provided by law it shall also be the duty of the auditor to inspect, examine and audit the books and accounts of all township officers charged with the receipt, safekeeping or disbursement of public moneys, in townships having a population of more than 3,000 persons, at least once each month and also to inspect the books and accounts of all other county or township officers in said county charged with the receipt, safekeeping or disbursement of public moneys as often as in his discretion it may be deemed necessary and to require all persons who have received any money belonging to the county and who have not accounted therefor to settle their accounts. It shall be the duty of the auditor to collect all rentals and franchise fees due the county The auditor shall establish and maintain a complete budget system of accounts in his office. The actual traveling expenses of the auditor, in making such inspection and audits, shall be paid by the county as other county bills are paid.

2. The district attorney, four thousand eight hundred dollars ($4,800) per annum and said district attorney while in receipt of said salary shall be disqualified from engaging in the practice of law in any and all of the courts of this State, in any action or cause wherein the county in which he is elected and serves or the State of California is not a party or parties.

3. Each supervisor, two thousand one hundred dollars ($2,100) per annum, necessary traveling expenses incurred in the performance of his official duties, and mileage at six cents ($0.06) per mile for all distances traveled by him as supervisor or as road commissioner The mileage not to exceed in any one year the sum of one thousand dollars ($1,000) for each supervisor.

4 Grand jurors and trial jurors in the superior courts in civil and criminal cases, three dollars ($3), in lawful money of the United States for each day's attendance, and mileage to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending court, in going only In criminal cases such fees and mileage of the trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrant drawn by the county auditor upon the written order of the judge of the court in which the jurors were in attendance and the treasurer of said county shall pay said warrants. The board of supervisors is hereby directed to make suitable appropriations for the payment of the fees herein provided for

5 Jurors in justice's courts in civil and criminal cases shall be two dollars ($2) in lawful money of the United States for each day's attendance and mileage to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending the court, in going only In criminal cases such fees and mileage of the trial jurors in the justice's courts shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said jury was in attendance and the treasurer of said county shall pay said warrants

6 Jurors on coroner's juries, one dollar ($1) for each day's attendance, said fees to be paid out of the general fund of said county upon the presentation and filing with the board of supervisors of said county a duly verified claim therefor on proper allowance of said claim by said board of supervisors and the approval of the coroner of said county.

The board of supervisors of said county is hereby directed to make suitable appropriations for the payment of the fees herein provided for

SEC 23 Sections 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254l, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, 4254t of said code are hereby repealed.

SEC 24 Section 4255 of said code is hereby amended to read as follows

4255 In counties of the twenty-sixth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, three thousand dollars ($3,000) per annum

2 The district attorney, two thousand four hundred dollars ($2,400) per annum

3 Each supervisor, one hundred twenty-five dollars ($125) per month and each member shall also be furnished with necessary transportation while engaged in the business of the county Whenever it shall be necessary for any member of the board of supervisors to leave the county in and for which he is elected for the purpose of performing any of his duties, that then and in that event, said supervisor shall be allowed his actual expenses The supervisors, while acting as road commissioners, shall give their personal attention to the repair, maintenance, construction and improvement of all roads under their supervision

4 Grand jurors and trial jurors in the superior court, shall each receive for each day's attendance, per day the sum of three dollars ($3) and for each mile actually and necessarily traveled from their residence to the county seat, in going only, the sum of ten cents ($0.10) per mile, such mileage to be allowed but once during each session such jurors are required to attend.

Any officer of the county mentioned herein entitled to receive mileage for distances traveled by him in the discharge of his official duties shall receive such mileage at the rate of five cents ($0.05) per each mile so traveled.

It is hereby expressly provided that the salaries and fees above provided shall be in full compensation for all services of every kind and description rendered by the officers named herein, either as officers or ex officio officers, their deputies and assistants. It is hereby further expressly provided, that all of the fees, commissions, per diem and expenses provided for in Section 4290 of the Political Code of the State of California, and all other moneys coming into the hands of the county officers mentioned, no matter from what source derived or received, shall belong to and be the property of the county, in counties of this class, and shall be paid into the county treasury by officers at the same time and in the same manner that other moneys are required by law to be paid into the county treasury, except, however, that the provisions of this paragraph shall not apply to the office of district attorney and he is expressly exempted from the provisions of this paragraph, and as to said office, to wit, district attorney, he shall receive the salaries fees and commissions provided for by law

SEC. 25. Section 4257 of said code is hereby amended to read as follows:

4257 In counties of the twenty-eighth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand seven hundred dollars ($2,700) per annum.

2. The district attorney, two thousand seven hundred dollars ($2,700) per annum.

3 Each supervisor, two thousand one hundred dollars ($2,100) per annum in full for all services performed by them as supervisors and as members of the board of equalization and road commissioners and in any and every capacity, and also all actual and necessary traveling expenses when traveling on county business outside of the county; provided, that each supervisor shall furnish his own transportation in the performance of all his duties within the county.

4. Grand jurors and trial jurors in the superior court, for each day's attendance, three dollars ($3) per day In justices' courts in civil and criminal cases the jurors sworn to try the case shall receive for each day's attendance the sum of two dollars ($2) per day. Each juror shall receive mileage at the rate of six cents ($0.06) per mile each way for every mile actually traveled in attending court, mileage to be allowed for each trip necessarily made to the place of service; provided, that in justices' courts mileage shall be allowed only to those sworn to try the case.

SEC 26. Section 4258 of said code is hereby amended to read as follows.

4258. In counties of the twenty-ninth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1 The auditor shall receive as compensation two thousand six hundred seventy-five dollars ($2,675) per annum.

2 The district attorney, three thousand six hundred dollars ($3,600) per annum.

3. Each supervisor, one thousand sixty dollars ($1,060) per annum, payable in monthly installments, and for serving as road commissioner two hundred dollars ($200) per annum; also each shall be allowed and paid his actual necessary traveling expenses incurred by him while engaged in the county business outside of his district whether within or without the boundaries of his county; also his actual necessary expenses in attending the annual State convention of members of county boards of supervisors, but the expense of each member attending such convention shall not exceed forty dollars ($40) in any one year; also each supervisor shall be allowed and paid his traveling expenses, while supervising the roads of his district, at the rate of sixteen cents ($0.16) per mile for each mile so traveled, but the amount so allowed and paid shall not exceed the sum of eighty dollars ($80) in any one month and while attending board meetings and attending to any other county business at the rate of sixteen cents ($0.16) per mile

4. Grand and trial jurors in the superior court shall receive for each day's attendance per day the sum of three dollars ($3). In justices' courts in civil cases the jurors sworn to try the cases shall receive for each day's attendance per day the sum of two dollars ($2). All jurors shall receive for each mile actually and necessarily traveled from their residence to the place of service the sum of fifteen cents ($0.15) per mile; provided, that in the justices' courts mileage shall be allowed only to those sworn to try the case.

SEC 27 Section 4259 of said code is hereby amended to read as follows:

4259 In counties of the thirtieth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand eight hundred dollars ($2,800) per annum, which shall include compensation for the compilation of the annual financial report and classified annual pay roll of the counties of this class.

2 The district attorney, two thousand one hundred dollars ($2,100) per annum.

3 Each supervisor, one thousand five hundred dollars ($1,500) per annum and ten cents ($0.10) per mile, one way between residence and county seat, in attending

upon all regular, special or adjourned meetings of the board of supervisors. The chairman of the board of supervisors may receive twenty-five cents ($0.25) per mile, one way, between his residence and the county seat, when attending at the county seat for the single purpose of counting the money in the county treasury as required by law.

4. Grand jurors in grand jury duty and trial jurors in civil and criminal cases in the superior court, shall receive, for each day's attendance, three dollars ($3) and for each mile necessarily traveled in his attendance ten cents ($0.10).

SEC. 28. Section 4260 of said code is hereby amended to read as follows:

4260. In counties of the thirty-first class the following shall receive as compensation for services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand dollars ($3,000) per annum.

2. The district attorney, three thousand dollars ($3,000) per annum.

3. Each member of the board of supervisors, one thousand two hundred dollars ($1,200) per annum and mileage at the rate of twenty cents ($0.20) per mile from his home to and from county seat.

SEC. 29. Section 4261 of said code is hereby amended to read as follows:

4261. In counties of the thirty-second class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand four hundred dollars ($2,400) per annum.

2. The district attorney, two thousand four hundred dollars ($2,400) per annum.

3. Each supervisor one thousand two hundred dollars ($1,200) per annum which shall be in full for all services rendered as supervisor.

4. Grand jurors and trial jurors, in the superior court, in civil and criminal actions and in all special proceedings, three dollars ($3) a day for each day's attendance, and mileage, to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending court, or in attending sessions of the grand jury, in going only. In criminal actions such fees and mileage of such trial jurors shall be paid by the treasurer, out of the general funds of the county, upon warrants drawn by the auditor, who shall draw such warrants upon the written order of the judge of the superior court in which said juror was in attendance, and the treasurer shall pay all such warrants.

SEC. 30. Section 4262 of said code is hereby amended to read as follows:

4262. In counties of the thirty-third class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, two thousand seven hundred dollars ($2,700) per annum.

2. The district attorney, two thousand four hundred dollars ($2,400) per annum.

3. Each supervisor, one thousand eight hundred dollars ($1,800) per annum, for all services rendered as supervisor, as a member of the board of equalization, and as road commissioner; provided, that each supervisor shall also receive six cents ($0.06) for each mile traveled on county business, but not in excess of the sum of fifty dollars ($50) in any one calendar month, and his actual and necessary traveling expenses when traveling by order of the board of supervisors on county business outside of the county.

4. Grand jurors and jurors in the superior court shall receive for each day's attendance the sum of three dollars ($3), and for each mile actually and necessarily traveled from residence to county seat the sum of twenty-five cents ($0.25); such mileage to be allowed but once during each session such jurors are required to attend.

SEC. 31. Section 4263 of said code is hereby amended to read as follows:

4263. In counties of the thirty-fourth class, the following shall receive as compensation for the services required of them by law, or by virtue of their office, the following sums:

1. The auditor, three thousand dollars ($3,000) per annum.

2. The district attorney, three thousand dollars ($3,000) per annum, and his traveling, office and other expenses in criminal matters, and cases, and in civil actions, proceedings and all other matters in which the county is interested, incurred by him in the performance of his duties, and all expenses incurred by him in the detection of crime and prosecution of criminal cases and in civil actions and proceedings and in all other matters in which the county is interested.

3. Each supervisor, one thousand five hundred dollars ($1,500) per annum and the further sum of ten cents ($0.10) per mile mileage in traveling to and from his residence to the county seat; and for services as road commissioner, he shall receive twenty cents ($0.20) per mile for all distances actually traveled by him in the performance of his duties within the county but he shall not in any one year receive more than nine hundred dollars ($900) as such road commissioner.

4. Grand jurors and trial jurors in the superior courts of said counties, shall receive the sum of three dollars ($3) for each day's attendance, and for each mile actually and necessarily traveled from their residence to the place of service, in going only, the sum of twenty cents ($0.20) per mile, such mileage to be allowed but once during any one session of such court or grand jury. Jurors in justices'

courts and recorders' courts and coroner's inquests, shall receive for each day's attendance, the sum of two dollars ($2), and for each mile actually and necessarily traveled from their residence to the place of service, in going only, the sum of ten cents ($0.10) per mile; provided, that the fees of trial jurors in civil cases shall be paid by the litigants, as other costs are paid, and jurors in criminal cases in recorders' courts shall be paid by municipalities in which such court is or may be established.

SEC. 32. Sections 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263j, 4263k, 4263*l*, 4263m, 4263n, 4263o, 4263p, 4263q, 4263r, 4263s, of said code are hereby repealed.

SEC. 33. Section 4264 of said code is hereby amended to read as follows:

4264. In counties of the thirty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their office, the following sums:

1. The auditor, three thousand dollars ($3,000) per annum.

2. The district attorney, three thousand dollars ($3,000) per annum.

3. *Each supervisor, one thousand two hundred dollars ($1,200) per annum, for* all services performed by him as supervisor, member of the board of equalization and road commissioner and the use of county automobiles in connection with the performance of official duties.

4. Grand jurors and trial jurors in the superior court in civil and criminal cases, shall receive as compensation for each day's attendance, per day, three dollars ($3); and trial jurors for each mile actually and necessarily traveled in attendance as such in going only, per mile, twenty-five cents ($0.25); and grand jurors for each mile actually and necessarily traveled in attendance as such in going only, per mile, fifteen cents ($0.15).

SEC. 34. Section 4265 of said code is hereby amended to read as follows:

4265. In counties of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand four hundred dollars ($2,400) per annum.

2. The district attorney, three thousand dollars ($3,000) per annum.

3. Each member of the board of supervisors, one thousand eight hundred dollars ($1,800) per annum, in full payment for services as member of the board of supervisors, and as member of the board of equalization. Each member shall receive his actual mileage as *road commissioner not to exceed three hundred dollars ($300)* per annum.

4. Grand jurors and jurors in the superior court shall receive the following fees: For each day's attendance three dollars ($3), and for each mile actually traveled in attending court as a juror, or otherwise traveled in the performance of their duties, six cents ($0.06) per mile each way.

SEC. 35. Section 4265a of said code is hereby repealed.

SEC. 36. Section 4266 of said code is hereby amended to read as follows:

4266. In counties of the thirty-seventh class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, eight hundred dollars ($800) per annum.

2. The district attorney, two thousand five hundred dollars ($2,500) per annum.

3. Each supervisor, one thousand eight hundred dollars ($1,800) per annum, for all services rendered as supervisor, as a member of the board of equalization, and as road commissioner. Each supervisor shall also receive six cents ($0.06) *for each mile traveled on county business, but not in excess of the sum of forty* dollars ($40) in any one calendar month, and his actual and necessary traveling expenses when traveling by order of the board of supervisors on county business outside of the county.

4. Grand jurors and trial jurors in the superior court shall each receive for each day's attendance the sum of three dollars ($3), and mileage to be paid at the rate of thirty-five cents ($0.35) per mile for each mile actually and necessarily traveled from their residences to the county seat in going only, such mileage to be allowed but once during each session such jurors are required to attend same; provided, that no one mileage shall exceed the sum of fifteen dollars ($15). Such fees and mileage shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in said county.

SEC. 37. Section 4267 of said code is hereby amended to read as follows:

4267. In counties of the thirty-eighth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand six hundred twenty-five dollars ($2,625) per annum. It shall be the duty of the auditor, in addition to his duties as auditor, to prepare for the board of supervisors, a statistical report as provided by Section 4049a of the Political Code as adopted in 1907.

2. The district attorney two thousand four hundred dollars ($2,400) per annum.

3. Each supervisor shall receive one hundred dollars ($100) per month, and his actual expenses while attending to the business of the county by the order of the board of supervisors and mileage at the rate of fifteen cents ($0.15) per mile, one way, for traveling from his residence to the county seat to attend regular, special and adjourned sessions of the board of supervisors and mileage at the rate of fifteen cents ($0.15) per mile, one way, for all actual distances, traveled by him in the performance of his duties as road commissioner.

4. Grand jurors and jurors in the superior court for each day's attendance three dollars ($3); for each mile actually traveled in attending court as a juror, and for attending regularly called grand jury meetings and grand jury committee meetings, one way, fifteen cents ($0.15). Mileage shall be paid for each time a regularly empaneled jury or grand jury shall be called in separate session.

SEC. 38. Section 4268 of said code is hereby amended to read as follows:

4268. In counties of the thirty-ninth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, one thousand five hundred dollars ($1,500) per annum.

2. The district attorney, four thousand dollars ($4,000) per annum. The district attorney shall not engage in the private practice of law, and shall devote his entire time to the service of the county. In the event that the office of district attorney is consolidated with that of public administrator, the holder of said consolidated office shall receive a salary of four thousand dollars ($4,000) per annum, and all fees received by the holder of said consolidated office while said holder is performing the duties of public administrator shall be paid into the county treasury.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum, and mileage when acting as road commissioner, twenty-five cents ($0.25) per mile one way, provided, the amount of mileage shall not exceed the sum of three hundred dollars ($300) in any one year.

4. Grand jurors and trial jurors in the superior court shall each receive for each day's attendance the sum of three dollars ($3), and mileage to be computed at the rate of fifteen cents ($0.15) per mile for each mile actually and necessarily traveled from their residences to the county seat, in going only. Such fees and mileage shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in said county.

SEC. 39. Section 4269 of said code is hereby amended to read as follows:

4269. In counties of the fortieth class, the following shall receive as compensation for services required of them by law, or by virtue of their offices, the following sums:

1. The auditor, eight hundred dollars ($800) per annum.

2. The district attorney, two thousand four hundred dollars ($2,400) per annum.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum, and mileage from residence to the county seat, at each sitting of the board, at twenty-five cents ($0.25) per mile. Each supervisor is, in addition, allowed three hundred dollars ($300) per annum to cover mileage expense at twenty-five cents ($0.25) per mile in viewing the roads, which salaries and mileage shall be in full for all services.

4. Grand jurors, and trial jurors shall receive the following fees and mileage:

(a) Grand jurors and jurors in the superior court shall be paid three dollars ($3) per day for each day's attendance and for each mile actually traveled in going only, while acting as jurors, twenty-five cents ($0.25). The judge of the court shall certify to the auditor the number of days' attendance of each juror and his mileage and the auditor shall then draw his warrant on the treasurer in favor of each juror therefor and the treasurer shall pay the same.

(b) For attending as a trial juror in criminal cases only in any justice's court of the county, for each day's attendance, two dollars and fifty cents ($2.50). The justice of the peace shall certify to the auditor the number of days' attendance of each juror, and the auditor shall then draw his warrant therefor, and the treasurer shall pay the same.

SEC. 40. Section 4270 of said code is hereby amended to read as follows:

4270. In counties of the forty-first class, the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, two thousand dollars ($2,000) per annum.

2. The district attorney, one thousand five hundred dollars ($1,500) per annum.

3. Each supervisor as supervisor and road commissioner, five dollars ($5) per day. Each supervisor shall receive as mileage, fifteen cents ($0.15) per mile for one way from the place of residence to the place of meeting for each regular session of the board of supervisors.

4. Grand jurors and trial jurors in the superior court, three dollars ($3) per day for each day's attendance and mileage, to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund

of said county upon warrants drawn by the county auditor on the written order of the judge of the court in which the juror was in attendance, and the treasurer of said county shall pay such warrants

SEC. 41. Sections 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270l, 4270m, 4270n, 4270o, 4270p, 4270q and 4270r of the Political Code are hereby repealed

SEC 42. Section 4271 of said code is hereby amended to read as follows:

4271 In counties of the forty-second class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, nine hundred dollars ($900) per annum and 5 per cent of all amounts found to have been paid out by the county for State aid as per his report as contemplated by Section 4099a of the Political Code of this State or other law providing for such compensation.

2 The district attorney, one thousand eight hundred dollars ($1,800) per annum

3 Each supervisor, nine hundred dollars ($900) per annum and twenty cents ($0.20) per mile for traveling from his residence to the county seat, also his actual necessary expenses while acting as ex officio road overseer or commissioner not to exceed three hundred dollars ($300) in any one year

4 For attending as a grand juror, for each day's attendance, three dollars ($3), and fifteen cents ($0.15) per mile for each mile actually traveled in going only, and the court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same. For attending as a trial juror in the superior court in criminal cases, for each day's actual attendance, three dollars ($3), and fifteen cents ($0.15) per mile for each mile actually traveled in going only, and the court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

SEC 43. Section 4272 of said code is hereby amended to read as follows:

4272 In counties of the forty-third class, the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums.

1 The auditor, two thousand four hundred dollars ($2,400) per annum

2 The district attorney, two thousand four hundred dollars ($2,400) per annum

3 Each supervisor, one hundred dollars ($100) per month and mileage at the rate of twenty cents ($0.20) per mile for each mile actually traveled by him in the discharge of his duties either as road commissioner or supervisor, not exceeding in the aggregate six hundred dollars ($600) per annum Each supervisor shall also receive his necessary expenses when the performance of his duty as supervisor or road commissioner takes him out of the county.

4 Grand jurors and trial jurors in the superior court shall receive for each day's attendance the sum of three dollars ($3) and for each mile actually and necessarily traveled from their residence to the county seat, the sum of fifteen cents ($0.15); such mileage to be allowed but once during each session such jurors are required to attend

SEC 44 Section 4272a of said code is hereby repealed

SEC 45 Section 4273 of said code is hereby amended to read as follows:

4273 In counties of the forty-fourth class, the following county officers shall receive as compensation for the services required of them by law or by virtue of their office, the following sums:

1 The auditor, four hundred dollars ($400) per annum

2 The district attorney, two thousand dollars ($2,000) per annum.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum and mileage from residence to the county seat at each sitting of the board of twenty cents ($0.20) per mile, said compensation to be in full for services either as supervisor or for mileage as road commissioner.

4 Grand and trial jurors, three dollars ($3) per day, and such mileage fees as may be allowed by law

SEC 46 Section 4274 of said code is hereby amended to read as follows:

4274 In counties of the forty-fifth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1 The auditor, eight hundred dollars ($800) per annum.

2 The district attorney, one thousand eight hundred dollars ($1,800) per annum

3 Each supervisor, nine hundred dollars ($900) per annum, and twenty cents ($0.20) per mile for traveling expenses from his residence to the county seat, and also necessary expenses when on official business outside the county

4. Grand and trial jurors in the superior court, three dollars ($3) per day for each day's attendance while engaged in the performance of the duties required of them, and in addition thereto, for each mile actually traveled, in going only, while acting as such juror, fifteen cents ($0.15) The judge of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for such per diem and mileage, and the treasurer shall pay the same.

SEC. 47. Section 4275 of said code is hereby amended to read as follows:

4275. In counties of the forty-sixth class the following shall receive as compensation for the services required of them by law, or by virtue of their office, the following sums:

1. The auditor, one thousand six hundred twenty dollars ($1,620) per annum.

2. The district attorney, two thousand two hundred dollars ($2,200) per annum.

3. Each supervisor, one thousand four hundred fifty dollars ($1,450) per annum for all services performed by him as supervisor, member of the board of equalization and road commissioner.

In lieu of mileage, supervisors shall be entitled to the use of automobiles provided and maintained by any county of this class in connection with the performance of their official duties.

Any supervisor receiving less than one thousand four hundred fifty dollars ($1,450) per annum for all services performed by him, as supervisor, and as a member of the board of equalization and as road commissioner, shall also, in lieu of mileage, be entitled to the use of automobiles provided and maintained by any county of this class in connection with the performance of his official duties, in which event his salary shall be reduced in the sum of fifty dollars ($50) per annum.

4. In counties of this class, the official reporter of the superior court shall receive, as full compensation for taking notes in criminal cases in said court, before the grand jury, for preliminary examinations and for coroners' inquests, and for transcribing notes in justices' courts preliminary examinations, a monthly salary of one hundred thirty-five dollars ($135), payable out of the county treasury at the same time and in the same manner as the salaries of the county officers are paid, and shall receive as compensation for taking notes, when required, in civil cases, a per diem as is now or may be hereafter provided by law, to be paid by the litigants as the court may direct; and for transcription of said notes, in civil cases, and in criminal cases on appeal from the superior court, such fees as are now or may be hereafter provided by law; said compensation for transcriptions in criminal cases on appeal from the superior court to be audited and allowed upon a written order of the court, and paid out of the county treasury and in civil cases to be paid by the party ordering the same or when ordered by the judge, by either party, or by both or all parties, as the court may direct. He shall also be allowed his actual traveling expenses when reporting outside of the county seat.

5. Grand jurors and jurors in the superior court in criminal and civil cases shall be paid three dollars ($3) per day for each day's attendance, and for each mile actually traveled in attending court as such juror under summons or under order of court, in going only, twenty-five cents ($0.25); and in criminal cases, the county clerk shall certify to the auditor the number of days' attendance and the number of miles traveled by each such juror, and the auditor shall then draw his warrant for the fees and mileage due such juror, and the treasurer shall pay the same.

6. Witnesses, when legally required to attend upon the superior court, in criminal cases, and upon the juvenile court in juvenile court matters, shall be paid two dollars ($2) per day for each day's actual attendance, and twenty-five cents ($0.25) per mile for each mile actually traveled, in going only; and in criminal cases and in juvenile court matters the county clerk shall certify to the auditor the number of days' attendance and the number of miles traveled by each such witness, and the auditor shall then draw his warrant for the fees and mileage due such witness, and the treasurer shall pay the same.

SEC. 48. Section 4276 of said code is hereby amended to read as follows:

4276. In counties of the forty-seventh class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums.

1. The auditor, two thousand four hundred dollars ($2,400) per annum.

2. The district attorney, two thousand four hundred dollars ($2,400) per annum.

3. Each supervisor, one hundred twenty-five dollars ($125) per month, and mileage at the rate of ten cents ($0.10) per mile for each mile actually traveled by him in the discharge of his duties, either as road commissioner or supervisor, not exceeding in the aggregate two hundred fifty dollars ($250) per annum. Each supervisor shall also receive his necessary expenses when the performance of his duty as supervisor or road commissioner takes him out of the county.

4. Grand and trial jurors of the superior court, for each day's attendance, the sum of three dollars ($3) per day, and for each mile actually traveled in attending court, twenty cents ($0.20) per mile one way only.

SEC. 49. Section 4277 of said code is hereby amended to read as follows:

4277. In counties of the forty-eighth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums

1. The auditor, one thousand dollars ($1,000) per annum.

2. The district attorney, one thousand eight hundred dollars ($1,800) per annum. He may charge and receive for his own use necessary expenses for traveling on county and public business, to be allowed as other county charges are allowed by law.

3. Each supervisor, one thousand two hundred dollars ($1,200) per annum, for his services both as supervisor and as road commissioner, and ten cents ($0.10) per

mile for traveling from his residence to the county seat and return for each regular or special session of the board.

4 Grand jurors and jurors in the superior court, three dollars ($3) per day for each day's attendance, and for each mile actually traveled, in going only, while acting as such jurors, twenty-five cents ($0.25), and the court shall make an order directing the auditor to draw his warrant on the treasurer in favor of each such juror for such per diem and mileage, and the treasurer shall pay the same.

SEC. 50 Section 4278 of said code is hereby amended to read as follows:

4278 In counties of the forty-ninth class the following shall receive as compensation for the services required of them by law, or by virtue of their office, the following sums:

1. The auditor, eight hundred dollars ($800) per annum, and such fees as are now or may hereafter be allowed by law.

2 The district attorney, two thousand dollars ($2,000) per annum.

3. Each supervisor, eight hundred dollars ($800) per annum, plus an allowance of fifteen cents ($0.15) per mile actually traveled in inspecting county roads. No member of the board shall receive an aggregate annual allowance for mileage in excess of three hundred dollars ($300).

4 For attending as a grand juror or as a trial juror in the superior court, in criminal cases, three dollars ($3) per day for each day's attendance. For each mile actually traveled in attending upon the superior court, in going only, per mile, twenty-five cents ($0.25). In counties of this class the grand jurors and trial jurors in criminal cases shall be paid by warrants drawn by the county auditor, issued upon the order of the court, or judge thereof. Jurors who serve in civil actions in the superior court shall receive the sum of two dollars ($2) per day, to be paid by the party or parties demanding the jury.

SEC. 51 Section 4279 of said code is hereby amended to read as follows:

4279. In counties of the fiftieth class the following shall receive as compensation for the services required of them by law, or by virtue of their offices, the following sums

1 The auditor, one thousand dollars ($1,000) per annum.

2 The district attorney, two thousand dollars ($2,000) per annum and necessary traveling expenses to be allowed by the board of supervisors

3 Each supervisor, one thousand five hundred dollars ($1,500) per annum, in full payment for services as member of the board of supervisors, as member of the board of equalization and as road commissioner, and twenty cents ($0.20) per mile, going only, in traveling from his residence to the county seat at each session of the board Each supervisor shall also receive his necessary and actual itemized traveling expenses when traveling outside the County of Calaveras by order of the board on business connected with his office; said traveling expenses not to exceed one hundred dollars ($100) per year per supervisor.

4 For attending as a grand juror, or a trial juror in criminal and civil cases in the superior court, for each day's attendance, three dollars ($3); for each mile actually traveled one way as such grand juror, or trial juror, in the superior court, under summons or order of the court, twenty-five cents ($0.25). The county clerk shall certify to the auditor the number of days' attendance, and the number of miles traveled by each juror and the auditor shall then draw his warrant therefor and the treasurer shall pay the same.

SEC 52 Section 4280 of said code is hereby amended to read as follows:

4280. In counties of the fifty-first class, the following shall receive as compensation for services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand two hundred twenty dollars ($2,220) per annum, in lieu of all fees and commissions.

2. The district attorney, one thousand eight hundred dollars ($1,800) per annum

3 Each supervisor, eight hundred dollars ($800) per annum for his services as supervisor, and a further sum of ten cents ($0.10) per mile, mileage, in traveling to and from his residence to the county seat; and for his services as road commissioner he shall receive a salary of four hundred dollars ($400) per annum; and ten cents ($0.10) per mile, mileage, for every mile actually traveled in the performance of his duty as road commissioner He shall not receive more than five hundred dollars ($500) in any one year for such mileage as road commissioner nor more than three hundred dollars ($300) in any one year for such mileage as supervisor.

4. For attending as grand juror or as trial juror, each such juror shall receive such fees and mileage as are now or may hereafter be allowed by law.

SEC. 53 Section 4281 of said code is hereby amended to read as follows:

4281 In counties of the fifty-second class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums

1 The auditor, one thousand eight hundred dollars ($1,800) per annum.

2. The district attorney, two thousand one hundred dollars ($2,100) per annum.

3 Each supervisor, one thousand two hundred dollars ($1,200) per annum, thirty cents ($0.30) per mile one way in attending the meetings of the board and

three dollars ($3) per day when actually serving as road commissioner, not to exceed three hundred dollars ($300) per annum.

4. For attending as a grand juror, for each day's actual attendance, per day, three dollars ($3), and twenty cents ($0.20) per mile for each mile actually traveled, in going only, for attending as a trial juror in the superior court in civil and criminal cases, for each day's actual attendance, per day, three dollars ($3), and twenty cents ($0.20) per mile for each mile actually traveled, in going only; for attending as a trial juror in the justice's court, in civil cases only, for each day's actual attendance, per day, two dollars ($2), and twenty cents ($0.20) per mile for each mile actually traveled, in going only. The fee of such jurors shall be paid to them, respectively, on each day during the period of their attendance, if demanded, and the mileage herein provided for shall be paid at the time the fee for the first day's attendance is paid.

SEC. 54. Section 4282 of said code is hereby amended to read as follows:

4282. In counties of the fifty-third class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

1. The auditor, five hundred seventy dollars ($570) per annum.

2. The district attorney, one thousand six hundred dollars ($1,600) per annum.

3. Each supervisor, one thousand five hundred dollars ($1,500) per annum, for all services required of him by law in any capacity. Supervisors may use automobiles provided and maintained by the county in the performance of the duties required of them by law.

4. Grand jurors, shall be paid four dollars ($4) per day and jurors of the superior court in civil and criminal cases shall be paid three dollars ($3) per day for each day's attendance, and for each mile actually traveled in going only, while acting as such juror, thirty cents ($0.30) per mile. The court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

SEC. 55. Section 4283 of said code is hereby amended to read as follows:

4283. In counties of the fifty-fourth class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, two thousand dollars ($2,000) per annum. If statements on the assessment roll exceed 3,700, he shall receive seventy-five dollars ($75) for every additional 100, or major fraction thereof. No other fees shall be allowed to the auditor. He shall receive the sum of no dollars per year from the time and in the event that said office is consolidated with that of recorder.

2. The district attorney, two thousand dollars ($2,000) per annum and such fees as are now or may hereafter be paid to that officer.

3. Each supervisor, seventy-five dollars ($75) per month and an allowance not to exceed two hundred dollars ($200) per year for mileage and expenses in traveling from his residence to the county seat, but only one mileage shall be allowed for any session, regular or special, of the board. Actual expense outside county to be allowed and paid.

4. Grand jurors and trial jurors in the superior courts in civil and criminal cases, three dollars ($3) in lawful money of the United States for each day's attendance and mileage to be computed at the rate of fifteen cents ($0.15) per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of the trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the court in which the juror was in attendance and the treasurer of the county shall pay the warrants. The fees of jurors in justices' courts shall be two dollars ($2) per day for each day's attendance and mileage to be computed at the rate of fifteen cents ($0.15) per mile traveled in attending court, in going only. The board of supervisors of said county is hereby directed to make suitable appropriations for the payment of the fees herein provided for, and shall pay all fees for mileage at the rate of six cents ($0.06) per mile.

Allowance for mileage within county in no case shall exceed six cents ($0.06) per mile.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1276—An act to amend Section 4251 of the Political Code, relating to the compensation for public services in counties of the twenty-second class.

Bill read third time.

Motion to Amend

Mr. Michael J Burns moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4251", and insert "4254".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "second", and insert "fifth".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4251", and insert "4254".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of line 3, and in line 4, strike out "and township officers", and insert
"4254. In counties of the twenty-fifth class, the following".

Amendment No. 5

On page 1, line 6, of the printed bill, as amended, strike out "salaries, to wit", and insert "sums".

Amendment No. 6

On page 1, line 7, of the printed bill, as amended, strike out "(a)", and insert "1."

Amendment No. 7

On page 1, line 17, of the printed bill, as amended, strike out "(b)", and insert "2."

Amendment No. 8

On page 1, line 24, of the printed bill, as amended, strike out "(c)", and insert "3."

Amendment No. 9

On page 2, line 6, of the printed bill, as amended, strike out "(d)", and insert "4."

Amendment No. 10

On page 2, line 7, of the printed bill, as amended, strike out "of the twenty-second class".

Amendment No. 11

On page 2, line 21, of the printed bill, as amended, strike out "(e)", and insert "5."

Amendments read and adopted.

Bill ordered reprinted and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gaffney:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen, entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately

Respectfully submitted.

EDWARD M. GAFFNEY

Request referred to Committee on Introduction of Bills.

MESSAGES FROM THE SENATE

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered to unfinished business.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 61: By Mr. Robertson—Proposed amendment to Article V of the Constitution, by adding Section 22, relating to the compensation of State officers.

Referred to Committee on Constitutional Amendments.

MOTION TO SET SPECIAL ORDER

Mr Lyon moved that Senate Bill No. 877 be made a special order of business for Tuesday, May 13, 1941, at 2.30 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masston, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Thomas, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—62.

NOES—Dills, and Evans—2.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Assembly Bill No 1800 be made a special order of business for Thursday, May 8, 1941, at 10 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masston, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

MOTION TO SET SPECIAL ORDER

Miss Miller moved that a Mother's Day program be made a special order of business for Friday, May 9, 1941, at 10.30 a.m

Motion carried.

RECESS

At 5.12 p m, on motion of Mr. Lyon, the Assembly recessed until 8.30 p m.

REASSEMBLED

At 8.30 p m, the Assembly reconvened.

Hon Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

Call of the Assembly

Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 8.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 952—An act to repeal Sections 4000, 4001, 3820-3881, inclusive, and 3500-3511, inclusive, of the Harbors and Navigation Code.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "Section", and insert "Sections".

Amendment No. 2

In the title of the printed bill, as amended, strike out lines 9, 10 and 11, and insert "of Division 6 of said code, and to add Section 4018 to said code, relating to"

Amendment No. 3

On page 1, line 6, of the printed bill, as amended, after "Code," insert "and".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 7, 8 and 9, and insert "sive of Division 6 of said code are hereby repealed.

SEC. 2 Section 4018 is hereby added to the Harbors and Navigation Code, to read as follows:

4018 The powers vested in and responsibilities imposed upon boards of supervisors, municipalities and agencies of the State by this chapter shall be exercised only with respect to lands as to which the State has divested itself of title or lands as to which the State has transferred exclusive easements for the purpose of the development thereof for harbors, navigation, commerce or other public purposes."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Request for Unanimous Consent

Mr. Millington asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

Senate Concurrent Resolution No. 36—Approving an amendment to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the fourteenth day of April, 1941.

Resolution adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., King, Knight, John B, Lowrey, Lyon, Maloney, Massion, Meehan,

Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Welch, Weybret, and Mr. Speaker—44
NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 272

Mr. Thorp moved that Assembly Bill No 272 be withdrawn from the Committee on Live Stock and Dairies, and re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Michael J, Cain, Call, Carlson, Collins, George D., Collins, Sam L, Cooke, Cronin, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Watson, Welch, Weybret, and Mr Speaker—44
NOES—None

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1434—An act to amend Sections 5, 9 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the filing of reports, the revocation of licenses and the conduct of activities without a license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Watson, Welch, Weybret, and Mr Speaker—47
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1438—An act to amend Sections 5 and 10 of the Use Fuel Tax Act of 1937, relating to the issuance of permits and the lien of the tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F, Howser, F. N., King, Leonard, Lowrey, Lyon, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thorp, Thurman, Watson, Welch, Weybret, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1164—An act to add Section 1.51 to the School Code, relating to the maintenance of activities by student organizations on property of a school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thorp, Thurman, Watson, Welch, and Weybret—45.

NOES—McCollister—1.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2272.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2272—An act to add Section 48.2 to the State Lands Act of 1938, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Voigt, Watson, Welch, and Weybret—48.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley, and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Watson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2358.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2358—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond,

Dickey, Donnelly, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Robertson, Salsman, Thomas, Thorp, Thurman, Voigt, Watson, Weber, and Weybret—46.
NOES—Evans—1.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr. Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165:

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2218—An act to amend Sections 4.871 and 4.884 of, and to add Sections 4.871a and 4.884a to the School Code, relating to evening schools

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Voigt, Waters, Weber, and Weybret—50.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS

Mr Field moved that the following members be excused for a meeting of the Committee on Governmental Efficiency and Economy for the purpose of hearing Assembly Bill No. 2165·

Messrs. Hawkins, Tenney, Stream, Clarke, Poulson, Waters, Kellems, Knight, T. Fenton; Allen, Turner, Hastain, Wollenberg, Middough, O'Day, Burns, Hugh M., Doyle, Mrs. Daley, and Mr. Field, Chairman of the Committee on Governmental Efficiency and Economy.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Salsman, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 1480.

RECONSIDERATION OF ASSEMBLY BILL NO. 1480

In compliance with a notice given on a previous day, Mr. Cronin moved that the vote whereby Assembly Bill No. 1480 was passed be reconsidered.

Demand for Previous Question

Messrs Lyon, Waters, Collins, Sam L., Andreas and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 1480.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Cronin moved a call of the Assembly.

Motion carried Time, 9 45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 9.46 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1933—An act to amend Section 3521 of the Political Code, relating to patents for State lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—*Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call,* Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—Field, and Houser, Frederick F.—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10 p.m., Hon Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1315—An act to amend Section 672 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Rus-

sell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 949—An act to repeal Chapter 208, Statutes of 1919.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—69.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 950—An act to repeal Section 3788 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70.
NOES—Desmond—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1800.
And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Millington, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1800.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1800 was taken up.

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of

Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Speaker Presiding

At 10 25 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Robertson, Waters, Lyon, Collins, Sam L, and Potter demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1800.

Motion to Temporarily Suspend the Rules

Mr Bennett moved that the Rules be temporarily suspended for the purpose of allowing Mr. Millington an extra five minutes for discussion of Assembly Bill No. 1800, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns Hugh M., Cain, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—55.

NOES—Allen, Call, Carlson, Collins, Sam L., Daley, Dilworth, Field, Hastain, Knight, John B, Knight, T. Fenton; Leonard, Lyon, McCollister, Potter, Stream, Waters, and Mr Speaker—17.

The question being on the passage of Assembly Bill No. 1800.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried Time, 10.47 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

COMMUNICATIONS

The following communication was received and read, and on motion of Mr Doyle, ordered printed in the Journal:

MEMORANDUM

IN RE: Enactment of 1941-43 Budget Bill With Less Than Two-thirds Vote

Section 34a of Article IV of the Constitution requires that appropriations from the General Fund in excess of an amount determined by a formula specified therein must be passed by a two-thirds vote of the members of both houses of the Legislature The section specifically provides:

> "Should the appropriations in the Budget Act for any biennium exceed the limitations herein prescribed, and such Budget Act be not passed by such two-thirds vote, the several items of appropriation therein shall be deemed reduced by that percentage which the excess amount of the appropriation bears to the total appropriation"

An analysis of Assembly Bill No. 1800, as amended April 9, 1941, indicates that if the Budget Bill is passed by less than a two-thirds vote the items of appropriation therein from the General Fund that are subject to reduction will each be reduced approximately 77 per cent.

The exact percentage could be determined only by litigation of the question since the meaning of the provisions of Section 34a of Article IV has never been passed upon by the courts However, we believe that 77 per cent is substantially correct and that, regardless of interpretations the variation therefrom would not amount to more than a very few percentage points

Even if it is assumed that the reduction applies not only to the General Fund *items in the Budget but to all continuing appropriations from the General Fund* for the coming biennium that might be included in the Budget such as for payment of interest and bond redemption, aid to the blind, aid to the aged, etc., the percentage of reduction of each item would total 37.849 per cent. We do not subscribe to the correctness of this interpretation of Section 34a of Article IV but cite it here merely for the purpose of showing the minimum amount of reduction of the items of appropriation under any possible interpretation of the Constitution

Attached hereto is a statement showing the figures used in determining that passage of the Budget Bill by less than a two-thirds vote will result in a reduction *in the General Fund items of approximately 77 per cent.*

FRED B. WOOD
By LAWRENCE G. ALLYN

Hon. Jesse Randolph Kellems Presiding

At 11 p.m., Hon. Jesse Randolph Kellems, member of the Assembly from the Sixtieth District, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1800

At 11.04 p.m., on motion of Mr. Lyon further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1800 passed by the following vote:

AYES—Allen, Burns, Michael J. Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F. Howser, F N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff Phillips, Poole, Potter, Poulson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Andreas, Bennett, Burkhalter, Burns, Hugh M. Cain, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, and Thomas—29.

Notice of Motion to Reconsider Assembly Bill No. 1800

Mr. Bennett gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1800 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Millington moved that the Rules be temporarily suspended for the purpose of reconsidering Assembly Bill No. 1800, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Bennett, Cain, Collins, George D, Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Massion, Meehan, O'Day, Richie, Robertson, Russell, and Thomas—22

Speaker Presiding

At 11.05 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Reconsideration of Assembly Bill No. 1800

In compliance with a notice given, Mr. Millington moved that the vote whereby Assembly Bill No. 1800 was passed be reconsidered.

Assembly Bill No. 1800 refused reconsideration by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, and Thomas—25.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

Bill ordered transmitted to the Senate.

Explanations of Vote

We, as loyal Americans, are willing to bow to a majority vote upon any main question. However, when the majority provides nothing for support of the Central Valley Project, which has had financial support from the State for many years, and when we propose amendments to continue such financial support for the project, and when said amendments are tabled without reading and thereby prevents us from presenting our cause, we believe it is a moral wrong to the people of California.

S. L. HEISINGER
HUGH P. DONNELLY
WM. I. GUNLOCK
J. EDWARD CAIN
HUGH M. BURNS
LLOYD W. LOWREY

We, the undersigned, have voted against the Budget Bill, Assembly Bill No. 1800, for the reason that it is clearly and grossly insufficient in amount in many respects, but above all because it is a financial strait jacket in that it is a line item or so-called group item budget.

GEORGE D. COLLINS, JR.
J. EDWARD CAIN
WM. I. GUNLOCK
DAN GALLAGHER
EDWARD F. O'DAY
EDWARD M. GAFFNEY
HENRY P. MEEHAN
M. G. DEL MUTOLO
LLOYD W. LOWREY
J. B. COOKE

We can not and will not vote for Assembly Bill No. 1800 with the existing arbitrary and unjustifiable reductions and with appropriations frozen to prevent transfers for economy and efficiency. Our attempts to properly amend it were prevented by parliamentary maneuvering. Passing it with less than 54 votes is the responsibility of those voting for it.

F. RAY BENNETT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1480

At 11.10 p.m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1480 refused reconsideration by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Daley, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Leonard, Lowrey, Lyon, Maloney, Meehan, Millington, O'Day, Phillips, Russell, Sawallisch, Thorp, Thurman, Turner, Watson, Weybret, Wollenberg, and Mr. Speaker—35.

NOES—Allen, Andreas, Burkhalter, Burns, Hugh M., Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dilworth, Doyle, Field, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T.

Fenton; Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Stream, Tenney, Thomas, Voigt, Waters, and Welch—39.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 11.11 p.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

IN MEMORIAM

At the request of Mr. Desmond, the Assembly paused in its deliberations and paid tribute to the memory of Fred Reaves, a member of the Assembly who died during the Fifty-third Session during this month.

COMMUNICATIONS

Mr Lyon moved that a communication relative to impeachment be referred to the committee on Judiciary Codes.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 67
Assembly Bill No. 915
Assembly Bill No. 1054
Assembly Bill No. 1440
Assembly Bill No. 1442
Assembly Bill No. 1613
Assembly Bill No 2543

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 257
Assembly Bill No. 259
Assembly Bill No. 260
Assembly Bill No. 400
Assembly Bill No. 698
Assembly Bill No. 728
Assembly Bill No. 896
Assembly Bill No. 906
Assembly Bill No. 1348
Assembly Bill No. 1910
Assembly Bill No. 2574

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 20

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred:

Assembly Bill No. 1481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

VOIGT, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1285	Assembly Bill No. 1789
Assembly Bill No. 1309	Assembly Bill No 2129
Assembly Bill No 1463	Assembly Bill No. 2538
Assembly Bill No. 1481	Assembly Bill No. 2598
Assembly Bill No. 1568	Assembly Bill No. 2600

Assembly Constitutional Amendment No. 17

Assembly Concurrent Resolution No. 2

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 191	Assembly Bill No 2069
Assembly Bill No 1000	Assembly Bill No. 2501
Assembly Bill No 1032	

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 191 re-referred to Committee on Ways and Means.

Assembly Bill No. 1000 re-referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 17 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1568 re-referred to Committee on Ways and Means.

Assembly Bill No. 1481 re-referred to Committee on Building and Loan Associations.

Assembly Bill No 1789 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2538 re-referred to Committee on Public Health and Quarantine.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.	Assembly Bill No. 407.
Assembly Bill No 1469.	Assembly Bill No. 1820.
Assembly Bill No. 1740.	Assembly Bill No 1480.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.	Assembly Bill No. 2538.
Assembly Bill No. 532.	Assembly Bill No. 1078.
Assembly Bill No 717.	Assembly Bill No. 2584.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Cassidy and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marjorie Iglehart, teacher; M. D. Silva, clerk of the board of trustees; and Jack MacGregor, principal, and the following students and teachers of Newark School of Alameda County: Luther Hudson, Ernest Marine, Carl Pierce, Harold Caldeira, John Warren Pigeon, Laura Martel, Betty Brown, Shirley Costa, Henry Marshall, Joe Machado, John Hanamoto, Yvonne Tremblay, Charlotte De Valle, Tatsue Hanamoto, Gertrude Gastelum, Marie Silva, Earl Ewer, Mary Chieng, Louise Betschart and Lucille Peixote.

On request of Messrs. Tenney and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Herbert Aller, of Beverly Hills, business manager, the International Photographers Union of the Motion Picture Industry; Harold V. Smith of Beverly Hills, business manager, International Soundmen's Union of the Motion Picture Industry, and Mrs Florence Street of Hollywood.

On request of Mr Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ray Adams and Dan Holland, both of Compton.

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Pauline V. Hamlow, teacher, and the following eighth grade pupils of Roselawn School of Turlock: Minnie Kirkpatrick, Lucille Brennecke, Carlene Perry, Bonnie June Donelson, Beatrice Enos, Betty Bettencourt, Joe Gomes and Sam Nakatani, and Oscar Hamlow and Mrs. A. J. Bettencourt.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Colonel Desmond O'Keefe of Washington, D. C ; E Manning Seltzer, Office Quartermaster General, Washington, D. C., and Major Clay, Civil Aeronautics, Washington, D. C.

ADJOURNMENT

At 11 12 p.m , on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.15 a m., Friday, May 9, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 9, 1941

The Assembly met at 10.15 a m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77.

Quorum present.

PRAYER

On invitation of the Speaker, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Miss Miller.

RECESS

At 10.45 a.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m., for the purpose of participating in a Mother's Day Program in the Assembly Chamber.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR SPEAKER. Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No 1975

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 184

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred.

Assembly Bill No. 1856

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Public Utilities, to which was referred.

Assembly Bill No 1436

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Senate Bill No. 106

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Irrigation, to which was referred:

Assembly Bill No. 1650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 785—An act to add Section 12209.5 to the Business and Professions Code, relating to the duties of sealers of weights and measures;

Assembly Bill No. 787—An act to amend Section 12107 of the Business and Professions Code, relating to tolerances and specifications for commercial weighing and measuring apparatus,

Assembly Bill No. 791—An act to amend Section 12507 of the Business and Professions Code, relating to testing, correcting and repairing weighing or measuring instruments;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools;

Assembly Concurrent Resolution No. 40—Relative to suspension of Joint Rule No. 10;

Assembly Joint Resolution No. 1—Relative to the hunting season on migratory wild fowl;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 9 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 793—An act to amend Sections 12021 and 12022 of the Business and Professions Code, relating to falsity in weights and measures;

Assembly Bill No. 1220—An act to amend Section 12710 of the Business and Professions Code, relating to public weighmasters and double draft weights,

Assembly Bill No. 1408—An act to add Sections 11343, 11344, 11345 and 11346 to, to amend Sections 704, 1659, 11021, 11360, 11392, 11502, 11503 and 11508, and to repeal Sections 985 and 12929 of the Insurance Code, to repeal Section 596 of the Political Code and Sections 4531 and 4531 4 of the Civil Code, all relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 9 a m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Joint Resolution No. 25—Relative to the sewing projects of the Works Projects Administration;

And reports that the same has been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 9 a m

JOHN B KNIGHT, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 227
Senate Bill No. 775
Senate Bill No 794
Senate Bill No. 1038

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 227—An act to add Division 7, consisting of Chapter 1, Sections 1500 to 1561, inclusive, to the Military and Veterans Code, relating to the establishment and organization of a California

State Council of Defense, to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, safety, and welfare, for the protection of individual rights and consumer interests and for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the National Defense Program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by members of the Legislature; and providing an appropriation for the purposes of the chapter.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 775—An act approving and adopting the report of the Department of Public Works on the coordinated plan for the development of the water resources of the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 794—An act to add Section 11663 to the Insurance Code, relating to workmen's compensation insurance on the group plan.

Referred to Committee on Insurance.

Senate Bill No. 1038—An act to regulate the dissolution of districts whose taxes or assessments are computed and collected by county officers, and providing the procedure therefor.

Referred to Committee on County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 13—An act to repeal Section 902, to amend Sections 904, 906, 915 and 925 of, and to add Section 942 to, the Penal Code and to amend Section 241 of the Code of Civil Procedure, all relating to grand juries.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1448—An act to amend Section 6047 of the Business and Professions Code of the State of California, adopted by Statutes 1939, Chapter 34.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1152—An act to amend Sections 630 and 631 of the Probate Code, and to repeal Section 631.1 thereof, relating to summary probate proceedings.

Bill read second time, and ordered to third reading.

Assembly Bill No. 187—An act to amend Section 17050 of, and to add Section 17050.5 to the Business and Professions Code, relating to unfair practices in closeout sales.

Bill read second time, and ordered to third reading.

Assembly Bill No. 540—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1027—An act to add Section 832 5 to the Civil Code, relating to entry upon adjoining lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2120—An act to add Section 63 to the Labor Code, relating to refunds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1758—An act to amend Sections 4, 9 and 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2605—An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1481—An act to amend Section 12.06 of the Building and Loan Association Act, relating to building and loan associations and advertising thereof.

Bill read second time, and ordered to third reading.

Assembly Bill No. 518—An act to amend Section 337 of the Code of Civil Procedure, relating to time of commencing actions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 157—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 242—An act to add new Section 1461.5 to the Probate Code, relating to the appointment of guardians of insane or incompetent persons.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2138—An act to add Section 2057 to the Code of Civil Procedure, relating to statements of parties to actions for personal injuries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 389—An act to add Section 647.1 to the Code of Civil Procedure, relating to objection to comment on the evidence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2611—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 757—An act to amend Section 6660 of the Welfare and Institutions Code, relating to guardianship of the inmates' estates.

Bill read second time, and ordered to third reading.

Assembly Bill No. 660—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Bill read second time, and ordered engrossed

Assembly Bill No. 210—An act to amend Section 1297 of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2208—An act to amend Section 1207 of the Penal Code, relating to entry of judgment of conviction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1913—An act to amend Section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "according to law".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 29 and 30, insert "For execution and delivery of sheriff's, constable's or marshal's deed, one dollar and fifty cents ($1.50)."

Amendment No. 3

On page 3, line 34, of the printed bill, as amended, strike out "person", and insert "persons".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1217—An act to add a new section to the Unemployment Insurance Act to be numbered 14, relating to the definition, for purposes of determining eligibility for unemployment insurance benefits, of "work," "job" and "employer."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "'job", and "employer"'", and insert "and "job"'".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert

"Sec. 14. For purposes of determining the eligibility of an individual for unemployment benefits under the provisions of subdivision (a) of Section 56 of this act, the term "work" shall include a job and the term "job" shall include a contractual relationship established between such an individual, or a group of workers including such an individual, and an employer, or a group of employers for whom such individual performs work interchangeably, whereby such individual is recurringly assigned work by that employer or by employers within that group irrespective of whether the rate of remuneration for such work is based upon the task, the piece, the hour, the day or longer fixed period of time or otherwise."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 355—An act to amend Section 256 of the Probate Code, relating to estates of illegitimate children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 10, of the printed bill, after "father", insert "and the child has acknowledged the relationship".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1554—An act to amend Sections 9, 10, 12, 14, 15, 17 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately," all relating to the taxation of the storage, use or other consumption of tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out all of the title of the printed bill, and insert

"An act to amend Sections 2 and 21 of the Use Tax Act of 1935; to add Section 6009.1 to and to amend Section 7054 of the Revenue and Taxation Code, relat-

ing to storage and use and the administration of the tax, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 16, inclusive; and strike out all of pages 2, 3, 4, 5, and 6, and insert

"SECTION 1. Section 2 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 2. The following words, terms and phrases when used in this act have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

(a) "Storage" means and includes any keeping or retention in this State for any purpose except sale in the regular course of business or subsequent use solely outside this State of tangible personal property purchased from a retailer.

(b) "Use" means and includes the exercise of any right or power over tangible personal property incident to the ownership of that property, except that it shall not include the sale of that property in the regular course of business.

(bb) "Storage" and "use" as defined herein do not include the keeping, retaining or exercising any right or power over tangible personal property shipped or brought into this State for the purpose of subsequently transporting it outside the State for use thereafter solely outside the State, or for the purpose of being processed, fabricated, or manufactured into, attached to or incorporated into, other tangible personal property to be transported outside the State and thereafter used solely outside the State.

(c) "Purchase" means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price shall be deemed a purchase. A transfer for a consideration of tangible personal property which has been produced, fabricated or printed to the special order of the customer, *or of any publication*, shall likewise be deemed a purchase.

(d) "Sales price" means the total amount for which tangible personal property is sold, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and includes any amount for which credit is given to the purchaser by the seller, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, interest charged, losses or any other expenses whatsoever; provided, that cash discounts allowed and taken on sales shall not be included, and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sale when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold.

(e) "Person" means and includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit, and the plural as well as the singular number.

(f) "Retailer" means and includes every person engaged in the business of making sales for storage, use or other consumption or in the business of making sales at auction of tangible personal property owned by such person or others for storage, use or other consumption; except that public or private schools, school districts, student organizations and parent-teacher associations serving meals exclusively to students and teachers, and employers or employee organizations serving meals exclusively to employees shall not be regarded as retailers of the meals served by them. When in the opinion of the board it is necessary for the efficient administration of this act to regard any salesmen, representatives, peddlers, or canvassers as the agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the board may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for purposes of this act.

(g) "Board" means the State Board of Equalization.

(h) "Tangible personal property" means personal property which may be seen, weighed, measured, felt, touched, or is in any other manner perceptible to the senses.

(i) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect.

(j) "In this State" or "in the State" means within the exterior limits of the State of California, and includes all territory within such limits owned by or ceded to the United States of America.

SEC. 2. Section 21 of the Use Tax Act of 1935 is hereby amended to read as follows:

Sec. 21. *Every retailer and every person storing, using or otherwise consuming* in this State tangible personal property purchased from a retailer shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require

The board or any person authorized in writing by it is hereby authorized to examine the books, papers, records and equipment of any person selling tangible personal property and any person liable for the tax imposed by this act and to investigate the character of the business of any such person in order to verify the accuracy of any return made, or if no return was made by such person, to ascertain and determine the amount required to be paid thereunder. *If such examination and investigation necessitates collaboration or conference with retailers whose principal place of business is outside this State, tax officials of other States or of the United States Government, at places either inside or outside this State, such collaboration or conference is hereby declared to be a necessary function in the administration of this act.*

The board is hereby authorized to require the filing of reports by any person or class of persons having in his or their possession or custody information relating to sales of tangible personal property the storage, use, or other consumption of which is subject to the tax imposed by this act. Such reports shall be filed at such times as the board may require and shall set forth the names and addresses of purchasers of such tangible personal property, the sales price of the property, the date of sale, and such other information as the board may require.

The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act and to employ such accountants, auditors, investigators, assistants and clerks as may be determined to be necessary for the efficient administration of this act and may designate representatives to conduct hearings, prescribe regulations or perform any other duties imposed by this act or other laws of this State upon the board

The board may prescribe the extent, if any, to which any ruling or regulation relating to this act shall be applied without retroactive effect.

SEC 3. A new section is hereby added to the Revenue and Taxation Code to be numbered 6009.1 to read as follows:

6009.1. "Storage" and "use" as defined herein do not include the keeping, retaining or exercising any right or power over tangible personal property shipped or brought into this State for the purpose of subsequently transporting it outside the State for use thereafter solely outside the State, or for the purpose of being processed, fabricated, or manufactured into, attached to or incorporated into, other tangible personal property to be transported outside the State and thereafter used solely outside the State.

SEC. 4. Section 7054 of the Revenue and Taxation Code is hereby amended to read as follows:

7054. The board or any person authorized in writing by it may examine the books, papers, records, and equipment of any person selling tangible personal property and any person liable for the use tax and may investigate the character of the business of the person in order to verify the accuracy of any return made, or, if no return is made by the person, to ascertain and determine the amount required to be paid. *If such examination and investigation necessitates collaboration or conference with retailers whose principal place of business is outside this State, tax officials of other States or of the United States Government, at places either inside or outside this State, such collaboration or conference is hereby declared to be a necessary function in the administration of this part.*

SEC. 5. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions of this act adding Section 6009.1 to, and amending Section 7054 of the Revenue and Taxation Code shall become operative at the same time as Part 1 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session, at which time Sections 2 and 21 of the Use Tax Act of 1935 amended by this act are hereby repealed; and further provided, that nothing herein contained shall affect any liability for use tax arising out of storage, use or other consumption of tangible personal property occurring prior to the effective date of this act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2096—An act to add Section 6.37 to the School Code, relating to the powers and duties of governing boards of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert a comma and "declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive, and insert "6.37. Any and all supplies, materials or equipment to be used in classes authorized under any program sponsored, approved or directed by the State Department of Education or the State Board of Education, in connection with any National emergency training instruction given by any school district of any type or class, may be purchased by such district in accordance with rules and regulations for such purchase adopted by the governing board of said district notwithstanding any provisions of this code in conflict with such rules and regulations

The provisions of this section shall have no force and effect from and after the expiration of two years following its effective date.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, of Article IV, of the Constitution and as such shall take effect immediately. The facts constituting such necessity are as follows:

The Federal Government in making preparations to defend this Nation against possible aggression and in the preparing for National defense has instituted a Program of Instructional Training in which the State of California and the school districts thereof have been asked to cooperate. Many of the school districts of the State are conducting defense training classes pursuant to said program; but the delay in obtaining materials, supplies and equipment for such defense training instruction and the materials, supplies and equipment necessary for the work being done by such defense training classes can not always be readily anticipated and many districts do not know the kind and quantity of materials that will be needed a sufficient length of time before such need actually exists to comply with the provisions of law requiring the advertising for bids."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1876—An act to amend the title and Sections 9 and 23, to repeal Sections 3, 8 and 8½ of, and to add Sections 3, 8, 8½ and 8.8 to, the Retail Sales Tax Act of 1933, relating to the tax imposed thereby, and providing for the issuance of tokens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out ", 9¼ and 9⅜", and insert "and 9¼".

Amendment No. 2

In the title of the printed bill, as amended, strike out line 7, and insert "collection of the amount of the tax by the retailer from the purchaser."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 3 to 15, inclusive, and insert

"Sec. 8¼. The tax imposed by this act shall be collected by the retailer from the purchaser in accordance with the schedule or schedules which the board by regulation shall prescribe pursuant to Section 9¼ of this act. Except as otherwise provided, it shall be unlawful for a retailer to fail or refuse to add to the sales price and collect from the purchaser the amount due by the retailer on account of the tax provided under this act."

Amendment No. 4

On page 3 of the printed bill, as amended, between lines 4 and 5, insert

"Sec. 9¼. In order that fair trade practices may be encouraged and that any deleterious effect of the sales tax levy may be minimized, and for the purpose of enabling the retailer to collect from the purchaser the amount due by the retailer

on account of the tax imposed under this act, the board shall by regulation prescribe a schedule or schedules of the amounts to be collected by the retailer from the purchaser in respect to any sale upon which a tax is imposed by this act so as to eliminate fractions of one cent ($0.01). The schedule or schedules prescribed by the board for the passing on by the retailer to the purchaser of the amount due by the retailer on account of the tax imposed under this act may include plans which require both more and less than the prescribed rate of tax on the sale price, the purpose being to enable the retailer to collect from the purchaser approximately the amount of the tax imposed on his total gross receipts. Such schedule or schedules shall provide that no tax shall be collected upon retail sales amounting to ten cents ($0.10) or less. The provisions of this section are deemed necessary to prevent fraud and unfair trade practices."

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 5 to 51, inclusive; and on page 4, strike out lines 1 to 4, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1173—An act making an appropriation for the purchase of water stock at Pacific Colony State Narcotic Hospital.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, preceding the period, insert ", declaring the urgency thereof, and providing that this act shall take effect immediately".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendment No. 3

On page 1 of the printed bill, after line 4, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately.

The following is a statement of facts constituting such necessity. This act will enable the obtaining of water for Pacific Colony State Narcotic Hospital It is essential that this water be furnished at once, in order to relieve a serious fire and health hazard now existent due to there being insufficient water available for the hospital. It is therefore imperative that this act go into effect immediately."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 677—An act to amend Section 337 of the Code of Civil Procedure, relating to the time within which an action must be brought upon a promissory note.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended, strike out "two", and insert "five".

Amendment No. 2

On page 2, line 8, of the printed bill, as amended, following "action", strike out the period, and insert ", or within five years after the effective date of this section, whichever is the later."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 301—An act to amend Sections 17050, 17083 and 17086 of, and to add Sections 17087 and 17088 to, the Business and Professions Code or to amend Sections 6 and 10 of, and to add Sections 6.2 and 6.3 to, an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to close-out sales.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 39 to 50, inclusive, and insert

"17086. No person, otherwise competent as a witness, shall be disqualified or excused from testifying or producing evidence in any civil or criminal action under this chapter, or in any contempt proceeding, on the grounds that any testimony or evidence required from him may criminate himself; but no prosecution can be had against such witness for any crime or offense concerning which he was so required to testify or produce evidence. Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him."

Amendment No. 2

On page 5 of the printed bill, as amended, strike out lines 44 to 52, inclusive; and on page 6, strike out lines 1 to 3, inclusive, and insert

"No person, otherwise competent as a witness, shall be disqualified or excused from testifying or producing evidence in any civil or criminal action under this act, or in any contempt proceeding, on the grounds that any testimony or evidence required from him may criminate himself; but no prosecution can be had against such witness for any crime or offense concerning which he was so required to testify or produce evidence. Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 278—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 3 to 14, inclusive, and insert

"7071.5. If application for a license is made by any person whose license has been suspended or revoked, or is made by any copartnership, association or corporation whose license has been suspended or revoked, or by any person who may have

been associated with such copartnership, association or corporation, the board may require as a condition precedent to the issuance of a license to such applicant, or removal of suspension, that such applicant file or have on file with the registrar a bond issued by an admitted surety insurer in a sum to be fixed by the board, but which sum shall not be less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000), running to the State of California and conditioned upon his compliance with all the provisions of this chapter, or in lieu thereof that such applicant or licensee post with the registrar a cash deposit of a sum of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000)".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 17, and insert "unlawful acts or omissions of such contractor may bring an action in a proper court".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 24, and insert "The determination of the validity and priority of any such claim for wages".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 31 to 38, inclusive, and insert "proportion to the amount of their respective claims The partial payment of such claims shall not be considered as full payment and the claimants may file for the completion of payment of any unpaid balance as otherwise provided, and the registrar may continue suspension or revocation of any license involved until such time as such claim or claims are satisfied in full If the board shall by rule require the filing of such bond or the posting of such cash deposit by such applicant, the failure of such applicant to file the said required bond or post the said required deposit shall constitute grounds for denying him a license or the renewal of his license, and the failure of such applicant or contractor to file the required bond or post the required deposit, shall constitute grounds for denying or revoking his license.

Such bond or cash deposit shall remain in force and with the registrar during the time for which such year's license is issued to such applicant or contractor, and during such additional time as there may be unsatisfied claims outstanding against the same."

Amendment No. 5

On page 2 of the printed bill, as amended, strike out all of lines 39 to 44, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 943—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out lines 1 to 12, inclusive, of the title of the printed bill, as amended, and insert

"An act to add Section 6215 to the Public Resources Code, relating to the administration of public lands, and providing alternative methods for protecting the interests of the State in the case of lands heretofore sold with a reservation to the State of a one-sixteenth interest in the oil and gas and other minerals therein."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 4 to 11, inclusive, and insert

"SECTION 1. Section 6215 is hereby added to the Public Resources Code, to read as follows:

6215. As to lands heretofore sold by this State with a reservation to the State of a one-sixteenth".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 945—An act to amend Section 59 of the State Lands Act of 1938, relating to powers of the commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 6109 to the Public Resources Code, relating to the powers of the State Lands Commission to determine locations of privately owned wells with reference to lands of the State"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 15, and insert

"SECTION 1. Section 6109 is hereby added to the Public Resources Code, to read as follows:

6109. The commission may make surveys, conduct investigations, and do any and all things necessary to determine whether oil or gas wells located on private land actually trespass in, or are bottomed in, State lands, and for this purpose the commission may use such methods as it deems appropriate to determine the facts."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2112—An act to add Sections 65.1 and 127 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service, prescribing the probationary period therefor and requiring the confirmation of appointments thereto by the Senate.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 21, and insert "expire on the thirty-first day after final adjournment of the regu-".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2478—An act to add Sections 3655.5 and 3655.7 to the Revenue and Taxation Code, relating to property taxation and tax-deeded property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3655.5 and 3655.7", and insert "3655.2, 3655.4, 3655.6, 3655.7, and 3655.8".

Amendment No. 2

In line 3 of the title of the printed bill, preceding the period, insert ", including the subleasing of tax-deeded property leased to counties, and the distribution of proceeds of such subleases".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "3655.5", and insert "3655.2".

Amendment No. 4

On page 1, line 3, of the printed bill, strike out "3655.5", and insert "3655.2".

Amendment No. 5

On page 1 of the printed bill, strike out lines 6 to 13, inclusive, and insert "received from a county whose taxes are delinquent on such property, and whenever such a county makes an offer to lease tax-deeded property, no other offer to lease the property may be accepted until the county's offer is revoked.

SEC. 2. Section 3655.4 is hereby added to the Revenue and Taxation Code, to read as follows:

3655.4. Every lease of tax-deeded property made to a county shall contain a clause permitting the county to sublease the property.

SEC. 3. Section 3655.6 is hereby added to the Revenue and Taxation Code, to read as follows:

3655.6. All moneys received by a county from a sublease of tax-deeded property leased to it shall be placed in the county temporary tax-deeded land rental fund in the county treasury of the county. At the end of the period for which the property is subleased, or on the canceling of the sublease, whichever occurs first, the money received from such sublease, less refund, if any, shall be transferred to the county tax-deeded land rental fund in the county treasury.

SEC. 4. Section 3655.7 is hereby added to the Revenue and Taxation Code, to read as follows:

3655.7. At the end of the fiscal year in which the money was transferred to the county tax-deeded land rental fund in the county treasury, and on order of the board of supervisors, such money shall be distributed as follows:

(1) If the money received by the county arises from property on which only county taxes are delinquent, the money received from such property shall be paid into the county general fund.

(2) If the money received by the county arises from (i) property on which the taxes or assessments of a taxing agency other than the county are included in the deed to the State, or (ii) property on which taxes or assessments of a taxing agency other than the county have become delinquent and the property has also been deeded to the taxing agency, or both (i) and (ii), the money received from such property shall be distributed so as to pay to each taxing agency, including the county, the proportion of such money which the amount of the delinquent taxes or assessments of such taxing agency on the property bears to the delinquent taxes and assessments on such property of all taxing agencies. The county's share shall be paid into the county general fund, and the shares of the other taxing agencies shall be distributed to the fund of the taxing agency corresponding to the county general fund.

In the event a taxing agency which would otherwise be entitled to a portion of the money is the sublessee of the property which is leased to the county, no distribution shall be made to such taxing agency. For the purposes of this section, the taxes and assessments of such taxing agency, and its tax deed, if any, shall be treated as if they did not exist in determining the manner in which the money received is to be distributed.

SEC. 5. Section 3655.8 is hereby added to the Revenue and Taxation Code, to read as follows:

3655.8. Every sublease made by a county shall provide that the county may cancel the sublease as of the date of the cancellation of the county's lease, and that the sublessee is not thereupon entitled to any damages or reimbursement except as provided in this section. On cancellation of the sublease, on order of the board of supervisors, there may be refunded from the county temporary tax-deeded land rental fund to the sublessee the unearned portion of any rental paid in advance."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 609—An act to add to the Welfare and Institutions Code Chapter 4 of Division 3, comprising Sections 2370 to 2374, inclusive, relating to the issuance by the Social Welfare Board of revenue bonds for the construction of homes for aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "2370 to 2374", and insert "2365 to 2388".

Amendment No. 2

In lines 3 and 4 of the title of the printed bill, strike out "the issuance by the Social Welfare Board of revenue bonds for".

Amendment No. 3

In line 5 of the title of the printed bill, after "persons", insert ", the financing thereof, and making an appropriation therefor".

Amendment No. 4

On page 1 of the printed bill, strike out lines 7 and 8, and insert

"Article 1. General Provisions

2365. As used in this chapter:

"Board" means the Social Welfare Board.

"Division" means the Division of Low Rent Housing.

"Chief" means the Chief of the Division of Low Rent Housing.

2366. There is established in the Department of Social Welfare a Division of Low Rent Housing. All of the powers and duties vested in the division shall be exercised by the board through the division.

2367. The division shall be under the direction of a civil executive officer known as the Chief of the Division of Low Rent Housing. The board shall appoint the chief in conformity with the State Civil Service Act.

2368. The board shall from time to time in conformity with the State Civil Service Act appoint any other employees of the division it deems necessary to carry out the provisions of this chapter.

The salaries of the chief and other employees of the division shall be fixed by the board in conformity with the provisions of the State Civil Service Act.

Article 2. Construction and Leasing

2369. The division may enter into contracts with any person for the".

Amendment No. 5

On page 1, line 10, of the printed bill, strike out the first "a", and insert "the total development cost per".

Amendment No. 6

On page 1, line 11, of the printed bill, strike out "dollars ($2,000)", and insert "five hundred dollars ($2,500)".

Amendment No. 7

On page 1, line 13, of the printed bill, strike out "dollars ($1,000)", and insert "eight hundred dollars ($1,800)".

Amendment No. 8

On page 1, line 14, of the printed bill, strike out "2371. The Board", and insert "2370. The Division".

Amendment No. 9

On page 1 of the printed bill, strike out lines 20 and 21; and on page 2, strike out lines 1 to 4, inclusive, and insert

"2372. The Division may fix the rental charge of each build-".

Amendment No. 10

On page 2, line 5, of the printed bill, strike out "sixteen dollars ($16)", and insert "eighteen dollars ($18)".

Amendment No. 11

On page 2, line 6, of the printed bill, strike out "nine dollars ($9)", and insert "ten dollars ($10)".

Amendment No. 12

On page 2, line 14, of the printed bill, strike out "2374. The Board", and insert "2373. The Division".

Amendment No. 13

On page 2 of the printed bill, after line 16, insert

"2374. The amount spent in money and bonds for the acquisition of land and the construction of houses in any one county shall not bear a greater proportion to the total amount made or which may be made available under the provisions of this chapter for the acquisition of land and the construction of houses than at the time of the construction or acquisition the number of old age pension recipients in that county bears to the total number of old age recipients in the State.

2375. All property acquired by the division shall be exempt from taxation and assessment by the State, counties, cities, cities and counties, district, and other public agencies

2376. The division is authorized to receive contributions of money and property from any person, firm, association, organization, partnership, business trust, cor-

poration, company, State, county, city, city and county, district, or other public or private entity or organization.

2377. The division may collect and publish information pertaining to housing matters.

Article 3. Bonds for Housing.

2377. The division may from time to time upon the affirmative vote of five members of the board issue bonds pursuant to this article to carry out any of the provisions of this chapter. But the principal sum of all bonds issued and outstanding pursuant to this article shall at no time exceed ten million dollars ($10,000,000).

2378. No bond shall mature in more than 40 years from its date, which shall not be a later date than the actual date of its issue.

The rate of interest on bonds issued pursuant to this article shall not be more than 4 per cent per year.

2379. The bonds shall be signed actually or in facsimile by the chief. The bonds need be signed only by the chief in office at the time of their signing, who need not be in office at the time of issuance.

2380. The interest and principal on the bonds shall be made payable only from revenue received by the division from the rental of houses. No bonds issued pursuant to this article shall be payable from taxes, nor be a debt of the State, nor be payable from the General Fund of this State. The bonds issued shall not be an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

2381. The board shall have power to determine other bond terms not in conflict with the provisions of this article.

2382. In connection with the issuance and payment of bonds, the division has power:

(a) To pledge any proportion of its gross or net rents, fees, and other revenues to which its right then exists or may thereafter come into existence.

(b) To agree against pledging all or any part of its rents, fees, and revenues, and against mortgaging all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence or against permitting or suffering any lien on its revenues, fees, rents, or property.

(c) To agree to limitations on its right to sell, lease, or otherwise dispose of any housing project or any part thereof.

(d) To agree to a limit on the incurring of additional debts or obligations.

(e) To agree as to the bonds to be issued and as to the issuance of the bonds in escrow or otherwise.

(f) To agree as to the use and disposition of the proceeds of the bonds and the proportions of the proceeds which must be used for particular purposes.

(g) To provide for the replacement of lost, destroyed, or mutilated bonds.

(h) To provide for the terms and conditions for the redemption of the bonds.

(i) To agree as to the rents and fees to be charged in the operation of a housing project or projects within the maximum amounts provided in Article 2 of this chapter.

(j) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which the consent may be given, and to make the amendment or abrogation in accordance therewith

2383 The division may sell bonds at public or private sale after giving notice which the board deems reasonable. The bonds shall be sold or exchanged for not less than their principal amount. The board may without notice exchange bonds for land or for the construction of houses. When this is contemplated and any other law requires the publication of notice of the acquisition of the land or of the construction of the houses, the notice shall specify that payments for the acquisition or work may be made in bonds. When contracts are let upon notice so given, payments for the land or work may be in bonds or money as the board determines.

Article 4. Low Rent Housing Fund

2384. There shall be in the State Treasury the Low Rent Housing Fund. Into this fund shall be paid all money received by the division from the sale of bonds, from rentals, and from any other source.

2385. All moneys paid into the fund not agreed to be set aside for the payment of bond principal and interest, upon payment into the fund, together with the sum of fifty thousand dollars ($50,000) payable out of any money in the State Treasury not otherwise appropriated, are hereby appropriated for the support of the division; provided, that out of the moneys deposited in said fund and not later than July 1, 1943, the sum of fifty thousand dollars ($50,000) shall be returned to the General Fund.

2386 Out of the money appropriated for the support of the division the division may draw without at the time furnishing vouchers and itemized statements sums not to exceed in the aggregate fifty thousand dollars ($50,000), the sums so

drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the money so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the State Controller.

2387. The division shall keep a record of the amount of money in the fund agreed in connection with the issuance of bonds to be set aside for the payment of bond principal and interest Money shall not be withdrawn from the fund reducing it below the amount so agreed to be set aside therein.

2388. The State Treasurer shall pay all matured bonds and interest, whether represented by coupons or not, out of money in the fund agreed to be set aside for the making of the payments.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2465—An act to add Section 2193 to the Welfare and Institutions Code, relating to pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "pensions", and insert "aid to the aged".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "a pension", and insert "aid".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "pension", and insert "aid".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "surveillance or".

Amendment No. 5

On page 1, line 10, of the printed bill, strike out "; in such cases the patients", and insert ", in which case he".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2470—An act to add Section 2190 to the Welfare and Institutions Code, relating to pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2194".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after "person", insert "who is otherwise eligible".

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, strike out "until the recipient shall first", and strike out line 23, and insert "unless written notice is given the recipient at least 30 days previously and, if demanded by the recipient, after a hearing before the State Board of Social Welfare, to be held".

Amendment No. 4

On page 2, line 1, of the printed bill, as amended, strike out "30", and insert "5".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1621—An act to amend School Code Section 3.491, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend School Code Section 3.491", and insert "add Section 5.588 to the School Code".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "annual teachers institutes".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 1 to 7, both inclusive, and insert

"SECTION 1. Section 5.588 is hereby added to the School Code, to read as follows:

5.588. Notwithstanding anything in this chapter to the contrary, any superintendent of schools authorized or required to hold an annual teachers institute may hold such annual teachers institute in 1942 in the City and County of San Francisco.

In the event any such institute, other than an institute for the teachers of the schools located within the City and County of San Francisco, is held in the City and County of San Francisco in 1942, no teacher who otherwise would be required to attend the institute shall be required to attend the institute nor shall any deduction be made from the salary of any teacher because of his failure to attend the institute."

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 230—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read second time, and ordered to third reading.

Senate Bill No. 424—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 696—An act to amend Section 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 861—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1321—An act to amend Section 4253 of the Political Code, relating to compensation of county officers in counties of the twenty-fourth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1328—An act to amend Sections 737xx, 4248d and 4248h, and to repeal Sections 4248a, 4248b, 4248c, 4248e, 4248f, 4248g, 4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248q, 4248t, 4248u and 4248v of the Political Code, relating to compensation of public officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 458—An act to amend Section 714 of the Probate Code, relating to actions on rejected claims.

Bill read second time, and ordered to third reading.

Senate Bill No. 803—An act to amend Section 1457 of the Penal Code, relating to the disposition of fines.

Bill read second time, and ordered to third reading

Senate Bill No. 666—An act to amend Section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Bill read second time, and ordered to third reading.

Senate Bill No. 820—An act to repeal Sections 203, 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 of, and to add Sections 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and 215 to, the Code of Civil Procedure, relating to jurors and jury commissioners.

Bill read second time, and ordered to third reading.

Senate Bill No. 306—An act to amend Section 26½ of the Retail Sales Tax Act of 1933 and Section 20.7 of the Use Tax Act of 1935, relating to priority of the sale and use taxes

Bill read second time, and ordered to third reading.

Senate Bill No. 256—An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

Bill read second time, and ordered to third reading.

Senate Bill No. 188—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Bill read second time, and ordered to third reading.

Senate Bill No. 542—An act to add Section 3.693 to the School Code, relating to moral and religious instruction.

Bill read second time, and ordered to third reading.

Senate Bill No. 1307—An act to amend Section 6.180 of the School Code, relating to sale or lease of school property

Bill read second time, and ordered to third reading.

Senate Bill No. 788—An act to amend Section 5.540 of the School Code, relating to physical examinations of teachers for active tuberculosis.

Bill read second time, and ordered to third reading.

Senate Bill No. 221—An act to amend Section 4.770 of the School Code, relating to allowance of teacher units to elementary school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read second time, and ordered to third reading.

Senate Bill No. 500—An act to amend Section 942 of the Streets and Highways Code, relating to powers of board of supervisors.

Bill read second time, and ordered to third reading.

Senate Bill No. 235—An act to add Article 4.5, comprising Sections 6551 and 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 2 of the printed bill, as amended April 2, 1941, strike out lines 12 to 14, inclusive, and insert a period.

Amendment No. 2

On page 2 of the printed bill, as amended April 2, 1941, between lines 42 and 43, insert

"6552.7. This article and Section 6594 of this code shall not apply to barber services performed by barbers on railroad passenger trains, or to barber services performed by students in barber schools."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 92—An act to add Section 45.12 to the California Unemployment Insurance Act, relating to refunds to workers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "amend Section 44.2 of", and insert "add Section 44.3 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 22 to 25, inclusive; and on page 2, strike out lines 1 to 32, inclusive, and insert

"SECTION 1. Section 44.3 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 44.3. If by reason of a worker rendering service for more than one employer during any calendar year after the calendar year 1941, the wages of the worker with respect to employment during such year exceed three thousand dollars ($3,000), the worker shall be entitled to a refund of any amount of tax, with respect

to such wages, imposed by Section 44, deducted from such wages and paid to the commission, which exceeds the tax with respect to the first three thousand dollars ($3,000) of such wages paid. Refunds under this section shall be made by the commission if the worker (i) makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (ii) such claim is made within two years after the calendar year in which the wages are paid with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund."

Amendments read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Gaffney:

An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen, entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 2.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 185

Resolved, by the Assembly of the State of California, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, and the Controller is hereby directed to draw his warrant in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same

Commencing Friday, May 9, 1941, for one day only:

	Per day
William Byrne, Jr., Page	$2 50
Robert E. Bromley, Page	Without pay

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 820—An act to repeal Sections 203, 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 of, and to add Sections 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and 215 to, the Code of Civil Procedure, relating to jurors and jury commissioners.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 7, line 20, of the printed bill, as amended, strike out "500,000", and insert "600,000".

Amendment read and adopted.

Bill ordered printed, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 2.21 p.m., on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Gaffney by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2616: By Mr. Gaffney—An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen, entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Referred to Committee on Judiciary General.

RESOLUTIONS

The following resolution was offered:

By Mr. Garland:

House Resolution No. 186

Relative to the creation of a Legislative Committee, to be assisted by leaders in labor, agriculture, business and industry, to make a thorough study of economic conditions in the State of California, and to formulate a Legislative Program designed to protect this State from the economic and social effect of those depressions which ordinarily follow a period of artificial prosperity created by defense spending and the participation of other nations in war.

WHEREAS, This State and the Nation as a whole are now experiencing a period of rapidly expanding business activity with corresponding increases in employment due to the National Defense Program and the purchase in this country of the materials of war by belligerent nations; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the last World War provides a grim reminder of the necessity for the formulation of long-range plans which will cushion the economic shock of the termination of the present war and the spending of billions of dollars for National defense, and

WHEREAS, History has demonstrated that it is the laborer and his family and the farmer and his family who first feel the effects of business recession, and if employment and business activity are to be maintained at the highest possible level after the defense program ends, plans must be made to:

(a) Absorb defense industry workers in peacetime enterprises and to that end the development of new industries and new uses for agricultural products must be stimulated and encouraged; and

(b) Develop new markets for the products of California industries and farms; and

(c) Provide adequate vocational training for the youth of today in peacetime pursuits; and

(d) Provide permanent housing and educational facilities to accommodate the population shifts caused by the migration of workers to those industrial centers where defense industries are located; and

(e) Provide for a constructive program of industrial and agricultural development which will assure the gainful employment of all able-bodied persons; and

(f) Provide an economical and efficient, yet adequate program for the care of all needy persons including the physically handicapped; and

(g) Make adequate provision for the aged in order that workers may be assured of security for themselves and their families in old age; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated "The Legislative Committee on Economic Security," consisting of 15 members of the Assembly appointed by the Speaker of the Assembly, is hereby created, which committee shall, and it is hereby authorized to, gather, assemble, study and analyze all facts relating to any and every phase of the matters specified in this resolution and of the economic and social conditions in the State of California, both as those conditions exist during periods of intense activity in agriculture, business and industry and as those conditions exist in periods of severe business depressions, all with a view to formulating a plan and preparing and submitting such legislative measures as will enable the State to bring about and assure the least possible maladjustment of economic and social conditions following the cessation of defense activities after the present European War, to which end the committee shall, except when inconsistent with this resolution, have and exercise all the powers, duties, and privileges conferred upon committees by Rule No. 35 of the Joint Rules of the Senate and Assembly for the Fifty-fourth Session (and the provisions of said Rule No. 35 as they exist on the adoption of this resolution are, to the extent not inconsistent with this resolution, hereby incorporated herein and made a part hereof as though set forth in full in this resolution), and shall also have and exercise the duty and power:

(1) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(2) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(3) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, and enforcement of any and all laws in any wise bearing upon or relating to the subject of this resolution;

(4) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, and to report its findings and recommendations to the Assembly and to the people from time to time and at any time and to make its final report to the Assembly at the Fifty-fifth Session of the Legislature on or before March 15, 1943; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.055) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That an Advisory Committee to the Legislative Committee is hereby created, to consist of _____ nonlegislator members, appointed by the Speaker of the Assembly, the appointees to include industrial, Military, Naval, aeronautical, transportation, employment, vocational training and scientific experts, and representatives of labor and of agriculture to advise, aid, and counsel the Legislative Committee in the studies conducted by the latter in carrying out the purposes of this resolution, the Advisory Committee to have and exercise such powers and duties as shall be defined from time to time by the Legislative Committee, within the scope of the powers and duties committed to the latter by this resolution.

Resolution read, and referred to Committee on Rules.

Speaker Presiding

At 2.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1865 WAIVED

Mr. Call waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1865 was passed.

Assembly Bill No. 1865 ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1440—An act to amend Sections 1, 2, 5, 6, 6a, 6c, 6d, 6e, 7, 11, 12, 15, 15a, 18 and 19 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," relating to the organization of and annexation to municipal utility districts; control of publicly owned utilities within utility districts; contest of annexation proceedings; powers and duties of a board of directors; powers of the district; special districts within municipal utility districts; incurring, refunding and retirement of indebtedness of special districts; levy and collection of taxes for special district operations and obligations; investment of funds; sale of by-products; loans, contributions and cooperative agreements; limitation of indebtedness; payment of interest from bond funds; fixing and collecting rates, tolls and charges, and the levy and collection of taxes; contracts for the use of commodities or services, and to add Sections 1a, 6f to 6i, inclusive, 7a, 15d to 15q, inclusive, 29a and 29b, defining the term "public agency"; providing for annexation to special districts; oaths of office; creation of special districts for sewage disposal purposes, the contesting of the validity of their creation and any bonds issued by a special district; the issuance of bonds

by the electors therein for said purposes, the use of said bonds for investment and security for public deposits; the levy and collection of taxes to pay the principal and interest of said bonds, and the expenses of formation and operation of said special districts, contracts and agreements for the use of sewage disposal facilities, and the dissolution of special districts, and relating to special districts generally; issuance of revenue bonds under general law; disposition of records; and the severability of the act, all relating to municipal utility districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1440?

Amendment No. 1

In line 21 of the title of the printed bill, after "Sections 1a," insert "6b 5".

Amendment No. 2

In line 23 of the title of the printed bill, after "special districts;", insert "annexation of unincorporated territory;".

Amendment No. 3

On page 2, line 26, of the printed bill, after "includes", insert "a".

Amendment No. 4

On page 21, line 11, of the printed bill, strike out "areas", and insert "area".

Amendment No. 5

On page 21, line 26, of the printed bill, after "shall include", insert "all or any part of".

Amendment No. 6

On page 22, line 3, of the printed bill, after "shall include", insert "all or any part of".

Amendment No. 7

On page 28 of the printed bill, after line 41, insert

"SEC. 36. Section 6b.5 is hereby added to said act, to read as follows:

Sec. 6b 5. In the event that all of the owners of real property within the territory proposed to be annexed pursuant to the provisions of Section 6b of this act, shall file with the board of directors of said district their written consent to the annexation of said territory upon the terms and conditions approved by said board, said board may by resolution dispense with the calling and holding of the election provided for in said section. Said territory shall be deemed annexed to said utility district upon the passage of a resolution of the board of directors of such utility district declaring said territory annexed and the filing of a certified copy thereof with the Secretary of State."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1440 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Knight, T. Fenton—1.

Assembly Bill No. 1440 ordered enrolled.

Assembly Bill No. 1442—An act to provide for the organization, incorporation and government of joint municipal sewage disposal districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of sewage disposal systems and to levy and collect taxes to pay the principal and interest thereon, and authorizing such districts to issue revenue bonds for the acquisition and construction of sewage disposal systems, and for the fixing, collecting

and application of rates and charges for the use of sewage disposal systems.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1442?

Amendment No. 1

On page 33 of the printed bill, strike out lines 4 to 37, inclusive, and insert "SEC. 106. No municipality or portion thereof shall be annexed to the district unless the legislative body thereof shall by resolution consent thereto."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1442 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Call, Carlson, Clarke, Collins, George D., Crowley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—T. Fenton Knight—1.

Assembly Bill No. 1442 ordered enrolled.

Assembly Bill No. 2543—An act to add Section 604.10 to the Vehicle Code, relating to the transportation, care and treatment of persons injured upon the highways.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2543?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out "doctor", and insert "physician and surgeon".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2543 by the following vote:

AYES—Allen, Bashore, Burkhalter, Call, Carlson, Clarke, Collins, George D., Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2543 ordered enrolled.

Assembly Bill No. 1054—An act to amend Sections 2270 and 2274 of the Health and Safety Code, and to add Section 2292 thereto, relating to mosquito abatement districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1054?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2270 and 2274", and insert "2248, 2270, 2274 and 2312".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2270", and insert "2248".

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"2248. The members of the district board shall serve without compensation; but the necessary expenses of each member for actual traveling in connection with meetings or business of the board shall be allowed and paid. *In lieu of expenses, the dis-*

trict board may by resolution provide for the allowance and payment to each member of the board of a sum not exceeding five dollars ($5) per month for expenses incurred in attending business meetings of the board.

SEC. 2. Section 2270 of said code is hereby amended to read as follows:".

Amendment No. 4

On page 2 of the printed bill, between lines 13 and 14, insert

"(g) Sell or lease any land, rights of way, easements, property or material acquired by the district.

Every sale of real property pursuant to this subdivision shall be made to the highest bidder at public auction after five days' notice given pursuant to Section 2204 of this code, and at such place within the district as the district board shall specify."

Amendment No. 5

On page 2, line 14, of the printed bill, strike out "(g)", and insert "(h)".

Amendment No. 6

On page 2, line 17, of the printed bill, strike out "2", and insert "3".

Amendment No. 7

On page 2, line 26, of the printed bill, strike out "3", and insert "4".

Amendment No. 8

On page 2 of the printed bill, after line 33, insert

"SEC. 5 Section 2312 of said code is hereby amended to read as follows:

2312. The funds shall only be withdrawn from the county treasury depository upon the warrant of the district board signed by its president or acting president, and countersigned by its secretary. *However, if the county in which the district is situated has adopted a requisition system covering the withdrawal of funds for the purchase of services or supplies, the district board may, by resolution, adopt such system and make withdrawals in accordance therewith.*"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1054 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None

Assembly Bill No. 1054 ordered enrolled.

Assembly Bill No. 915—An act to repeal Article 4 of Chapter 1 of Division 3 of the Agricultural Code, relating to poultry brands.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 915?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Article 4 of", and insert "add a new section to be numbered 379.7 to, and to repeal Article 4 of,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out the period, and insert "and to the sale and transportation of poultry."

Amendment No. 3

On page 1 of the printed bill, after line 7, insert

"SEC. 2. A new section, to be numbered 379.7, is hereby added to Article 3a of Chapter 1 of Division 3 of the Agricultural Code, to read as follows:

379.7. It is unlawful to brand, or to alter or deface the brand on, any poultry with intention to steal the same or to prevent identification thereof by the true owner. It is unlawful for any person to have in his possession any poultry the brand on which has been altered or defaced unless he received the same from the true owner thereof."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 915 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 915 ordered enrolled.

Assembly Bill No. 1613—An act to add Sections 24.25, 24.26, 24.27 and 24.28 to the Alcoholic Beverage Control Act, with reference to the sale of alcoholic beverages for delivery or use outside of the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1613?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section", and insert "Sections".

Amendment No. 2

At the end of the title of the printed bill, as amended, strike out the period, and insert ", to take effect immediately."

Amendment No. 3

On page 1, line 6, of the printed bill, as amended, strike out "24", and insert "24.2".

Amendment No. 4

On page 1 of the printed bill, as amended, between lines 6 and 7, insert

"Any claim for exemption from excise taxes under Section 24.2 must be made to the board in such manner as the board shall prescribe."

Amendment No. 5

On page 1, line 11, of the printed bill, as amended, strike out "rectifiers", and insert "rectifier".

Amendment No. 6

On page 1, line 14, of the printed bill, as amended, strike out the period, and insert "in accordance with rules and regulations prescribed by the board."

Amendment No. 7

On page 1 of the printed bill, as amended, strike out lines 15 to 17, inclusive.

Amendment No. 8

Add a new section to the printed bill, as amended, as follows:

"SEC. 8. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution take effect immediately."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1613 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1613 ordered enrolled.

Assembly Bill No. 128—An act to add Section 96.5 to the State Civil Service Act, relating to State civil service employees and former employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 128?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "and former employees".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 3, and insert "Sec. 96.5. Any person who holds a".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 5 to 13, inclusive, and insert "departmental reemployment, general reemployment or promotional list and who enters the armed forces of the United States before such list upon which his name appears is abolished shall retain his place on such".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 15 and 16, and insert "of his service with the armed forces; provided, however, this section does not apply to any person who refuses to accept".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 19 and 20, and insert "certified during his service with the armed forces of the United States No promotional lists upon which the names of such persons appear may".

Amendment No. 6

On page 1 of the printed bill, as amended, strike out lines 23 and 24, and insert "in the order in which they appeared on the former list and at the same place as they appeared on said list"

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 128 by the following vote:

AYES—Desmond, Gallagher, Thorp, and Turner—4.

NOES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Waters, Weber, Welch, Weybret, and Mr. Speaker—65.

Assembly Bill No. 128 ordered to Conference.

Assembly Bill No. 67—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relating to minimum price schedules for barbers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 67?

Amendment No. 1

On page 4 of the printed bill, as amended, after line 26, insert "SEC. 5. In enacting this act it is the intent of the Legislature that in so far as may be compatible with the protection of the public health, the board shall act only upon the petition provided for herein"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 67 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion,

McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 67 ordered enrolled.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1700—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, following "of", insert "not less than five nor more than".

Amendment No. 2

On page 1, line 20, of the printed bill, as amended, strike out "six", and insert "two-thirds".

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, after the period, insert "The members of the commission shall be appointed by the legislative body."

Amendment No. 4

On page 2, line 6, of the printed bill, as amended, strike out "In any city"; and strike out lines 7 to 10, inclusive.

Amendment No. 5

On page 2 of the printed bill, as amended, strike out all of line 13; and in line 14, strike out "of four years.", and insert "years, and one for the term of three years. When six members are to be appointed, the additional member shall be appointed for the term of four years."

Amendment No. 6

On page 2 of the printed bill, as amended, after line 23, insert

"In any city or county having a freeholders' charter, any provisions of said charter as to mode of appointment, number of members, terms of office, powers and duties and methods of removal of the planning commission of said city or county shall prevail."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 540—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, before "may", insert "and".

Amendment No. 2

On page 6 of the printed bill, as amended, strike out lines 14 to 16, inclusive

Amendments read and adopted.

Bill ordered printed and re-engrossed.

Assembly Bill No. 1309—An act making an appropriation for construction, improvements, and equipment at the Whittier State School.

Bill read third time.

Motion to Amend

Mr. Kepple moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "California State School", and insert "State Boys' School".

Amendment No. 2

On page 1, lines 11 and 12, of the printed bill, as amended, strike out "California School for Boys", and insert "State Boys' School".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1346—An act to amend Sections 1.01, 8.01 and 12.10 of, and to add Sections 3.06, 8 12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations, articles, investments, certificates, voting rights and membership therein, and notices thereto.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Crowley, Hastain, Johnson, Kilpatrick, Lyon, McCollister, Middough, Pelletier, Potter, Poulson, Salsman, Voigt, and Waters—13

NOES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, King, Knight, T. Fenton; Leonard, Maloney, Masson, Miller, Millington, Pfaff, Phillips, Poole, Richie, Russell, Sawallisch, Stream, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—48

Notice of Motion to Reconsider Assembly Bill No. 1346

Mr. Salsman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1346 was this day refused passage

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 128

The Speaker announced the appointment of Messrs. Desmond, Houser, Frederick F., and McCollister as a Committee on Conference concerning Assembly Bill No. 128.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2142—An act to amend Section 3391 and the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "Sections", insert "161,".

Amendment No. 2

In the title of the printed bill, as amended, strike out lines 8 and 9, and insert "ation Code, relating to property taxation, the publication of delinquent lists, and contracts for publication of notices, delinquent lists and other documents provided by said code to be published."

Amendment No. 3

On page 4 of the printed bill, as amended, following line 35, insert

"SEC. 13 Section 161 is hereby added to the Revenue and Taxation Code, to read as follows:

161. In connection with the publication of any notice, delinquent list or other document provided by this code, counties shall contract directly with the newspaper in which publication is proposed to be made, and such contract or any moneys due thereunder shall not be assignable. The newspaper shall not contract to pay or pay to any person, firm or corporation, by way of commissions, any part of the moneys received from a county for such publication."

Amendments read.

Roll Call Demanded

Messrs. Johnson, Waters and Dills demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Burkhalter, Call, Carlson, Cronin, Del Mutolo, Dickey, Evans, Leonard, Lowrey, Maloney, Meehan, Millington, O'Day, Phillips, Robertson, Thurman, Turner, Voigt, Weber, Welch, and Mr. Speaker—23.

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dills, Dilworth Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Waters, and Watson—48.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Lyon, Howser, F. N., Andreas and Stream demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2142.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 4.05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Waters, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1057.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8676, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural and household pest control operators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hugh M. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2078.

Assembly Bill No. 2078—An act to repeal Section 4 of Chapter 788 of the General Laws of the State of California, approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 951—An act to repeal Chapter 281, Statutes of 1889.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Russell, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 957.

Assembly Bill No. 957—An act to amend Section 105 of the Water Code, relating to storage of water underground.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—59

NOES—Desmond, and Pfaff—2

Bill ordered transmitted to the Senate.

Hon. Fred N. Howser Presiding

At 4.20 p m., Hon Fred N. Howser, member of the Assembly from the Seventy-first District, presiding.

Assembly Bill No. 188—An act to amend Section 5055 of the Welfare and Institutions Code, relating to mentally irresponsible persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 897 ORDERED TO INACTIVE FILE

Mr. Thorp moved that Assembly Bill No. 897 be withdrawn from the file, and ordered to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 975—An act to amend Section 3 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 681—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Hastam, Hawkins, Heisinger, Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 168—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—51.
NOES—Field—1.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Stream, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1311.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1311—An act to amend Section 1.340 and to add Section 1.182 to the School Code, relating to the employment of minor children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Cain, Call, Carlson, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastam, Heisinger, Howser, F. N., Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter,

Poulson, Richie, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—48
NOES—Collins, George D, and O'Day—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1963—An act to repeal Sections 3.331 to 3.339, both inclusive, of, and to add Sections 3.331 to 3.339a, both inclusive, to the School Code, relating to high school pupils attending high school in adjoining States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 976—An act to amend Sections 828 and 845 of an act entitled "An act to establish an Insurance Code, thereby consolidating and revising the law relating to insurance principles, practice and business and matters incidental thereto, and to repeal certain acts and parts of acts specified herein," approved May 7, 1935, as amended, relating to brokers' and agents' certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 44—An act to add Article 6, comprising Section 4426, to Chapter 2 of Division 4 of the Public Resources Code, relating to safety devices and safeguards on fire lookout towers constructed or maintained by the Department of Natural Resources.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.
NOES—Robertson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 988—An act to repeal Section 459 and to amend Section 460 of the Fish and Game Code, relating to importation of fish and game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 989—An act to amend Section 453 of the Fish and Game Code, relating to possession of fish and game after the season closes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 619—An act to amend Section 650.6 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson,

Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1012—An act to amend Sections 6731, 6735, 6736, 6737, 6752, 6757, 6775, 6787 and 6799, and to repeal Sections 6703, 6704, 6705, 6734, 6739 and 6743 of, and to add Sections 6734 and 6736.5 to, the Business and Professions Code, relating to persons practicing civil engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

HOUSE RESOLUTION NO. 131 STRICKEN FROM FILE

Mr. Meehan moved that House Resolution No. 131 be stricken from the file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 49—Relative to real estate brokers and salesmen.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 5.10 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1839—An act to amend Section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter,

Poulson, Robertson, Russell, Stream, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—Kilpatrick, Pfaff, Richie, and Salsman—4.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1842 STRICKEN FROM FILE

Mr. Lyon moved that Assembly Bill No. 1842 be stricken from the file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 955—An act to amend Section 20 of the Inheritance Tax Act of 1935, relating to the collection of the inheritance tax, including fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 187

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount to be used for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read, and referred to Committee on Rules.

By Messrs. Maloney, Lyon and Garland:

House Resolution No. 188

WHEREAS, Assemblyman Eleanor Miller, Chairman of Program, and Assemblyman Jeanette E. Daley, Spirit of California, on this ninth day of May, 1941, presented to the Legislature of California and to its guests the beautiful program, "Mothers of California," in celebration of Mothers' Day—a program which was resplendent in color, flowers, song and pageantry and attended with the solemn dignity of the occasion it was commemorating; and

WHEREAS, The Assembly is cognizant of the arduous work and preparation which was entailed; now therefore, be it

Resolved, by the Assembly of the State of California, That it expresses to Colleagues Eleanor Miller and Jeanette E. Daley, and to their committee and to all who participated in the program, its sincere and deep appreciation of "Mothers of California" and unmeasured thanks for all their work and preparation in presenting it; and be it further

Resolved, That the Chief Clerk of the Assembly shall present to Assemblymen Eleanor Miller and Jeannette E. Daley copies of this resolution.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 188, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

On motion of Mr. Dilworth, the remarks of Dr. Kellems on the Mothers' Day program were ordered printed in the Journal.

Amendment to Motion

Mr. Carlson moved to amend the motion to include the remarks by Mr. Pfaff.

Motion carried.

Remarks by Mr. Kellems

MOTHERS OF CALIFORNIA AND THE NATION

The spring sun hesitated half an hour above the city as I climbed to the summit of a little skull-shaped hill outside the north wall of Jerusalem. On the road which paralleled the wall in front of me, a flock of fat-tailed sheep scurried along in a cloud of dust behind their shepherd, a tall Bedouin from beyond the Jordan.

Over near the Damascus gate a long camel-train swayed into view. It had come down from Galilee and Samaria and sweat-covered beasts and men were terribly weary. The lead camel grumbled wrathfully in his throat at the indignity of his long day of burden-bearing. Over to the left Mt. Scopus reared his historic head; the new buildings of the Hebrew University standing out sharply on the higher slopes. On the lower reaches of the mountain hundreds of white crosses gleamed in the failing light. Here rest the brave sons of Mother Britain and her grandsons from the lovely lands of the Southern Cross who, in order that Palestine might be free from the Turk, had gone to their Calvary. Beyond Scopus, and but a continuation of it, smiled that hill beloved around the world, the Mount of Olives, while from its feet tumbled down in successive waves the tawny hills of the wilderness of Judea to the green ribbon of Jordan and the sea of death—dreadful region of desolation shunned by man and beast. No fish swims in these cobalt waters; no bird flies across this sheet of burnished steel. Only cliffs of marl gloom over its desolate shores, while high above all, Mt. Nebo lords the world.

"On yon side of Jordan's wave, in a vale in the land of Moab
Where lies a lonely grave.
And no man built that sepulchre, and no man saw it
Ere an angel of God upturned the sod and laid the dead man there."

At the foot of Nebo now, the sea was stained with reflected red from the last rays of the dying sun. From the tall tower on the English Church the clock chimed the hour. The sun had set and I had come to Calvary.

It was very quiet on this little hill and the hum of the oriental city beyond the grey wall seemed far away. Scores of crude Mohammedan tombs sprawled over the bald skull of Golgotha—an alien race who knew not the man who died here upon a Roman cross 2,000 years ago.

As I read again the records of that crucifixion as they are preserved for us in our Christian Gospels, there came to me a picture infinitely divine; tenderly human. The fever-blurred eyes of the tortured man upon the cross looked down upon the kneeling form of the weeping woman at his blood-stained feet. Gentle were his words, "Woman, behold thy son." Turning to John, his beloved Disciple, "Son, behold thy mother" "From that day," continues the inspired writer, "John took her to his own house."

My own mother was far away awaiting the return of her son in her safe and quiet home beside the laughing waters of our warm Pacific sea; and in that moment of holy experience there came to me a vision of a million mothers in our California, and of the millions of others in our proud land stretching far to where the long Atlantic rollers "lash a stern and rock-bound coast." Millions of American mothers blest by the experience of Calvary; for in the highest moment of human history, the very son of God bowed his dying head to the glory of motherhood. Ineffable glory! For woman became the mother of God. St. Paul marveled at the miracle when he wrote of the Christ, "born of woman and made under the law that he

might redeem them that were under the law, that we might receive the adoption of sons."

Mothers know the meaning of Calvary, for Calvary is sacrificial love even unto death. Calvary is the giving of self because of pure and holy love. The nearest synonym we have for divine love is the word "Mother."

We know not, today, how soon our Nation may be called to tread its way through the dreadful valley of the shadow of death. With each passing hour the storm gathers fury and ever nearer to our devoted shores comes the clash and clangor of arms. Evil forces stride through the nations in seven league boots and freedom's holy light has become dust and ashes on many a sacred altar. These are days when strong men shall become stronger as they remember the unassailable courage and the unswerving devotion of mother.

Once again our beloved America has been called upon to turn from the pleasant paths of peace to the iron ways of war. And once again have our California mothers, as have the mothers of our unconquerable Nation, arisen in their might and offered their sons, their wealth and their sacred honor upon the holy altar of American freedom. Brave daughters of brave pioneer mothers, they will not falter though the road lead up the hill of Calvary.

"Son, behold thy mother"—remember this word from the cross. Remember your mother today while I reverently utter a tribute to mine. She is a pioneer mother, for Oregon was young when, as a little girl, she crossed the towering Siskiyous in a covered wagon to make the lovely Willamette Valley her home. Six sons and one beautiful daughter gladdened that home. For 42 years she has taught in a fine Christian College and thousands of students all over the world tenderly call her "Mother." She climbed the hill of her Calvary when Kenneth went down with his ship, the first man in his State to make the supreme sacrifice in the World War. When his broken body was brought home it was buried on the little green hill overlooking the ivy-clad buildings of the university, where the fir trees sigh in the winds from off old Pacific's bosom. When the salute had been fired over the newly-heaped mound and the mournful notes of taps had died away among the firs, she made one statement and quietly returned to her work: "My son has died as a soldier should die. My heart is proud and my prayer for all my sons shall be that they will never hesitate when our Country calls them but will follow the example of their brave brother in peace and war. I would rather see them all lying here beside him than that their honor should be tarnished or that Freedom should call them in vain." Thus speaks the pioneer mother. Thus will speak the California mother. Thus will speak the mothers of the Nation. "Son, behold thy mother."

Remarks by Mr. Pfaff

THE MEANING OF MEMORIES

Do you remember that poet of a bygone day who expressed the secret yearning of every heart when he plaintively prayed:

"Backward, turn backward, oh, time in your flight—
Make me a boy again, just for tonight"

We all enjoy to revive and relive again in memory the days of our childhood. We remember that sturdy, brave little lad, who feels very much a man and who resents any well-meaning adult calling him "little boy," quickly cry for his mother when he suddenly experiences severe gastronomical pains after eating green apples in defiance of mother's warnings. We remember the little girl in pigtails who tearfully seeks solace in mother's arms when that wicked neighbor boy slyly dipped the tip of her blonde pigtail in the school inkwell.

As we travel along life's pathway, we encounter experiences that are the threads with which we weave the pattern of our personality and character. Some of these experiences leave memories that are bitter—some that are sweet. And as the years pass by many memories grow dim and fade away. But memories of mother seem to grow more green with each passing year. We are constantly reminded that these ever-present memories have a meaning that influences our every thought and action, for every mother leaves the imprint of her personality upon her child. And the memories of mother become the meaning of our lives.

We remember today that lonely frontier boy, Abe Lincoln, whose mother died when he was only nine years old. Yet throughout the years he carried the memory of her ways and teachings with him and later, when he received the highest honor the people of the United States can bestow upon one of its citizens, Abraham Lincoln declared, "All that I am, or hope to be, I owe to my angel mother."

There is an old saying that, "Treat a man as a thief and he will steal; treat him as a hero and he will do great deeds." Our mother is one person who never loses confidence in us, whose loyalty never wavers, to whom no sacrifice is too great, whose son is always a hero in her eyes. And it is our mother who will follow us down the tragic road of despair and defeat and ruin to the last cruel gate when all others have turned aside.

We remember today the little songs mother taught us and how beautiful they sounded when she softly sang them in her low voice. We remember all the little gems of wisdom and philosophy she imparted which became a part of our code of

behavior. And we also remember that our successes and failures were always first told to mother, because we knew no one would be so sincerely overjoyed at our success, and none who would so sympathetically understand our failure.

When we hear the leaders of our State and Nation relating unforgettable experiences in their lives, they invariably recount some simple story about their mother. I recall a beautiful and touching story told by our Governor Olson. His mother was devoted to her many children. She was deeply religious and was ever ready to help the less fortunate in the community.

"Among the unforgettable incidents in my life," said Governor Olson, "was one in connection with my mother's many admonitions on righteous conduct which made a deep and lasting impression on me. I recall the scene as though it were yesterday. My mother stood at the gate of our village home with sad misgivings and tears streaming down her cheeks. At the tender age of 11, I was leaving home and mother for the first time to go to a large city, many miles away, where I was to be employed. Her last words to me at that parting were, 'Always do what is right, Culbert, no matter what others may do, and God will protect you from harm.'"

How many of us remember a similar scene as we set forth into a new world to make our way in life. We all had a strange emptiness in our heart, yet we also felt strengthened to face the future because of our mother's confidence and faith.

And when that fateful hour approaches when our mother quietly slips away to endless sleep, leaving to us a legacy of a thousand and one sweet meaningful memories—when that time of parting comes—she calls out for her son and when he comes, her face lights up with happiness and looking up at him, as did the mother of Oliver Cromwell, she says, "My dear son, I leave my heart with thee; good night."

This Mother's Day we here celebrate assumes a greater significance to us—a deeper meaning in these dark days of Western civilization. Mother signifies and represents to us those finer virtues of charity, justice, humanity, and peace which we strive to exemplify as characteristic of our American way of life

Let us take note that—in those foreign countries where human rights have been abrogated, racial minorities persecuted, and all democratic processes destroyed—the State has supplanted the influence and guidance of mother

Let us here today rededicate our lives to those spiritual principles learned at our mother's knee, for, so long as America exalts its mothers, we need have no fear of the permanence and perpetuation of our democratic institutions.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Cooke, Howser, F. N., Houser, Frederick F., Knight, T. Fenton; Russell, Potter, Lyon and Doyle:

House Resolution No. 189

WHEREAS, On Wednesday, May 7, 1941, the wives of the members of the Legislature of California, were the guests of the City and County of San Francisco; and

WHEREAS, Some 60 of the wives who were able to accept the hospitality were met at the ferry by city officials and were transported by busses with police escort, to the women's court presided over by the Honorable Theresa Meikle, judge of the municipal court where they witnessed the proceedings of a day in that court; they were then taken on an extensive sight-seeing trip through San Francisco; and thence to a reception at the office of Honorable Angelo J. Rossi, Mayor of San Francisco, where they were presented with beautiful corsages; and then they were taken to lunch at the Clift Hotel; after lunch they were transported to San Francisco's Yacht Harbor where they were boarded on yachts procured by the San Francisco Chamber of Commerce for a trip around San Francisco Bay; and

WHEREAS, The hospitality of the City and County of San Francisco was most generous and was thoroughly enjoyed by the guests who will ever remember the day as an outstanding one in their lives; now, therefore, be it

Resolved by the Assembly of the State of California, That it expresses to the City and County of San Francisco its sincere appreciation and thanks for the cordial and generous hospitality that was extended to the wives of the members of the Legislature on Wednesday, May 7, 1941; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send an engrossed copy of this resolution to Honorable Angelo J. Rossi, Mayor of San Francisco, and one to the San Francisco Chamber of Commerce

Request for Unanimous Consent

Mr. Cooke asked for, and was granted, unanimous consent to take up House Resolution No. 189, at this time, without reference to committee.

Resolution read and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 184

House Resolution No. 184

WHEREAS, The National Youth Administration has established a National Defense Resident Center at North Sacramento in order to train young men as Aviation Mechanics; and

WHEREAS, The project, beginning in November, 1940, with 19 young men, expanded to a total of 175 by March, 1941, and will be further expanded to a capacity of 300 in the near future; and

WHEREAS, These youths work 44 hours a week at the Sacramento Army Air Depot under the supervision of skilled mechanics and Army officials; and

WHEREAS, These youths are assigned to regular work in such shops as motor assembly and disassembly, machine shop, electrical accessories, instrument repair, sheet metal, and radio repair; and

WHEREAS, The related training from four to six hours a week is provided by Army Air Depot instructors under the direction of the State Department of Education; and

WHEREAS, The young men are housed and fed at Grant Union High School and further enjoy its recreational and educational facilities; and

WHEREAS, The method of selection by the National Youth Administration has been so successful and the young men have learned so rapidly and well that by April 1, 1941, 107 of them had received permanent Civil Service appointments as mechanic helpers at the Sacramento Air Depot; now, therefore, be it

Resolved that the Assembly of the State of California, Does hereby congratulate the administration of the Grant Union High School, Lieutenant-Colonel Fred C Nelson, and his staff at the Sacramento Army Air Depot, and the administrators of the National Youth Administration for California upon the efficient conduct of this vital National defense project; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Robert Wayne Burns and Aubrey Williams, State and National Administrators of the National Youth Administration.

Resolution read, and adopted unanimously.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Massion, Allen, King, Evans, and Hawkins:

House Resolution No. 190

WHEREAS, Evan Lewis, a city councilman of Los Angeles, this week was called to the Hereafter, closing a full, rich lifetime of public life, which commenced when he served as deputy sheriff of Los Angeles County, his election as City Assessor of Los Angeles in 1904, and lastly, his election to the City Council in 1928, during which public service he earned the distinction of being referred to as the "soul of fairness"; and

WHEREAS, His passing leaves in grief his widow, Mary Lewis, and his son, Evan Weldon Lewis, a deputy district attorney of Los Angeles; now, therefore, be it

Resolved by the Assembly of the State of California, That it expresses its sorrow for the death of Evan Lewis, and extends to his bereaved widow and son its deepest sympathy; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit to Mary Lewis, and to Evan Weldon Lewis, an engrossed copy of this resolution; and be it further

Resolved, That when this Assembly adjourns today, it shall do so in respect to the memory of Evan Lewis.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up House Resolution No. 190, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Hastain and Garland:

House Resolution No. 191

Now that the Sacramento climate more nearly resembles the climate of Imperial Valley it would seem appropriate for this body to pause in its deliberations to pay its respects to the Honorable Clarence R. Walker, who so capably represented that area in this Assembly during the Fifty-first and Fifty-second and Fifty-third Legislative Sessions.

Genial and friendly Clarence Walker with his gift for lengthy oratory and prolonged debate is sorely missed in these Legislative Halls by all who knew him; now, therefore, be it

Resolved, That the Members of the Assembly do hereby extend greetings to Clarence R Walker and wish him every success for the future; and be it further

Resolved, That the Chief Clerk is hereby instructed to forward an engrossed copy of this resolution bearing the signatures of the Members of this house to Honorable Clarence R. Walker.

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No. 191, at this time, without reference to committee.

Resolution read and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

At 5.40 p.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2142 refused passage by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cassidy, Collins, George D., Cooke, Crowley, Dills, Dilworth, Doyle, Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lyon, Massion, Middough, Pelletier, Poole, Potter, Poulson, Richie, Salsman, Stream, Thomas, Waters, and Watson—34.

NOES—Andreas, Bashore, Burns, Hugh M, Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Heisinger, Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Robertson, Russell, Sawallisch, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

Notice of Motion to Reconsider Assembly Bill No. 2142

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2142 was this day refused passage.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 546 FROM COMMITTEE

Mr. Donnelly gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 546 from the Committee on Education, and have it placed upon the file.

RECESS

At 5.43 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1910—An act to add Section 1.6 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and

conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect immediately;
And reports that the same has been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 260—An act to add a new section to the Agricultural Code, to be numbered Section 644.5, relating to milk products plants;

Assembly Bill No. 400—An act to add Article 3, consisting of Sections 22175 to 22181, inclusive, to Chapter 12 of Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of gold or its alloys;

Assembly Bill No. 698—An act to add Section 19123 to the Health and Safety Code, to add Article 2a to Chapter 2, Part 3, Division 13 of said code, consisting of Sections 19130 to 19138, inclusive, and to amend Section 19170 of said code, relating to requirements for earthquake protection in the design and construction of buildings, including the enforcement thereof, the securing of building permits, and the violation thereof;
And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 7 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 728—An act to amend Sections 541 and 542 of the Political Code, relating to State printing and the preparation of copy therefor;

Assembly Bill No. 896—An act to add a new section to Chapter 6 of Division 4 of the Agricultural Code, to be numbered 721.5, relating to proceedings to enjoin violation of certain provisions thereof;

Assembly Bill No. 906—An act transferring to the United States of America an easement over certain lands of the State of California for lighthouse purposes;
And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 7 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1348—An act to amend Section 559 of the Agricultural Code, relating to acidophilus milk;

Assembly Bill No. 1443—An act to amend Sections 3669c and 3669cc of the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State;

Assembly Bill No. 1473—An act to amend Section 16d of the Bank Act, relating to orders stopping the payment of checks;
And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 7 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1764—An act to add a new section to the Agricultural Code, to be numbered 553.5, relating to sterilized milk and cream;

Assembly Bill No. 2574—An act to amend Section 13350 of the Health and Safety Code, relating to cleaning establishments;

Assembly Joint Resolution No. 20—Relative to pension and compensation payments to veterans suffering total permanent disability;
And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 7 p.m.

JOHN B. KNIGHT, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2300
Senate Bill No. 54
Senate Bill No 373

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Fish and Game, to which was referred.

Assembly Bill No 686

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 220
Senate Bill No 1126

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1011

And reports the same correctly re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Natural Resources, to which were referred.

Assembly Bill No. 1937
Senate Bill No. 828

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

DILWORTH, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER. Your Committee on Natural Resources, to which were referred

Assembly Bill No. 1936
Assembly Bill No. 1888
Senate Bill No. 827

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 150

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1135

Assembly Bill No. 205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 999

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1837

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEYBRET, Chairman

Above reported bill ordered to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2332—An act to repeal Sections 753 and 754 of the Insurance Code, relating to unlawful rebates, profits and commissions.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Green, Lyon, Dills and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2332.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Green, Gunlock, Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Watson, Weber, Welch, and Weybret—42.

NOES—Allen, Clarke, Cooke, Dills, Dilworth, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, King, Lowrey, O'Day, Poole, Tenney, Thorp, Turner, Voigt, Waters, and Mr. Speaker—20.

Notice of Motion to Reconsider Assembly Bill No. 2332

Mr. Hugh M. Burns gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2332 was this day passed.

Assembly Bill No. 316—An act to amend Section 241 of the Code of Civil Procedure, relating to grand juries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Cain, Clarke, Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Kepple, Kilpatrick, Leonard, Lowrey, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—53.

NOES—Cronin, Gallagher, Green, Maloney, Massion, O'Day, and Sheridan—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2299—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on optometry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Burkhalter, Cooke, Evans, Johnson, Kilpatrick, Knight, T Fenton; Lyon, Pelletier, and Pfaff—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1011—An act to amend Section 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8772, 8781 and 8792, and to repeal Sections 8703, 8704 and 8705 of the Business and Professions Code, relating to the regulation of persons engaged in land surveying.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1065—An act to amend Sections 551 and 556 of the Business and Professions Code, relating to the prevention of blindness at childbirth.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 854—An act to amend Section 531 of the Vehicle Code, and to add Section 531.5 thereto, relating to following other vehicles too closely, and to vehicles being operated in caravan.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—Howser, F. N., and O'Day—2.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1119 ORDERED TO INACTIVE FILE

Mr. Welch moved that Assembly Bill No. 1119 be withdrawn from the active file, and ordered to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1381—An act to amend Sections 61 and 105 of the Bank Act, relating to the investment of trust funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Evans, and Poulson—2.

Bill ordered transmitted to the Senate.

Hon. Charles W. Lyon Presiding

At 9.33 p.m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

Assembly Bill No. 2457—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2162—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Commission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Waters, Knight, T. Fenton; Evans and Pfaff demanded the previous question.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Allen, Andreas, Burns, Michael J., Clarke, Collins, Sam L., Cronin, Daley, Desmond, Doyle, Evans, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Leonard, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Stream, Thorp, Thurman, Turner, Waters, and Weybret—35

NOES—Bennett, Burkhalter, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, O'Day, Poulson, Richie, Salsman, Sheridan, Thomas, Voigt, Watson, and Weber—30.

The question being on the passage of Assembly Bill No. 2162.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2162.

Motion carried.

Motion to Allow Extra Time for Argument

Mr. Watson moved that Mr. Desmond be allowed an extra five minutes to close his argument on the passage of Assembly Bill No. 2162.

Motion carried.

The question being on the passage of Assembly Bill No. 2162.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—48.

NOES—Bennett, Burkhalter, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Gaffney, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Meehan, Pelletier, Thomas, and Voigt—17.

Notice of Motion to Reconsider Assembly Bill No. 2162

Mr. Poulson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2162 was this day passed.

Explanation of Vote

I voted against Assembly Bill No. 2162 because I felt that under this bill the department would be injured. If Carey MacWilliams is a Communist, he should not hold a position in the department. I would favor getting rid of him instead of the department.

HENRY P. MEEHAN

Assembly Bill No. 1088—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning and threshing equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—61.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 822—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243.5, 244, 245, 245.5, 246, 246.5, 247 and 248 to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235.5 thereof, relating to the wrecking and dismantling of vehicles including the business of automobile wreckers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas,

Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Desmond moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 2161, at this time.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NO. 2161

Assembly Bill No. 2161—An act relating to the immigration inspector of the Division of Immigration and Housing.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Andreas, Call, Leonard and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2161

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dilworth, Donnelly, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Andreas, Bennett, Burkhalter, Carlson, Collins, George D., Cooke, Crowley, Del Mutolo, Gaffney, Gunlock, Hawkins, Kilpatrick, King, Pelletier, Russell, and Thomas—16.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted "nay" on Assembly Bills Nos. 2161 and 2162 because the proponents of the bills stated that the sole reason for enacting them into law was for the purpose of eliminating certain persons rather than for any purpose stated in the bills.

J. B. COOKE

Assembly Bill No. 2326—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Collins, Sam L., Evans, and Waters—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 150—An act to amend Section 4005c of the Political Code, relating to the population of the counties of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 29—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Bashore—1.

Notice of Motion to Reconsider Senate Bill No. 29

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 29 was this day passed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 9, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 2049 entitled "An act to add Section 65 of the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail."

My objections to this bill are as follows.

The theory of the bill seems to be that blended whiskey containing less than 20 or more per cent of four-year old straight whiskey is so deleterious that the stomachs of California consumers should be protected against it. The bill would prohibit the sale of such blends in California but not the sale of corn whiskey, when so labeled, or other liquor products or blends thereof with other materials or Scotch whiskies.

Whether, and to what extent, this bill might reduce the injurious effect of drinking whiskey, blended or otherwise, is not at all clear to me. I have no recommendation in favor of the bill by the Department of Public Health or any other competent authority from the standpoint of health protection. It may be that straight, unblended whiskey that has been aged in charred oak containers for four years or more after distillation would be more palatable and possibly less injurious for steady use than the blend of raw spirits and prune juice with a percentage of straight whiskey; but since 80 per cent of the whiskies to which this bill applies may be made up of other materials, and in view of the exceptions contained in the bill, I do not feel that it would result in any general improvement of the qualities of liquor consumed in California. If we are prepared to fix the qualities and standards of whiskies and other liquors that may be lawfully sold in California, then I think we

should do so on the basis of scientific analysis, and effectively prevent the sale of any liquor which, upon such analysis, is found to be so deleterious as to be seriously injurious or dangerous to health

I have received protests against this bill from the Governors of several States, on the ground that it is in effect a trade barrier bill, and that if it becomes a law, *retaliatory measures against California products sold in those States may follow.* Attention is called to the fact that no other State has such requirements as are contained in this bill; that the Federal Government authorizes the use of the term "straight whiskey" at the age of two years, and that while the Governments of the several States are endeavoring to eliminate any and all State legislation that would, in its operation, result in discrimination and therefore be classed as trade barriers, further progress in that direction would be hampered by legislation of this kind

I have also received numerous telegrams from California producers of agricultural products, protesting against this bill and advising me that retaliatory measures are being considered in other States should this bill become a law. I feel that these protests are not without reason and that we should respect them.

Furthermore, it seems to me that any immature spirits acts should be Federal legislation and thus be uniform throughout the country

Respectfully submitted

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 9, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 860, entitled "An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer".

My objections to this bill are as follows:

The bill would amend Section 3090 of the Civil Code to broaden the definition of "bearer paper", in connection with the law of negotiable instruments. Under this bill a check would become "bearer paper" even though the named payee was a living person, if it could be shown that an employee who was responsible for the naming of the payee, even though he did not sign the check, knew that the named payee had no interest therein. Thus, if an employee furnished the name of a living person to his employer, representing that such person was on the payroll of the employer when in fact he was not, and succeeded in having a check drawn to such person, *a bank could cash such check for the dishonest employee, and the employer* would have no recourse against the bank. In my opinion a bank should be responsible in such a case.

While, under the present law, a bank is protected where the named employee is fictitious or nonexisting, and such fact is known to the person making the check so payable, this bill would extend such nonresponsibility to the case of a check made payable to an existing person where such person had no interest therein It would also extend the nonresponsibility to cases where the name of the payee was supplied by the employee or other agent even though such employee or other agent did not sign the check. In my opinion this is undesirable I see no reason why a bank can not protect itself by requiring an indorsement of a responsible person to whom it can look in the event the check can not be charged against the account of the depositor, in the same manner that it protects itself when the payee of the check is a living person beneficially interested therein.

This bill contains all of the objectionable provisions of Assembly Bill No 1235 of the 1939 Session, which was returned without my signature, and in addition goes further than the 1939 bill as above pointed out.

Respectfully submitted

CULBERT L OLSON, Governor of California

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2299

Mr. Burkhalter gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2299 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Meehan moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 2299, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Poole, Potter, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Bashore, Burkhalter, Burns, Hugh M., Collins, George D., Dilworth, Donnelly, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Miller, Pelletier, Pfaff, Russell, Sawallisch, Thomas, Turner, Voigt, and Waters—20.

RECONSIDERATION OF ASSEMBLY BILL NO. 2299

Assembly Bill No. 2299—An act to add Section 3131 to the Business and Professions Code, relating to offenses against the chapter on medicine on optometry.

Bill read third time.

Demand for Previous Question

Messrs. Dills, Howser, F. N., Collins, Sam L., Knight, T. Fenton, and Andreas demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 2299.

The roll was called, and reconsideration refused by the following vote:

AYES—Bashore, Burkhalter, Carlson, Collins, George D., Johnson, Kilpatrick, Lyon, Pfaff, Potter, Russell, and Waters—11

NOES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 756—An act to add Section 6656.5 to the Welfare and Institutions Code, relating to the patient's personal revolving fund.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "the patient's personal revolving fund", and insert "funds belonging to patients in State institutions and patients' personal deposit fund".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 742—An act to amend Section 5252 of the Welfare and Institutions Code, relating to petition for commitment of a feeble-minded person.

Motion to Amend

Mr. Potter moved the adoption of the following amendment:

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, as amended, and insert "Code, relating to the commitment of persons to State institutions."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 753—An act to amend Section 6650 of the Welfare and Institutions Code, relating to liability for care, support, and maintenance of patients in State hospitals.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "insane person", insert "or inebriate".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, after "insane person", insert "or inebriate".

Amendment No. 3

On page 1, line 9, of the printed bill, as amended, after "insane", insert "or inebriates".

Amendment No. 4

On page 1, line 11, of the printed bill, as amended, after "person", insert "or inebriate".

Amendment No. 5

On page 1, line 13, of the printed bill, as amended, after "insane person", insert "or inebriate".

Amendment No. 6

On page 1, line 17, of the printed bill, as amended, after "insane person", insert "or inebriate".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 163—An act to amend Sections 342 and 367 of the Agricultural Code, relating to live stock marks and brands;

Assembly Bill No. 257—An act to amend Section 552 of the Agricultural Code, relating to skim milk;

Assembly Bill No. 259—An act to amend Section 635 of the Agricultural Code, relating to equipment used in the pasteurization of milk;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1941, at 7 p.m.

JOHN B. KNIGHT, Chairman

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No 1817

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Cooke moved that Rule 34 be suspended and that he be excused for the legislative day of May 10, 1941.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney Massion, McCollister, Middough, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, and Burns, Hugh M.—2.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 407.
Assembly Bill No. 1820.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Bill No. 2584.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to a special guest, Mrs. C. J. Klosterman of Compton, mother of 15 children.

On request of Mr. Poole, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Morris Goldblatt of Los Angeles.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Adeline Garbarino, Elizabeth Schaumloettel and Robert Peebles.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. G. W. (Bud) Johnson of Butte, Montana.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. H. F. Cobbs of Glendora.

ADJOURNMENT

At 11.30 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 9 a m , Saturday, May 10, 1941, out of respect to the memory of the late Evan Lewis, City Councilman of Los Angeles.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, May 10, 1941

The Assembly met at 9 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—43.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1272
Assembly Bill No. 1325
And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 157
Assembly Bill No. 210
Assembly Bill No. 309
Assembly Bill No. 389
Assembly Bill No. 660
Assembly Bill No 1027
Assembly Bill No 1055
Assembly Bill No 1448
Assembly Bill No. 1591
Assembly Bill No 1595
Assembly Bill No 1596
Assembly Bill No. 1611
Assembly Bill No. 1612
Assembly Bill No. 1889
Assembly Bill No. 1913
Assembly Bill No 1984
Assembly Bill No. 2120
Assembly Bill No 2138
Assembly Bill No 2208
Assembly Bill No. 2213
Assembly Bill No 2489
Assembly Bill No. 2605
Assembly Bill No. 2611

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 1935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DILWORTH, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1716

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 220
Assembly Bill No 355
Assembly Bill No. 945
Assembly Bill No. 1173
Assembly Bill No. 1217
Assembly Bill No. 1621
Assembly Bill No. 1888
Assembly Bill No 2096
Assembly Bill No. 2112
Assembly Bill No. 2465
Assembly Bill No. 2478
Assembly Bill No. 1936

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 677
Assembly Bill No. 742
Assembly Bill No 753
Assembly Bill No. 756
Assembly Bill No 763
Assembly Bill No. 943
Assembly Bill No. 952
Assembly Bill No. 1309
Assembly Bill No. 1700
Assembly Bill No 2470

And reports the same correctly re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

(Signed out)

CROWLEY, Chairman
TENNEY
ALLEN
CALL
MALONEY
WOLLENBERG
CRONIN

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1033
Assembly Bill No 1717
Assembly Bill No. 1724

And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 773
Assembly Bill No. 1060
Assembly Bill No 1249
Assembly Bill No 1327
Assembly Bill No. 1593
Assembly Bill No 1594

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR. SPEAKER: Your Committee on Municipal Corporations to which was referred Assembly Bill No. 2206

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1639

And reports the same correctly re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 220—An act to add Article 9, consisting of Sections 240 to 242, inclusive, to Chapter 1 of Division 2 of the Fish and Game Code, relating to archery reserves.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1650—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1888—An act to amend Section 3110 of the Public Resources Code, relating to the Petroleum and Gas Fund and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1936—An act to amend Section 6501 of the Public Resources Code, to add Sections 6501.2 and 6505, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, and Chapter 2 of Part 2 of Division 6, comprising Sections 6601 to 6715, inclusive, thereof, relating to State lands, providing for the leasing thereof and prescribing the powers and duties of the State Lands Commission in relation thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1937—An act to amend Sections 6101, 6103 and 6106 of the Public Resources Code, relating to State lands, providing that the State Lands Commission shall be an independent agency, transferring the Division of State Lands from the Department of Finance to the commission, and prescribing the powers and duties of the State Lands Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 6101, 6103, and 6106 of", and insert "add Section 6215 to"

Amendment No. 2

In line 2 of the title of the printed bill, strike out ", providing that the", and strike out lines 3, 4 and 5, and insert "and to the".

Amendment No. 3

In line 6 of the title of the printed bill, strike out the period, and insert "in connection therewith, declaring the scope, purpose and intent of the Legislature in enacting the State Lands Act of 1938 and acts amendatory thereof, and validating and confirming the acts of the State Lands Commission"

Amendment No. 4

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 6215 is hereby added to the Public Resources Code, to read as follows

6215. This section is enacted for the purpose of declaring the scope and extent of the powers, duties, purposes, responsibilities and jurisdiction of the State Lands Commission, but nothing herein shall be construed as limiting any power, duty, purpose, responsibility or jurisdiction heretofore or by this code vested in or conferred upon the commission

(a) *Upon the enacting of the State Lands Act of 1938 the Legislature intended* to and did vest in the commission all those powers, duties, purposes, responsibilities and jurisdiction of the Department of Finance as set forth in Section 6102 of this code, and of the Chief of the Division of State Lands, and the Division of State Lands, including the full authority, as provided by law, to administer, sell, lease or dispose of the public lands owned by this State or under its control, including not only school lands but tidelands, submerged lands, swamp and overflowed lands, and beds of navigable rivers and lakes The commission was further authorized to provide for the extraction of minerals and oil and gas from any or all of such lands, but its authority and jurisdiction over such lands was not and is not now limited thereto.

(b) The addition of Section 48 to the State Lands Act of 1938 by Chapter 646 of the Statutes of 1939 was intended to and did vest in the commission all of the powers of the State with reference to tidelands and submerged lands and the beds of navigable rivers, streams, lakes, estuaries, inlets and straits without regard to whether any of such lands contained or might contain minerals or oil and gas. The Legislature further declares that it was and is now its intention that the provisions of Section 48 of the State Lands Act of 1938, and of Sections 6301 and 6302 of this code, should supersede and control over any other provisions of law, whether general or special, relating to any such lands or parts thereof, and that any such provisions of law in conflict therewith were and are repealed.

(c) Any and all acts of the State Lands Commission heretofore performed by it pursuant to law and consistent with the declarations contained in this section are confirmed, ratified and validated."

Amendment No. 5

On page 1 of the printed bill, strike out lines 2 to 22, inclusive; and on page 2, strike out lines 1 to 13, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1856—An act to amend Sections 30 and 39 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Welfare:

Amendment No. 1

On page 3, line 11, of the printed bill, strike out ", and to have the same"; and strike out all of lines 12 to 17, inclusive, and insert a period.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1135—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended, and insert "tion 554 of the".

Amendment No. 2

On page 1, line 14, of the printed bill, as amended, strike out "551", and insert "554".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 16 to 23, inclusive, and insert

"554. This chapter shall not apply to any cases of emergency [.] *nor to work performed in the necessary care of animals, crops or agricultural lands, nor to work performed in the protection of life or property from loss or destruction, nor to any common carrier engaged in or connected with the movement of any train Nor shall*

the provisions of this chapter apply when the employer and a labor organization representing employees of such employer have entered into a valid collective bargaining agreement respecting the hours of work of such employees. Nothing in this chapter shall be construed to prevent an accumulation of days of rest when the nature of the employment reasonably requires that the employee work seven or more consecutive days, providing that in each calendar month the employee receive days of rest equivalent to one day's rest in seven.

In addition to the exceptions herein, the Chief of the Division of Labor Statistics and Law Enforcement may, when in his judgment hardship will result, exempt any employer or employees from this chapter."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, between lines 5 and 6, insert "each of whom shall possess the same qualifications as are required by Section 7 hereof to be possessed by a judge, and".

Amendment No. 2

On page 1, line 10, of the printed bill, after "deputies", insert ", if they possess the same qualifications as are required by Section 7 hereof to be possessed by a judge,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1817—An act to amend the title and to add four new sections, to be numbered 70, 71, 72 and 73, to an act known as the "California Water Storage District Act," relating to cooperation and contract with the United States to the purchase or lease of electric energy and the construction, acquisition, operation, leasing and control of plants for the generation, distribution, sale and lease of electric energy, to right of ways for electric light and power lines, and to the authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors, other than taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 7, line 36, of the printed bill, as amended, strike out "petitioner", and insert "petitioners".

Amendment No. 2

On page 8, line 43, of the printed bill, as amended, strike out "to", and insert "of".

Amendment No. 3

On page 8, line 46, of the printed bill, as amended, strike out "11", and insert "eleven".

Amendment No. 4

On page 10, line 6, of the printed bill, as amended, strike out "or", and insert "of".

Amendment No. 5

On page 10, line 17, of the printed bill, as amended, after "water", insert "storage".

Amendment No. 6

On page 11, line 1, of the printed bill, as amended, strike out "fifteen", and insert "ten".

Amendment No. 7

On page 11, line 13, of the printed bill, as amended, after "situated", insert "; provided, however, that the State Engineer on hearing and after good cause shown, may extend the time to complete and file the report for an additional period or periods of time which shall not exceed five years altogether"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2300—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "meat", and insert "part".

Amendment No. 2

On page 1, line 28, of the printed bill, after "day", insert ", and "week" means calendar week."

Amendment No. 3

On page 2 of the printed bill, after line 13, insert

"r. "Angling" means the taking of, or attempting to take, fish by hook and line in such manner that the fish voluntarily takes the bait or lure in its mouth."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1975—An act making an additional appropriation for construction, improvements, and equipment at San Quentin State Prison.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Prisons and Reformatories:

Amendment No. 1

In line 1 of the title of the printed bill, after "for", insert "support, operation,".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "_____", and insert "seventy-seven thousand eight hundred dollars ($77,800)".

Amendment No. 3

On page 1, line 3, of the printed bill, after "for", insert "support, operation,".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1436—An act to amend Section 20 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the deposit of license fees paid under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly April 5, 1941, strike out line 6, and insert "session An additional assessment may be made".

Amendment No. 2

On page 3, lines 45 and 46, of the printed bill, as amended in the Assembly April 5, 1941, strike out "One or more assessments", and insert "An assessment".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert

"1011.5 Sharks when brought ashore shall be in the round and when first sold shall be in the round. The first purchaser of shark shall pay to the commission a privilege tax of two and one-half cents ($0.025) per 100 pounds The purchaser may sell sharks, or parts thereof, purchased by him, for human consumption, for the extraction of oil, or for reduction purposes. Notwithstanding any provision of this code no license or permit shall be required to purchase sharks, to extract the oil therefrom or from shark liver, or to reduce the carcasses of sharks to meal, fertilizer, or to any other usable state, except that it is unlawful to cause or permit any deterioration or waste of sharks or any parts thereof, or to receive more sharks or parts thereof than can be used without deterioration, waste, or spoiling The provisions of this section requiring sharks to be landed in the round shall not apply to shark livers or other parts of sharks imported from without the State and accompanied by bona fide bill of lading or other shipping document showing that the origin of the shipment was outside of this State"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 999—An act to add Section 473B to the Political Code, relating to approval of rules and regulations by the Attorney General.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2 of the printed bill, following line 13, insert

"Marketing agreements, marketing orders, marketing programs, or similar orders, and rules or regulations authorized or provided for in such agreements, orders, or

programs issued or made effective by the Director of Agriculture pursuant to the provisions of the California Marketing Act of 1937, the California Agricultural Products Marketing Act of 1937, the Agricultural Prorate Act, or the Processed Food Stuffs Marketing Act, shall not be construed as rules, regulations or orders within the meaning of this section,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1837—An act to add Section 1232.5 to the Agricultural Code, relating to warehouses for agricultural products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 1231, 1233, 1234 and 1239 of, and to add Section 1259 to the Agricultural Code, relat-".

Amendment No. 2

On page 1 of the printed bill, strike out lines 4 to 15, inclusive, and insert

"SECTION 1. Section 1231 of the Agricultural Code is amended to read as follows:

1231. As used in this chapter:

(a) "Warehouse" means every elevator, building, structure, or other protected inclosure within the State, in which any agricultural product is or may be stored.

(b) "Product" means [cotton, wool, hay,] *any* fertilizers, [green products, grains, tobacco, rice, beans and flaxseed, or any by-products thereof, and] *agricultural, horticultural, viticultural and vegetable products of the soil, or* other agricultural products customarily handled in warehouses, *including such products after they have been dried, canned, extracted, fermented, distilled or otherwise preserved.*

(c) "Fungible product" means [grain, rice, beans or other products handled in bulk and does not include those products when handled in sacks] *goods of which any unit is, from its nature or by mercantile custom, treated as the equivalent of any other unit.*

(d) "Warehouseman" means a person lawfully engaged in the business of storing products

(e) "Receipt" means a warehouse receipt.

SEC. 2. Section 1233 of the Agricultural Code is amended to read as follows:

1233. [The director may, upon application to him, issue to any warehouseman a license for the conduct of a warehouse or warehouses in accordance with this chapter and such rules and regulations as may be made hereunder. Each such warehouse shall be suitable for the proper storage of the particular product or products for which a license is applied for, and each warehouseman shall agree, as a condition to the granting of the license, to comply with and abide by all the terms of this chapter and the rules and regulations prescribed hereunder.] *No person shall engage in the business of storing products in a warehouse unless he has first obtained a license from the director as provided in this chapter.*

SEC. 3. Section 1234 of the Agricultural Code is amended to read as follows.

1234. [Each license issued under this chapter shall terminate as therein provided or in accordance with the terms of this chapter and the regulations thereunder, and may from time to time be modified or extended by a written instrument.] *Every person engaged or desiring to engage in the business of storing products in a warehouse shall file an application with the director for a license to carry on such business.*

Such application shall in each case state the kind of products the applicant proposes to store, the full name and address of the person applying for such license, and the location of each warehouse operated by such applicant. If the applicant is a firm, association, partnership, or corporation the application shall contain the name and address of each member of the firm, association, or partnership, or each officer of the corporation.

The application shall contain such further information as the director may require.

Such applicant shall satisfy the director of his character, responsibility, and good faith in seeking to carry on the business of a warehouseman.

SEC. 4. Section 1239 of the Agricultural Code is amended to read as follows:

1239. [The director shall collect a reasonable fee for every examination or inspection of a warehouse when such examination or inspection is made upon the application of a warehouseman and an annual fee based upon the capacity of the warehouse and the character of the commodity or commodities stored therein for each license or renewal thereof issued to a warehouseman, which fee shall be based upon the following schedule:

Grain and hay warehouses, 1c per ton, with a minimum of $25.00 and a maximum of $100.00;

Cannery warehouses, 50c per 1000 cases, with a minimum of $50.00 and a maximum of $200.00;

Dried fruit warehouse, 2c per ton, with a minimum of $50.00 and a maximum of $200.00;

Miscellaneous agricultural warehouses other than those listed, $25.00.] *Each applicant for a license under the provisions of this act shall, at the time of making his application, pay to the director as an annual license fee the sum of twenty-five dollars ($25) for each warehouse operated by such applicant.*

Before a license shall be initially issued to an applicant, each warehouse operated by the applicant shall be inspected by the director and the actual reasonable costs of such inspection shall be paid to the director by the applicant, the costs of and the time of payment of such inspection fee to be determined by the rules and regulations of the director.

A license issued under the provisions of this chapter shall remain in full force and effect until it is surrendered, revoked, or suspended. It shall expire at noon on the thirty-first day of December of any calendar year, if on or before the twentieth day of December of such year, the licensee fails to file an application to renew it and pay the annual license fee for the next succeeding calendar year.

In addition to the annual license fee and the initial inspection fee, a licensee under the provisions of this chapter shall pay to the director the actual reasonable costs of three inspections per year of each warehouse operated by such licensee, the cost of and the time of payment of such inspection fees to be determined by the rules and regulations of the director.

SEC. 5. Section 1259 is added to the Agricultural Code, to read as follows:

1259. Any person and the several members, officers, directors, agents, and employees thereof, who violates or participates in the violation of any of the provisions of this chapter, or any of the rules, orders and regulations of the director, is guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment."

Amendments read and adopted.

Bill ordered printed and engrossed

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 827—An act to amend Section 4155 of the Public Resources Code of the State of California, relating to the operation of stationary engines in any woods operation, located in any forest or brush covered land, and limiting the application of the act to wood-burning steam-operated stationary engines.

Bill read second time, and ordered to third reading.

Senate Bill No. 106—An act to add Chapter 7, consisting of Sections 4.40 and 4.44, inclusive, to Part 1 of Division 4 of the School Code, relating to giving the assent of the State to an act of Congress of the United States entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, and providing for the disposition of moneys received by the State thereunder.

Bill read second time, and ordered to third reading.

Senate Bill No. 1126—An act to amend Sections 799 and 800, and to add Section 802.8 to the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to third reading.

Senate Bill No. 54—An act to amend Sections 271 and 290, and to repeal Section 168, of the Fish and Game Code, relating to Silver Lake Game Refuge.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 271 and 290, and to repeal Section 168," and insert "Section 271".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2.

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "Sec 2", and insert "Section 1"

Amendment No. 4

On page 1 of the printed bill, strike out lines 12 to 26, inclusive, and strike out all of page 2.

Amendments read and adopted.
Bill ordered printed, and to third reading.

Senate Bill No. 373—An act to amend Section 651.6 of the Fish and Game Code, relating to fish, including salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out ", Merced, Madera, and Fresno", and insert "and Merced".

Amendment read and adopted
Bill ordered printed, and to third reading.

Senate Bill No. 828—An act to amend Section 4157 of the Public Resources Code of the State of California, relating to the operation of steam-operated donkey, stationary engine, locomotive or loader in any forest or brush covered land and excluding the use and operation of internal combustion engines from the provisions of said section.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out the period and the quotation marks, and insert "nor to steam locomotives being used in the business of a common carrier by railroad."

Amendment read and adopted.
Bill ordered printed, and to third reading.

Speaker Pro Tempore Presiding

At 9.35 a.m., Hon. Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs Lyon and Waters:

House Resolution No. 192

WHEREAS, James M Sims, Jr, an assistant clerk of the Assembly, on Saturday, May 10, 1941, is leaving his 'teens behind him and will attain his twentieth birthday; and

WHEREAS, This bright, sparkling young man, who possesses a wholesome and friendly personality aspires to become a motion picture director; and

WHEREAS, His activities since he was a small boy, beginning with his attendance at St. Joseph's Military Academy from 1924 to 1928, his graduation from Sacramento High School in 1935, attendance at Sacramento Junior College, 1940-41, winning the track championship in 1940 for the Catholic Youth Organization; his earnest work as a page in the Assembly in 1935, 1937 and 1939, which endeared him to all the members of the Assembly and earned for him the position he now holds of assistant clerk, all indicate that the lad will succeed in his determination to attain his chosen life work which for the present is manifested in his hobby of amateur theatrical production and direction; now, therefore, be it

Resolved, That the members of the Assembly extend to James M Sims, Jr, many happy birthday greetings and every encouragement to continue his hard work and to persevere until he achieves the goal for which he is working, and express every hope that he may succeed; and be it further

Resolved, That the Chief Clerk of the Assembly present an engrossed copy of this resolution to James M. Sims, Jr.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 192, at this time, without reference to committee.

Resolution read and adopted unanimously.

Speaker Presiding

At 9.46 a m., Hon Gordon H. Garland, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 386—An act to amend Section 19597 of the Business and Professions Code, and to amend Section 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys wagered on the result of horse racing, declaring the urgency hereof, to take effect immediately.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Lyon moved a call of the Assembly.

Motion carried. Time, 9.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended, strike out "in justices' ", and insert "from defendants appearing in municipal".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 403

Mr. Waters moved that Senate Bill No. 403 be withdrawn from the active file, and re-referred to the inactive file.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Gallagher, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 619.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 619—An act to amend Sections 7302, 7321, 7324, 7330, 7331, 7332, 7334, 7351, 7360, 7372, 7373, 7376, 7382, 7383, 7391, 7393, 7394.5, 7396, 7399, 7412, 7431, 7436 and 7437 of, to repeal Article 13, comprising Sections 7450 to 7457, inclusive, of, and to add Section 7329 to Article 3 of Chapter 10 of Division 3 of said code, relating to the practice, the training for and government of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J. Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth Donnelly, Doyle, Evans, Gallagher Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J. Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54.

NOES—None.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 108

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 108 was this day passed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Michael J. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Constitutional Amendment No. 1.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to Section 25½ of Article IV of the Constitution of said State, relating to fish and game.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried. Time, 10.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 41—An act to add to the Code of Civil Procedure new Section 1110b, relating to stay of execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Dilworth, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No 98.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 98—An act to amend the County Water District Act, as amended, by amending Section 12, relating to powers of districts, amending Section 18, relating to rights of way, Section 19, relating to water rates, and Section 25, relating to additions to districts, repealing Sections 12 1 and 22a, repealing and reenacting Section 52, and by adding Section 1.1 declaring districts public agencies, 10 1, relating to contracts between districts and their officers or directors, 12 1 to 12 15, inclusive, relating to powers of districts, 14.1, relating to oaths, 14 2, relating to investment of funds, 16b, relating to callable bonds, 28 1, relating to findings on additions and exclusions of land and 66 to 71, inclusive, relating to dissolution of districts, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 754—An act to amend the title and Section 1 of "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, relating to the acquisition, development, and disposal of electrical power by irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Wollenberg, and Mr Speaker—58

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 776—An act to amend Sections 4380, 4381, 4382, 4400, 4101, 4113 of, and to add Section 4101.5 to, the Water Code, or to amend Sections 4, 8 and 12 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property,

defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Wollenberg, and Mr. Speaker—59.

NOES—None

Notice of Motion to Reconsider Senate Bill No. 776

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 776 was this day passed.

Senate Bill No. 49—An act to add to the Code of Civil Procedure Section 117*l*, relating to the deposit of cash in lieu of bond on appeal in small claims courts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 687—An act to amend Section 16f of the Bank Act, relating to adverse claims to bank deposits and the contents of safe deposit boxes standing in the name of one other than the claimant and to add two new sections, Sections 539a and 682a, to the Code of Civil Procedure, relating to the attachment of and the levy of execution upon bank accounts and the contents of safe deposit boxes standing in the name of one other than the defendant or judgment debtor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—59.

NOES—Field—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 905—An act to add Section 450.1 to the Fish and Game Code, making the taking, mutilating, or destruction of any wild

fish, bird, mammal or other game lawfully in the possession of another a misdemeanor and providing the penalty therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Collins, George D., Collins, Sam L., Evans, Field, Howser, F. N., King, Poole, and Thomas—8.

Bill ordered transmitted to the Senate.

Senate Bill No. 508—An act to amend School Code Section 5.352, relating to fees for life diplomas issued by the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Wollenberg, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 685.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 685—An act to amend Section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to deposit of public moneys, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney,

Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—Evans—1.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—Evans—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 386

At 11.15 a m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Evans moved a call of the Assembly.

Motion carried. Time, 11.24 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 406—An act to amend Section 4247 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighteenth class.

Bill read third time.

Motion to Amend

Mr. Hastain moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4247", and insert "4250".

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "to compensation for public services in counties of the twenty-first class"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4247", and insert "4250".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3; and in line 4, "named county officers", and insert
"4250. In counties of the twenty-first class the following"

Amendment No. 5

On page 1 of the printed bill, strike out lines 6, 7 and 8, and insert "the following sums:
1. The auditor,".

Amendment No. 6

On page 1 of the printed bill, strike out lines 10 and 11, and insert "2. The district attorney,".

Amendment No. 7

On page 1 of the printed bill, strike out lines 17 and 18; and in line 19, strike out "fixed in the sum of", and insert "3. Each supervisor,".

Amendment No. 8

On page 2 of the printed bill, strike out line 7, and insert "4."

Amendment No. 9

On page 2, line 14, of the printed bill, strike out "In counties of the eighteenth class, grand", and insert "Grand".

Amendment No. 10

On page 2, line 24, of the printed bill, strike out "counties of the eighteenth class", and insert "such counties".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 167—An act to amend Sections 5, 7 and 17 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof, and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts, including the qualifications of district directors, the qualifications of electors, the qualifications of directors when such directors are elected to represent divisions of the district, and the qualifications of electors entitled to vote for directors who are elected by divisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 187—An act to amend Section 162 of the Probate Code, relating to interest on deferred legacies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheri-

dan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1033—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kepple, Kilpatrick, Knight, T Fenton, Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—62
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 143—An act to add Section 2901 to the Health and Safety Code, relating to annexation of land to pest control districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lyon, Maloney, Masston, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An act to amend Section 2871 of, and to add Sections 2822.5, 2871.5, 2871.7 and 2875 to, the Health and Safety Code, relating to pest abatement districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63
NOES—Field, and Potter—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 145—An act to amend Sections 2853 and 2871 of, and to add Section 2803 to, the Health and Safety Code, relating to pest abatement districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2853 and 2871", and insert "Section 2853".

Amendment read and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Senate Bill No. 662—An act to amend Section 8560 of the Health and Safety Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—McCollister—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 848—An act to amend the Building and Loan Association Act by adding to Article 7 thereof a new section to be numbered Section 7.09, relating to liability and assessments of stockholders.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 386

At 11.45 a.m., on motion of Mr. Evans, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 386 adopted by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills,

Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher,, Green, Hawkins, Howser, F. N., Johnson, King, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

Noes—Allen, Bennett, Collins, George D., Crowley, Hastain, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton, Lowrey, Masston, Miller, Potter, Robertson, and Thomas—16

The question being on the passage of Senate Bill No. 386

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Howser, F. N., Johnson, King, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—52.

NOES—Bennett, Collins, George D., Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton, Lowrey, Masston, Potter, Russell, and Thomas—12

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 697—An act to amend Sections 2799, 2805, 2806, 2816, 2819 and 2820 of, to repeal Section 2798 of, and to add new Sections 2798, 2798.3 and 2798.5 to the Elections Code, relating to State party conventions, State central committee meetings and the memberships thereof.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—61.

NOES—Dilworth, and Field—2

Bill ordered transmitted to the Senate.

Senate Bill No. 932—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None

Notice of Motion to Reconsider Senate Bill No. 932

Mr. Hugh M. Burns gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 932 was this day passed.

Senate Bill No. 1260—An act to add Article 5, comprising Sections 2780 to 2792, inclusive, to Chapter 5, Title 1, Part 3, and to amend

Section 3040, of the Penal Code, relating to prisons and prisoners and their employment in parks, forests and fish and game camps.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Wollenberg, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 506—An act to amend Sections 8931, 8938, 8939, 8963 and 9000 of the Health and Safety Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Call, Carlson, Collins, George D, Collins, Sam L Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62

NOES—Hugh M. Burns—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 407—An act to add Section 203.5 to the Streets and Highways Code, relating to funds paid to cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 1

At 12.10 p m, on motion of Mr Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 1 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N, Johnson, King, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Poole,

Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Collins, George D., Houser, Frederick F., Kepple, Kilpatrick, and Pelletier—5.

Resolution ordered transmitted to the Senate.

Senate Bill No. 684—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties, or districts," approved July 1, 1937, relating to capital outlays by cities, counties, cities and counties, or districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 425—An act to add Section 1628 to the Streets and Highways Code, relating to expenditures by a county out of its special road improvement fund on streets, roads and highways in cities within the county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 442—An act to amend Section 3719 of the Political Code, to grant to junior college districts the right to borrow under the provisions of said section.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Stream—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1299—An act to amend Sections 6 9, 24, 24.2, 24.3, 27, 33e, 34, 51 and 67 5 and to repeal 24 5, 24 7, 27a, 27b, 27c, 27d, 33, 33a, 33b, 33c and 33d of the Alcoholic Beverage Control Act, and to add thereto new sections, to be designated 24 1, 24 5, 24 6, 27a, 27b, 27c, 33, 33a, 33b, 33c, 33d, 33f, 33g, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 34h, 34i and 34j, relating to alcoholic beverages, and to provide that this act shall go into effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 302—An act to amend Section 29 of the Civil Code, relating to rights of unborn children, and providing for limitation of actions for prenatal injuries and injuries sustained in the course of birth.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton, Leonard, Lyon, Maloney, Middough, Miller, Ptaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—44

NOES—Bashore, Bennett, Call, Collins, George D., Dills, Dilworth, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Masson, O'Day, Pelletier, Richie, Sheridan, Tenney, Thorp, Welch, and Mr. Speaker—23.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 386

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 386 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. F. N. Howser moved that the Rules be temporarily suspended for the purpose of considering reconsideration on Senate Bill No. 386 at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Desmond, Dickey, Doyle, Howser, F. N., Lyon, Maloney, Poulson, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Welch, and Mr. Speaker—24

NOES—Bennett, Burkhalter, Clarke, Collins, George D., Dilworth, Donnelly, Evans, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Massion, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Thomas, Watson, and Weber—29.

RECESS

At 12.34 p.m., on motion of Mr. Field, the Assembly recessed until 12.36 p.m., to hear from Mason D. Harrell, former member, Texas House of Representatives, District 127, Bastrop County. Resigned last November to become a Flying Cadet in Army Air Corps. Will graduate at Stockton Advanced Flying School July 12, 1941, receive Second Lieutenancy in Air Corps Reserve.

REASSEMBLED

At 12.36 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

A.B. No. 1173 re-referred to Committee on Ways and Means.
A.B. No. 1217 re-referred to Committee on Unemployment.
A.B. No. 677 re-referred to Committee on Judiciary General.
A.B. No. 943 re-referred to Committee on Governmental Efficiency and Economy.
A.B. No. 945 re-referred to Committee on Governmental Efficiency and Economy.
A.B. No. 2112 re-referred to Committee on Governmental Efficiency and Economy.
A.B. No. 2478 re-referred to Committee on Revenue and Taxation.
A.B. No. 2465 re-referred to Committee on Social Service and Welfare.
A.B. No. 2470 re-referred to Committee on Social Service and Welfare.
A.B. No. 1621 re-referred to Committee on Education.
A.B. No. 1249 re-referred to Committee on Ways and Means.
A.B. No. 1724 re-referred to Committee on Municipal Corporations.
A.B. No. 1596 re-referred to Committee on Municipal Corporations.
A.B. No. 1595 re-referred to Committee on Municipal Corporations.
A.B. No. 1594 re-referred to Committee on Municipal Corporations.
A.B. No. 1327 re-referred to Committee on Ways and Means.
A.B. No. 1717 re-referred to Committee on Live Stock and Dairies.
A.B. No. 309 re-referred to Committee on Public Morals.
A.B. No. 1055 re-referred to Committee on Public Morals.
A.B. No. 1611 re-referred to Committee on Public Morals.
A.B. No. 1612 re-referred to Committee on Public Morals.
A.B. No. 2213 re-referred to Committee on Public Morals.
A.B. No. 2489 re-referred to Committee on Public Morals.
A.B. No. 1889 re-referred to Committee on Crime Problems

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 407.
Assembly Bill No. 1820.
Assembly Bill No. 1346.
Assembly Bill No. 2142.
Assembly Bill No. 2162.
Assembly Bill No. 2332.
Senate Bill No. 29.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 546.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Green, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rita Rastelli of San Francisco.

On request of Mr. Hastain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. H. A. Hastain, Mrs. Harvey E. Hastain, Betty Hastain and Harry Hastain

ADJOURNMENT

At 12.40 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 30 a.m., Monday, May 12, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 12, 1941

The Assembly met at 10.30 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Call, Cooke, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Lowrey, Massion, Middough, Miller, Millington, Pfaff, Poole, Poulson, Russell, Stream, Tenney, Welch, and Mr. Speaker—29.

Call of the Assembly

Mr. Kepple moved a call of the Assembly.

Motion carried. Time 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

On motion of Mr. Kepple, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cooke, Daley, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Lowrey, Lyon, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Watson, Welch, Wollenberg, and Mr. Speaker—46.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Michael J. Burns

EXPLANATION OF ABSENCE

Reason for missing roll call was because my bill, Assembly Bill No. 82, was in Transportation Committee of the Senate.

FRED N. HOWSER

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 609
Assembly Bill No. 1554

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER. Your Committee on County Government, to which was referred:

Assembly Bill No. 1059

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 278
Assembly Bill No. 301
Assembly Bill No. 540
Assembly Bill No. 1876

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER. Your Committee on Federal Relations, to which was referred:

Assembly Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1935—An act to repeal Section 6963 of the Public Resources Code, and to add a new Section 6963 and Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, relating to State lands and regulating the taking of minerals from streams and lakes and from lands within the original meander lines of certain streams and lakes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 8 and 9 of the title of the printed bill, as amended, strike out "6814 and 6835", and insert ", 6835, 6964, 6966 and 6978"

Amendment No. 2

In line 15 of the title of the printed bill, as amended, strike out "and 6963", and insert "6963, 6965, 6967, 6968 and 6969"

Amendment No. 3

On page 1, line 2, of the printed bill, as amended, strike out "said", and insert "the Public Resources".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 43 to 52, inclusive; and on page 3, strike out lines 1 to 10, inclusive.

Amendment No. 5

On page 3, line 11, of the printed bill, as amended, strike out "SEC 10. Section 6835 of said act", and insert

"SEC. 9 Section 6835 of said code"

Amendment No. 6

On page 3 of the printed bill, as amended, strike out line 26, and insert

"SEC 10. Sections 6963, 6965, 6967, 6968, and 6969 of said code are hereby repealed"

Amendment No. 7

On page 3, line 27, of the printed bill, as amended, strike out "SEC 12.", and insert

"SEC. 11."

Amendment No. 8

On page 3 of the printed bill, as amended, strike out lines 37 to 44, inclusive, and insert

"SEC. 12. Section 6964 of said code is hereby amended to read as follows:

6964. Every person, firm or corporation taking any minerals from the waters of any such stream or lakes or from any such lands, shall file, on or before the last Monday in January of each year with the [State Controller] *commission* a written statement, duly verified, showing in tons of 2,000 pounds, the amount of mineral so taken and sold by such person, firm or corporation during the year ending December 31st last preceding. A copy of the statement shall also be filed with the Department of Finance. Any such person, firm or corporation neglecting or refusing to furnish such statement shall forfeit all rights to take waters of any such stream or lake or minerals from such lands. Any person who, either on behalf of himself or any firm or corporation, verifies any such statement which is untrue in any material part is guilty of a misdemeanor.

SEC 13 Section 6966 of said code is hereby amended to read as follows:

6966 Every person, firm or corporation and every lessee under this chapter shall, at the time of filing the statement provided for in Section 6964, forward to the [State Controller] *commission* an express or postal money order payable to the [State Treasurer] *State of California* in a sum equal to a royalty of twenty-five cents ($0.25) for each ton of 2,000 pounds of mineral taken from such water or land by such person, firm or corporation and sold, during the preceding year; except that the royalty on sodium bicarbonate and on sodium hydrate so taken shall be fifty cents ($0.50) for each ton of 2,000 pounds.

SEC. 14. Section 6966.2 is hereby added to said code, to read as follows

6966.2 Notwithstanding the provisions of Section 6966 the State Lands Commission is empowered from time to time to adjust the royalties payable to the State under leases heretofore issued pursuant to this chapter or pursuant to any act codified in this chapter, upon notice to the lessee and after hearing. In making any such adjustments the commission shall take into consideration the market value of the product or products, and the reasonable cost of manufacturing or processing, and the royalty so established by the commission shall bear a reasonable relation thereto. Any such royalty established by the commission may be upon a flat or percentage basis, and such royalty may vary for different products manufactured or processed

This section is enacted pursuant to the power vested in the Legislature with relation to existing leases by Section 6971.

SEC. 15. Section 6978 of said code is hereby amended to read as follows.

6978 Any lessee hereunder may abandon and surrender a lease at the expiration of any calendar year by filing [with the county assessor of the county in which is situated the lands described in the lease, and] with the commission [and the State Controller, notices] *a notice* of abandonment or surrender. The notices shall be filed at least 60 days before the expiration of the calendar year The abandonment and surrender shall not absolve the lessee from the payment of any royalty which may be due at the end of the fiscal year for minerals extracted from the waters or lands."

Amendment No. 9

On page 3, line 45, of the printed bill, as amended, strike out "SEC 14", and insert

"SEC. 16."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2206—An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 2, and insert "proposed district may petition".

Amendment No. 2

On page 1, line 3, of the printed bill, after "district.", insert

"If the proposed parking district is wholly within a municipality the petition shall be filed with the legislative board of the municipality. If the proposed parking district is partly within a city and partly within unincorporated territory, or wholly within unincorporated territory, the petition shall be filed with the board of supervisors of the county in which the proposed district is located."

Amendment No. 3

On page 1, lines 13 and 14, of the printed bill, strike out "of supervisors".

Amendment No. 4

On page 1, line 15, of the printed bill, after "weeks", insert ", by publication in a newspaper of general circulation, published within the municipality or county in which the proposed district is located,".

Amendment No. 5

On page 1 of the printed bill, strike out lines 20 to 26, inclusive, and insert

"SEC. 4 The owners of the property within the proposed district may file written protests against the formation of the district On the day of the hearing and on any day to which it shall be recessed, the board shall examine the protests and shall hear evidence presented by any interested persons in favor of or against the formation of the parking district.

SEC. 5. If, at the hearing, it appears that the owners of more than one-half of the assessed value of land only in the district have filed protests to the formation of the district, the board shall, by resolution to be entered upon its minutes, so find, and shall abandon the formation of the district, and no further proceeding for the formation of the district shall be taken within a period of six months from the date of such abandonment At the conclusion of the hearing the board shall determine whether or not the area described in the petition will be benefited by the formation of a parking district The determination of the board upon any of the matters presented in any of the protests or objections and upon all matters involved therein shall be final and conclusive."

Amendment No. 6

On page 2, line 2, of the printed bill, strike out "bene-", and insert "benefit".

Amendment No. 7

On page 2, lines 6 and 7, of the printed bill, strike out "of supervisors".

Amendment No. 8

On page 2, line 12, of the printed bill, strike out "of supervisors".

Amendment No. 9

On page 2, line 13, of the printed bill, strike out "county clerk", and insert "clerk of the city or county with whose governing board the petition has been filed".

Amendment No. 10

On page 2, line 19, of the printed bill, after "owners", insert ", without regard to residence,".

Amendment No. 11

On page 2, line 25, of the printed bill, after "valuation", insert "of land only"

Amendment No. 12

On page 2 of the printed bill, strike out lines 45 to 49, inclusive, and insert

"SEC. 17. Immediately after the organization of the first board of commissioners the board shall determine a definite date for regular elections of the board of commissioners, which shall be held every two years thereafter."

Amendment No. 13

On page 3, lines 10 and 11, of the printed bill, strike out "within the boundaries of the district.", and insert "and to properly handle and care for any cars parked within any parking space owned or operated by the district"

Amendment No. 14

On page 3, line 17, of the printed bill, after "district", insert "or within one thousand (1,000) feet of the exterior boundaries of the district".

Amendment No. 14a

On page 3 of the printed bill, between lines 24 and 25, insert

"The board of commissioners of a parking district shall require any person, firm or corporation with whom a contract for the construction of any building, improvement or works, or the repair thereof, is made and entered into, to file with the board good and sufficient bonds, to be approved by the board, conditioned upon the faithful performance of the contract and upon the payment of all claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 303 of the Statute of 1919, as amended, and to be subject to the provisions of that chapter."

Amendment No. 15

On page 3 of the printed bill, strike out line 30, and insert "acquired, and may restrict, or partially restrict, the use of the parking space to, or make rates designed to favor the".

Amendment No. 16

On page 3 of the printed bill, strike out lines 42 to 49, inclusive, and insert

"SEC. 302. Before any bonds may be issued, the board shall submit to the electors of the district the question of whether the district shall issue bonds in the amounts and for the purposes stated

SEC. 303. If it shall be determined at such election that bonds shall be issued in the amounts and for the purposes stated, the board shall thereupon issue such bonds. The provisions of the Improvement Act of 1911 shall govern the issuance, sale, enforcement and collection of bonds for the work contemplated by this act"

Amendment No. 17

On page 3, line 50, of the printed bill, strike out "305", and insert "304".

Amendment No. 18

On page 4, line 1, of the printed bill, strike out "306", and insert "305".

Amendment No. 19

On page 4, line 3, of the printed bill, strike out "307", and insert "306".

Amendment No. 20

On page 4, line 7, of the printed bill, strike out "308", and insert "307".

Amendment No. 21

On page 4 of the printed bill, between lines 9 and 10, insert

"SEC. 309. In making its estimate of expenditure for the ensuing period, the board of commissioners shall in the second year of the operation of the district and thereafter include as an offset to the amount of money needed to be raised by taxes, cash on hand as of the preceding July 1st secured from parking fees or other sources except the sale of bonds and not then definitely allocated to any improvement or expense already incurred, it being the general purpose of this provision that the district may use any income other than that derived from the sale of bonds for the purpose of maintaining, repairing, improving and operating the parking district, and

may tax for those purposes only the amount estimated to be necessary to make up the total amount needed for estimate period."

Amendment No. 22

On page 4 of the printed bill, strike out lines 12 to 19, inclusive, and insert "money which will be needed to defray the cost of maintenance and operation of the district prior to the close of the next succeeding calendar year. Such costs shall include but not be limited to rental or lease payments on properties used by the district and the cost of improvements or equipment necessary to the operation of the district; provided, that the total cost of improvements or equipment shall not in any one year exceed twenty-five thousand dollars ($25,000) unless a larger sum for such purposes has been approved by a majority vote of the district at an election under the provisions of Sections 10 to 17, inclusive Having prepared its estimates as provided in the foregoing, the board of commissioners through the manager of the district shall submit them to the governmental agency under whose actions the district was formed, which agency shall thereupon make the necessary provision for the levy of an ad valorem tax upon the district sufficient in amount to raise the money set out in said estimate. The property upon which the tax shall be levied shall be designated and certified to the above mentioned governmental agency. The board of commissioners shall have the power subject to a vote of the district at an election under the provisions of Sections 10 to 17, to designate as the properties upon which any year's tax levy is to be made as (1) land only within the district, or (2) land and improvements only within the district. The assessed value of the properties within the district as used by the governmental agency forming the district shall be used as the basis of the district tax levy.

SEC. 401. In securing a vote to determine whether maintenance taxes shall be levied on land only or upon land and improvements only, the commissioners may submit for approval a policy to be followed for a period of not to exceed six years from the date of the election.

SEC. 402. Any of the matters required by this act to be submitted to election may be placed on the ballot and submitted to the electors at any general or special election, except that the election of commissioners shall be held only at a general election, as provided in Section 17."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Constitutional Amendment No. 49—Proposed amendment to Article IV, Section 1 of the Constitution, relating to the initiative.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 22, of the printed measure, strike out "5", and insert "eight".

Amendment No. 2

On page 2, line 11, of the printed measure, strike out "3", and insert "five".

Amendment No. 3

On page 3, line 7, of the printed measure, strike out "3", and insert "five".

Amendment No. 4

On page 4, line 46, of the printed measure, after the period, insert

"Upon presentation to the superior court in any county, at least 90 days before the election, of proof satisfactory to it that persons soliciting signatures to any such petition have received compensation therefor, the court shall enjoin the Secretary of State from submitting to the electors the measure proposed by the petition to be so submitted."

Amendments read and adopted.

Bill ordered printed and engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 10, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the tenth day of May, 1941, at 6.20 p.m., Assembly Bill No. 41 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable John D. Welch, Member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 41, entitled "An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages."

My objections to this bill are as follows.

This bill provides that nothing in the act amended shall be construed as prohibiting the holder of a license to sell intoxicating liquors for consumption on the premises from subleasing the restaurant, or other food-purveying facilities in the premises covered by his license, or from otherwise contracting with another person for the operation and maintenance of such facilities. Applications for permission to so sublet or contract must be made to and approved by the Board of Equalization, and the board is given power to deny any such application upon any ground for which an application for license may be denied.

Section 22 of Article XX of the State Constitution relating to intoxicating liquors, reads in part as follows:

> "Intoxicating liquors, other than beers, shall not be consumed, bought, sold or otherwise disposed of for consumption on the premises, in any public saloon, public bar or public bar room within the State; provided, however, *that subject to the aforesaid restriction*, all intoxicating liquors may be kept and may be bought, sold, served, consumed, and otherwise disposed of in any *bona fide* hotel, restaurant, cafe, cafeteria, * * *" (Emphasis supplied.)

Section 18 of the Alcoholic Beverage Control Act provides that on-sale licenses shall be issued only

"to bona fide hotels, restaurants, cafes," etc

It is apparent that the people of the State, in approving the constitutional provision above quoted, intended that on-sale liquor licenses should be issued to bona fide hotels, restaurants, etc

In my opinion, this bill would attempt to avoid that intention by permitting the food-purveying facilities to be run independently of the on-sale liquor business, although within the same premises. The use of the words "bona fide" in the above constitutional provision, in my opinion, contemplates the existence of a business which would operate even though liquor were not to be sold in connection therewith. This bill would tend to encourage the operation of on-premises liquor dispensing businesses with a small eating business sublet or run by a sublessee, as a side line.

Furthermore, the bill contains no specific provision as to the responsibility of the licensee, in the event the sublessee fails to maintain a bona fide food-purveying business; nor does it specifically vest in the Board of Equalization any authority to require the cancellation of any sublease, in the event the sublessee does not maintain a bona fide eating place.

While this bill may not come literally within the prohibition of the constitutional provision, I believe it violates the intent thereof. I further believe that the full responsibility to insure that a bona fide hotel or eating place is conducted on the premises in which on-sale liquor business is exercised, should be upon the licensee, as is apparently now provided in Section 18 of the act above quoted, and that legislation of this nature that might enable the licensee to shift or possibly escape that responsibility, should not be enacted.

There is an additional consideration which may have been overlooked by the Legislature. This bill will permit the division of what is ordinarily a single business in such a manner that the Unemployment Insurance Act may be avoided, and the employees of such establishments be denied the benefits thereof.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 41 ordered to unfinished business

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 442—An act to amend Section 170 of, to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to the disqualification of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D., Cronin, Daley, Desmond, Donnelly, Evans, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Watson, Welch, and Mr. Speaker—49

NOES—Cooke, and Dilworth—2

Bill ordered transmitted to the Senate

Assembly Bill No. 1759—An act to amend Section 175 of the Vehicle Code, relating to the registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Kellems, Kepple, Knight, T. Fenton, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier Pfaff, Poole, Potter Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Watson, Welch, Wollenberg and Mr Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Hawkins, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 287.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 287—An act to amend Section 112 of the State Civil Service Act, relating to certifications

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried. Time, 11:37 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Call, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1181.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1181—An act to add Section 136d to the Bank Act, relating to the disposition of the assets of a bank in the process of liquidating which assets are impressed with a trust and the beneficiaries of which are unknown or can not be located.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—53

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An act to add Section 154.5 to the State Civil Service Act, relating to medical examinations of State employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Collins, George D., Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read third time.

Motion to Re-refer Assembly Bill No. 1272 to Committee

Mr. Bashore moved that Assembly Bill No. 1272 be re-referred to the Committee on Motor Vehicles.

Substitute Motion

Mr. Johnson moved, as a substitute motion, that the consideration of Assembly Bill No. 1272 be postponed indefinitely.

Mr. Call seconded the motion.

The roll was called, and the substitute motion lost by the following vote.

AYES—Call, Dilworth, Houser, Frederick F., Johnson, Knight, T. Fenton; Millington, Pfaff, Poulson, and Waters—9.

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thurman, Turner, Watson, Welch, Wollenberg, and Mr. Speaker—50

The question being on the motion to re-refer Assembly Bill No. 1272 to the Committee on Motor Vehicles.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—59.

NOES—Pelletier—1.

Assembly Bill No. 1272 re-referred to Committee on Motor Vehicles.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 287

At 12.10 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 287 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Howser, F. N., Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thomas, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—44

NOES—Bennett, Call, Crowley, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Miller, Millington, Phillips, Poole, Salsman, Thurman, and Watson—19.

Assembly Bill No. 287 ordered transmitted to the Senate.

RECESS

At 12.13 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1196

Has had the same under consideration and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 686
Assembly Bill No. 999
Assembly Bill No. 1837
Assembly Bill No. 1856
Assembly Bill No. 1937
Assembly Bill No. 1975
Assembly Bill No. 2300

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 205
Assembly Bill No. 1135
Assembly Bill No. 1436
Assembly Bill No. 1817

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 67—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600.5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers;

Assembly Bill No. 915—An act to add a new section to be numbered 379.7 to, and to repeal Article 4 of, Chapter 1 of Division 3 of the Agricultural Code, relating to poultry brands and to the sale and transportation of poultry;

Assembly Bill No. 1054—An act to amend Sections 2248, 2270, 2274 and 2312 of the Health and Safety Code, and to add Section 2292 thereto, relating to mosquito abatement districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1941, at 12 m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1442—An act to provide for the organization, incorporation and government of joint municipal sewage disposal districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of sewage disposal systems and to levy and collect taxes to pay the principal and interest thereon, and authorizing such districts to issue revenue bonds for the acquisition and construction of sewage disposal systems, and for the fixing, collecting and application of rates and charges for the use of sewage disposal systems;

Assembly Bill No. 1613—An act to add Sections 24.25, 24.26, 24.27 and 24.28 to the Alcoholic Beverage Control Act, with reference to the sale of alcoholic beverages for delivery or use outside of the State, to take effect immediately;

Assembly Bill No. 2543—An act to add Section 604.10 to the Vehicle Code, relating to the transportation, care and treatment of persons injured upon the highways.

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1941, at 12 m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1440—An act to amend Sections 1, 2, 5, 6, 6a, 6c, 6d, 6e, 7, 11, 12, 15, 15a, 18 and 19 of an act approved May 23, 1921, as amended, entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," relating to the organization of and annexation to municipal utility districts; control of publicly owned utilities within utility districts; contest of annexation proceedings; powers and duties of a board of directors; powers of the district; special districts within municipal utility districts; incurring, refunding and retirement of indebtedness of special districts; levy and collection of taxes for special district operations and obligations; investment of funds; sale of by-products; loans, contributions and cooperative agreements; limitation of indebtedness; payment of interest from bond funds; fixing and collecting rates, tolls and charges, and the levy and collection of taxes; contracts for the use

of commodities or services, and to add Sections 1a, 6b.5, 6f to 6i, inclusive, 7a, 15d to 15q, inclusive, 29a and 29b, defining the term "public agency"; providing for annexation to special districts; annexation of unincorporated territory; oaths of office, creation of special districts for sewage disposal purposes, the contesting of the validity of their creation and any bonds issued by a special district; the issuance of bonds by the electors therein for said purposes, the use of said bonds for investment and security for public deposits; the levy and collection of taxes to pay the principal and interest of said bonds, and the expenses of formation and operation of said special districts, contracts and agreements for the use of sewage disposal facilities, and the dissolution of special districts, and relating to special districts generally; issuance of revenue bonds under general law; disposition of records; and the severability of the act, all relating to municipal utility districts;
And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of May, 1941, at 12 m.

JOHN B. KNIGHT, Chairman

RECONSIDERATION OF SENATE BILL NO. 29

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Senate Bill No. 29 was passed be reconsidered.

Speaker Presiding

At 1.55 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Potter, Turner, Evans, Collins, Sam L., and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Senate Bill No. 29.

The roll was called, and reconsideration granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Hastam, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, Middough, O'Day, Pelletier, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Turner, Watson, Welch, and Mr. Speaker—41.

NOES—Allen, Call, Carlson, Collins, Sam L., Cronin, Desmond, Dilworth, Gallagher, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Thorp, Thurman, Voigt, Weybret, and Wollenberg—28.

Senate Bill No. 29 ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2587—An act to amend Sections 3.90 and 3.101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Dills, Dilworth, Johnson, Knight, John B., Leonard, and Robertson—6.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 373—An act to amend Section 651.6 of the Fish and Game Code, relating to fish, including salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr Speaker—54

NOES—Burns, Michael J., Call, and Lowrey—3

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2197—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts, and auto and trailer camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Robertson Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 344—An act to add Section 623 to the Streets and Highways Code, relating to State highway routes. .

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr Speaker—60

NOES—Carlson, Collins, Sam L., Dilworth, Field, Johnson, and Knight, T. Fenton—6.

Bill ordered transmitted to the Senate.

RECONSIDERATION OF SENATE BILL NO. 386

In compliance with a notice on a previous day, Mr. Kepple moved that the vote whereby Senate Bill No. 386 was passed be reconsidered.

Senate Bill No. 386 reconsidered by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple,

Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—60.

NOES—None.

Senate Bill No. 386 ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1174—An act to add Section 2 to an act entitled "An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school," approved June 12, 1931.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2074—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

Motion carried. Time, 2.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 463—An act to add Section 686.7 to the Vehicle Code, relating to designations on State-owned vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 367—An act to amend Sections 2, 13 and 15 of, and to add Section 12.5 to, the Subdivision Map Act, relating to subdivisions and to the examination of maps by public officers and charging fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Frederick F. Houser Presiding

At 2.45 p.m., Hon. Frederick F. Houser, member of the Assembly from the Fifty-third District, presiding.

Assembly Bill No. 1025—An act to amend the Agricultural Code by adding a new section thereto to be numbered Section 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Evans, Howser, F. N., Lowrey, and Middough—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1026—An act to amend the Agricultural Code by adding a new section thereto to be numbered 828.92, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Bashore, Carlson, Collins, Sam L., Dickey, Dills, Evans, Howser, F. N., Lowrey, and Middough—9.

Notice of Motion to Reconsider Assembly Bill No. 1026

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1026 was this day passed.

Assembly Bill No. 1924—An act to add Section 291 5 to the Agricultural Code, relating to dairies.

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger Houser, Frederick F, Howser, F N., Johnson, Kellems, Kilpatrick, King, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1305—An act to add Section 3.93 to the School Code, relating to the maintenance of public school classes on Saturday.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher Hastain, Hawkins, Houser, Frederick F, Howser, F, N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Voigt, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 120—An act to add Section 205 to the State Civil Service Act, relating to resignations of civil service employees and others, prohibiting appointing powers from using their authority or influence or discriminating against persons in order to obtain undated or post-dated resignations or resignations effective at a future date and imposing penalties for violations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Collins, George D, Cooke, Cronin, Daley Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream Tenney, Thomas, Thorp, Thurman, Voigt, Waters Welch, Weybret, and Wollenberg—65.

NOES—Lowrey, and Robertson—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 948—An act to add Section 50.2 to the State Lands Act of 1938, to empower the commission to apply to the United States of America for patents to public lands.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "1938," insert "and to add Section 6206.5 to the Public Resources Code,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 12 to 15, inclusive

Amendment No. 3

On page 1 of the printed bill, after line 15, insert

"SEC. 2. Section 6206.5 is hereby added to the Public Resources Code, to read as follows.

6206.5 The commission is hereby empowered to apply to the United States Department of the Interior for patents to the numbered school sections in place, and to accept benefits in accordance with an act of Congress approved June 21, 1934 (Public No 440-73d Congress), entitled "An act authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the act approved February 22, 1889, by the act approved January 25, 1927 (44 Stat. 1026), and by any other act of Congress"

SEC. 3. Section 2 of this act shall take effect only if Division 6 of the Public Resources Code is enacted by the Legislature at its Fifty-fourth Session, and, in such case, at the same time said Division 6 takes effect, at which time Section 50 2 of the State Lands Act of 1938 is hereby repealed."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1541—An act to amend Sections 15151, 15253 and 15255 of the Health and Safety Code, relating to the application and enforcement of the State Housing Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, John B, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Turner, Voigt, Waters, Welch, and Mr. Speaker—59.

NOES—Kellems, Knight, T Fenton; Leonard, Lowrey, Thorp, Thurman, Watson, and Weybret—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 656—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustees affecting real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—64

NOES—Collins, George D, and Houser, Frederick F—2

Bill ordered transmitted to the Senate

Assembly Bill No. 2514—An act to amend Section 5 of the State Contract Act, relating to bids.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—63.

NOES—Houser, Frederick F., and Leonard—2

Bill ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 108 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Senate Bill No. 108 was passed.

Senate Bill No. 108 ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1577—An act to amend Section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation of said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1036—An act to amend Section 737o of the Political Code, relating to salaries of the judges of the Superior Court of Kern County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller,

Millington, O'Day, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—52.

NOES—Bashore, Burkhalter, Field, Heisinger, Houser, Frederick F., Kilpatrick, Massion, and Pelletier—8

Bill ordered transmitted to the Senate

Assembly Bill No. 2431—An act to add Section 689.5 to the Code of Civil Procedure, relating to third party claims.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1713—An act to amend Section 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2074

At 4 p.m., on motion of Mr. Sawallisch, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Daley, Dills, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch,

Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Welch, Weybret, and Wollenberg—49.
NOES—Dilworth, Field, Kepple, Knight, T. Fenton; and Middough—5.

Time, 4.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bills Nos. 2130 and 2133.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2130—An act to add an article heading for Article 1, and Article 2, comprising Sections 955 and 956, to Chapter 1 of Title 2 of Part 3 of Division 2 of, and Section 3333.5 to, the Civil Code, and Section 1880 to the Code of Civil Procedure, and to amend Section 573 of the Probate Code, relating to survival of personal injury actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2133—An act to amend Sections 376 and 377 of the Code of Civil Procedure, all relating to actions for wrongful injury and death.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Welch, Weybret, Wollenberg, and Mr. Speaker—59
NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 2580.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2580—An act to add Chapter 3, comprising Sections 259, 259 1 and 259 2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F N Johnson, Kellems, Kilpatrick King, Knight, T Fenton, Leonard Lowrey Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Welch, Weybret, and Wollenberg—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kilpatrick, King, Knight, T Fenton, Leonard, Lowrey, Lyon Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman Turner, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2074

At 4 25 p m, on motion of Mr Sawallisch, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 2074 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Kilpatrick, Lowrey, Lyon, Maloney, Massion, Meehan, O'Day, Poole, Poulson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, and Wollenberg—44

NOES—Call, Collins, Sam L., Dilworth, Donnelly, Evans, Field Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, King, Knight, John B, Knight, T Fenton, Leonard, McCollister, Middough, Miller, Millington, Pelletier, Ptaff, Phillips Potter, Richie, Robertson, Tenney, Welch, Weybret, and Mr. Speaker—29

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2111—An act to amend Sections 4.962 and 4.973 of the School Code and to add Section 4.978 thereto, relating to school bonds, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond,

Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2524—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 926—An act to add Article 3, consisting of Section 5180, to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to the refund of penalties, interest or costs on taxes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream,

Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 925—An act to repeal Sections 5136, 5137, 5138, 5139 and 5140 of the Revenue and Taxation Code, and to add Sections 5136, 5137, 5138, 5139, 5140, 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—64
NOES—Carlson, and Dilworth—2.

Bill ordered transmitted to the Senate.

WITHDRAWAL FROM INACTIVE FILE OF ASSEMBLY BILL NO. 334

Mr. John B. Knight moved that Assembly Bill No. 334 be withdrawn from the inactive file, and ordered to third reading.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Mr. Tenney:

House Resolution No. 193

WHEREAS, The heritage of Free America, a great Democracy, for which our National heroes toiled and fought and died, must be safeguarded against mortal enemies of our traditions; and

WHEREAS, Every citizen must find his place in the total defense of our Nation, by cooperating to achieve sound homes, teamwork in industry and finally a united Nation, if we are to prevail against the forces of evil within and without; and

WHEREAS, An inspiration to the hard thought and clean living required in the fight for these objectives against fear, hate, greed, and extravagance is found in a handbook of National defense prepared by the Moral Rearmament Group, entitled "You Can Defend America," indorsed by General John J. Pershing, labor unions throughout the country, and many other organizations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly earnestly commends to the people of this State both the book and its theme, and recommends that patriotic organizations throughout the State find means to aid its distribution to the fullest extent.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up House Resolution No. 193, at this time, without reference to committee.

Mr. Voigt withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Tenney moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 193 without reference to committee, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Cassidy, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Donnelly, Gaffney, Gallagher, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Russell, Sawallisch, Tenney, Thomas, Thorp, Thurman, Welch, and Weybret—44.

NOES—Carlson, Field, Hastain, Heisinger, and Richie—5.

Resolution read and adopted.

By Messrs Maloney, Garland, Meehan, Lyon, Poulson and Field:

House Resolution No. 194

WHEREAS, Honorable Godfrey A Andreas, our beloved colleague from the Seventy-second District, celebrated his sixtieth birthday on Sunday, May 11, 1941, which this year was the beautiful day on which all over the land we honored mothers; and

WHEREAS, On this important natal day the Assemblyman could with pardonable pride look back on years of his life during which he attained success as a private citizen and as a Legislator, serving the State of California with credit and distinction for four successive terms; now, therefore, be it

Resolved by the Assembly of the State of California, That happy and sincere birthday greetings be extended to Assemblyman Andreas from each and every member thereof and that it is the hope of the Assembly that his natal day may come to him many, many more times and find him always surrounded by health, happiness and every success; and be it further

Resolved, That the Chief Clerk of this Assembly present to Assemblyman Andreas a copy of this resolution.

Request for Unanimous Consent

Mr Maloney asked for, and was granted unanimous consent to take up House Resolution No. 194, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Field:

House Resolution No. 195

WHEREAS, Hundreds of changes in the organization and administration of the State Government are proposed at each session of the Legislature. The complicated machinery of State Government erected to serve the citizens of this State, can function only under law. New circumstances constantly arise which previous statutes did not contemplate It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the law relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered.

During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based The Legislature can best function as a fact-finding agency through Legislative Committees; therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Governmental Efficiency and Economy, which committee shall study and investigate, accurately and in detail, the organization, functions, and administration of the State Government and of any department, agency, or subdivision thereof and of the governments of the cities and counties of this State, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State and local governments and the agencies and subdivisions thereof.

The committee shall consist of 15 members of the Assembly appointed by the Speaker of the Assembly, and the Speaker as an ex officio member. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members the committee may organize, appoint a secretary and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attend-

ance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-fifth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-fifth Legislature, on or before March 15, 1943.

Every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals.

The sum of seven thousand five hundred dollars ($7,500), together with the unexpended balance of moneys made available to the Assembly Committee on Governmental Efficiency and Economy created by House Resolution No. 62, is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

Speaker Presiding

At 5.02 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2281—An act relating to State officers and the appointment thereof.

Bill read third time.

Motion to Amend

Mr Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended, strike out "hold the office only until", and insert "not hold the office after".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 42 to 47, inclusive, and insert "but his term shall not extend beyond midnight of the day on which the Senate next meets, at which time the office shall be vacated by such appointee or his successor, unless there has been submitted to the Senate an appointment of such

person holding the office for the remainder of the term, if any, or for a new term If the appointment is so submitted, it shall be considered to be an appointment made pursuant to Section 4."

Amendments read and adopted.
Bill ordered reprinted and re-engrossed.

Assembly Bill No. 462—An act to amend Section 1.91 of, and to add Section 1.92, 1.93 and 1 94 to, the School Code, relating to the construction, color, design, equipment and operation of school buses.

Bill read third time.

Motion to Amend

Mr. Allen moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, between lines 26 and 27, insert
"This section does not apply to the owner of any commercial vehicle which was operated and painted red, white and blue prior to the effective date of this section."

Amendment read and adopted.
Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 779—An act to add Chapter 8 to Part 1 of Division 3 of the School Code, which chapter shall consist of Section 3 107, relating to insurance premium deductions from salaries.

Bill read third time.

Motion to Amend

Mr. Cain offered the following amendment:

Amendment No. 1

On page 1, line 18 of the printed bill, as amended in the Senate April 25, 1941, after "an" insert "admitted"

Amendment read and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 861—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4246", and insert "4249".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "seventeenth", and insert "twentieth".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4246", and insert "4249".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 3 to 6, inclusive, and insert
"4249. In counties of the twentieth class the following shall receive as compensation for services required of them by law, or by virtue of their office, the following sums:".

Amendment No. 4.5

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert "2. The district attorney, five thousand dollars ($5,000) per annum The district attorney shall devote his entire time to the duties of his office, and shall not engage in private practice of law."

Amendment No. 5

On page 1 of the printed bill, as amended, strike out all of lines 13 to 24, inclusive.

Amendment No. 6

On page 2 of the printed bill, as amended, strike out all of lines 3 to 6, inclusive, and insert

"Any member of the board of supervisors when required to travel within or without the county on official business of the county, may use or travel in any vehicle owned and maintained by such counties for official purposes. This does not permit the board of supervisors to purchase, set aside or designate automobiles or other vehicles for the sole use of the board, but shall only give them the right to use such vehicles as are ordinarily kept available for general county use. When traveling on official business the expense of maintenance and upkeep of such automobiles and of all necessary supplies therefore shall be borne by the county."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RECONSIDERATION OF ASSEMBLY BILL NO. 2162

In compliance with a notice given on a previous day, Mr. Poulson moved that the vote whereby Assembly Bill No. 2162 was passed be reconsidered.

Assembly Bill No. 2162 reconsidered by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Further Consideration of Assembly Bill No. 2162

Assembly Bill No. 2162—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Commission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments.

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 34 to 40, inclusive

Amendment No. 2

On page 2, line 30, of the printed bill, as amended, after "Health", insert "without change of civil service status, class of position, or compensation".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1058—An act to amend Section 4271 of the Political Code, relating to compensation for public services in counties of the forty-second class

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4271", and insert "4272"

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "second", and insert "third".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4271", and insert "4272"

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert "4272 In counties of the forty-third class the following shall receive as com-".

Amendment No. 5

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "salaries per diem and mileage, to wit", and insert "sums".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 3 to 24, inclusive

Amendments read and adopted

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2578—An act to add Sections 8.1, 8.2 and 8.3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2228—An act to amend Section 1143 of the Penal Code, relating to jurors' fees and mileage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1708—An act to amend Section 20763 of the Business and Professions Code, relating to renewal of licenses to sell petroleum products at retail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F. Johnson, Kepple, King Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Ptaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—Bashore—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2475—An act to amend Section 4273 of the Political Code, relating to compensation of county and township officers and court reporters in counties of the forty-fourth class.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4273", and insert "4276".

Amendment No. 2

In the title of the printed bill, as amended, strike out lines 2, 3 and 4, and insert "ing to compensation for public services in counties of the forty-seventh class"

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4273", and insert "4276".

Amendment No. 4

On page 4 of the printed bill, as amended, strike out all of lines 44 to 47, inclusive, and insert

"4276 In counties of the forty-seventh class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:".

Amendments read and adopted

Bill ordered reprinted and re-engrossed

Assembly Bill No. 1384—An act to add Section 395.4 to the Military and Veterans Code, relating to State employees engaged in Military or Naval duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1034—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4240", and insert "4238".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "eleventh", and insert "ninth".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4240", and insert "4238".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of line 3, and insert "4238. In counties of the ninth class, the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "salaries, fees and expenses, to wit", and insert "sums".

Amendment No. 6

On page 1, line 8, of the printed bill, as amended, strike out the period, and insert ", together with his necessary expenses incurred while traveling in the performance of his official duties. The auditor shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity, other than the official salary herein provided."

Amendment No. 7

On page 1, line 10, of the printed bill, as amended, strike out the period, and insert "and the necessary expenses incurred in the discharge of his official duties. All fees and commissions or compensations received by the district attorney in his official capacity, from any source, shall be paid into the county treasury, other than the official salary herein provided."

Amendment No. 8

On page 1 of the printed bill, as amended, strike out lines 11, 12 and 13, and insert

"The district attorney shall devote his entire time during office hours to the work of the county and the State and is pro-".

Amendment No. 9

On page 1 of the printed bill, as amended, strike out lines 19 and 20, and insert "4."

Amendment No. 10

On page 2, line 1, of the printed bill, as amended, after "juror,", insert "in the superior court,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 469—An act to add Section 4132.5 to the Political Code, relating to the indexing of instruments or documents recorded.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1919

Mr. Gaffney moved that Assembly Bill No. 1919 be withdrawn from the active file, and ordered to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Kellems, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Welch, and Mr. Speaker—46.

NOES—Bashore, Carlson, Dilworth, Field, Houser, Frederick F., Johnson, Kepple, Leonard, Poulson, Waters, Weybret, and Wollenberg—12

Notice of Motion to Reconsider Assembly Bill No. 1731

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1731 was this day passed.

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Section", insert "777 and".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after the comma, strike out "relating to public emergency defense work", and insert "relating to public work contracts in cities of the fifth and sixth class".

Amendment No. 3

On page 2 of the printed bill, as amended, after line 49, insert

"SEC. 2 Section 777 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 777. In *any project for* the erection, improvement, and repair of [all] public buildings and works; in all street and sewer work *exclusive of maintenance or repair*, and in all work in or about streams, bays or waterfronts, or in or about embankments, or other works for protection against overflow, and in furnishing any supplies or materials for [the same] *any such project inclusive of projects for maintenance or repair of streets or sewers*, when the expenditures required for the same exceed the sum of [three] *five* hundred dollars *($500)*, the same shall be done by contract, and shall be let to the lowest responsible bidder, after notice [by publication in a newspaper of general circulation, printed and published in such city or town, for at least two weeks,] *which shall consist of the publication of a notice inviting bids by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation, printed and published in such city, which publication shall be commenced not less than 10 days prior to the date set in the notice*

for the opening of bids or if there be no newspaper *of general circulation* printed [or] *and* published therein, [by printing and posting the same in at least four public places therein for the same period] *by posting copies of said notice inviting bids in at least three public places in said city, which places shall be those designated by ordinance as the places for posting of public notices, not less than 10 days prior to the date set in the notice for the opening of bids* ; such notice shall distinctly and specifically state the work contemplated to be done, provided, that the board of trustees may reject any and all bids presented and readvertise, in their discretion, *and if any two or more bids are the same and are the lowest bids received, the board of trustees may accept whichever one it chooses* ; provided, further, after rejecting bids, the board of trustees may declare and determine by a four-fifths vote of all its members that in its opinion the work in question may be performed more economically by day labor or the materials or supplies furnished at a lower price in the open market, and after the adoption of a resolution to this effect they may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section; and provided further, that in case of a great public calamity such as an extraordinary fire, flood, storm, epidemic or other disaster, *or in the doing of emergency work deemed necessary in the preparation for National or local defense*, the board of trustees may, by resolution passed by vote of four-fifths of all its members declare and determine that public interest and necessity demands the immediate expenditure of public money to safeguard life, health or property and thereupon they may proceed to expend or enter into a contract involving the expenditure of any sum required in such emergency. [The board of trustees shall annually, at a stated time, contract for doing all city printing and advertising, which contract shall be let to the lowest responsible bidder, after notice as provided in this section.]

In the event that there is more than one newspaper of general circulation printed and published in such city the board of trustees shall, annually, prior to the beginning of each fiscal year, publish a notice inviting bids, and contract for the publication of all legal notices required to be published in a newspaper of general circulation printed and published in said city. Said contract shall include the printing and publishing of all such legal notices during the ensuing fiscal year. In the event there is only one newspaper of general circulation printed and published in said city, then the board of trustees shall have the power to contract with such newspaper for the printing and publishing of such legal notices without being required to advertise for bids therefor."

Amendments read and adopted

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1982—An act to amend Section 2 of The Personal Income Tax Act, relating to the definition of residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1635—An act to amend Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier,

Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Mr Speaker—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Mr. Speaker—59.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1019—An act to add a new section to the Probate Code to be numbered 1027 and to amend Section 1201a of the Probate Code and to repeal Sections 530 and 530 1 of the Probate Code, all relating to assignments and transfers of an interest in the estate of a decedent by heirs, devisees and legatees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No 571

Has had the same under consideration, and reports the same back with the recommendation. Do pass

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No 575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 301 re-referred to Committee on Judiciary General.
Assembly Bill No. 278 re-referred to Committee on Judiciary General.
Assembly Bill No. 609 re-referred to Committee on Social Service and Welfare
Assembly Bill No. 1975 re-referred to Committee on Ways and Means
Assembly Bill No. 1436 re-referred to Committee on Public Utilities.
Assembly Bill No. 686 re-referred to Committee on Fish and Game.
Assembly Bill No. 999 re-referred to Committee on Judiciary Codes
Assembly Bill No. 1837 re-referred to Committee on Agriculture.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 407.
Assembly Bill No. 1820.
Assembly Bill No 1346.
Assembly Bill No. 2142.
Assembly Bill No. 2162.
Assembly Bill No. 2332.
Senate Bill No. 29.
Senate Bill No. 776.
Senate Bill No. 932.
Senate Bill No. 108.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 531
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 546.

COMMUNICATIONS

The following communication, pertaining to a resolution passed in January relative to the late E H. Zion, former Assemblyman from Stanislaus County, was received and read, and on motion of Mr. Donnelly, ordered printed in the Journal:

TWAIN HARTE, CALIFORNIA, May 11, 1941

DEAR MR. DONNELLY: I want to thank you for Bob and myself, for the copies of the resolution of condolence which you sent us. It is indeed gratifying to know that Dad was so well liked.

Will you please convey our sincere appreciation to the others instrumental in the passing of the resolution?

Thank you for your kind wishes and sympathy.

Sincerely,

MARYANN ZION GRAY
(MRS. JOHN L. GRAY)

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clayton A. Dills of Gardena, brother of Assemblyman Dills.

On request of Messrs. Donnelly and Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister M. Paola, Sister M. Ursulieve, Sister M. Geraldine, and Sister M. Giovanni, and the following students of Holy Rosary Academy at Woodland: Kathleen Abele, Margaret Heineman, Patricia Ann Davy, Frieda Hanke, Joan Sachreiter, Donna Williams, Marjorie Nelson, Margaret Mullen, Elizabeth Richards, Rose Riccio, Peggy Jenkins, Betty Jean Smith, Mary Kirschman, Mary Peterson, Virginia Koch, Eleanor Santos and Helen Murphy, and Mrs. Myron Heineman, parent.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Pearl Sutton of Bell.

On request of Messrs. Burkhalter and Gallagher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Laurence R. Burkhalter of San Francisco.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bliss Hinkle, principal; Bernard Corrigun, teacher; Mrs. Stella Watson, and the following students of the Tahoe Branch of the Placer Union High School: James Baker, Barton Barnett, Bill Bechdolt, Richard Carnell, Charles Cross, Billie Jean Gibson, Richard Hinkle, Joyce Palmer, Everett Peterson, Rex Tallefson, Betty Woodruff, Edna Wheat, Helen Worden, Aubrey Welch, Rodney Yenkel and Pietro Vanni.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James H. Anderson and John E. Hargrove.

ADJOURNMENT

At 5.40 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 10.30 a.m., Tuesday, May 13, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY
ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 13, 1941

The Assembly met at 10 30 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, Sam L, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Richie.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 571—An act to amend Section 4251 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1059—An act to amend Section 737eee of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Yolo.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "Court in and for the County of Yolo six thousand five hundred dollars ($6,500)."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 575—An act to add Section 817.5 to the Penal Code, relating to peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, before "peace", insert "persons having the powers and authority of".

Amendment No. 2

On page 1, line 3, of the printed bill, after "The", strike out "agents,".

Amendment No. 3

On page 1, line 6, of the printed bill, strike out "are peace officers", and insert "in the performance of their duties as such special agents, investigators or inspectors, shall have all powers and authority of a peace officer of the State of California".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1196—An act to add Section 3362 to the Labor Code, relating to workmen's compensation and insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Sections 2.998 and 4.200 to the School Code, relating to governing boards of school districts and the purchasing of life and disability insurance for the members of such boards."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 2.998 is hereby added to the School Code, to read as follows:

2.998. The governing board of any school district may, in its discretion, purchase life and disability insurance for the benefit of the members of the board suffering injuries arising out of and in the course of their duties. The costs of such insurance may be paid from the funds of the district.

SEC. 2. Section 4.200 is hereby added to the School Code, to read as follows:

4.200. The county superintendent of schools of any county may insure the members of the governing boards of any number of school districts under his jurisdiction which consent thereto, through the governing boards thereof, under one policy or contract of insurance, which insurance is for the benefit of the members of such governing boards suffering injuries arising out of and in the course of their duties, and pay the premium thereon from the unapportioned county elementary school fund. Immediately following the payment of such premium the county superintendent of schools shall transfer from the funds of each such district to the unapportioned county elementary school fund an amount which shall bear the same ratio to such premium as the number of members of the governing board of each such district

bears to the total number of the members of the governing boards of all such districts"

Amendments read and adopted.
Bill ordered printed and engrossed.

COMMUNICATIONS

A resolution from Industrially Unemployed Workers Union (C.I.O.), relative to relief appropriation for next biennium, was presented by Allen Elliott, president, and filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2162
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:
Assembly Bill No. 497
Senate Bill No 257
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 462
Assembly Bill No. 948
Assembly Bill No 1034
Assembly Bill No. 2475
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:
Senate Bill No. 620
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEONARD, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER. Your Committee on Public Health and Quarantine, to which were referred:
Assembly Bill No 2315
Assembly Bill No. 2374
Assembly Bill No. 2538
Senate Bill No. 1206
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POULSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 234

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

POULSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2606

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred

Assembly Bill No. 1717

Senate Bill No. 1315

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THORP, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 571

Assembly Bill No. 2206

Assembly Constitutional Amendment No. 49

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 911

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1935
Assembly Bill No. 2281
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:
Assembly Bill No. 1270
Assembly Bill No. 1272
Assembly Bill No. 820
Senate Bill No. 3
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred
Assembly Bill No. 1840
Senate Bill No. 189
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 1420
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

BASHORE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 1765
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 272
Assembly Bill No. 1249
Assembly Bill No. 828
Assembly Bill No. 2599
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 1464

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 937
Assembly Bill No. 1393
Assembly Bill No. 1465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Tickle, Brown and Myhand as a Committee on Conference concerning:

Assembly Bill No. 128—An act to add Section 96.5 to the State Civil Service Act, relating to State civil service employees, declaring the urgency of this act and that it shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 49
Senate Bill No. 98
Senate Bill No. 167
Senate Bill No. 187
Senate Bill No. 302
Senate Bill No. 506
Senate Bill No. 508
Senate Bill No. 619
Senate Bill No. 905
Senate Bill No. 1299
Senate Constitutional Amendment No. 1

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 147
Assembly Bill No. 217
Assembly Bill No. 533
Assembly Bill No. 663
Assembly Bill No. 657
Assembly Bill No. 845
Assembly Bill No. 848
Assembly Bill No. 929
Assembly Bill No. 1058
Assembly Bill No. 1204
Assembly Bill No. 1536
Assembly Bill No. 1622
Assembly Bill No. 1775
Assembly Bill No. 1895
Assembly Bill No. 2091
Assembly Bill No. 2348
Assembly Bill No. 2576

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Joint Resolution No. 53
Assembly Constitutional Amendment No. 53

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1451

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 237	Assembly Bill No. 1407
Assembly Bill No. 387	Assembly Bill No. 1466
Assembly Bill No. 563	Assembly Bill No. 1499

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 30	Senate Bill No. 1317
Senate Bill No. 211	Senate Bill No. 1323
Senate Bill No. 705	Senate Bill No. 1325
Senate Bill No. 836	Senate Bill No. 1330
Senate Bill No. 1031	Senate Bill No. 1331

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 12, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel

Referred to Committee on Rules.

Senate Bill No. 211—An act to amend Section 1151 of the Insurance Code, relating to insurance

Referred to Committee on Insurance.

Senate Bill No. 705—An act to amend Section 411 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary Codes.

Senate Bill No. 836—An act to amend Section 5.750-1 of the School Code, relating to leaves of absence for persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Senate Bill No. 1031—An act to add Section 2.1365 to the School Code, relating to the powers and duties of the Director of Education.

Referred to Committee on Education.

Senate Bill No. 1317—An act to repeal Section 400.5 and to amend Section 404 of the Civil Code, relating to dissolution of corporations.

Referred to Committee on Judiciary General.

Senate Bill No. 1323—An act to amend Section 392 of the Penal Code, relating to the running of railroad trains with passenger cars ahead of freight cars.

Referred to Committee on Public Utilities.

Senate Bill No. 1325—An act to amend Section 133 of the Civil Code, relating to entry of final judgment in divorce cases.

Referred to Committee on Judiciary Codes.

Senate Bill No. 1330—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, by amending Sections 1, 2, 3, 4, 6, 9, 10, 11, 12, 13 and 15 thereof, and by adding thereto three new sections, to be Sections 4.5, 10.5 and 11.5 thereof, relating to county peace officers' retirement system.

Referred to Committee on County Government.

Senate Bill No. 1331—An act to add a new section to be numbered Section 5.1 to an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance and retirement of municipal improvement bonds.

Referred to Committee on Municipal Corporations.

Senate Joint Resolution No. 24—Relative to memorializing the President, the Congress and the Solicitor General with respect to the assertion of any pretended Federal claim to the submerged lands of the State of California.

Referred to Committee on Rules.

RECONSIDERATION OF ASSEMBLY BILL NO. 2332

In compliance with a notice given on a previous day, Mr. Hugh M Burns moved that the vote whereby Assembly Bill No 2332 was passed be reconsidered.

Demand for Previous Question

Messrs Robertson, Collins, Sam L., Kepple, Howser, F. N., and Turner demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No 2332

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Hugh M. Burns moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Collins, Sam L., Cooke, Daley, Desmond, Dilworth, Evans, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Lowrey, Maloney, Massion, Miller, Millington, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Stream, Tenney, Turner, Voigt, Waters, Welch, Wollenberg, and Mr. Speaker—40

NOES—Andreas, Burns, Michael J., Cain, Clarke, Del Mutolo, Dickey, Donnelly, Field, Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan, Middough, Pelletier, Phillips, Richie, Thomas, and Watson—19

Time, 11:15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TEMPORARILY EXCUSE MEMBERS FROM THE FLOOR

Mr. Lyon moved that the following members of the Committee on Rules be excused from the floor of the Assembly to attend a meeting of the committee on the fourth floor: Messrs Lyon, Chairman, Burns, Hugh M., Call, Desmond, Field, Garland, Johnson, Millington, and Voigt

Motion carried

MOTION TO INCLUDE MEMBERS ON MORNING ROLL CALL

Mr Thorp moved that the following members of the Committee on Live Stock and Dairies be included on today's morning roll call: Messrs Desmond, Burns, Michael J., Sawallisch, Clarke, Weybret, Heisinger, McCollister, and Thorp.

Motion carried

Mr Michael J. Burns moved that the following members of the Committee on Motor Vehicles be included on today's morning roll call: Messrs Andreas, Bashore, Dickey, Doyle, Field, Sawallisch, Thurman, Voigt, Waters, Welch, and Michael J Burns.

Motion carried.

Hon. Harold F. Sawallisch Presiding

At 11:20 a.m., Hon. Harold F Sawallisch, member of the Assembly from the Tenth District, presiding

UNFINISHED BUSINESS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 860—An act to amend Section 3090 of the Civil Code, relating to negotiable instruments payable to bearer.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 860 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—52.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Donnelly, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 546.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 546 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr Donnelly moved that Assembly Bill No. 546 be withdrawn from the Committee on Education, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Cooke, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thorp, Thurman, Waters, Weber, Welch, and Wollenberg—48.

NOES—Dilworth, and Leonard—2.

Assembly Bill No. 546 ordered to second reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1342—An act to amend Section 374½ of the Penal Code, relating to the sale and use of drugs.

Bill read third time.

Motion to Amend

Mr. Massion moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "written"

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, strike out "written".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1498—An act to amend Section 830 of, and to add Sections 830.1 and 830.2 to the Agricultural Code, relating to by-products disposal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—53

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 948—An act to add Section 50.2 to the State Lands Act of 1938, to empower the commission to apply to the United States of America for patents to public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Thorp, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2094—An act to repeal Section 184 of the Military and Veterans Code, relating to purchases of property by The Adjutant General.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Cooke, Del Mutolo, Dickey, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Thorp, Turner, Waters, Watson, Weber, Welch, and Wollenberg—49.

NOES—Dilworth, and Thurman—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1034—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—45.

NOES—Bashore, Burkhalter, Houser, Frederick F., Massion, and Pelletier—5

Bill ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 407

In compliance with a notice given on a previous day, Mr Frederick F Houser moved that the vote whereby Assembly Bill No 407 was passed be reconsidered.

Assembly Bill No. 407 reconsidered by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Ptaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Further Consideration of Assembly Bill No. 407

Assembly Bill No. 407—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Bill read third time.

Motion to Amend

Mr. Frederick F Houser moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 16 to 19, inclusive, and insert

"13334 Each applicant shall be investigated and examined as to his knowledge of the clothes cleaning business, and his character, ability, and fitness to operate such business, by a Qualifications Board, which shall consist of five qualified and experienced operators of clothes cleaning establishments appointed by the Governor from a list of names submitted by the Fire Marshal. Such appointments shall be subject to confirmation by the Senate."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed

EXPLANATION OF ABSENCE

The absence from the Assembly Chambers this morning of Fred Weybret, Byrl R. Salsman and the undersigned was occasioned by a meeting of a subcommittee of the Assembly Committee on Ways and Means, which subcommittee was created for the purpose of considering an appropriation for school support and construction in connection with the National Defense Program.

ERNEST C. CROWLEY

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Middough, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 209.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 209—An act to add Section 61 2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof that persons to whom such beverages are served or sold are over the age of 21 years

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F, Howser, F. N, Kepple, Kilpatrick, Knight, John B Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—53.

NOES—Andreas, Cooke, Crowley, and Sawallisch—4.

Bill ordered transmitted to the Senate

Assembly Bill No. 2589—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F N, King, Leonard, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—43.

NOES—Bashore, Burkhalter, Houser, Frederick F, Kilpatrick, Knight, T Fenton; Lowrey, Massion, Pelletier, and Russell—9

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Waters, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1320.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1320—An act to amend Section 50¾ of the Public Utilities Act, authorizing the establishment of joint and through rates by highway common carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F N, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough,

Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1934—An act to repeal Section 3788 of the Political Code, relating to the disposition of State lands upon which the full purchase price is not paid and which are sold to the State for taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—54

NOES—Hastain, Knight, T. Fenton, and McCollister—3

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dilworth, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2229.

Speaker Presiding

At 12:21 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2229—An act to add Section 39 to the Penal Code, relating to organizations directed, controlled, or instructed by foreign powers.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Thorp, Andreas, Thurman and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2229.

The roll was called, and the bill refused passage by the following vote:

AYES—Andreas, Call, Clarke, Collins, Sam L., Daley, Dilworth, Donnelly, Hastain, Houser, Frederick F., Leonard, Lowrey, McCollister, Miller, Millington, Phillips, Poole, Sawallisch, Stream, Thorp, Thurman, Waters, and Mr. Speaker—22.

NOES—Bashore, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Maloney, Meehan, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thomas, Turner, Watson, Welch, Weybret, and Wollenberg—40.

Notice of Motion to Reconsider Assembly Bill No. 2229

Mr. Dilworth gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2229 was this day refused passage.

ASSEMBLY BILL NO. 508 WITHDRAWN FROM INACTIVE FILE

Mr. Cronin moved that Assembly Bill No. 508 be withdrawn from the inactive file.

Motion carried.

Consideration of Assembly Bill No. 508

Assembly Bill No. 508—An act to amend Section 1589 of the Labor Code, relating to surety bonds of employment agencies.

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "two", and insert "one".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "($2,000)", and insert "($1,000)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 2332

At 12.25 p.m., on motion of Mr. Hugh M. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of Assembly Bill No. 2332 refused by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Collins, George D., Collins, Sam L., Cronin, Dilworth, Doyle, Evans, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, King, Knight, John B., Lowrey, Massion, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sawyer, Tenney, Thomas, Turner, Waters, and Welch—33

NOES—Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Field, Gaffney, Green, Hastain, Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—42.

Assembly Bill No. 2332 ordered transmitted to the Senate.

RECESS

At 12.30 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

COMMUNICATIONS

The following communication was received, and on motion of Mr. Tenney, ordered printed in the Journal:

To the Honorable Assemblymen from the Los Angeles District

Appended hereto you will find approximately 5,100 names from your respective districts, protesting against the passage of Senate Bill No. 877. These names aggregate approximately 34,500 names

Following is the tabulation:

	District	*Names*
Everett G Burkhalter	42	111
C Don Field	43	88
John Pelletier	44	190
Thomas J. Doyle	45	63
Jack B. Tenney	46	182
Eleanor Miller	47	43
T Fenton Knight	48	12
Lee T. Bashore	49	91
Gerald C. Kepple	50	90
F Ray Bennett	51	118
Wm H Poole	52	257
Frederick F. Houser	53	140
John B. Knight	54	108
Vernon Kilpatrick	55	100
Norris Poulson	56	90
Franklin J Potter	57	79
Frank J. Waters	58	57
Chas W. Lyon	59	47
Jesse R. Kellems	60	115
Ernest O Voigt	61	126
Augustus Hawkins	62	123
Don A. Allen	63	139
Roger Alton Pfaff	64	157
John W. Evans	65	258
Jack Massion	66	223
Cecil R. King	67	354
Vincent Thomas	68	251
Ralph C. Dills	69	319
Lorne D. Middough	70	253
Fred N. Howser	71	130
Godfrey A. Andreas	72	1
Frank C. Russell	73	2
Clyde A Watson	74	7
Sam L. Collins	75	13
Jeanette E. Daley	78	1
Fred Weybret	35	35
John B Cooke	40	300
Alfred W. Robertson	39	59
Nelson S. Dilworth	76	32

To the Honorable Members of the Assembly

As members and friends of organized labor, we are very much opposed to Senate Bill No. 877, commonly known as the "Secondary Boycott Bill" We respectfully ask your cooperation in defeating this bill

F A. PICKLE AND 5,100 OTHERS

Motion

Mr. Maloney moved that the above petition and all other petitions having been presented in opposition to Senate Bill No 877 be brought to the desk of the Assembly for exhibit.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 196

Resolved, by the Assembly of the State of California, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, upon a seven-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing Tuesday, May 13, 1941:	*Per day*
Carmelita Lozano, Stenographer	$5 00
Randal Dickey, Jr., Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

LEAVE OF ABSENCE

Mr. Cassidy was granted leave of absence for the balance of this legislative day, on motion of Mr. Meehan.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Maloney, Call, Wollenberg and other members of the San Francisco Delegation:

House Resolution No. 197

WHEREAS, In the sudden passing of James F. Waters of San Francisco, Veteran of the Air Corps, member of the Elks, the American Legion and the Olympic Club, and a nationally known business executive, the City of San Francisco, the State of California and the Nation have sustained the loss of an exemplary citizen; and

WHEREAS, James F. Waters had, by sheer determination and genial personality, starting in the early dark days of the depression, risen to a recognized leadership among the Nation's automobile executives; and

WHEREAS, During his meteoric climb to success and fame he always cherished his old friends and found time to cheer and help them in life's problems; now, therefore, be it

Resolved, That the Assembly of the State of California and the members thereof express their regret at the passing of one of California's foremost leaders in business, veteran, fraternal and philanthropic circles and sincerely condole with his beloved widow and family in their bereavement; and be it further

Resolved, That a copy of this resolution, properly engrossed, be sent to his widow, Mrs. Ronnie Oakes Waters, of San Francisco.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 197, at this time, without reference to committee.

Resolution read and adopted unanimously

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1799—An act to amend Section 52 of, and to add Section 52.5 to, the Agricultural Code, relating to county agricultural commissioners.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, strike out "six dollars ($6)", and insert "eight dollars ($8)".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1593—An act to amend the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements

Bill read third time

Motion to Amend

Mr. Salsman moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "sanitary districts", and insert "proceedings for the construction or acquisition of sanitary sewers and sewage disposal works".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 2808 is hereby added to the Streets and Highways Code, to read as follows:

2808. None of the provisions of this division, except the majority protest provisions, shall apply to proceedings for".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended, after "measure," insert "if such recommendation is".

Amendment No. 4

On page 1, line 16, of the printed bill, as amended, strike out "and/or", and insert "or".

Amendment No. 5

On page 1, line 18, of the printed bill, as amended, strike out "act", and insert "division".

Amendment No. 6

On page 1 of the printed bill, as amended, strike out lines 23 to 25, inclusive, and in line 26, strike out "provided", and insert "of the assessments set up in this division may be dispensed with. The findings and determinations made by the legislative body pursuant to this section".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1328—An act to amend Sections 737xx, 4248d and 4248h, and to repeal Sections 4248a, 4248b, 4248c, 4248e, 4248f, 4248g, 4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248q, 4248t, 4248u and 4248v of the Political Code, relating to compensation of public officers.

Bill read third time.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 4248d and 4248h, and to", and strike out all of lines 2, 3 and 4, and insert "and 4245 of the Political Code, relating to".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "4248d", and insert "4245".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 8 to 25, inclusive; and on page 2, strike out all of lines 1 to 11, inclusive, and insert

"4245. In counties of the sixteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

1. The auditor, three thousand dollars ($3,000) per annum

2. The district attorney, four thousand dollars ($4,000) per annum.

3. Each supervisor two thousand one hundred dollars ($2,100) per annum and, except as otherwise provided, mileage at the rate of ten cents ($0.10) per mile for each mile traveled in coming to and from the meetings of the board; provided, that only one mileage at any one session of the board shall be allowed. Counties of this class may furnish automobiles to the supervisors thereof for use on any trips taken in performance of their official duties for which mileage would otherwise be allowed. All expense for fuel, oil, supplies, upkeep, and maintenance of such automobiles shall be paid from county funds. Such use of automobiles shall be in lieu of any mileage elsewhere provided. The supervisors shall act as road commissioners in their respective districts.

4. Grand and trial jurors in the superior court, shall each receive for each day's attendance, per day, the sum of three dollars ($3), and for each mile from their residence to the county seat the sum of ten cents ($0.10) per mile, such mileage to be allowed for each day such jurors are required to and do attend. The court shall make an order directing the auditor to draw his warrant on the county treasury for the amount due, and the auditor, unless otherwise specifically ordered, shall draw said warrants on the first and fifteenth days of each and every month, and the treasurer shall pay the same."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Mr. Heisinger moved that Assembly Constitutional Amendment No. 44 be withdrawn from the file, and re-referred to the Committee on Constitutional Amendments.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2059—An act to amend Section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawyer, Schaefer, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1067—An act to amend School Code Section 5.490 and to repeal School Code Sections 5.491 and 5.492, relating to the employment of lecturers in public schools

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—Evans—1

Bill ordered transmitted to the Senate

CONSIDERATION OF SPECIAL ORDER

The hour of 1.30 p.m. having arrived, Senate Bill No. 877 was taken up.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135 to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read third time.

Motion to Limit Debate

Mr. Desmond moved that the time for debate on Senate Bill No. 877 be limited to 15 minutes for each member.

Motion carried.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 21, and insert "handle agricultural products".

Amendment No. 2

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "goods or perform any services", and insert "agricultural products"

Amendment No. 3

On page 2, line 7, of the printed bill, as amended, after "services", insert "in connection with the handling of agricultural products".

Amendment No. 4

On page 2, line 14, of the printed bill, as amended, after "services", insert "in connection with the handling of agricultural products"

Amendments read.

Motion to Postpone Indefinitely

Mr. Heisinger moved that the consideration of his amendments Nos. 1 to 4, inclusive, to Senate Bill No. 877 be postponed indefinitely.

Substitute Motion

Mr. Field moved, as a substitute motion, that Mr. Heisinger's amendments to Senate Bill No. 877 be laid on the table.

Mr. Millington seconded the motion.

Motion carried.

Motion to Amend

Mr. Pfaff moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "and 1135", and insert ", 1135 and 1136".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 32 and 33, insert

"1135. This chapter shall be in effect until May 1, 1943, and thereafter:

(a) During the continuance of the existence of the National emergency declared by the President of the United States to exist, by his Proclamation issued under date of September 8, 1939

(b) During any period of war between the United States of America and any foreign power, legally declared to exist"

Amendment No. 3

On page 2, line 33, of the printed bill, as amended, strike out "1135", and insert "1136".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 37, insert

"SEC 2. This act is enacted for the purpose of preserving tranquillity among the citizens of this commonwealth and to insure during this present critical period of National emergency and intensive armament the unobstructed production and distribution of the products of our factories and fields, for the continued protection and preservation of our democratic way of life and for the general welfare of the people of this State"

Amendments read.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L., Andreas, Evans, and Howser, F. N., demanded the previous question.

The roll was called, and the demand for previous question not sustained by the following vote:

AYES—Bashore, Burkhalter, Call, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Dilworth, Evans, Hastain, Hawkins, Howser, F N., Kellems, Kilpatrick, Knight, John B, Leonard, Lowrey, McCollister, Middough, Miller, Millington, Phillips, Poulson, Robertson, Thorp, and Watson—27.

NOES—Allen, Andreas, Bennett, Burns, Hugh M, Burns, Michael J., Cain, Clarke, Collins, George D, Cooke, Cronin, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T Fenton; Lyon, Maloney, Massion, Meehan, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

The question being on the adoption of the amendments by Mr. Pfaff to Senate Bill No. 877.

Demand for Previous Question

Messrs. Robertson, Howser, F. N., Evans, Collins, Sam L., and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Mr. Pfaff's amendments to Senate Bill No. 877.

Amendments adopted.

Bill ordered reprinted, and to third reading.

Motion to Set Special Order

Mr. Lyon moved that Senate Bill No 877 be made a special order of business for Tuesday, May 13, 1941, at 8 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen Andreas, Bashore, Bennett, Burkhalter Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke Collins, George D, Collins, Sam L., Cronin, Crowley, Daley Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff Poole Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan Stream, Tenney, Thomas Thorp, Thurman, Turner, Voigt Watson Weber, Welch Weybret, Wollenberg, and Mr. Speaker—74

NOES—None.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1608

Mr Hugh M. Burns moved that Assembly Bill No. 1608 be withdrawn from the Committee on County Government, and re-referred to the Committee on Social Service and Welfare.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1339—An act to add a new section to the State Civil Service Act, to be numbered 57 2, relating to the officers and employees of the State Board of Prison Directors or any warden of a State prison.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Michael J., Cain, Carlson, Clarke, Cooke Cronin, Desmond, Dickey, Dilworth, Doyle, Gallagher Green Hastain Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kepple, King, Knight, John B, Leonard, Maloney, McCollister, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Weber, Welch, Wollenberg, and Mr. Speaker—45

NOES—Bennett, Burkhalter, Call, Collins George D, Collins, Sam L, Crowley, Del Mutolo, Hawkins, Kilpatrick, Lowrey, Massion, Meehan, Middough, Russell, and Weybret—15.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1339

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1339 was this day passed.

Hon. Charles W. Lyon Presiding

At 3.45 p.m., Hon Charles W. Lyon, member of the Assembly from the Fifty-ninth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1631—An act to add Sections 1550.1, 1550.2 and 1550.3 to the Streets and Highways Code, relating to the powers of the county board of supervisors to levy road taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Collins, George D, Collins, Sam L Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—59

NOES—Bennett, Field, Houser, Frederick F., and Kilpatrick—4

Notice of Motion to Reconsider Assembly Bill No. 1631

Mr Frederick F Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1631 was this day passed.

ASSEMBLY BILL NO. 1882 ORDERED TO INACTIVE FILE

Mr. Hawkins moved that Assembly Bill No. 1882 be withdrawn from the active file, and ordered to the inactive file.

Motion carried

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 165—An act to amend Section 159 of the Code of Civil Procedure, relating to justices of the peace.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1066—An act to amend School Code Sections 5.652 and 5.653, relating to permanent employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Waters, Weber, Welch, and Weybret—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2223—An act to amend the Public Utilities Act by adding thereto Section 13¼, relating to inside telephone plant.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Turner, Voigt, Waters, Watson, Weber, Welch, and Mr Speaker—51

NOES—Carlson, Cronin, Crowley, Daley, Dilworth, Doyle, Green, Johnson, Kepple, Maloney, Meehan, Miller, Sawallisch, Stream, Thurman, Weybret, and Wollenberg—17.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2223

Mr. Wollenberg gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2223 was this day passed.

Assembly Bill No. 1643—An act to add Section 5.683 to the School Code, relating to the dismissal of probationary employees of school districts.

Bill read third time.

Demand for Previous Question

Messrs. Houser, F. N., Collins, Sam L., Kellems, Robertson and Pfaff demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1643.

Motion to Temporarily Suspend Assembly Rule No. 23

Mr. Evans moved that Assembly Rule No. 23 be temporarily suspended.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Daley, Del Mutolo, Dills, Doyle, Evans, Gaffney, Gallagher, Gunlock, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Massion, Meehan, O'Day, Poulson, Richie, Sawallisch, Sheridan, Tenney, Voigt, Weber, and Wollenberg—35.

NOES—Andreas, Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lyon, Maloney, McCollister, Miller, Pfaff, Poole, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—28

Speaker Presiding

At 4.10 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 1643.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Collins, George D., Dills, Dilworth, Evans, Gaffney, Gallagher, Massion, Meehan, O'Day, Richie, Robertson, Sawallisch, Sheridan, and Tenney—18.

NOES—Bennett, Burkhalter, Cain, Carlson, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Field, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Salsman, Stream, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

Hon. Ralph C. Dills Presiding

At 4.20 p.m., Hon. Ralph C. Dills, member of the Assembly from the Sixty-ninth District, presiding.

MOTION TO EXCUSE MEMBERS

Mr. Allen moved that the following members of the Ways and Means Subcommittee on Claims be excused for a short meeting: Messrs. Hastain, Sheridan, Millington and Allen (chairman).

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 886—An act to add Section 982a to the Code of Civil Procedure, relating to appeals from justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—55.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 887—An act to amend Section 655 of the Code of Civil Procedure, by including therein justices' courts in counties containing a population of not less than 500,000 and not more than 700,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—55.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 888—An act to add Section 404 to the Code of Civil Procedure relating to the rules of procedure and practice in civil actions in the justices' courts of counties containing a population of not less than 500,000 and not more than 700,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo Desmond, Dickey, Dills, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—55.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2055—An act authorizing the Department of Finance to sell certain State-owned lands and to acquire by exchange, purchase or otherwise additional lands.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.
NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1047—An act to add Sections 1352.5 and 1352.6 to the Fish and Game Code, relating to frogs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 692—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 525—An act to amend Sections 800 and 801 of the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1085—An act to amend the article heading of Article 6 of Chapter 4, Part 1, Division 7 and Sections 16320, 16322,

16347, 16410, 16411, 16430 and 16451 of, and to add Sections 16330, 16393, 16394, 16395, 16412 to, the Business and Professions Code, relating to the regulation of itinerant merchants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Miller, Millington, O'Day, Phillips, Potter, Poulson, Richie, Russell, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—52

NOES—Dickey, Heisinger, Lowrey, Meehan, Pelletier, Robertson, Salsman, and Thorp—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 706—An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1516—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875, 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650 and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 402—An act to add Section 719 to the Fish and Game Code, relating to shad and shad roe.

Bill read third time

The roll was called, and the bill passed by the following vote

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney Gallagher, Gunlock,

Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pluff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1439—An act to amend Sections 1177 and 1203.6 of the Fish and Game Code, relating to entirely protected birds and to pheasants

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Maloney, McCollister, Meehan, Middough, Miller, Phillips, Poole, Poulson, Richie, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch and Weybret—46

NOES—Burkhalter, Cain, Collins, George D., Cronin, Dills, Dilworth, Evans, Gallagher, Heisinger, Knight, T. Fenton, Lowrey, Masson, O'Day, Pelletier, Potter, and Russell—16

Bill ordered transmitted to the Senate

Assembly Bill No. 457—An act to amend Section 1063 of the Fish and Game Code, relating to grades of fish and fish products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1039—An act to amend Section 8 of, and to add Section 8.1 to, The Personal Income Tax Act, relating to deduction of a net operating loss.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61

NOES—Waters—1.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1039

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1039 was this day passed.

Assembly Bill No. 1930—An act to repeal Section 3802 of, and to amend Sections 3803, 3806, 3808 and 3809, of the Elections Code, relating to the order of names of candidates on ballots at general elections

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "3808.5", and insert "3810.5".

Amendment No. 2

In line 5 of the title of the printed bill, as amended, strike out "general elections", and insert "elections, including elections in municipal corporations of the first class"

Amendment No. 3

On page 2, line 36, of the printed bill, as amended, strike out "3808.5", and insert "3810.5".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 38 to 41, inclusive, and insert

"3810.5 If the office is a municipal office in a city of the first class, the".

Amendment No. 5

On page 2, line 44, of the printed bill, as amended, strike out "county".

Amendment No. 6

On page 2, line 50, of the printed bill, as amended, strike out "and county".

Amendment No. 7

On page 3, line 9, of the printed bill, as amended, strike out "and county".

Amendment No. 8

On page 3, line 11, of the printed bill, as amended, strike out "and county".

Amendment No. 9

On page 3 of the printed bill, as amended, after line 22, insert

"(c) If there is but one Assembly district in the city, the order in which the slips are drawn from the box shall determine the order in which the names shall appear.

SEC. 3. The word "city" as used in this act, and as defined in Section 14 of the Elections Code, includes "city and county"."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2321—An act to amend Section 4250 of the Political Code, relating to the compensation of officers in counties of the twenty-first class.

Motion to Amend

Mr. Weybret moved the adoption of following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4250", and insert "4246"

Amendment No. 2

In line 2 of the title of the printed bill, strike out "of officers in counties of the twenty-first", and insert "for public services in counties of the seventeenth"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4250", and insert "4246"

Amendment No. 4

On page 1 of the printed bill, strike out line 3; and in line 4, strike out "officers", and insert

"4246. In counties of the seventeenth class, the following".

Amendment No. 5

On page 1 of the printed bill, strike out line 6, and insert "sums "

Amendment No. 6

On page 1, line 7, of the printed bill, strike out "(a)", and insert "1 "

Amendment No. 7

On page 1, line 13, of the printed bill, strike out "(b)", and insert "2 "

Amendment No. 8

On page 1, line 18, of the printed bill, strike out "(c)", and insert "3."

Amendment No. 9

On page 1, line 26, of the printed bill, strike out "(d) In counties of the twenty-first class, grand", and insert "4. Grand".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1146—An act to amend an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," Statutes of 1921, page 370, as amended by Statutes of 1937, page 1536, providing a procedure for the disposition of exhibits filed with the court in criminal cases and declaring for the property to be contraband, and providing for the seizure, confiscation and destruction of such contraband property.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended May 1, 1941, strike out all of line 11 after the period, and strike out all of lines 12 13, 14 and 15, and insert "If the action or proceeding has not resulted in conviction, the court may, on application of the party entitled thereto, order such exhibits as may be released from the custody of the court without prejudice to the State delivered to such party at any time after the judgment or final determination of said action or proceeding has become final. In such cases, if the party entitled thereto is unknown, and in all other cases, the procedure shall be as follows ".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 16—Relative to a statement of position of the Legislature of this State in regard to the amendment of the Old Age Security Law and the Aid to Needy Blind Law and appointing a committee to secure changes in the Federal Social Security Act.

Resolution read.

Motion to Amend

Mrs. Daley moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, as amended, after "thereof;", insert "and

WHEREAS, It is further the policy of the Federal Social Security Board to require interference with local control of county personnel administering the Old Age Security Law and the Aid to Needy Blind Law;".

Amendment No. 2

On page 1, line 15, of the printed measure, as amended, after "declares", insert "that it has considered the question of exempt income for persons receiving old age assistance and needy blind assistance, that it finds that such income is necessary for the need of the recipients of such aid and therefore further declares".

Amendment No. 3

On page 1, line 22, of the printed measure, as amended, insert

"*Resolved*, That the Legislature hereby declares that it will not enact legislation authorizing interference by the State with local control of county personnel administering the Old Age Security Law and the Aid to Needy Blind Law; and be it further".

Amendments read and adopted.

Resolution ordered reprinted, and to third reading.

Senate Bill No. 386—An act to add Section 19661.5 to the Business and Professions Code, or Section 14.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the sale of pari-mutuel tickets and giving change therefor.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "to amend Section 19597"; and strike out all of lines 2 to 12, inclusive.

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 33, and insert

"SECTION 1. On and after the effective date of this act, but not subsequent to December 25, 1941, every person licensed to conduct a horse racing meeting under Chapter 769 of the Statute of 1933, as amended, or Chapter 4 of Division 8 of the Business and Professions Code, may deduct a commission from the gross amount of money handled in the pari-mutuel pool operated by him which shall not exceed 8 per cent of such gross amount of money handled and the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of ten cents ($0.10). The amount so deducted shall be in addition to the license fee.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall therefore go into effective immediately. A statement of the facts constituting such necessity is as follows:

Confusion regarding the correct method of calculating the breakage has damaged racing in California, and if not immediately terminated, may result in permanent injury to an important source of revenue to State educational institutions. It is necessary that this act take effect immediately in order that injury may be averted while a permanent solution is being worked out."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 34 to 52, inclusive; and strike out all of page 3

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 58—An act to add Sections 622.5 and 692.6 to the Agricultural Code, relating to the manufacture and sale of frozen products of milk in quantities less than one gallon.

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "three", and insert "four".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1321—An act to amend Section 4253 of the Political Code, relating to compensation of county officers in counties of the twenty-fourth class.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4253", and insert "4252".

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "to compensation for public services in counties of the twenty-third class."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4253", and insert "4252".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3; and in line 4, strike out "officers", and insert

"4252. In counties of the twenty-third class, the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, strike out "salaries, fees and expenses, to wit", and insert "sums".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 36, of the printed bill, as amended, strike out "prepara-", and insert "preparation".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle, Salsman, Burkhalter, Bennett, Knight, John B., Middough, Thomas, King, Pfaff, Howser, F. N., Collins, Sam L., Tenney, Houser, Frederick F., Lyon, Hastain and Field:

House Resolution No. 198

WHEREAS, The officers and men of the California State Guard, who now constitute California's first line of defense, should be designated by insignia that are both appropriate and distinctive

The historical significance attached to the American Eagle makes the following design most fitting for the insignia to be worn on the caps of the officers and men of the California State Guard

The California Bear and the Redwood Tree by their long association with California's colorful history make appropriate the depiction of them on the following insignia to be worn on both lapels of officers and men of the California State Guard:

The foregoing designs should be executed in gold-colored metal, the lapel insignia to be approximately one inch in diameter, and

WHEREAS, The foregoing designs which have been prepared by Mrs. John F. Gouldner, have been indorsed by Colonel Dwight Green and Major Rolfe A. Henley of the California State Guard, now, therefore, be it

Resolved by the Assembly of the State of California, That the designs set out in this resolution are most earnestly commended to the California State Guard for adoption as cap and lapel insignia for its officers and men, and be it further

Resolved, That the Chief Clerk of the Assembly transmit to The Adjutant General of the State of California a copy of this resolution

Resolution read, and referred to Committee on Rules

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1045 FROM COMMITTEE

Mr. Turner gave notice that on Thursday, May 15, 1941, he would move to withdraw Assembly Bill No. 1045 from the Committee on Judiciary Codes, and have it placed upon the file.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 199

WHEREAS, Don A Allen, our shapely Colleague, who ever haunts a Shangri-la where government efficiency and economy have reached the summit of perfection, yearly condescends to leave the dreamy heights to share the common event in the lives of all mere mortals—the celebration of a birthday; and

WHEREAS, Today he is with us to see the old year out and welcome his forty-first year of existence; now, therefore, be it

Resolved by the Assembly of the State of California, That it greets its genial member and joins his host of friends in extending to him best wishes for a happy forty-first birthday and in expressing the hope that he may celebrate many more birthdays in the public service and that his efforts, punctuated by his gift of tongue and otherwise, may sow the seeds from which will sprout a veritable governmental paradise; and be it further

Resolved, That the Chief Clerk of the Assembly shall present an engrossed copy of this resolution to Assemblyman Don A. Allen.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No 199, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2049", and insert "Sections 2049 and 2924".

Amendment No. 2

On page 1 of the printed bill, as amended, between lines 18 and 19, insert

"SEC. 2.5. Section 2924 of said code is hereby amended to read as follows:

2924. Such forfeiture of credits shall not be had except upon a hearing upon the question of such violation and an adjudication by the board that such prisoner was guilty thereof, which adjudication shall be final *The board may hold the hearing itself or authorize a committee of officials of the prison, including the warden, to hold the hearing and make its recommendations to the board.* At [such] *any* hearing such prisoner, unless outside the walls of the prison as an escape and a fugitive from justice, shall be present and entitled to be heard and may present evidence and witnesses in his behalf"

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Allen:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931.

Respectfully submitted.

DON A. ALLEN

Request referred to Committee on Introduction of Bills.

By Mr. Dickey:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to transfer the duties, powers and jurisdiction of the Real Estate Commissioner to the Insurance Commissioner, and abolishing the office of Real Estate Commissioner.

Respectfully submitted.

RANDAL F. DICKEY

Request referred to Committee on Introduction of Bills.

By Mr. Poole:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add a new section to Article 4, Chapter 1, Part 1, Division 6, of the Welfare and Institutions Code, to be known as Section 5078, relating to reimbursement by the State of California to counties for the expense of the commitment, care and maintenance of mentally disordered persons.

Respectfully submitted.

WM. H. POOLE

Request referred to Committee on Introduction of Bills.

By Mr. Thurman:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 4465.5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

Respectfully submitted.

ALLEN G. THURMAN

Request referred to Committee on Introduction of Bills.

By Mr. Allen:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 56 and 57 of the Labor Code, to amend Sections 13100 and 13250 of, and to repeal Section 13101 of the Health and Safety Code, and to add Article 1.5, comprising Sections 12935 to 12937, inclusive, to Chapter 2, Division 3 of the Insurance Code, relating to the abolishing of the office of State Fire Marshal and the abolishing of the Division of Fire Safety in the Department of Industrial Relations, and transferring to the Insurance Commissioner the authority, duties,

jurisdiction and property of and appropriations made available to the State Fire Marshal and the Division of Fire Safety

Respectfully submitted.

DON A ALLEN

Request referred to Committee on Introduction of Bills.

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

Respectfully submitted FRANK J. WATERS

Request referred to Committee on Introduction of Bills.

RECESS

At 5.25 p.m., on motion of Mr. Field, the Assembly recessed until 7.55 p.m.

REASSEMBLED

At 7.55 p.m., the Assembly reconvened.

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 660—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Bill read third time.

Motion to Amend

Mr. Sheridan moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "as", and insert "at".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "justices", and insert "justices' ".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

ASSEMBLY BILL NO. 1119 WITHDRAWN FROM INACTIVE FILE

Mr. Welch moved that Assembly Bill No. 1119 be withdrawn from the inactive file, and ordered to third reading file.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Dickey:

An act to transfer the duties, powers and jurisdiction of the Real Estate Commissioner to the Insurance Commissioner, and abolishing the office of Real Estate Commissioner.

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 7 58 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 190—An act to add Chapter 4a to Division 20 of the Health and Safety Code, relating to the safety of blind persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, and Weybret—42

NOES—Cooke, Green, Howser, F. N, Knight, T. Fenton, Lyon, and Mr. Speaker—6.

Bill ordered transmitted to the Senate

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Desmond, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 430.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 430—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser F. N, Johnson, Kellems, Kepple, Kilpatrick Knight, John B, Knight, T Fenton; Leonard, Lowrey Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—52

NOES—Dilworth, and Massion—2.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1331.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1331—An act to add Section 1640.5 to the Labor Code, relating to contracts of minors with employment agencies.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Cain, Carlson, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1700—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60
NOES—Del Mutolo—1.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2152

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2152—An act to amend School Code Section 2.51, relating to the public school system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Thorp, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1113

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1113—An act to add Section 873 to the Agricultural Code, relating to the inspection of canned fruits and vegetables.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 9.24 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. Dickey by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Ptaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—77

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time.

Assembly Bill No. 2618: By Mr. Dickey—An act to transfer the duties, powers and jurisdiction of the Real Estate Commissioner to the Insurance Commissioner, and abolishing the office of Real Estate Commissioner.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 1149

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEONARD, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 877 was taken up.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134, 1135 and 1136 to Part 3, Division 2 of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L., Evans, Field and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 877.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Kilpatrick, King, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Sawallisch, Sheridan, Tenney, Thomas, and Welch—29.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted "Aye" on Senate Bill No 877 because it may help the small farmer Labor will rise above any harm this law may do them My sympathies are entirely with the man who toils for a livelihood, farmers and workers alike.

J. B. COOKE

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 43: By Mr. Desmond—Relative to mediation of certain labor controversies

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 43, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 43

Assembly Concurrent Resolution No. 43—Relative to mediation of certain labor controversies.

Resolution read.

Demand for Previous Question

Messrs. Lyon, Thorp, Kellems, Collins, Sam L., and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 43.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter,

Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64.
NOES—None.

Resolution ordered to print, and transmitted to the Senate

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Allen moved to expunge the record and rescind the action whereby Assembly Bill No. 2619 was introduced.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, King, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Allen:

An act to amend Sections 56 and 57 of the Labor Code, to amend Sections 13100 and 13250 of, and to repeal Section 13101 of the Health and Safety Code, and to add Article 1.5, comprising Sections 12935 to 12937, inclusive, to Chapter 2, Division 3 of the Insurance Code, relating to the abolishing of the office of State Fire Marshal and the abolishing of the Division of Fire Safety in the Department of Industrial Relations, and transferring to the Insurance Commissioner the authority, duties, jurisdiction and property of and appropriations made available to the State Fire Marshal and the Division of Fire Safety.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2619: By Mr. Allen—An act to amend Sections 56 and 57 of the Labor Code, to amend Sections 13100 and 13250 of, and to repeal Section 13101 of the Health and Safety Code, and to add Article 1.5, comprising Sections 12935 to 12937, inclusive, to Chapter 2, Division 3 of the Insurance Code, relating to the abolishing

of the office of State Fire Marshal and the abolishing of the Division of Fire Safety in the Department of Industrial Relations, and transferring to the Insurance Commissioner the authority, duties, jurisdiction and property of and appropriations made available to the State Fire Marshal and the Division of Fire Safety.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Garland, Field, Potter, Thorp, Clarke, Bashore, Evans, Welch, Collins, Sam L., Middough, Weber, Wollenberg, Kellems, Weybret, Sawallisch, Call and Waters:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Section 3 of the Retail Sales Tax Act of 1933, to amend Section 3 of the Use Tax Act of 1935, to add Section 5a to the Personal Income Tax Act, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to the Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons, or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes.

Respectfully submitted.

GARLAND	MIDDOUGH
FIELD	WEBER
POTTER	WOLLENBERG
THORP	KELLEMS
CLARKE	WEYBRET
BASHORE	SAWALLISCH
EVANS	CALL
WELCH	WATERS
COLLINS, SAM L.	

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Messrs. Garland, Field, Potter, Thorp, Clarke, Bashore, Evans, Welch, Collins, Sam L., Middough, Weber, Wollenberg, Kellems, Weybret, Sawallisch, Call, and Waters:

An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Section 3 of the Retail Sales Tax Act of 1933, to amend Section 3 of the Use Tax Act of 1935, to add Section 5a to The Personal Income Tax Act, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to The Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the

State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2620: By Messrs. Garland, Field, Potter, Thorp, Clarke, Bashore, Evans, Welch, Collins, Sam L., Middough, Weber, Wollenberg, Kellems, Weybret, Sawallisch, Call and Waters—An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Section 3 of the Retail Sales Tax Act of 1933, to amend Section 3 of the Use Tax Act of 1935, to add Section 5a to The Personal Income Tax Act, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to The Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thurman

An act to add Section 4465.5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F.,

Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2621: By Mr. Thurman—An act to add Section 4465 5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr Poole:

An act to add a new section to Article 4, Chapter 1, Part 1, Division 6 of the Welfare and Institutions Code, to be known as Section 5078, relating to reimbursement by the State of California to counties for the expense of the commitment, care and maintenance of mentally disordered persons.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2622: By Mr. Poole—An act to add a new section to Article 4, Chapter 1, Part 1, Division 6, of the Welfare and Institutions Code, to be known as Section 5078, relating to reimbursement by the State of California to counties for the expense of the commitment, care and maintenance of mentally disordered persons.

Referred to Committee on Prisons and Reformatories.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr Waters:

An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2623: By Mr. Waters—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

Referred to Committee on Motor Vehicles.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

Act making an appropriation for aviation facilities for the California National Guard, declaring the urgency thereof, and to take effect immediately

Respectfully submitted.

JOHN W. EVANS

Request referred to Committee on Introduction of Bills.

By Mr. Kilpatrick:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately.

Respectfully submitted

VERNON KILPATRICK

Request referred to Committee on Introduction of Bills.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 32
Assembly Joint Resolution No. 37
Assembly Joint Resolution No. 40

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 145
Senate Bill No. 373

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 211
Assembly Bill No. 315
Assembly Bill No. 338
Assembly Bill No. 587
Assembly Bill No. 569
Assembly Bill No. 882
Assembly Bill No. 901
Assembly Bill No. 1001
Assembly Bill No. 1136
Assembly Bill No. 1478
Assembly Bill No. 1678
Assembly Bill No. 1714
Assembly Bill No. 2063
Assembly Bill No. 2203
Assembly Bill No. 2318
Assembly Bill No. 2365

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 339
Assembly Bill No. 471
Assembly Bill No. 566
Assembly Bill No. 818
Assembly Bill No. 960
Assembly Bill No. 1219
Assembly Bill No. 1242
Assembly Bill No. 1987

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 663
Senate Bill No. 799
Senate Bill No. 801
Senate Bill No. 1310

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 663—An act to amend Sections 1299.18, 1299.20 and 1300.4 of, and to add a new section, to be numbered 1300.4a, to the Agricultural Code, relating to processors.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 799—An act to add Chapter 8 to Part 1, Division 3 of the School Code, which chapter shall consist of Section 3.107, relating to insurance premium deductions from salaries.

Referred to Committee on Agriculture.

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural proration programs, including definitions, proration program committees, equalization pools and the deposit of moneys.

Referred to Committee on Agriculture

Senate Bill No. 1310—An act making an appropriation to the Department of Natural Resources, Division of Forestry, from unexpended balances remaining of the moneys appropriated by the act entitled "An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," as amended, approved May 29, 1940, declaring the urgency of the act and that it take effect immediately.

Referred to Committee on Natural Resources

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1905—An act to amend Sections 1333 and 1567 of, and to add Section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "2621.", insert "2621.5,".

Amendment No. 2

On page 5 of the printed bill, as amended, between lines 24 and 25, insert

"SEC. 3.5. Section 2621.5 is hereby added to the Penal Code, to read as follows:

2621.5. The provisions of Sections 2620 and 2621 which impose a charge upon the counties shall not apply to cases coming within the provisions of Section 4700 of this code."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16 WITHDRAWN FROM INACTIVE FILE

Mr. Waters moved that Assembly Constitutional Amendment No. 16 be withdrawn from the inactive file, and ordered to the third reading file.

Motion carried.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1935 re-referred to Committee on Natural Resources.

Assembly Bill No. 2206 re-referred to Committee on Municipal Corporations.

Assembly Constitutional Amendment No 49 re-referred to Committee on Constitutional Amendments.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills was continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 1820.
Assembly Bill No. 1346.
Assembly Bill No. 2142.
Senate Bill No. 776.
Senate Bill No. 932.
Assembly Bill No. 1026.
Assembly Bill No. 1731.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills was continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 2538.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 546.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Louis E. Hoeffer of Hermosillo, Mexico.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mae Lyons of Los Angeles.

On request of Mr. Poole, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Pearl Sutton of Bell.

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Crawford P. Teague and William A Kilby of Corona

On request of Mr Russell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Gordon W. Corwin of Highland

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Ward, President Turlock Chamber of Commerce, E. Glenn Drake, President Turlock Rotary Club, Wilbur Moore of Denair, and Carl Swanson of Turlock

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following persons from San Benito County: T. H. Holthouse, Joe Jacinto, Oscar Betts, Joe Nishita, John Corrotto, Antone H Angousteres, Tony Corrotto, Fulton Picetti, Cecil Smith, A. C. Centmayer, Jack Maxwell, Frank Duncan, Louis Freitas, Frank Dassell, Frank Nunes, Elton Jones, John Lewis, Sr., Gene Sharp, George Neilsen, Mrs. Frank Dassell, Will Johnson, Alvin Cattino and John Lewis.

ADJOURNMENT

At 10 55 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a m., Wednesday, May 14, 1941.

C. WILLIAM QUEALE, Minute Clerk

O

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY
ONE HUNDRED TWENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 14, 1941

The Assembly met at 10 30 a m
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J , Call, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N , Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Muddough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Stream, Thorp, Thurman, Turner, Waters, Weybret, and Mr Speaker—43.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Burkhalter.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Sawallisch, on motion of Mr. Hugh M. Burns.

EXPLANATION OF ABSENCE

The following members of the Assembly were unable to be present at the morning roll call due to their attendance at a meeting of the Committee on Municipal Corporations: Messrs Kepple, chairman; Pfaff, Carlson, Lyon, Cain, Kellems, Knight, T Fenton; Meehan and Phillips

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which were referred.

Assembly Bill No 1579
Assembly Bill No 1598
Senate Bill No 1076

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

KEPPLE, Chairman

Above reported bills ordered to second reading

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 2013

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which were referred.

Assembly Bill No. 1595
Assembly Bill No 1596
Assembly Bill No 2206
Senate Bill No 1331

Has had the same under consideration, and reports the same back with the recommendation: Do pass

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER. Your Committee on Elections, to which was referred:

Assembly Bill No. 2494

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER. Your Committee on Education, to which was referred:

Assembly Bill No. 2615

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 575
Assembly Bill No 1059
Assembly Bill No 1196

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 508
Assembly Bill No 660
Assembly Bill No. 1342
Assembly Bill No. 1799
Assembly Bill No. 1905
Assembly Bill No 1930
Assembly Bill No. 2321

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 407
Assembly Bill No 1146
Assembly Bill No. 1593

And reports the same correctly re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 911

And reports the same correctly re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 546
Assembly Bill No 1765
Assembly Bill No. 1840
Assembly Bill No 2374

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER. Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 2622

Has had the same under consideration, and reports the same back with the recommendation: Do pass and re-refer to Committee on Ways and Means

(Signed out)

WATERS, Chairman
WELCH
COOKE
MILLER
McCOLLISTER
MIDDOUGH
MASSION

Above reported bill re-referred to Committee on Ways and Means.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Senate Bill No. 45

Has had the same under consideration, and reports the same back with the recommendation: Do pass

WEYBRET, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER Your Committee on Agriculture, to which was referred:

Assembly Bill No 492

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred

Assembly Bill No. 1154

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

T. FENTON KNIGHT, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred.

Assembly Bill No. 1153

Has had the same under consideration, and reports the same back with the recommendation: Without recommendation and be re-referred to Committee on Ways and Means

T. FENTON KNIGHT, Chairman

Above reported bill re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 546—An act to add Section 5.143 to the School Code, relating to the issuance of teachers' credentials to blind or partially blind persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1717—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2315—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals are sold.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2374—An act to add Section 36.5 to the Public Utilities Act, relating to telephone corporations and telephone equipment.

Bill read second time, and ordered engrossed

Assembly Bill No. 1765—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1840—An act to amend Section 776 of the Vehicle Code, making an appropriation to the Motor Vehicle Support Fund, providing for the use of the moneys therein, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 2538—An act to amend Sections 7301, 7303 and 7315 of the Business and Professions Code, relating to members of the board.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1464—An act to add Section 19622.5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions." approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read second time, and ordered to third reading.

Assembly Bill No. 497—An act to amend Section 302 of the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "302", and insert "323".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "meat inspection", and insert "foreign cold storage meat sales license fees".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "302", and insert "323".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 5, inclusive, and insert "323. The director, upon application of any person selling, dealing or furnishing foreign cold storage meat, shall issue a license to such applicant upon the payment of an annual fee of *twenty-five dollars ($25) for importers and for wholesalers*, of ten dollars ($10) for retailers, and five dollars ($5) for hotels, restaurants, lunch rooms, dining cars, or boarding houses, selling, handling, furnishing, or serving such cold storage meat. All such licenses shall expire on June 30th of each year. [They may be issued in periods of less than one year on payment of a proportionate part of the license fee herein mentioned.] No license shall be issued for a period of less than [three months] *one year*.

All moneys collected under the provisions of this article shall be paid into the State Treasury to the credit of the Department of Agriculture Fund for use in carrying out the purposes of this article."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "and leg", and insert ", including the nonsurgical treatment of the muscles and tendons of the leg governing the functions of the foot".

Amendment read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 937—An act to amend Section 78 of the Gift Tax Act of 1939, relating to the deposit and appropriation of money paid and collected thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out ", 63 and 78", and insert "and 63".

Amendment No. 2

In lines 7 and 8 of the title of the printed bill, as amended, strike out "and making an appropriation".

Amendment No. 3

On page 6 of the printed bill, as amended, strike out lines 1 to 43, inclusive; and in line 44, strike out "Sec. 15", and insert "Sec. 14".

Amendments read and adopted.
Bill ordered reprinted and re-engrossed

Assembly Bill No. 1393—An act making an appropriation to the emergency fund specified in Item _____of the Budget Act of 1941 for the purpose of augmenting appropriations for the support of the Government of the State, in order to provide for salary and wage adjustments for certain State employees, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out all of line 2 of the title of the printed bill, and insert "specified in Item 212 of the Budget Act of 1939 for".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out the dashes and insert "212".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "1941", and insert "1939".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1465—An act to amend Section 19621 of the Business and Professions Code, or Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the Cali-

fornia Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions." approved June 5, 1933, relating to the distribution of moneys in the Fair and Exposition Fund

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 11, inclusive, and insert "sions Code, relating to the distribution of moneys in the Fair".

Amendment No. 2

On page 1 of the printed bill, strike out lines 10 to 17, inclusive; and strike out all of pages 2 and 3

Amendments read and adopted.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Assembly Bill No 1465, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1465, as Amended

Motion to Amend

Mr. Leonard moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as introduced in the Assembly on January 24, 1941, after "associations", strike out the period, and insert "; ten thousand dollars ($10,000) to the Attorney General for services rendered district agricultural fairs and district agricultural associations and for other services as are by this act now or that may be hereafter required of him"

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1420—An act to amend Sections 140 to 158, inclusive, of the State Civil Service Act, relating to regulation of employees in the State civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 140 to 158, inclusive," and insert "Section 155".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "regulation of employees in the State civil service", and insert "reinstatements".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, and insert

"SECTION 1. Section 155 of the act cited in the title hereof is hereby amended to read as follows

Sec 155. The board on the request of an appointing power may approve the reinstatement within three years of any person having probationary or permanent status who is separated from his position through resignation without fault or

delinquency on his part, if within that time there is need for his services in a position in the class from which the employee was separated or in a position in another class having substantially similar duties, responsibilities, and qualifications, and substantially the same salary range *The board on the request of an appointing power may also approve the reinstatement of any person having probationary or permanent status who is separated from his position through resignation without fault or delinquency on his part, who has applied therefor within three years subsequent to the adoption of Article XXIV of the Constitution of this State, if such person makes reapplication therefor and if at the time of reinstatement there is need for his services in a position in the class from which the employee was separated or in a position in another class having substantially similar duties responsibilities, and qualifications, and substantially the same salary range"*

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1270—An act to amend Section 750 of the Vehicle Code, relating to uniforms and equipment of the California Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 13, of the printed bill, after "motor", insert ", cowl, and fenders."

Amendment No. 2

On page 1, line 14, of the printed bill, after the period, insert

"Not to exceed 5 per cent of the vehicles operated by the California Highway Patrol need not comply with the provisions of this paragraph."

Amendment No. 3

On page 1 of the printed bill, after line 22, insert

"SEC 2. The changes relative to the painting of vehicles effected by this act in Section 750 of the Vehicles Code shall apply only to vehicles purchased after the effective date of this act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 820—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 27, of the printed bill, after "revoke", insert "for one year".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 124, 126 and", and insert "Section".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 128 of the Vehicle Code is hereby".

Amendment No. 3

On page 2, line 33, of the printed bill, as amended, strike out "4", and insert "2".

Amendment No. 4

On page 2, line 38, of the printed bill, as amended, strike out "5", and insert "3".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 234—An act to add Article 8.5 (comprising Sections 10340 and 10341) to Chapter 3 of Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Chapter 8.5, comprising Sections 10615 to 10621, inclusive, to Division 9 of the Health and Safety Code, relating to the registration of previously unregistered births, marriages and deaths."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Chapter 8.5, comprising Sections 10615 to 10621, Division 9, is hereby added to the Health and Safety Code, to read as follows:

CHAPTER 8.5. REGISTRATION OF PREVIOUSLY UNREGISTERED BIRTHS, MARRIAGES AND DEATHS

10615. Any person seeking to establish of record the fact of any birth, marriage or death may do so by filing an application for the original registration of such birth, marriage or death with the State Registrar or a local registrar or a county recorder. The application shall be on forms prescribed and furnished by the State Registrar and shall contain such information as may be necessary to enable the State Registrar to determine whether such birth, marriage or death did in fact occur and shall show the place and the date of such birth, marriage or death, and, in the case of a birth, the parentage of the child. The application shall be accompanied by such documentary evidence as the State department may require. Upon the filing of any such application with a local registrar or a county recorder, such officer shall immediately transmit it to the State Registrar, together with the filing fee hereafter in Section 10617 of this code provided.

10616. The State Registrar shall review the application and the documentary evidence accompanying it and if the evidence warrants shall file a delayed certificate of such birth, marriage or death. He shall transmit a copy of such delayed certificate to the local registrar and the county recorder of the place where such birth, marriage or death occurred, each of whom shall index it and place it in a book marked "Delayed Certificates of Birth" (or "Marriage" or "Death" as the case may be).

10617. A fee of four dollars ($4) shall be paid for each application filed.

The State Registrar shall keep a true and correct account of all such fees by him received, and such fees shall be deposited with the State Treasurer for credit to the General Fund.

10618. Each local registrar and county recorder shall be entitled to be paid the sum of one dollar ($1) out of the General Fund, for each such application filed with him and by him transmitted to the State Registrar.

10619. The State Registrar shall quarterly certify to the State Controller the number of such applications filed with the respective local registrars and county recorders, and the State Controller shall draw his warrants to such local registrars and county recorders in the amounts due them at the rate fixed by Section 10618.

10620. The money so received by any county recorder, and by any local registrar who is also clerk or health officer of any city and whose salary as clerk or health officer is by law his sole compensation for his services, shall be by them paid into the county or city treasury, as the case may be.

10621. In addition to any other punishment prescribed by law, any person who files a false certificate or affidavit pursuant to this chapter is liable to the State of California for a penalty in the amount of five hundred dollars ($500). Such penalty may be recovered in an action filed by the Attorney General in any court of competent jurisdiction. The sum representing a penalty so recovered shall be paid into the State Treasury to the credit of the State General Fund.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of fifty thousand dollars ($50,000) is hereby appropriated for expenditure by the State department in carrying out the provisions of Chapter 8.5 of Division 9, of the Health and Safety Code, during the Ninety-third and Ninety-fourth Fiscal Years.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1570—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine.

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert:

"An act to add Section 8.5 to "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed, regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors, regulating the health of persons by whom the materials from which food is prepared or the finished product is handled, providing for the inspection of such places, persons and things, declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records, making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the medical examination of domestic servants and of persons handling food or containers of food intended for the consumption of others."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert:

"SECTION 1. Section 8.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 8.5. Every person, other than an agricultural employee, engaged in the preparation of food to be served or sold to others, engaged in the serving of food to others, or engaged in the handling of open containers either containing food or in a condition in which they will contain food prior to their next cleansing or sterilization, when such food will be served or sold to others, and every domestic servant, shall obtain a certificate from a licensed physician and surgeon that he or she, the employee, is free from communicable diseases. A new certificate shall be obtained every three months so that at no time will such employee be so engaged without a certificate issued less than three months prior. The State Board of Public Health shall issue certificate forms and shall establish by regulation the scope of the examination to be given by the examining physician and surgeon, which examination shall be sufficiently comprehensive as to determine the existence of any communicable disease. Any employer who employs a person required to have a certificate, when such person does not have a certificate which is less than three months' old, is guilty of a misdemeanor. Every employer employing a person required to possess a

certificate shall pay to the employee at his first pay day after the last obtaining of a certificate, and in addition to such employee's wages, a sum equal to the cost of the certificate to the employee. Any employer not paying any employee the cost of the certificate as required by this section shall for each failure as to each employee be guilty of a misdemeanor.

The members of the State Board of Health, inspectors and agents appointed by the board, and all local health officers, and inspectors, in making examinations pursuant to Section 9, may ask for the production of the certificates required by this section, and upon finding the provisions of this section to be violated, shall at once report the same in the manner provided for the reporting of other violations of this act."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2599—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

In line 2 of the title of the printed bill, after "by", insert "erosion,".

Amendment No. 2

In line 3 of the title of the printed bill, before "floods", strike out "and", and insert "or".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Out", and insert "It is hereby declared that the protection of the general public interest requires the prevention of damage by, and the repair and reconstruction of damage caused by, erosion, storms, or floods and that such work is a matter of general public and State concern.

SEC. 2. Out".

Amendment No. 4

On page 1 of the printed bill, strike out lines 4, 5 and 6, and insert "ment of Public Works, without regard to fiscal years, and subject to the conditions, restrictions and limitations contained in this act for:

(a) The cost of repair or restoration, or both, of levees, flood control work,".

Amendment No. 5

On page 1, lines 8 and 9, of the printed bill, strike out "including beach and cliff erosion,".

Amendment No. 6

On page 1, of the printed bill, strike out lines 11 to 14, inclusive, and insert "otherwise been made by law, and

(b) The cost of repair and restoration of beaches and cliffs damaged or destroyed by erosion, and the prevention of the erosion of beaches and cliffs.

SEC. 3. Not more than one million dollars ($1,000,000) of the moneys hereby appropriated shall be available for expenditure for the purposes specified in subdivision (a) of Section 2, and not more than one million dollars ($1,000,000) of the moneys hereby appropriated shall be available for expenditure for the purposes specified in subdivision (b) of Section 2.

SEC. 4. None of the moneys appropriated by this act shall be expended,".

Amendment No. 7

On page 1, line 16, of the printed bill, strike out "a", and insert "the".

Amendment No. 8

On page 2, line 21, of the printed bill, strike out "2", and insert "5".

Amendment No. 9

On page 2, line 27, of the printed bill, strike out "3", and insert "6".

Amendment No. 10

On page 2, line 36, of the printed bill, strike out "4", and insert "7".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 272—An act to provide for the control of certain live stock diseases, to prevent their spread and transmission by requiring processing of garbage and controlling live stock movements and to make an appropriation relative thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to provide for the control of certain live stock", and insert "authorizing the investigation and study of certain swine".

Amendment No. 2

Strike out all of lines 2 and 3 of the title of the printed bill, and insert "their spread, transmission and control".

Amendment No. 3

In line 4 of the title of the printed bill, strike out "relative thereto", and insert "therefor".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 1 following the period, and insert "There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of twenty-five thousand dollars ($25,000), to be expended by the University of California for the purpose of making a study and investigation of certain diseases of swine, particularly vesicular exanthema, foot and mouth disease, and trichinosis, for the purpose of determining methods and means of destroying the viruses or other substances or organisms causative of such diseases and determining the means whereby such diseases are spread, transmitted and controlled. Particular attention shall be paid to the relationship of the feeding of garbage to the occurrence within swine of the diseases enumerated in this section."

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 2 to 25, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 828—An act creating the California Art and History Commission, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the comma; and strike out line 2, and insert a period

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "10", and insert "7"

Amendment No. 3

On page 1 of the printed bill, strike out lines 4 to 27, inclusive; and on page 2, strike out lines 1 to 28, inclusive, and insert

"The State Librarian, the Secretary of the California State Fair and a member nominated by the Sacramento Junior Chamber of Commerce shall be ex officio members of said commission. Four members shall be appointed by the Governor, two for one year, one for two years, and one for three years. Successors of those first appointed by the Governor shall be appointed by him to serve for four years

The members appointed by the Governor shall be selected from directors of fine arts and historical museums and galleries; members of fine arts or history departments of colleges or universities in the State, research students of art or history whose contributions to the subject have been outstanding; organizations or individuals whose active interest has substantially advanced the cause of art or history.

SEC. 2. It shall be the duty and within the authority of the said commission:

(a) To act in an advisory capacity relative to the construction of a building at the California State Fair Grounds to house the California State Cultural and Historical Gallery and Museum;

(b) To organize and conduct an annual exhibit of art at the California State Fair, through and with its management;

(c) If desirable to place this annual exhibit of art on circuit for exhibition throughout the State of California;

(d) To acquire works of art by outstanding California artists, either by gift, loan, or by purchase as funds are available, with the view of establishing a permanent collection of State produced art;

(e) To accept or reject, proffered gifts of fine arts works to the State or its institutions (save as to those institutions hereinafter exempted from this act);

(f) To sponsor a National campaign for the acquisition of gifts relating to the history and art of California;

But the commission shall not interfere with established State institutions and their activities, such as the State Library, University of California and State-owned historical museums.

SEC. 3. Any building that may be constructed as herein contemplated, may contain, besides the gallery, historical displays, period rooms, mission and religious art, educational exhibits, and exhibits illustrative of agricultural and industrial development."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Beaches", and insert "Beach Erosion Control".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 5 and 6, and insert "ment of beaches"

Amendment No. 3

On page 1, line 16, of the printed bill, as amended, after "beach", insert "erosion problems".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 22 to 24, inclusive, and insert

7 To assume all functions of the State Lands Commission relating to groins, jetties, breakwaters, piers and bulkheads on tide and submerged lands, in addition to the powers and duties herein set forth."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1149—An act to amend Section 92 of the Agricultural Code, relating to agricultural districts.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Exhibitions and Fairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 92 of", and insert "add Section 735 to".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "agricultural districts", and insert "fairs and expositions".

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 735 is hereby added to the Agricultural Code, to read as follows:

735 The Board of Directors of the State Agricultural Society, subject to the approval of the Department of Finance, shall provide for and manage an annual Junior Live Stock Show to be held in the Spring of each year at the State Fair Grounds at such time as money is available for the purposes of such show."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 28, inclusive; and on page 2, strike out lines 1 to 51, inclusive.

Amendments read and adopted

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 620—An act to amend Section 6 of, and to add Section 10 to, an act entitled "An act providing for State and county exhibits at the Golden Gate International Exposition to be held in the San Francisco Bay region, California, providing for the construction of a State building or buildings therefor and the gardening and improvement of the surrounding grounds, providing for the disposition or demolition of buildings, exhibits, and other property upon the termination of the exposition, creating a California Commission for the Golden Gate International Exposition to have charge and control of such exhibits and such building or buildings, defining its powers and duties and making an appropriation therefor," approved May 25, 1937, relating to the disposal of the property of the California Commission for the Golden Gate International Exposition, abolishing the California Commission for the Golden Gate International Exposition and transferring its powers, duties, purposes, responsibilities and jurisdiction to the Department of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 1315—An act to amend Sections 579 and 611 of the Agricultural Code, relating to substitutes for butter and cheese which are colored in imitation thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1206—An act to add Article 6.5 to Chapter 7 of Part 2 of Division 6 of the Health and Safety Code, relating to use of county assessment rolls for sanitary district taxes

Bill read second time, and ordered to third reading.

Senate Bill No. 189—An act to amend Section 750 of the Vehicle Code, relating to color of uniforms and vehicles of enforcement officers

Bill read second time, and ordered to third reading

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert "or chassis of a commercial vehicle weighing unladen 3,300 pounds or less do not constitute a part of the unladen weight of the vehicle"

Amendment No. 2

On page 2, line 27, of the printed bill, as amended, strike out "limited hereunder to"; strike out all of line 28, and in line 29, strike out "exceeding 26,000 pounds", and insert "equipped with not more than two axles".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 31; and in line 32, strike out "and load of not exceeding 26,000 pounds", and insert "equipped with not more than two axles".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out line 34, and in line 35, strike out "and load in excess of 26,000 pounds", and insert "equipped with three or more axles".

Amendment No. 5

On page 2, line 41, of the printed bill, as amended, after "weights", insert "and axles".

Amendments read and adopted.

Bill ordered printed, and to third reading

Senate Bill No. 257—An act to amend Section 380.51 of and to add Section 333.5 to, the Agricultural Code, relating to brands.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Live Stock and Dairies:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "animal", insert "An animal may be branded on the neck by the owner, provided the animal already bears a brand recorded by the owner."

Amendment read and adopted

Bill ordered printed, and to third reading.

COMMUNICATIONS

The following communication was received, and on motion of Mr Bashore, ordered printed in the Journal

CITY OF COLTON, CALIFORNIA, May 12, 1941

State Legislature, Sacramento California

GENTLEMEN Enclosed is a copy of Resolution No 1078 of the City of Colton relative to celebrating the four hundredth anniversary of the discovery of California.

The resolution speaks for itself, and we trust you will consider its contents favorably.

Very truly yours,

OLIVE PHILLIPS, City Clerk

Resolution No. 1078

WHEREAS, The year 1942 will mark the four hundredth anniversary of the discovery of California by Juan Rodriguez Cabrillo; and

WHEREAS, The anniversary of so important an event should be marked by Californians in such manner as not only to recall its historical significance locally but to focus the attention of the Nation upon it as well; now, therefore, be it

Resolved by the Municipal Corporation (the City of Colton) That said municipality does hereby most respectfully memorialize the Legislature of the State of California, now in session in the City of Sacramento, that before adjournment it take such appropriate action as may be necessary in order to provide for the evolving, planning, financing and execution of a suitable plan for the proper observance and celebration of the said anniversary in such manner and by use of such funds and the appointment of such commission or body as may be necessary in order to insure that this quadricentennial shall not pass by without an adequate effort on the part of the people of this great State to mark its passing.

Passed, adopted and approved this fifth day of May, 1941.

W. F. SHARP
Mayor of the City of Colton

Attest: OLIVE PHILLIPS, City Clerk

I HEREBY CERTIFY that the above is a full, true and correct copy of Resolution No. 1078 of the City Council of the City of Colton, passed and adopted at the time above stated.

OLIVE PHILLIPS, City Clerk

[SEAL]

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 37

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 37—Approving certain amendments to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the sixth day of May, 1941.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 37

Senate Concurrent Resolution No. 37—Approving certain amendments to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the sixth day of May, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Dickey, Donnelly, Doyle, Gaffney, Gunlock, Hastain, Haw-

kins, Heisinger, Houser, Frederick F. Kellems, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Thorp, Thurman, Waters, Weybret, and Mr. Speaker—41.

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 13, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 310 entitled "An act to amend Sections 3931, 3933, 3934 and 3935 of, and to add Sections 3930.5 and 3935.5 to, the Elections Code, relating to the order of names of candidates on primary ballots."

My objections to this bill are as follows:

This bill provides that the names of the incumbent shall appear first upon the list of all candidates for nomination to any office on the primary election ballot, while the names of other candidates shall be listed alphabetically in the first and rotated in each succeeding Assembly district after the first in State-wide primary elections.

The purpose of that part of this bill would seem to be to give an advantage to an incumbent who is a candidate for reelection by having his name placed first on the list of all candidates on all ballots in all districts. I see no reason why an incumbent should be given any greater advantage on a primary election ballot than the advantage he already has of having the fact that he is an incumbent set opposite his name wherever it appears on the ballot, if that be an advantage. I realize that under the present law an incumbent in the general election has the advantage of first place on the ballot, but this criticism goes to that provision of the general law as well as this bill.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 310 ordered to unfinished business file

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 13, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1114, entitled "An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way."

My objections are to the following provision of this bill.

> "Upon any sale of Christmas trees, whether at wholesale or retail, a bill of sale shall be delivered to the purchaser which bill of sale shall show the number of trees involved and contain an appropriate and accurate reference to the permit by which the cutting of the trees was authorized, with names, dates, and description of the land involved in such permit."

I believe this provision is impractical in view of the manner in which retail sales of Christmas trees is necessarily carried on, and that this provision should be deleted from the bill before it becomes a law.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 1114 ordered to unfinished business file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 237—An act to amend Sections 2330, 2350 and 2351 of the Labor Code, relating to sanitary conditions of factories and other places of employment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 237?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "or other place of employment", and insert "mercantile or other establishment".

Amendment No. 2

On page 1, lines 25 and 26, of the printed bill, as amended, strike out ", work shop, or other place of employment", and insert "or work shop".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 6 and 7, and insert "or other impurities generated in the course of the manufacturing process or handicraft carried on therein"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 237 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Houser, Frederick F., Kellems, Kepple, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Russell, Stream, Thorp, Turner, Waters, Weybret, and Mr. Speaker—45.

NOES—None

Assembly Bill No. 237 ordered enrolled.

Assembly Bill No. 387—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 387?

Amendment No. 1

On page 1, lines 17 and 18 of the printed bill, as amended, strike out "other or additional attorney or attorneys", and insert "an additional attorney or attorneys for the performance of extraordinary services for said estate"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 387 by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 387 ordered enrolled

Assembly Bill No. 1407—An act to amend Sections 701, 1191, 10970 and 12923 of, and to add Sections 706.7, 11532.1, 11532.2, 11532.3, 11532.4, 11532.5, 11532.6, 11532.7, 11532.8, 12921.5 and 12973.7 to, the Insurance Code, all relating to insurance and the Insurance Commissioner.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1407?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10970 and 12923", and insert "and 10970".

Amendment No. 2

On page 4 of the printed bill, strike out lines 21 to 42, inclusive

Amendment No. 3

On page 4, line 43, of the printed bill, strike out "15", and insert "14".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1407 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Knight, John B., Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weybret, and Mr. Speaker—49

NOES—None

Assembly Bill No. 1407 ordered enrolled

Assembly Bill No. 1466—An act to amend Sections 814 and 829.4 of the Agricultural Code, relating to lettuce

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1466?

Amendment No. 1

On page 2 of the printed bill, strike out line 2, and insert "a slight bulge of crates when lidded. Each crate of three and one-half dozen count shall have each layer arranged with four rows of three, four, and four and three heads."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1466 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weybret, and Mr. Speaker—52

NOES—None.

Assembly Bill No. 1466 ordered enrolled

Assembly Bill No. 1499—An act to amend Section 817 of the Agricultural Code, relating to peas

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1499?

Amendment No. 1

On page 1 of the printed bill, strike out all of line 9, and insert "one container or bulk lot, as established by inspection of a representative sample, may be below these requirements, but not".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1499 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1499 ordered enrolled.

Assembly Bill No. 339—An act to add a new section to the Penal Code of the State of California, to be known as Section 1309, relating to the escheat of certain money deposited as bail.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 339?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "a", and insert "the".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 339 by the following vote

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, Sam L., Cooke Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp Thurman, Turner, Waters, Weybret, and Mr. Speaker—53

NOES—None.

Assembly Bill No. 339 ordered enrolled

Assembly Bill No. 471—An act to amend Section 89 of the Code of Civil Procedure, relating to original jurisdiction.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 471?

Amendment No. 1

In line 2 of the title of the printed bill, after "jurisdiction", insert "of municipal courts".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 471 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Mr Speaker—51.

NOES—None.

Assembly Bill No. 471 ordered enrolled.

Assembly Bill No. 818—An act to amend Section 6.406 of the School Code, relating to school book depositories.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 818?

Amendment No. 1

On page 1, line 4, of the printed bill, after "two", insert "or more".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 818 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 818 ordered enrolled.

Assembly Bill No. 960—An act to amend the heading of Division 4 and Sections 452, 455, 456, 466, 467, 470, 471, 476, 478, 481, 482, 483, 484, 485, 486, 498, 500, 501, 511, 513, 523, 526, 542, 543, 545, 546, 551, 616, 618, 619, 620, 621, 631, 635, 636, 641, 642, 643, 644, 645, 661, 662, 666, 676, 681, 722 and 723 of, to add Sections 472, 590, 640 and 640.5 to, and to repeal Section 559 of, the Agricultural Code, relating to the dairy industry and milk, milk products, and imitation milk products, processing plants and factories, and retail establishments, milk products, and imitations of milk products, and providing for the taking effect hereof.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 960?

Amendment No. 1

In line 5 of the title of the printed bill, immediately preceding "to", insert "and".

Amendment No. 2

In lines 6 and 7 of the title of the printed bill, strike out "and to repeal Section 559 of,".

Amendment No. 3

On page 14, line 31, of the printed bill, as amended, strike out "; provided," and strike out lines 32 and 33, and insert a period.

Amendment No. 4

On page 23 of the printed bill, strike out all of line 26.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 960 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 960 ordered enrolled.

Assembly Bill No. 1987—An act to add Section 11331.5 to the Health and Safety Code, relating to narcotics and the use, prescribing, possession, or transportation thereof.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1987?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "to", insert "amend Section 11102 of, and to add Article 1a to Chapter 5 of Division 10 of, and".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "use,", insert "production, cultivation,".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out line 9, and insert

"SECTION 1. Section 11102 of the Health and Safety Code is hereby amended to read as follows:

11102. The State division shall enforce all laws regulating the *cultivation, production*, sale, giving away, prescribing, administering, furnishing, or having in possession narcotic or other dangerous drugs other than those drugs enumerated in schedules "A" and "B" of Chapter 102, Statutes of 1907.

SEC. 2. Sec-".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 6, insert

"SEC. 3. Article 1a, comprising Sections 11540 and 11541, is hereby added to Chapter 5 of Division 10 of the Health and Safety Code, to read as follows:

Article 1a Opium Poppies

11540 No person shall produce, cultivate, or grow any opium poppy (Papaver Somniferum) or any other poppy from which narcotics may be obtained without having first obtained a permit so to do from the State division

11541. No permit shall be issued under Section 11540 unless and until the applicant therefor has furnished proof satisfactory to the State division.

(a) That the applicant is of good moral character or, if the applicant be an association or corporation, that the managing officers are of good moral character

(b) That the applicant is equipped as to land, buildings, and paraphernalia properly to carry on the business described in his application

No permit shall be granted to any person who has within five years been convicted of a wilful violation of any law of the United States, or of any State, relating to opium, coca leaves, or other narcotic drugs, or to any person who is a narcotic drug addict. The State division may suspend or revoke any permit for cause."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1987 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr Speaker—60

NOES—None.

Assembly Bill No 1987 ordered enrolled.

Assembly Bill No. 1219—An act authorizing the State Director of Finance, with the consent of the Board of Control, to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1219?

Amendment No. 1

In line 4 of the title of the printed bill, as amended after "sion", insert "to grant, convey, and sell"

Amendment No. 2

On page 2, line 28, of the printed bill, as amended, strike out "he", and insert "it".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1219 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr Speaker—60.

NOES—None.

Assembly Bill No. 1219 ordered enrolled.

Assembly Bill No. 1242—An act to amend Section 453 of the Fish and Game Code, relating to the possession of game birds and animals.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1242?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, following "season and", insert "if legally taken or brought into the State during the open season and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1242 by the following vote

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 1242 ordered enrolled

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2538 WAIVED

Mr. Crowley waived his notice of motion to withdraw Assembly Bill 2538 from the committee.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Evans moved to expunge the record and rescind the action whereby Assembly Bill No. 2624 was this day introduced

The roll was called, and the motion carried by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Wollenberg, and Mr. Speaker—69

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Welch.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations

Respectfully submitted

JOHN D. WELCH

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Welch.

An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2624: By Mr. Welch—An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations.

Referred to Committee on Public Utilities.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 334—An act to amend Section 4300b of the Political Code, relating to fees.

Bill read third time.

Motion to Amend

Mr. John B. Knight moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert "greater sums than the following shall be allowed.

(a) Five dollars ($5) when necessarily employed for any twelve (12) hour period or any part thereof;

(b) Seven dollars and fifty cents ($7.50) when necessarily employed for a twenty-four (24) hour period, or any part thereof in excess of twelve (12) hours, except that a fee of five dollars ($5) may be allowed to a keeper when necessarily employed for any twelve (12) hour period, or any part thereof, as a custodian on the premises of a business establishment which is carrying on its business during such twelve (12) hour period, or any part thereof."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1033—An act to amend Sections 2746, 2831, 2832, 2834, 2840 and 2841 of, and to add Sections 2841.1 and 2841.2 to, the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L, Cooke, Del Mutolo, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Burkhalter, Collins, George D., Crowley, Gallagher, Massion, Pelletier, and Richie—7.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1039 WAIVED

Mr. Waters waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1039 was passed.

Assembly Bill No. 1039 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER. Your Committee on Rules, to which was referred.

House Resolution No 187

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 187

House Resolution No. 187

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount to be used for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Wollenberg, and Mr. Speaker—57.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2162—An act to add Section 78 to Chapter 3 of Division 1 of the Labor Code, relating to the Division and the Commission of Immigration and Housing and the Division of Labor Statistics and Law Enforcement and the Labor Commissioner.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 44: By Mr. Weber—Relative to a recess and final adjournment of the Senate and Assembly of the State of California.

Referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1071—An act to amend Sections 26457, 26472, 26496, 26520, 26540, 26540.2, 26541 and 26553 of the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising and sale of foods and the powers of the State Department of Public Health in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2382—An act to amend Section 1440 of the Probate Code, relating to guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Desmond, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Mr. Speaker—55.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2382

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2382 was this day passed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 583

Mr. Call moved that Assembly Bill No. 583 be withdrawn from the file, and re-referred to the Committee on Fish and Game.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2115—An act to add Section 326.5 to the Political Code, relating to the construction of statutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hugh M. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 1075.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Sam L. Collins—1.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dills, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 565.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 565—An act to add Section 10601.5 to the Elections Code, relating to filing of declaration of intention to become a candidate for a judicial office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—52.

NOES—Call, Clarke, Collins, Sam L., Crowley, Houser, Frederick F., Lowrey, McCollister, Millington, Potter, Robertson, Thorp, and Mr Speaker—12.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2162

At 12.07 p.m., on motion of Mr. Desmond further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2162 passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Cronin, Desmond, Dickey, Donnelly, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, King, Lowrey, Massion, Meehan, Pelletier, Poole, Richie, Russell, Tenney, and Thomas—25.

Bill ordered transmitted to the Senate

RECESS

At 12.12 p.m., on motion of Mr. Lyon the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon Gordon H. Garland, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1484—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 1.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS (RESUMED)

Assembly Bill No. 566—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 566?

Amendment No. 1

On page 1 of the printed bill, strike out all of the title, and insert

"An act to permit holders of certificates of purchase of State school lands to pay certain obligations therein contained to the State in installments, and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 to 13, inclusive, and insert

"SECTION 1. Any holder of a certificate of purchase of State school lands whose certificate would be forfeited on June 30, 1941, under Section 3513 of the Political Code for nonpayment of interest and penalties, may pay to the State of California on or before July 31, 1941, one-third of the delinquent interest and penalties accrued and assessed and all current interest to and including June 30, 1941, thereby being relieved of the forfeiture provisions contained in Section 3513 of the Political Code; any such holder of a certificate of purchase who elects to make such payments as herein provided shall pay one-half the remainder of interest and penalties and the current interest on or before June 30, 1942, and the balance of interest and penalties and the current interest on or before June 30, 1943; should any such holder of a certificate of purchase fail to make one of the payments for which provision is herein made, then the interest of such holder in the certificate of purchase, the lands therein described and all prior payments of interest, penalties and principal shall be forfeited to the State."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 566 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 566 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 782—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Michael J., Cain, Call, Carlson, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—50.

NOES—Burkhalter, Collins George D., Collins, Sam L, Cooke, Dilworth, Evans, Gaffney, Howser, F. N., Meehan, and Mr. Speaker—10

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Call, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1428.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1428—An act to amend Section 18 of the Alcoholic Beverage Control Act, relating to restrictions on issuance of on-sale beer and wine and distilled spirits licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Poulson, Robertson, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—49

NOES—Bennett, Dilworth, Johnson, Massion, Miller, Pelletier, Potter, Richie, and Salsman—9.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2101 ORDERED TO INACTIVE FILE

Mr. Poulson moved that Assembly Bill No. 2101 be withdrawn from third reading, and ordered to the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1922—An act to amend Section 953a of the Code of Civil Procedure, relating to appeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell,

Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 108—An act to add Section 944.5 to the Streets and Highways Code, relating to improvement and repair of privately owned roads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—Crowley, and Salsman—2.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Welch, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2359.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2359—An act to add Section 599 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Kepple, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1024.

Hon. Charles W. Stream Presiding

At 2.12 p.m., Hon. Charles W. Stream, member of the Assembly from the Eightieth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1024—An act to add Section 812 to the Health and Safety Code, relating to the regulation of plumbing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—Robertson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 111—An act to amend Section 305 of the Agricultural Code, relating to the inspection of slaughtered animals, the sale of the meat thereof, and the operation of establishments for the slaughtering of animals or manufacturing of meat food products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Dills, Knight, John B., Robertson, and Salsman—4.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dilworth, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2164.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2164—An act to add Section 15035 to Chapter 1, and Sections 17821 and 17822 to Chapter 27, Part 2, Division 13 of the Health and Safety Code, relating to definition of "building unfit for human habitation" and providing for demolition, closing or repair thereof.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Collins, Sam L., Burkhalter, Allen and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2164.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dilworth, Doyle, Field, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Pelletier, Phillips, Potter, Poulson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—43.

NOES—Bashore, Bennett, Burns, Michael J., Cain, Call, Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Evans, Gallagher, Howser, F. N., Knight, John B., Lowrey, McCollister, Meehan, Millington, O'Day, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Tenney, and Watson—27.

Notice of Motion to Reconsider Assembly Bill No. 2164

Mr Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2164 was this day passed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dills, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2280.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2280—An act to amend Section 7457 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Crowley, Dilworth, McCollister, and Meehan—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 2321—An act to amend Section 4250 of the Political Code, relating to the compensation of officers in counties of the twenty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Weybret, and Wollenberg—56.

NOES—Dilworth, Field, Houser, Frederick F., Kilpatrick, and Richie—5

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1484

At 2.55 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1484 passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cooke, Cronin, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber Welch, and Wollenberg—51.

NOES—Allen, Andreas, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Desmond, Dickey, Field, Howser, F. N., Johnson, Kellems, Meehan, Miller, Potter, Poulson, Robertson, Salsman, Sheridan, Watson, Weybret, and Mr. Speaker—23.

Notice of Motion to Reconsider Assembly Bill No. 1484

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1484 was this day passed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 171—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to amend Section 1081 of the Probate Code, relating to determination of heirship.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—60.

NOES—Collins, George D., and Heisinger—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 354—An act to add Chapter 11, comprising Sections 22000 to 22001, inclusive, to Division 8 of the Business and Professions Code, relating to unfair trade practices in the jewelry business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—60.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1652—An act to amend Section 15 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—Houser, Frederick F., Lowrey, and Pfaff—3.

Bill ordered transmitted to the Senate.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Thursday, May 8, 1941; Friday, May 9, 1941; and Saturday, May 10, 1941, were approved as corrected by the Minute Clerk.

RECESS

At 3.20 p.m., on motion of Mr. Thurman, the Assembly recessed until 3.35 p.m.

REASSEMBLED

At 3.35 p.m., the Assembly reconvened.

Hon. Charles W. Stream of the Eightieth District presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1938—An act to amend School Code Section 1.111, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Basbore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—Carlson, Collins, Sam L., Howser, F. N., and Middough—4.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 14, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the thirteenth day of May, 1941, at 11.20 p.m., Assembly Bill No. 310 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 14, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the thirteenth day of May, 1941, at 11.20 p.m., Assembly Bill No 1114 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 462—An act to amend Section 1.91 of, and to add Section 1.92, 1.93 and 1.94 to, the School Code, relating to the construction, color, design, equipment and operation of school buses.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Burns, Hugh M., Daley, Dilworth, Doyle, Gaffney, Green, Knight, John B., Meehan, Poulson, and Tenney—11.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—54.

Assembly Bill No. 1240—An act to amend Section 737d of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Butte.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—54

NOES—Allen, Bashore, Burkhalter, and Massion—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1308—An act to permit the sale of certain land by the Department of Institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 381—An act to add Sections 2607, 2608, 2609 and 2610 to the Welfare and Institutions Code, relating to the property of indigents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 47—Relative to memorializing the President, Secretary of Agriculture, and the Congress of the United States in aid in furthering the development of Highway 20.

Resolution read third time.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 4 08 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Assembly Bill No. 788—An act to amend Section 12200 of the Business and Professions Code, relating to terms of county sealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 916—An act to amend Section 12701 of the Business and Professions Code, relating to public weighmaster bonds and license fees.

Bill read third time.

Motion to Amend

Mr. Welch moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 25, of the printed bill, strike out "each regular license fee plus".

Amendment No. 2

On page 1, line 26, of the printed bill, strike out "such", and insert "the".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 917—An act to add a new section to Chapter 7 of Division 5 of the Business and Professions Code, to be numbered 12701.5, relating to weighmaster bond and license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 918—An act to amend Section 12700 of the Business and Professions Code, relating to public weighmasters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del

Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2291—An act to amend Sections 8c and 78 of the State Employees' Retirement System, including city policemen and county and city firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1116—An act to amend Section 62 and to repeal Section 141 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1117—An act to amend Section 62.6 of the Fish and Game Code, relating to Fish and Game District 1$\frac{3}{4}$.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1574—An act to amend Section 790 of the Fish and Game Code, relating to crabs and crab meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 707—An act to amend Section 7113 of the Labor Code, relating to safety of employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Randal F. Dickey Presiding

At 4.30 p.m., Hon. Randal F. Dickey, member of the Assembly from the Fourteenth District, presiding.

Assembly Bill No. 33—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.
NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

Mrs. Daley asked for, and was granted, permission for herself and the following members of the Assembly to be absent for the balance of the legislative day to attend a meeting of the Joint Fact-Finding Committee on Relief: Messrs. Dilworth, Kilpatrick, Watson, Welch, and Wollenberg.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 648—An act to amend Section 7057 of the Welfare and Institutions Code, relating to the determination of the alleged defective or psychopathic delinquencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 649—An act to amend Section 7001 of the Welfare and Institutions Code, relating to purposes of State homes for the feeble-minded.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 734—An act to amend Section 742 of the Welfare and Institutions Code, relating to prohibited commitments of wards of the juvenile court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 735—An act to amend Section 901 of the Welfare and Institutions Code, relating to establishment of juvenile camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Daley, and Evans—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 736—An act to amend Section 5075 of the Welfare and Institutions Code, pertaining to the commitment of mentally disordered persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 737—An act to amend Section 5100 of the Welfare and Institutions Code, pertaining to the order of commitment of mentally ill persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 738—An act to amend Section 5101 of the Welfare and Institutions Code, relating to the county clerk's index.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 739—An act to amend Section 5102 of the Welfare and Institutions Code, relating to the prohibition of commitment to State hospitals of certain persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCol-

lister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 740—An act to amend Section 5103 of the Welfare and Institutions Code, relating to delivery to State hospitals of persons committed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 741—An act to amend Section 5251 of the Welfare and Institutions Code, relating to commitment to homes for the feeble-minded.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 743—An act to amend Section 5258 of the Welfare and Institutions Code, relating to the order of commitment of feeble-minded persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 744—An act to amend Section 6664 of the Welfare and Institutions Code, relating to payment of expenses when person committed charged with crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 758—An act to add Section 6660.5 to the Welfare and Institutions Code, relating to the care of patients' estates where the value of said estate does not warrant a guardianship.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 759—An act to amend Section 6661 of the Welfare and Institutions Code, relating to estates under three hundred dollars ($300) of persons committed to State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—Desmond—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 760—An act to amend Section 6663 of the Welfare and Institutions Code, pertaining to payment of board bills.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 762—An act to amend Section 7011 of the Welfare and Institutions Code, relating to payments of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 763—An act to amend Section 7052 of the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 764—An act to add Section 7052.5 to the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 765—An act to amend Section 7066 of the Welfare and Institutions Code, relating to the parole of defective or psychopathic delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington,

O'Day, Phillips, Potter, Poulson, Richie, Sheridan, Stream, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—Burkhalter, Kilpatrick, and Knight, John B.—3.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 5.15 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 770—An act to add Chapter 8 to Part 4, Division 6 of the Welfare and Institutions Code, creating a Division of Extramural Care in the Department of Institutions and prescribing its powers and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—John B. Knight—1.

Notice of Motion to Reconsider Assembly Bill No. 770

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 770 was this day passed.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on April 11, 1941, be further amended as follows.

Amendment No. 1

On page 2, line 4, of the printed bill, as amended, strike out ", but the classi-", and strike out lines 5 to 7, inclusive, and insert a period.

QUINN	DESMOND
BREED	JOHNSON
SWAN	CRONIN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—Frederick F. Houser—1

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1941

MR SPEAKER The Committee on Conference concerning:

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of the Code of Civil Procedure, relating to justices' courts in townships and cities.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on April 15, 1941, be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 16 and 17, insert

"(c) In counties containing a population of more than 400,000 and less than 600,000, justices of the peace shall each receive the following salaries to be paid by warrants drawn each month upon the salary fund, or, if there be no salary fund, then upon the general fund of the county, such warrants to be audited and paid as the salary of any county or township officer, and which salaries shall be in full for all services rendered by such justices of the peace; in any townships in said counties which have a population of more than 200,000, six thousand dollars ($6,000) per annum; in any of said townships having a population of 100,000 and less than 200,000, six thousand dollars ($6,000) per annum; in any of said townships having a population of 35,000 and less than 50,000, three thousand three hundred dollars ($3,300) per annum; in any of said townships having a population of 30,000 and less than 35,000, three thousand three hundred dollars ($3,300) per annum; in any of said townships having a population of less than 30,000, two thousand seven hundred dollars ($2,700) per annum; provided, however, that no justice of the peace in any such township shall receive a salary of more than six thousand dollars ($6,000)."

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 31 and 32, insert

"(e) The salary of each of said justices of the peace shall be three thousand dollars ($3,000) a year and shall be paid by warrant drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund of the county, such warrants to be audited and paid as salary of any county or township officer."

Amendment No. 3

On page 4 of the printed bill, as amended, strike out all of line 10; and in line 11, strike out "county".

Amendment No. 4

On page 4, line 46, of the printed bill, as amended, strike out "and the second".

Amendment No. 5

On page 4, line 47, of the printed bill, as amended, strike out "and one-half class".

Amendment No. 6

On page 4, line 50, of the printed bill, as amended, after "($2,700)," insert "and every clerk of the justices' court in any city or town of the second and one-half class where there is no police court or other inferior court organized under the charter, shall receive an annual salary of three thousand three hundred dollars ($3,300),".

QUINN	DESMOND
BREED	JOHNSON
SWAN	CRONIN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 128—An act to add Section 96 5 to the State Civil Service Act, relating to State civil service employees, declaring the urgency of this act and that it shall take effect immediately

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on April 30, 1941, be further amended as follows:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended, after "States", insert ", or who is not discharged from the armed forces of the United States within two years after the effective date of this section"

TICKLE	DESMOND
BROWN	HOWSER, FREDERICK F.
MYHAND	McCOLLISTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Maloney, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—61

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 959

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 959—An act to add Section 845.2 to the Fish and Game Code, relating to nets seized or violations of law.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 959?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "or violations of law", and insert "for violations of law, declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 15, insert

"SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall take effect immediately. The facts constituting such necessity are as follows:

Under the present provisions of law applicable thereto when nets of fishermen are seized on a charge of violating the laws relating to fish and game the nets must be held until the final disposition of the charge against the fisherman. The result of this is to deprive the accused of the use of the nets for an indefinite period regardless of his ultimate guilt or innocence, and, in all cases, prevents the use of the net by anyone during such period. The provisions of this act will permit the continued use of the nets and will serve the public purpose of keeping valuable nets in operation and thereby increasing the available supply of fish for human

consumption, thus materially adding to the food resources of the people of this State, and will further serve to prevent the impairment of earning power of the fishermen involved."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 959 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 959 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Mrs. Daley:

House Resolution No. 200

WHEREAS, A California Commission on Interstate Cooperation was created by the Legislature in 1939, to consist of Members of the Senate and Assembly Committees on Interstate Cooperation, and State officers appointed by the Governor; and

WHEREAS, A case is now pending in the Supreme Court of California, involving a petition by the chairman of the commission for a writ of mandate against the Controller, to compel that official to honor the claims of the commission; and

WHEREAS, The case involves the constitutionality of the statute creating the commission and no action can be taken by the commission until a decision therein is rendered; now, therefore, be it

Resolved by the Assembly of the State of California, That upon a decision in *Parker* vs. *Riley*, the case aforesaid, upholding the constitutionality of the statute creating the Commission on Interstate Cooperation the Speaker of the Assembly is hereby authorized and directed to reappoint the members of the Assembly Committee on Interstate Cooperation, whether such decision is rendered prior to or after final adjournment of this session, in order that such committee may proceed to participate in the work of the commission.

Resolution read, and referred to Committee on Rules.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 563—An act to amend Section 593 of the Civil Code, relating to the formation and purposes of nonprofit corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 563?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 593 of", and insert "Sections 593 and 604 of"; and insert "and add Section 330.25 to".

Amendment No. 2

On page 1 of the printed bill, as amended, following line 24, insert

"SEC. 2. Section 330.25 is hereby added to the Civil Code, to read as follows:

330.25. Any corporation, including a nonprofit corporation organized for or engaged in the business of developing, distributing, supplying, or delivering water for irrigation or domestic use or both, may provide in its articles, or may amend its articles to provide, that its only purpose shall be to develop, distribute, supply, or deliver water for irrigation or domestic use or both to its members or shareholders, at actual cost plus necessary expenses.

The amendment of the articles may be accomplished by

(a) The passage by a three-fourths vote of the members of the board of directors of the corporation of a resolution adopting as the purpose of the corporation the purpose set forth in this section.

(b) The signing, verification, and filing in the manner prescribed in Section 362b of a certificate setting forth the resolution and the manner of its adoption.

Such corporation shall not distribute any gains, profits, or dividends to its members or shareholders except upon the dissolution of the corporation

SEC. 3. Section 604 of the Civil Code is hereby amended to read as follows:

604. A nonprofit corporation, *excepting a corporation meeting the requirements prescribed in Section 330.25*, shall not issue shares of stock, but membership in such corporation may be evidenced by certificates. Upon the face of such certificates there must be printed in clear type a statement that the corporation is not one for profit. *Nonprofit corporations meeting the requirements prescribed by Section 330.25 may issue either shares of stock, or membership in such corporations, which shares of stock or membership may be evidenced by certificates.*"

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 563 by the following vote:

AYES—None.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

Assembly Bill No. 563 ordered to conference.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr Kilpatrick.

An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Wollenberg, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2625: By Mr. Kilpatrick—An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. O'Day:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives.

Respectfully submitted.

EDWARD F O'DAY

Request referred to Committee on Introduction of Bills.

By Mr. Dilworth:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 4, consisting of Sections 700 to 758, inclusive, to Division 3 of the Harbors and Navigation Code, relating to the licensing, registration, and operation of boats and vessels, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

NELSON S. DILWORTH

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 817—An act to amend Sections 1, 2, 4, 5 and 6 and to repeal Section 3 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of public defender.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "100,000, as determined by Section 4005c of the Political Code", and insert "115,000".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Sections", insert "2045,".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", insert "Section 2045 of the Penal Code is hereby amended to read as follows:

2045 At least three of the directors shall visit each of the prisons once in [each month] *every three months* and oftener if necessary, at such times as they may select.

SEC. 1.5."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 82

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 82?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 620 to", and insert "amend Section 467 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 467 of the Streets and Highways Code is amended to read as follows:

467. Route 167 is from Route 60 in Long Beach via American Avenue and Long Beach Boulevard to Route 174."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. F. N. Howser moved a call of the Assembly.

Motion carried. Time, 5.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 106.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 106—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of judicial townships and the jurisdiction of justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Russell, Sheridan, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Pfaff:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

Respectfully submitted.

ROGER ALTON PFAFF

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1600—An act to add Section 4097.5 to the Political Code, relating to the counting of money in the county treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 82

At 5.50 p. m., on motion of Mr. F. N. Howser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in the Senate Amendment to Assembly Bill No. 82 by the following vote:

AYES—Bashore, Carlson, Collins, Sam L., Cooke, Daley, Del Mutolo, Hastain, Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Middough, Pfaff, Phillips, Potter, Robertson, Stream, Tenney, Turner, Waters, Weybret, and Mr. Speaker—24.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Poulson, Richie, Russell, Sheridan, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, and Wollenberg—47.

Motion to Expunge Record and Rescind Action

Mr. F. N. Howser moved to expunge the record, and rescind the action whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 82.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—Dills—1.

Assembly Bill No. 82 ordered to unfinished business file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 62 FROM COMMITTEE

Mr. Evans gave notice that on May 16, 1941, he would move to withdraw Assembly Bill No. 62 from the Committee on Public Utilities, and have it placed upon the file.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Pfaff:

An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2626: By Mr. Pfaff—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

Referred to Committee on Live Stock and Dairies.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1196 re-referred to Committee on Insurance.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 1820.
Assembly Bill No. 1346.
Assembly Bill No. 2142.
Senate Bill No. 776.
Senate Bill No. 932.
Assembly Bill No. 1026.
Assembly Bill No. 1731.
Assembly Bill No. 1631.
Assembly Bill No. 2229.
Assembly Bill No. 2223.
Assembly Bill No. 1339.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 1045.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Herbert F. Sturdy of Bel-Air.

On request of Mr. Salsman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. B. Howard and Miss Johnson, and the following pupils of the Sunnyside School

of Palo Alto; Robert Engelson, Richard Engelson, Ivan Rainer, Donald Smith, Richard Allen, Owen Walker and Philip Howard.

On request of Mr. Johnson and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edward Planer and Alice A. Brennen, teachers; and the following students of Fremont High School of Oakland: Charlotte Bebb, Doris Birtwhistle, Bea Biron, Mildred Carter, Donna Crithfield, Dick Collins, Margaret Crosby, Shirley Cramer, Frank Curtis, Robert Dalton, Mary Fujikawa, Gloria Gehrke, Julia Hokenson, Blaine Hopkins, Heta Just, Estelle Kirk, Joanne Killey, Eleanor Kahrt, Alan Levy, Clifford Marco, Bob McLaughlin, Dale Meyer, Bill Nichols, Neal Nelson, Claire Olofson, Len Orr, Edwin O'Brien, Edwin Okrist, Eugene Osegueda, Elaine Ostergren, Bernice Rodriguez, Heleh Sandoval, Leon Sher, Emily Scholz, Mary Slater, Cecille Spencer, Mark Thomas, Virginia Yont and Doris Jansson.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Emeline Pylman and Mrs. Etolia H. Hordorn and the following students of Courtland Joint Union High School and Bates Joint Union School: Louise Owyang, Tomiko Sakata, Shirley Owyang, Betty Jang, Nancy Doi, Daisy Chan, Aki Akiyama, Rosie Chan, Koharn Taketa, Sachiko Uyeda, Kimiko Nakamura, Wallace Chan, George Chan, Fred Chan, Frank Fukushima, Mon Bing Owyang, George Lum, Akio Adachi, Ben Yamada, Shigeru Shimazu, Guy Owyang, Dolores Hendricks, Betty Lou Reeve, Violet Griffith, Dorothy Henderson, Marvin Zgraggen, Arthur Jonson, Dicker Pulis, Lloyd Rose, Billy Rose, Elvin Ensley, Francis Frates, Betty Fox, Donald Phillips, Donald Russell, Walter Goeman, Henry Dewing, Alverna Bielefeld, Jerry Russell, Eugene Smith, Robert Prue, Maryann Phillips, Manuel Hernandes, Donald Bryan, Helen Walker, Doris Kennedy, Verna Collins, Maxine Durham, George Struve, Patsy Simoni, Janice Ostman, Barbara Jean Isham, Kent Hall, Russell Crane, Norman Simoni, Lorraine Bagdazian, James Buckley, Mary Zayas and Raymond Powers.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Pat Parker of Bridgeport.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carl Bush, Executive Secretary of the Hollywood Chamber of Commerce.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gladys Hill and Marjorie A. Hill, both of Pasadena, and Florence E. Ayers of Los Angeles.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rose B. Wallace, Director of the California Institution for Women at Tehachapi.

ADJOURNMENT

At 5.56 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a.m., Thursday, May 15, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY
ONE HUNDRED THIRTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 15, 1941

The Assembly met at 10.30 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Pelletier, Phillips, Potter, Robertson, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—50.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. McCollister.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Cassidy, on motion of Mr. Green.

REPORTS OF STANDING COMMITTEES

Committee on Universities

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Universities, to which were referred.

Assembly Bill No. 2155
Assembly Bill No. 2018

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

KELLEMS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Universities, to which was referred:

Assembly Bill No. 1958

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

KELLEMS, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California that the Constitution of this State be amended by adding Section 14¾ to Article XIII thereof, relating to taxation of insurers;

Assembly Joint Resolution No. 53—Relative to memorializing Congress to pass House Resolution 3570, allocating funds for the building and operation of emergency schools necessitated by reason of National defense;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2091—An act to amend Section 542.1 of the Political Code, relating to charges for State printing;

Assembly Bill No. 2348—An act to add Section 424 to the Military and Veterans Code, relating to the use of uniforms of military and semimilitary organizations of foreign governments;

Assembly Bill No. 2576—An act to amend Sections 1.125, 1.126 and 1.127 of the School Code, relating to dental hygienists;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1622—An act to add Section 5.331 to the School Code, relating to authorization of service in schools of the public school system, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 1775—An act to amend Section 1065 of the Fish and Game Code, relating to sardines;

Assembly Bill No. 1895—An act to amend Section 1274 of the Code of Civil Procedure, relating to escheated property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1204—An act to add Article 7 to Chapter 1 of Part 5 of Division 3 of the School Code, relating to the establishment of courses in military science and tactics in the public secondary schools;

Assembly Bill No. 1451—An act to amend Section 1672 of the Business and Professions Code, relating to dentistry;

Assembly Bill No. 1536—An act to amend Sections 43.6, 45 and 62 of the County Employees Retirement Act of 1937, relating to a retirement system for county and district employees, and attaches of municipal and superior courts, including provisions for the investment of funds of the system;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 147—An act to amend Section 55 of the County Employees Retirement Act of 1937, relating to the management of the county employees retirement system;

Assembly Bill No. 217—An act to add Chapter 12, consisting of Sections 22100 to 22132, inclusive, to Division 8 of the Business and Professions Code, relating to the marking of articles of merchandise made in whole or in part of platinum and other metals in the platinum group or their alloys;

Assembly Bill No. 533—An act to amend Section 1007 of, and to add Section 1008 to, the Civil Code, relating to prescription; exemption;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 657—An act to add Sections 10202.5 and 10270.55 to the Insurance Code, relating to group insurance;

Assembly Bill No. 663—An act to amend Section 3463 of the Political Code, relating to the lien of assessments for reclamation districts;

Assembly Bill No. 845—An act to add Section 5.789 to the School Code, relating to leave of absence for noncertificated employees of school districts;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 848—An act to amend Section 730 of the Fish and Game Code, relating to halibut;

Assembly Bill No. 929—An act to add Article 2a, comprising Sections 5.785 and 5.786 to Chapter 9, Part 3, Division 5 of the School Code, relating to institutes of noncertificated employees;

Assembly Bill No. 1058—An act relating to National and local defense and public emergencies, authorizing extraterritorial activities by public agencies and providing that the privileges, immunities and benefits applicable to the activity of employees of such public agencies when acting within their territorial limits shall apply to them while engaged in any such work extraterritorially; declaring the urgency hereof, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LYON, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1916
Assembly Bill No. 1514
Assembly Bill No. 1918
Senate Bill No. 211

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1917
Assembly Bill No. 2212
Assembly Bill No. 2245

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 186
House Resolution No. 198
Senate Joint Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolutions ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER. Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 51

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered engrossed.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Irrigation, to which were referred.

Senate Bill No. 94
Senate Bill No. 691
Senate Bill No. 733
Senate Bill No 734
Senate Bill No. 755

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Senate Bill No 1330

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 309
Assembly Bill No. 534
Assembly Bill No. 1378
Assembly Bill No. 1776
Assembly Bill No. 2213
Assembly Bill No. 2366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Senate Bill No. 1005

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No 1311

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No 583

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 274
Assembly Bill No. 1185
Senate Bill No. 1304

Has had the same under consideration, and reports the same back with the recommendation Do pass.

WATSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 686
Assembly Bill No. 1165

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1662
Assembly Bill No. 2612

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 943
Assembly Bill No 1664
Assembly Bill No 1932
Assembly Bill No. 2601
Senate Bill No 527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1846
Assembly Bill No. 2596

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1076
Senate Bill No. 421

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred.

Assembly Bill No. 1296
Assembly Bill No. 2402

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred.

Assembly Bill No. 301
Assembly Bill No. 527
Senate Bill No. 1317

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.

Assembly Bill No. 859

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

TENNEY, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 234
Assembly Bill No. 272
Assembly Bill No. 497
Assembly Bill No. 820
Assembly Bill No. 828
Assembly Bill No. 1149
Assembly Bill No. 1270
Assembly Bill No. 1393
Assembly Bill No. 1420
Assembly Bill No. 1570
Assembly Bill No. 2599
Assembly Bill No. 2606
Assembly Joint Resolution No. 51

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1272

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1249

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 334
Assembly Bill No 817
Assembly Bill No 916
Assembly Bill No. 937
Assembly Bill No. 1465

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER Your Committee on Judiciary General, to which was referred:

Assembly Bill No 1581

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 43

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Assembly Concurrent Resolution No. 43 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 877

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 640
Assembly Bill No 1268
Assembly Bill No. 1479
Assembly Bill No. 1542

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused to adopt:

Assembly Constitutional Amendment No. 5

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 431
Assembly Bill No 1229
Assembly Bill No 1250
Assembly Bill No 1424

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 280
Senate Bill No. 1326

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 280—An act to provide for the acquisition of the Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the State Highway System.

Referred to Committee on Roads and Highways

Senate Bill No. 1326—An act to amend Section 12 of the Municipal Water District Act of 1911, relating to the government and powers of municipal water districts.

Referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly No. 2013—An act to amend Section 736.12 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1595—An act to amend Sections 6, 10, 14, 15, 16 and 20, and to add Sections 24, 25 and 26 to an act entitled "District Investigation Act of 1933," relating to the investigation report and debt limitations.

Bill read second time, and ordered to third reading

Assembly Bill No. 1596—An act to amend Section 6541.5 of the Health and Safety Code, relating to special assessment proceedings.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2206—An act to provide for the formation of government of, issuance of bonds by and assessment in motor vehicle parking districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, after the period, insert "If the proposed parking district is partly within a city and partly within unincorporated territory, a copy of the petition shall be filed with the legislative board of the municipality, and the board of supervisors shall not have jurisdiction to proceed to act upon the petition until the legislative board of such city has approved such petition and consented thereto by resolution spread upon its minutes."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2615—An act to provide for the licensing and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 2, of the printed bill, after "school", insert ", university or college".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "the University of"; strike out lines 4, 5 and 6, and in line 7, strike out "versity", and insert "or any educational institution of collegiate grade exempt from taxation by virtue of the provisions of the State Constitution or"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1154—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "_____", and insert "eight hundred thousand dollars ($800,000)".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1579—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Municipal Improvement Act of 1913, relating to the construction of public improvements, the levy of assessments and the issuance of bonds

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 14, 1941, between lines 16 and 17, insert "ments or through special assess-".

Amendment No. 2

On page 3, line 19, of the printed bill, as amended in the Assembly on April 14, 1941, strike out the period, and insert "; provided, however, that it shall not be necessary to take proceedings pursuant to said act when one or more of the following situations exist: (1) when the proceedings are undertaken by a district or public corporation within one year of its incorporation, and the proposed improvements are substantially described in an investigation proceeding had under the District Investigation Act of 1933 for the incorporation of said district or public corporation; or (2) when said improvement proceedings are by a charter city, and said city has complied with the provisions of Section 17 of Article XIII of the Constitution; or (3) when all of the owners of more than 85 per cent in area of the property subject to assessment for said proposed improvement have signed and filed with the clerk or secretary of the legislative body undertaking said proceedings a written petition for said improvements and waiver of said investigation proceedings. The words "substantially described" as herein used shall be deemed to mean that additional improvements of the same or similar nature may not be provided unless the estimated cost thereof shall not exceed 10 per cent of the estimated cost of the improvements provided for in said former report."

Amendment No. 3

On page 4, line 41, of the printed bill, strike out "20", and insert "30".

Amendment No. 4

On page 5, line 21, of the printed bill, strike out "10", and insert "20".

Amendment No. 5

On page 5, line 28, of the printed bill, strike out "10", and insert "20".

Amendment No. 6

On page 6, line 11, of the printed bill, strike out "six months", and insert "one year".

Amendment No. 7

On page 7, line 17, of the printed bill, strike out "30", and insert "60".

Amendment No. 8

On page 7, line 17, of the printed bill, after "thereafter", insert ", except for all unpaid assessments for which bonds are to be issued,".

Amendment No. 9

On page 7, line 25, of the printed bill, strike out "90 days", and insert "six months".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2494—An act to add Sections 11650, 11651, 11652 and 11653 to the Elections Code, relating to abuse of the initiative, referendum, and recall.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 5, of the printed bill, after "purpose", strike out "of", and insert "or".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "to (a) abandon such measure", and insert "or recall petition to (a) abandon such measure or petition".

Amendment No. 3

On page 1, line 11, of the printed bill, after "measure", insert "or recall petition".

Amendment No. 4

On page 1, line 12, of the printed bill, after "measure", insert "or petition".

Amendment No. 5

On page 1, line 13, of the printed bill, after "measure", insert "or recall petition".

Amendment No. 5.5

On page 1, line 15, of the printed bill, after "measure", insert "or recall petition".

Amendment No. 6

On page 1, line 16, of the printed bill, after "measure," insert "or the recall petition from resulting in a recall election,".

Amendment No. 7

On page 1 of the printed bill, after line 25, insert

"For the purposes of this section, the proponent or proponents of a recall petition shall be deemed to be the person or persons who have charge or control of the circulation of, or obtaining signatures to, such petition."

Amendment No. 8

On page 2, line 4, of the printed bill, after "measure", insert "or recall petition".

Amendment No. 9

On page 2, line 8, of the printed bill, after "measure", insert "or petition".

Amendment No. 10

On page 2, line 11, of the printed bill, after "measure", insert "or petition".

Amendment No. 11

On page 2, lines 12 and 13, of the printed bill, strike out "or referendum", and insert ", referendum or recall".

Amendment No. 12

On page 2, line 14, of the printed bill, after "measure," insert "or resulting in a recall election,".

Amendment No. 13

On page 2 of the printed bill, between lines 23 and 24, insert

"For the purposes of this section, the proponent or proponents of a recall petition shall be deemed to be the person or persons who have charge or control of the circulation of, or obtaining signatures to, such petition."

Amendment No. 14

On page 2, line 40, of the printed bill, strike out "an initiative or", and insert "a".

Amendment No. 15

On page 3, line 2, of the printed bill, strike out "an initiative or", and insert "a".

Amendment No. 16

On page 2, line 46, of the printed bill, after "measure", insert "or petition".

Amendment No. 17

On page 3 of the printed bill, after line 6, insert "for the purposes of this section, the proponent or proponents of a recall petition shall be deemed to be the person or persons who have charge or control of the circulation of, or obtaining signatures to, such petition."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1598—An act to amend Section 2 of the "County Improvement Act of 1921," relating to the levy of a maintenance tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

On page 3, line 13, of the printed bill, after "said", insert "maintenance"

Amendment No. 2

On page 3, line 18, of the printed bill, strike out "assessment", and insert "maintenance".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 492—An act to amend Section 25 of the Agricultural Code, relating to the Department of Agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25", and insert "28.5".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the", and insert "refunds by the".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "25", and insert "28.5".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 5, inclusive, and insert "28.5 The director may authorize the refund of moneys received or collected by the department in payment of licenses, permits, or other services wherein the license, permit, or other service can not lawfully be issued or rendered to the applicant.

No refund of moneys shall be made under the provisions of this section unless made within six months after the end of the fiscal year in which the payment to be refunded was collected."

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1331—An act to add a new section to be numbered Section 5.1 to an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance and retirement of municipal improvement bonds.

Bill read second time, and ordered to third reading.

Senate Bill No. 45—An act to amend Section 23 of the Agricultural Prorate Act, relating to the termination of proration programs.

Bill read second time, and ordered to third reading.

Senate Bill No. 1076—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public work contracts in cities of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Section", insert "777 and".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "the", insert "fifth and".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out all of lines 3 to 7, inclusive; and in line 8, strike out "same", and insert

"Sec. 874. In any project for the erection, improvement and repair of public buildings and works; in all work in or about streams, bays, or waterfronts, or in or about embankments, or in other works for the protection against overflow; in all street or sewer work exclusive of maintenance and repair; and in the furnishing of any supplies or materials for any such project inclusive of projects for maintenance or repair of streets or sewers".

Amendment No. 4

On page 1, line 16, of the printed bill, as amended, after the comma following "city", insert "which publication shall be commenced not less than 10 days prior to the date set in the notice for the opening of bids,".

Amendment No. 5

On page 1, line 25, of the printed bill, as amended, after "discretion", strike out the semicolon, and insert a comma and "and if any two or more bids are the same and are the lowest bids received, the council may accept whichever one it chooses".

Amendment No. 6

On page 2 of the printed bill, as amended, after line 29, insert

"SEC. 2. Section 777 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 777 In *any project for* the erection, improvement, and repair of [all] public buildings and works; in all street and sewer work *exclusive of maintenance or repair*, and in all work in or about streams, bays or waterfronts, or in or about embankments, or other works for protection against overflow, and in furnishing any supplies or materials for [the same] *any such project inclusive of projects for maintenance or repair of streets or sewers*, when the expenditures required for the same exceed the sum of [three hundred] *one thousand* dollars the same shall be done by contract, and shall be let to the lowest responsible bidder, after notice [by publication in a newspaper of general circulation, printed and published in such city or town, for at least two weeks,] *which shall consist of the publication of a notice inviting bids by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation, printed and published in such city, which publication shall be commenced not less than 10 days prior to the date set in the notice for the opening of bids*, or if there be no newspaper *of general circulation* printed [or] *and* published therein, [by printing and posting the same in at least four public places therein for the same period] *by posting copies of said notice inviting bids in at least three public places in said city, which places shall be those designated by ordinance as the places for posting of public notices, not less than 10 days prior to the date set in the notice for the opening of bids;* such notice shall distinctly and specifically state the work contemplated to be done; provided, that the board of trustees may reject any and all bids presented and readvertise, in their discretion, *and if any two or more bids are the same and are the lowest bids received, the board of trustees may accept whichever one it chooses;* provided further, after rejecting bids, the board of trustees may declare and determine by a four-fifths vote of all its members that in its opinion the work in question may be performed more economically by day labor or the materials or supplies furnished at a lower price in the open market, and after the adoption of a resolution to this effect they may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section; and provided further, that in case of a great public calamity such as an extraordinary fire, flood, storm, epidemic or other disaster, *or in the doing of emergency work deemed necessary in the preparation for National or local defense*, the board of trustees may, by resolution passed by vote of four-fifths of all its members declare and determine that public interest and necessity demands the immediate expenditure of public money to safeguard life,

health or property and thereupon they may proceed to expend or enter into a contract involving the expenditure of any sum required in such emergency. [The board of trustees shall annually, at a stated time, contract for doing all city printing and advertising, which contract shall be let to the lowest responsible bidder, after notice as provided in this section.]

In the event that there is more than one newspaper of general circulation printed and published in such city the board of trustees shall, annually, prior to the beginning of each fiscal year, publish a notice inviting bids, and contract for the publication of all legal notices required to be published in a newspaper of general circulation printed and published in said city. Said contract shall include the printing and publishing of all such legal notices during the ensuing fiscal year. In the event there is only one newspaper of general circulation printed and published in said city, then the board of trustees shall have the power to contract with such newspaper for the printing and publishing of such legal notices without being required to advertise for bids therefor."

Amendments read and adopted.

Bill ordered printed, and to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 16—Proposed amendment to Article VI, Section 23, of the Constitution, relative to eligibility of justices and judges.

Resolution read.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed measure, after "office.", insert "As to a person who has been admitted to practice before the Supreme Court, time served as a judge or justice of any of the courts of this State shall for the purpose of this section be counted as time during which he was admitted to practice before the Supreme Court."

Amendment read and adopted.

Resolution ordered reprinted and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2 of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Introduction of Bills.

RECONSIDERATION OF SENATE BILL NO. 932

In compliance with a notice given on a previous day, Mr. Carlson moved that the vote whereby Senate Bill No. 932 was passed be reconsidered.

Senate Bill No. 932 reconsidered by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser,

F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Mr. Speaker—54.

NOES—None.

Withdrawal and Re-reference of Senate Bill No. 932

Mr. Carlson moved that Senate Bill No. 932 be withdrawn from the file, and re-referred to the Committee on Motor Vehicles.

Motion carried.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1812, 1813, 1814 AND 2583 FROM COMMITTEE

Mr. Heisinger gave notice that on Saturday, May 17, 1941, he would move to withdraw Assembly Bills Nos. 1812, 1813, 1814 and 2583 from the Committee on Motor Vehicles, and have them placed upon the file.

Hon. Jeanette E. Daley Presiding

At 10 55 a.m., Hon. Jeanette E. Daley, Member of the Assembly from the Seventy-eighth District, presiding.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1045 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Turner moved that Assembly Bill No. 1045 be withdrawn from the Committee on Judiciary Codes, and be placed upon the file.

Demand for Previous Question

Messrs. Voigt, Collins, Sam L., Waters, Middough and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 1045 from the Committee on Judiciary Codes.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Daley, Desmond, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, and Welch—41.

NOES—Andreas, Burns, Hugh M., Carlson, Clarke, Collins, Sam L., Cronin, Del Mutolo, Dickey, Johnson, Knight, T. Fenton; Lyon, McCollister, Pfaff, Phillips, Potter, Sawallisch, Stream, Watson, and Wollenberg—19.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dilworth:

An act to add Chapter 4, consisting of Sections 700 to 758, inclusive, to Division 3 of the Harbors and Navigation Code, relating to the licensing, registration, and operation of boats and vessels, declaring the urgency of this act, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del

Mutolo, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2627: By Mr. Dilworth—An act to add Chapter 4, consisting of Sections 700 to 758, inclusive, to Division 3 of the Harbors and Navigation Code, relating to the licensing, registration, and operation of boats and vessels, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. O'Day:

An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2628: By Mr. O'Day—An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives.

Referred to Committee on Judiciary General.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 201

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Tuesday, May 13, 1941:

	Per Day
Peter Finnie, page	$2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 1035 FROM COMMITTEE

Mr. Del Mutolo gave notice that on second legislative day, he would move to withdraw Senate Bill No. 1035 from the Committee on Social Service and Welfare, and have it placed upon the file.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 202

Resolved by the Assembly of the State of California, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, upon a seven-day-per-week basis, and the Controller is hereby directed to draw his warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing Wednesday, May 14, 1941.	*Per Day*
Peter Finnie, assistant Sergeant-at-Arms	$5 00
Don Dillon, page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 197 FROM COMMITTEE

Mr. Kilpatrick gave notice that on Saturday, May 17, 1941, he would move to withdraw Assembly Bill No. 197 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

MOTION ON PROCEDURE FOR CONSIDERATION OF FILE

Mr Carlson moved that on the next legislative day the consideration of the daily file be taken up where the consideration was ended the previous day.

Demand for Previous Question

Messrs. Burns, Michael J., Green, Thurman, Leonard and Thorp demanded the previous question

Demand for previous question sustained.

The question being on the motion by Mr. Carlson on the consideration of the daily file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 509—An act to amend Section 1588 of the Labor Code, relating to license fees of employment agencies and labor contractors.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 8 and 9, and insert "lation of over 100,000."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 11 to 13, inclusive, and insert "over 25,000 and not exceeding 100,000."

Amendments read.

Roll Call Demanded

Messrs. Turner, Cronin and Green demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bashore, Carlson, Collins, Sam L., Dickey, Dilworth, Field, Gaffney, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Massion, Middough, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thomas, Waters, Watson, and Welch—26

NOES—Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Donnelly, Gallagher, Green, Hawkins, King, Leonard, Lowrey, Maloney, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Richie, Sheridan, Thorp, Turner, Weber, Weybret, and Wollenberg—30.

Assembly Bill No. 509—An act to amend Section 1588 of the Labor Code, relating to license fees of employment agencies and labor contractors.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried. Time, 12.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Watson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1032.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1032—An act to amend the Agricultural Code by amending Sections 795, 828.5, 828.85 and 829.1 thereof, by adding new sections thereto to be numbered 795.1, 795.2, 795.3, 795.4, 828.9 and 828.91, and by repealing Sections 796 and 797 thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof to provide for mandatory standard containers for citrus fruits and the marking thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—49.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. King, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 407.

Assembly Bill No. 407—An act to add Article 3.5 (comprising Sections 13340 to 13352, inclusive) to Chapter 2 of Part 2 of Division 12 of the Health and Safety Code, and to add Section 13405 thereto, relating to clothes cleaning establishments, including the examination of operators and persons in charge thereof, the issuance of certificates of competency to such persons, the fees for such certificates, the revocation and suspension of such certificates, and the control of operations by persons having such certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Muddough, Miller, Pelletier, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, and Weber—46

NOES—Call, Carlson, Field, Johnson, Kellems, Knight, John B., Leonard, Millington, O'Day, Potter, Thurman, Watson, Welch, Weybret, and Wollenberg—15

Bill ordered transmitted to the Senate

COMMUNICATIONS

The following communication was received, and on motion of Mr. Lyon, ordered printed in the Journal:

SAN FRANCISCO EXAMINER—May 15, 1941

M. S. Rukeyser—Long Range Plan for Avoiding Post War Economic Crackup

International News Service Economic Commentator

NEW YORK, May 14—Speaker Gordon H. Garland, of the California Assembly, a dirt farmer, has initiated a movement on the west coast to look beyond the armament boom to postwar readjustment.

The objective, he points out, should be to maintain employment and economic activity "at the highest possible level" after the defense program ends.

Without regard to any pet panaceas, Speaker Garland proposed a broad fact-finding effort as a preliminary move from which a plan can be evolved for California and for the Nation for averting the slump which normally follows periods of "abnormal prosperity."

Referring to experience after the last war, in a letter to the assembly rules committee, Mr. Garland observed: "I am certain that each and every member of the committee on rules, as well as the members of the legislature clearly recall the maladjustment of economic conditions following the cessation of activities after the last World War. Not only did labor suffer untold hardship and privation due to lack of employment, but industry and business as well suffered one of the most devasting reversals of the history of our Nation These conditions undoubtedly resulted in part from a lack of foresight and planning at that time"

Thus, Mr. Garland's thinking parallels that of Frank Altschul, New York investment banker, who has written a book urging the appointment by President Roosevelt of a nonpartisan supreme economic council to cushion the shock of postwar conditions, and of William L Batt, Philadelphia industrialist and member of the Office of Production Management at Washington.

I am thoroughly in sympathy with these essays at intelligent foresight, and think that, if properly set up, they can be genuinely constructive

In order to be of any value, however, they must start out with a recognition of the fact that postwar effects are in large measure the inevitable sequel to war time causes. Thus, the way to mitigate postwar troubles is to proceed at this time wisely and deliberately. The basic point is that we are now setting the stage for the postwar drama. We cannot make current blunders without inviting the consequences later.

And, from a practical standpoint, a great economic mobilization in war time necessarily disturbs equilibrium, and the only sensible objective is to seek to minimize the unnecessary interference with a healthy economic life. Rash melodramatic war time economic decisions by inefficient amateurs only serve to pile up additional and unnecessary troubles for the future

Yet, even with expert fact finding and supremely competent economic management of national affairs, we can not hope to escape the cost of the broad effort for National defense and aid to the democracies, the sensible course is to seek to delimit the adverse consequences to our economy of the temporary abnormal diversion of part of the productive power of the Nation.

And it takes a delicately adjusted intelligence to reconcile a current "all out" effort with a decent regard for the longterm future economic welfare of the Nation

Setting up State-wide and Nation-wide agencies to study the subject can have beneficial results The minimum result will be to disseminate a consciousness of the desirability of thinking beyond the emergency to the ultimate "outbreak of peace."

Research can be helpful in piling up new peace time projects and products to take up the slack. It will help employers in the postwar period to shift men rapidly from making "lethal weapons" to producing more and better civilian goods.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 927—An act to repeal Sections 5096, 5097, 5098, 5099, 5100, 5101 and 5102 of the Revenue and Taxation Code, and to add Sections 5096, 5097, 5098, 5099, 5100, 5101, 5102, 5103, 5104, 5105 and 5106 to the Revenue and Taxation Code, relating to the refund of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Tuner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 509

At 12.32 p m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 509 passed by the following vote:

AYES—Andreas, Burns, Michael J , Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Kepple, King, Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Richie, Russell, Salsman, Thorp, Thurman, Turner, Weber, Welch, and Wollenberg—43.

NOES—Bayshore, Bennett, Burkhalter, Collins, Sam L., Dickey, Dilworth, Hastain, Heisinger, Howser, F N, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Lyon, Massion, McCollister, Middough, Poole, Potter, Robertson, Sheridan, Stream, Tenney, Thomas, Waters, Watson, Weybret, and Mr Speaker—29

Notice of Motion to Reconsider Assembly Bill No. 509

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 509 was this day passed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 651—An act to add Section 6564 to the Welfare and Institutions Code, relating to the maintenance of stores on State institutions' grounds.

Bill read third time.

Demand for Previous Question

Messrs. Collins, Lyon, Turner, Robertson and Stream demanded the previous question.

Demand for previous question sustained.

The question being on the final passage of Assembly Bill No. 651.

The roll was called, and the bill refused passage by the following vote:

AYES—Bennett, Carlson, Cronin, Daley, Dilworth, Donnelly, Evans, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Knight, John B, Knight, T. Fenton; Lyon, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Sheridan, Stream, Tenney, Watson, Weber, Weybret, and Wollenberg—33

NOES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Doyle, Field, Gallagher, Kellems, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, Millington, Pfaff Robertson, Russell, Salsman, Thorp, Thurman, Turner, Waters, and Welch—34.

Notice of Motion to Reconsider Assembly Bill No. 651

Miss Miller gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 651 was this day refused passage.

Assembly Bill No. 1349—An act to amend Section 2135 of, and to add Section 2138a to, the Business and Professions Code, relating to herb practitioners

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "1657", and insert "1658".

Amendment No. 2

On page 2 of the printed bill, as amended, after line 40, insert

"1658. This chapter shall not apply to any packaged, bottled, or nonbulk chemicals, drugs, or medicines referred to in Section 4032 of the Business and Professions Code."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

RECESS

At 12.45 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thomas:

An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2629: By Mr. Thomas—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and for feitures by cities of the first and one-half class.

Referred to Committee on Motor Vehicles.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs Kilpatrick, Pelletier, Hawkins and Richie:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2020 and 2021 and to repeal 2025 of, and to add Sections 2143, 2144 and 2145 to, the Welfare and Institutions Code, relating to aid to the aged and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

AUGUSTUS F. HAWKINS VERNON KILPATRICK
PAUL A. RICHIE JOHN B. PELLETIER

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 74—An act to add Chapter 4, comprising Sections 440 to 446, to Division 3 of the Agricultural Code, relating to the buying and selling of horses and mules, and the regulation thereof.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 74:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 8, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS

ASSEMBLY BILL NO. 74

"An act making an appropriation for the eradication of Dourine, a communicable disease of horses, mules, and asses; amending Section 182 of, and adding Section 207.7 to, the Agricultural Code, relating to animals affected with Dourine; and declaring the urgency thereof."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 74 as an emergency measure.

Respectfully submitted,

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans Field, Gaffney, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Knight, John B., Knight, T Fenton, Leonard, Lowrey Lyon, Massion, McCollister, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 386—An act to add Section 19661 5 to the Business and Professions Code, or Section 14.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the sale of parimutuel tickets and giving change therefor.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Field, Gaffney, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick Knight, John B, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Millington, O'Day, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Burns, Michael J, Desmond, Doyle, King, Pelletier, Potter, Turner, and Voigt—8

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Carlson, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastam, Hawkins, Heisinger, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pfaft, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—59

NOES—Burns, Michael J, Pelletier, Potter, Turner, and Voigt—5.

Bill ordered transmitted to the Senate

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 563

The Speaker announced the appointment of Messrs Cronin, Gallagher and Poulson as a Committee on Conference concerning Assembly Bill No. 563.

Speaker Pro Tempore Presiding

At 2.35 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

MOTION ON PROCEDURE FOR CONSIDERATION OF SENATE FILE

Mr. T. Fenton Knight moved that the consideration of the Senate third reading file be resumed at the place terminated at the previous consideration.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Call, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Evans, Gaffney, Gallagher, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—49.

NOES—Allen, Bashore, Burkhalter, Cooke, Dilworth, Donnelly, Field, Knight, John B., Middough, Poole, and Thurman—11

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 787—An act to add Section 5.29 to the School Code, relating to the leasing of property of a State college.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 16—Relative to a statement of position of the Legislature of this State in regard to the amendment of the Old Age Security Law and the Aid to Needy Blind Law and appointing a committee to secure changes in the Federal Social Security Act.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—Collins, Sam L., and Robertson—2.

Resolution ordered transmitted to the Senate.

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Bill read third time.

Motion to Amend

Mr. Welch moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "sanitary and".

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 81—An act to add Section 3930.5 to, and to amend Sections 3931, 3933, 3934 and 3935 of, the Elections Code, relating to the order of names on primary election ballots

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3930.5", and insert "Sections 3930.5 and 3935.5".

Amendment No. 2

On page 2 of the printed bill, after line 51, insert

"SEC. 6. Section 3935.5 is hereby added to the Elections Code, to read as follows:

3935.5. If the office is that of a member of a county central committee, the names of all candidates, including incumbents, shall be arranged upon the ballot in order determined as follows:

At 10 a.m. on the second Monday following the last day on which declarations of candidacy may be filed, the county clerk shall hold a public drawing to determine the order of names on the ballot. The name of each candidate shall be written on a separate and identical slip of paper which shall then be folded to conceal the name and deposited in a box. After all slips have been deposited, the box shall be shaken to mix the slips thoroughly. The slips shall then be withdrawn by the clerk, and the names of the candidates listed in their order of withdrawal. This order shall determine the order in which the names of the candidates shall be printed on the ballot.

The drawings for each party's candidates shall be held in the order in which the parties rank in the county according to the size of their membership as shown by the registration of voters."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 304—An act to validate the assessment and equalization of property for tax purposes, and the levy of taxes thereon, by sixth class cities, and to validate tax sales, certificates of tax sales, tax deeds and other conveyances resulting therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3—Relative to memorializing the Biological Survey of the United States Department of the Interior to fix two dove seasons in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 174—An act to amend Section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4280", and insert "4281"

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "to compensation for public services in counties of the fifty-second class"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4280", and insert "4281".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3, and insert "4281. In counties of the fifty-second class, the following"

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, strike out "salaries, to wit", and insert "sums".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 408—An act to amend Section 4276 of the Political Code, relating to salaries and fees of offices in counties of the forty-seventh class

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4276", and insert "4271".

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "to compensation for public services in counties of the forty-second class."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4276", and insert "4271".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3; and in line 4, strike out "officers", and insert

"4271. In counties of the forty-second class, the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, strike out "salaries and fees to wit", and insert "sums".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 101—An act to amend Section 4274 of the Political Code, relating to compensation for public services in counties of the forty-fifth class.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4274", and insert "4275".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "fifth", and insert "sixth".

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4274", and insert "4275".

Amendment No. 4

On page 1, line 3, of the printed bill, as amended, strike out all of line 3, and insert

"4275. In counties of the forty-sixth class the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "salaries, to wit", and insert "sums".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 102—An act to amend Section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class

Bill read third time

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4281", and insert "4279".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "of county and township officers", and insert "for public services".

Amendment No. 3

In line 3 of the title of the printed bill, as amended, strike out "fifty-second", and insert "fiftieth".

Amendment No. 4

On page 1, line 1, of the printed bill, as amended, strike out "4281", and insert "4279".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out all of line 3; and in line 4, strike out "officers", and insert

"4279 In counties of the fiftieth class the following".

Amendment No. 6

On page 1, line 6, of the printed bill, as amended, strike out "salaries, to wit", and insert "sums".

Amendments read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 105—An act to amend Section 737ccc of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Tuolumne.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Bashore, Burkhalter, Field, Heisinger, Houser, Frederick F., Kilpatrick, Massion, Middough, and Thomas—9.

Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

Amend the title of the printed bill, as amended, by striking out "83.5", and inserting "81.5".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "83.5", and insert "81.5".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out all of lines 3 to 16, inclusive, and insert

"Sec. 81.5. In establishing minimum qualifications as a condition of eligibility to compete in an examination, the board shall not require evidence of academic or educational training, neither through evidence of formal schooling nor through investigation or examinations designed primarily to test the equivalent of academic training, nor shall standardized intelligence tests or aptitude tests be given as a part of or as a preliminary to any examination, provided, however, that if by law the possession of a license or certificate is a condition precedent to the performance of the duties of the position the board may establish reasonable minimum educational qualifications; and provided further, that, if the duties of the position are of a specialized and technical nature and the remuneration of the position is above two hundred fifty dollars ($250) per month, reasonable educational or academic qualifications may be imposed as a condition of eligibility to compete in an examination."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Hon. Rodney L. Turner Presiding

At 3.02 p.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

LEAVE OF ABSENCE FOR NEXT LEGISLATIVE DAY

Mr. Tenney was granted leave of absence to attend a funeral in San Francisco on Friday, May 16, 1941.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 557—An act to amend Sections 975, 977 and 980 of the Code of Civil Procedure, and to add Sections 980a, 980b and 980c to said code, relating to appeals from justices' and police courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 710—An act to add Section 1144 to the Penal Code, relating to criminal jury trials in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 39—An act to add Section 1107 to Chapter 4 of Title 1 of Part 3 of the Code of Civil Procedure, relating to the issuance of writs of review, mandate and prohibition.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—64.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 247—An act to amend Section 725a of the Code of Civil Procedure, relating to foreclosure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62

NOES—Frederick F. Houser—1.

Notice of Motion to Reconsider Senate Bill No. 247

Mr Crowley gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 247 was this day passed.

Senate Bill No. 713—An act to add Chapter 1a, comprising Section 1247k, to Title 9 of Part 2 of the Penal Code, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in criminal cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F, Howser, F. N., Johnson, Kellems, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weybret, and Wollenberg—65.

NOES—None.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 713

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 713 was this day passed.

Senate Bill No. 714—An act to add Chapter 1a, comprising Section 961, to Title 13 of Part 2 of the Code of Civil Procedure, relating to the promulgation by the Judicial Council of rules having the force of law to govern appeals in civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—62.

NOES—Collins, George D.—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 888—An act to add Article 5, comprising Sections 1953e to 1953h, inclusive, to Chapter 3, Title 2, Part 4 of the Code of Civil Procedure, relating to business records as evidence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del

Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 26—An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 276—An act to amend Section 1550 of the Probate Code, relating to the inventory and appraisement of estates of wards, and the delivery of a copy thereof to the county assessor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 692—An act to repeal an act entitled "An act to provide for the release of all claims and liens arising from irrigation district bonds and interest coupons voluntarily surrendered for cancellation, and to provide for the establishment of record of such release," approved May 1, 1911.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—65.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 694—An act to amend Sections 1 and 5 of the California Irrigation District Act, relating to the formation and government of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 919—An act to repeal Section 41b of the California Irrigation District Act, relating to the segregation of land on irrigation district assessment rolls.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 627—An act to amend Sections 1, 7, 9 and 11 of the Irrigation District Improvement Act, relating to formation of, government of, and assessments in irrigation district improvement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—67.

NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 305—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, by re-enacting Sections 68, 69 and 72; and by adding to said act, as amended, new Section 74, relating to statutes to be codified in the proposed Water Code; declaring

the legislative intention as to unconstitutionality and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 540—An act to add Section 23.5 to the California Irrigation District Act, relating to irrigation district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Millet, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 543—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding thereto new Sections 21.1 and 21.2, relating to allocation of proceeds of contracts or other sources of payment to the payment of bonds, and 21.3, relating to redemption of bonds and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister,

Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 544—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending Section 26, relating to annual estimate for taxes, and Section 28, relating to annual tax levy; and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 550—An act to repeal Section 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, relating to the duties of irrigation districts and their officers to drain land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N.,

Johnson, Kellems, Kepple, Kilpatrick, King, Léonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, after "may", strike out the balance of the bill, and insert "make an appointment for the term or the balance of the unexpired term of the office in which the vacancy has occurred.

The Governor shall, on the first day of the first regular or special session of the Legislature that follows such appointment, submit the same to the Senate for confirmation and if such appointment be rejected by the Senate said office shall become vacant and said appointee shall not be eligible for reappointment."

Amendment read and adopted.

Resolution ordered printed, and to third reading.

Senate Bill No. 216—An act to amend Section 564 of the Code of Civil Procedure, relating to appointment of receivers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 545—An act to provide for the acquisition, development, and disposal of electrical power by Palo Verde Irrigation District and granting to said district right of ways for electric light and power lines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 312—An act to add Section 802.5 to the Fish and Game Code, relating to abalones in Marin County

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 60—An act to amend Sections 660 and 660.5 of the Fish and Game Code, relating to salmon

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 564—An act to amend Section 653 of the Fish and Game Code, relating to salmon in Districts 2 and 2½

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 522—An act to amend Section 2837 of the Elections Code, relating to county central committees

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Ten-

ney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—66.
NOES—Pelletier—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 181—An act to add Section 72 to the State Civil Service Act, relating to adjustment of compensation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—61.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 123—An act to repeal School Code Section 2.1095 and to add Section 2.998 to said code, both relating to the traveling expenses of governing boards of school districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—61.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 918—An act to amend Section 40 of the State Civil Service Act, relating to hearings and subpenas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1138—An act to amend Section 172 of the State Civil Service Act, relating to layoffs

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher Green, Hastain,

Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1154—An act to amend Sections 673 and 674 of the Penal Code, relating to civil rights of persons sentenced to State prisons

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1184—An act to add Section 1.5 to the State Civil Service Act, relating to intermittent employment by the State and the rights of persons so employed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70

NOES—None

Bill ordered transmitted to the Senate.

RECESS

At 4:15 p.m., on motion of Mr. Gallagher, the Assembly recessed until 4:20 p.m.

REASSEMBLED

At 4:20 p.m., the Assembly reconvened

Hon. Rodney L. Turner, of the Forty-first District, presiding

Chief Clerk Arthur A. Ohnimus at the desk

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 889—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14 and 1060.15 to, the Code of Civil Procedure, relating to declaratory relief

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 341—An act to add Section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1016—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 467—An act to amend Section 1032 of the Agricultural Code, relating to agricultural minerals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to amend Section 1030 of the Agricultural Code, relating to registration of fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 661—An act to add Section 787.5 to the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 90—An act to add Sections 775 and 776 to the Agricultural Code, relating to grapes for by-products purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 649—An act to amend Section 1011 of the Agricultural Code, relating to spray residue.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robert-

son, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 313—An act to amend Section 810 of, and to add Section 810.5 to, the Fish and Game Code, relating to clams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71
NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 659—An act to amend Sections 821, 822, 823, 826 and 827 of, and to add Sections 821.3 and 821.6 to the Agricultural Code, relating to standards for apples.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 142—An act to amend Section 862a of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to organization, incorporation and government of cities of the sixth class.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond Dickey, Dills Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 584—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities,

or by municipalities and counties," by amending Section 1 thereof to provide for the joint exercise of powers by public agencies and defining public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1302—An act to amend Section 718 of the Civil Code, relating to the leasing by municipalities, or departments or boards thereof, of property owned thereby, or held thereby, or under the management and control thereof.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—60.

NOES—Doyle, and Evans—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 756—An act to add Section 2.1521 to the School Code, relating to educational societies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael, J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 757—An act to add a new article to Chapter 1 of Part 2 of Division 2 of the School Code, to be known as Article 10, relating to the attendance of school members of governing boards of school districts of State-wide educational meetings

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gal-

lagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 76—An act to amend Section 492 of the Agricultural Code, relating to inspection of dairies, milk and milk products and the fees to be paid therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 652—An act to add Section 334.5 to the Agricultural Code, relating to the branding of live stock.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "act to", insert "amend Section 332 5 of, and to".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 332.5 of the Agricultural Code is hereby amended to read as follows:

332.5. Identification brands for dairy cattle of the Holstein, Jersey, Guernsey, Ayrshire, Brown Swiss, Dutch Belted and Milking Shorthorn breeds may be placed upon *either* the right loin in front of the hip and behind the ribs *or upon the right hip*, provided such brands [consist of a numeral only and] are used for purposes of identification only and not as evidence of ownership. *When placed upon the right loin any such brand may consist of any numeral or numerals, but when placed upon the right hip any such brand shall consist of at least three numerals constituting a number greater than 200.* Such brands may not be recorded.

SEC. 2. Section 334 5 is hereby added to the Agricul-".

Amendments read and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 1124—An act to amend Sections 1205, 1212 and 1214 of the Health and Safety Code, relating to clinics and dispensaries.

Bill read third time.

The roll was called and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 5 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it

By Messrs. Kilpatrick, Pelletier, Richie and Hawkins:

An act to amend Sections 2020 and 2021 and to repeal 2025 of, and to add Sections 2143, 2144 and 2145 to, the Welfare and Institutions Code, relating to aid to the aged and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2630: By Messrs. Kilpatrick, Pelletier, Richie and Hawkins—An act to amend Sections 2020 and 2021 and to repeal Section 2025 of, and to add Sections 2143, 2144 and 2145 to, the Welfare and Institutions Code, relating to aid to the aged and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Social Service and Welfare.

Assembly Concurrent Resolution No. 45: By Mr. Lyon—Relative to adjournment sine die of the Fifty-fourth Session of the Legislature of the State of California.

Referred to Committee on Rules

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Watson:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol 692 at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the act of the Legislature of the State of California, approved May 20, 1861 (*Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and* following), as amended, and by the act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following), and acts amendatory thereof or supplemental thereto.

Respectfully submitted.

CLYDE A. WATSON

Request referred to Committee on Introduction of Bills.

By Mr. Leonard:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Part 15, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the management, maintenance and control thereof.

Respectfully submitted.

JACOB M. LEONARD

Request referred to Committee on Introduction of Bills.

RECESS

At 5.05 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened

Hon. Rodney L. Turner, of the Forty-first District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 364—An act to add Chapter 5 to Division 3 of the Business and Professions Code, consisting of Sections 6300 to 6365, inclusive, and to repeal Sections 4190 to 4204, inclusive, of the Political Code, relating to boards of law library trustees and law libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Collins, Sam L., Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey Lyon, Massion, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, and Welch—42.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 423—An act to add Article 2 5 (comprising Sections 90 to 90 6, inclusive) to Chapter 1, Division 1 of the Streets and Highways Code, relating to the budgeting of State highway funds, specifying the powers and duties of the California Highway Commission and the State Highway Engineer in connection therewith, and providing for the making and distribution of reports thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Collins, Sam L, Cronin, Crowley, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Maloney, Massion, Meehan, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, and Weybret—48

NOES—Lowrey—1

Bill ordered transmitted to the Senate

Senate Bill No. 1056—An act to amend Sections 347 and 363.2 of the Agricultural Code, relating to live stock sold or slaughtered without consent of the owner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Collins, Sam L, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock Hastain, Hawkins, Heisinger, Howser F N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight T Fenton, Leonard Lowrey, Maloney, Massion Meehan, Miller, O Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman Turner, Waters, Watson, Welch, and Weybret—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 654—An act to amend Section 344 of the Agricultural Code, relating to live stock inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, and Weybret—50

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 532—An act to repeal Chapter 7 of Division 6 of the Agricultural Code, relating to deciduous fruit dealers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J, Clarke, Collins, Sam L, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kilpatrick, Knight, John B, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robert-

son, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Welch, and Weybret—49.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 656—An act to amend Section 1300 3 of the Agricultural Code, relating to processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, and Weybret—55
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 657—An act to amend Sections 1268, 1268.1, 1268.5 and 1269 of the Agricultural Code, relating to produce dealers

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Welch, and Weybret—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 658—An act to amend Sections 1299.18, 1299.20 and 1300.4 of, and to add a new section, to be numbered 1300.4a, to the Agricultural Code, relating to processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, and Weybret—57.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 258—An act to amend Section 366 of the Agricultural Code, relating to live stock inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard,

Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Weybret—64.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 915—An act to amend Sections 5.500 and 5.501 of the School Code, relating to persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gunlock moved a call of the Assembly.

Motion carried. Time, 8.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hastain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Senate Bill No. 655.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 655—An act to amend Section 363 of the Agricultural Code, relating to bills of sale for live stock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—61.
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Michael J. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Senate Bill No. 179.

Senate Bill No. 179—An act to repeal Section 791, and to amend section and renumber Section 791.5 to be 791, of the Fish and Game Code, relating to crabs, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—61.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 748—An act to amend Section 670 of the Fish and Game Code, relating to sale of canned salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1276—An act to amend Section 4251 of the Political Code, relating to the compensation for public services in counties of the twenty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—51.

NOES—Bashore, Carlson, Dilworth, Evans, Field, Heisinger, Houser, Frederick F., Pelletier, and Richie—9.

Bill ordered transmitted to the Senate

Senate Bill No. 1306—An act to provide for the alteration of the existing boundary lines between counties, for the transfer of territory from one county to another county and for the adjustment and fulfillment of the rights and obligations arising between such counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 295—An act to amend Section 4986 of the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 327—An act to amend Section 1861a of the Civil Code, relating to liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—49.

NOES—Bashore, Carlson, Collins, Sam L., Dickey, Evans, Field, Knight, T. Fenton, Lowrey, Pfaff, Poole, Poulson, Sheridan, and Waters—13.

Notice of Motion to Reconsider Senate Bill No. 327

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 327 was this day passed.

Senate Bill No. 667—An act to amend Section 2957 of the Civil Code, relating to mortgages of personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan,

Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 502—An act to amend Section 2953 of the Civil Code, relating to agreements waiving statutory rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—65.
NOES—None.

Notice of Motion to Reconsider Senate Bill No. 502

Mr. Allen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 502 was this day passed.

Senate Bill No. 613—An act to amend Section 737jj of the Political Code, relating to salaries of superior court judges of San Bernardino County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—56.
NOES—Bashore, Burkhalter, Field, Houser, Frederick F., Knight, T. Fenton; Massion, and McCollister—7.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 915

At 9.07 p.m., on motion of Mr. Gunlock, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 915 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Mr. Speaker—53.
NOES—Allen, Bashore, Daley, Dills, Doyle, Evans, Field, Hastain, Houser, Frederick F., Kellems, Knight, T. Fenton; Massion, Pfaff, Poole, Potter, Poulson, Stream, Voigt, and Watson—19.

Notice of Motion to Reconsider Senate Bill No. 915

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Senate Bill No. 915 was this day passed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 882—An act to amend Section 974 of the Political Code, relating to discharge of sureties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 883—An act to add Section 1483.3 to the Probate Code, relating to order of court substituting sureties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 743—An act to add Section 1483.1 to the Probate Code, relating to reduction of bond of guardian.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 675—An act to add Section 1483.2 to the Probate Code, relating to guardian's petition for substitution and discharge of surety.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day,

Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 674—An act to add Section 1557.1 to the Probate Code, relating to the investment of funds in guardianship matters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 668—An act to amend Section 587 of the Probate Code, relating to the powers and duties of executors and administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 496—An act to amend Section 164 of the Civil Code, relating to property acquired after marriage.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 495—An act to amend Sections 396 and 439 of the Code of Civil Procedure, relating to transfer of cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del

Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

SENATE BILLS NOS. 32, 366 AND 1287 ORDERED TO THE INACTIVE FILE

Mr Evans moved that Senate Bill No 32 be withdrawn from the third reading file, and re-referred to the inactive file.

Motion carried.

Mr. Evans moved that Senate Bill No. 366 be withdrawn from the third reading file, and re-referred to the inactive file

Motion carried.

Mr. Evans moved that Senate Bill No 1287 be withdrawn from the third reading file, and re-referred to the inactive file.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 606—An act to amend the title of an act entitled, "An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect," approved February 1, 1935, relating to cooperation between irrigation districts and county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret and Wollenberg—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1043—An act to amend Sections 126, 1067, 1234, 1255, 1650, 2011, 2042, 2043, 2044, 2527, 2577, 2655. 2658, 2659, 2754, 2815, 2816 and 3281 of, to add Section 2041.5 to, and to repeal Sections 1652 and 2865 of, the Water Code, relating to water and the determination and administration of water rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret and Wollenberg—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 498—An act to add Section 4986.2 to the Revenue and Taxation Code, relating to property taxation and the cancellation of taxes, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1045—An act to amend Section 4251 of, and to add Sections 4200 5, 4300.5 and 4351.5 to, the Water Code, or to amend Sections 4, 5 and 9 of an act entitled "An act providing for the supervision of dams by the Department of Public Works through the State Engineer for the purpose of safeguarding life and property, defining powers and duties concerning the supervision of dams, providing for the enforcement of said supervision and providing penalties for violation thereof and making an appropriation therefor," approved June 10, 1929, as amended, relating to maintenance and operation of dams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—Field, McCollister, and Pfaff—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 117—An act to repeal Sections 2.464, 2.465, 6.383 and 6.384 of, to amend Sections 2.505, 3.301 and 4.250 of, and to add Sections 3.321, 3.222, 3.323, 3.324 and 3.325 to, the School Code, all relating to the payment of the costs of providing for the education of high school pupils not residing in a high school or unified school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—Desmond, Field, Houser, Frederick F., Kepple, and Knight, T Fenton—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 517—An act to add Section 1.253 to the School Code, relating to assistant county supervisor of attendance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael, J, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John, B., Leonard, Lowrey, Maloney, Masson, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Thomas, Turner, Voigt, Waters, and Welch—43

NOES—Allen, Bashore, Burns Hugh M, Call, Carlson, Clarke, Daley, Desmond, Dickey, Dilworth, Field, Heisinger, Kellems, Kepple, Knight, T. Fenton, McCollister, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Watson, Weybret, and Wollenberg—30

Notice of Motion to Reconsider Senate Bill No. 517

Mr. Pfaff gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 517 was this day passed.

Senate Bill No. 360—An act to add Part 2, comprising Chapters 1 to 4, inclusive, Sections 16600 to 17101, inclusive, to Division 7, and to add Section 30028 to Division 30 of the Business and Professions Code, thereby consolidating and revising the law relating to the preservation and regulation of competition, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—74

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 360

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 360 was this day passed.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Hugh M. Burns, ordered printed in the Journal:

CALIFORNIA CODE COMMISSION
Sacramento, California, May 10, 1941

Hon. Hugh M. Burns, Assembly Chambers
State Capitol, Sacramento, California

SUBJECT: Senate Bill No. 360

DEAR MR. BURNS: This bill, among other things, codifies the Cartwright Anti-Trust Act. As indicated in the Code Commission's report of January 11, 1941, at pages 10 and 11, a special problem is presented because of a possible invalidity of the 1909 amendments, or of a portion thereof, to the Cartwright Act, a question not yet determined by our courts.

Accordingly, the commission included in the article which codifies this act a certain declaration as to separability (the first two sentences of Section 16701) calculated to preserve this question for determination by the courts, as explained in said report of the commission.

Subsequent to introduction of Senate Bill No. 360, it developed that this clause could be strengthened by amplification. This was done upon recommendation of the commission by the amendment of April 2, 1941, adding a sentence to said section, the last sentence of Section 16701 in its present form. In addition, upon recommendation of the commission and in furtherance of the same purpose, the express repeal of the Cartwright Act has been deleted from the bill. This was done on April 18, 1941.

Through this means, the Cartwright Act can be codified with assurance that the question as to the constitutionality of the 1909 amendments to that act can be considered and determined by the courts with the same effect in law after codification as prior to codification.

Very truly yours,

CALIFORNIA CODE COMMISSION
By FRED B. WOOD, Secretary

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 563—An act to amend Section 67.1 of the Alcoholic Beverage Control Act, relating to the tax on wine used for industrial purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robert-

son, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 562—An act to amend Section 49 of the Alcoholic Beverage Control Act, relating to the importation of alcoholic beverages and consignment thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.
NOES—Collins, Sam L., Dilworth, Houser, Frederick F., and Kepple—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 1266—An act to amend Section 131.5 of the Code of Civil Procedure, relating to probation, and including probation committees and probation officers and deputies

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1062—An act authorizing the conveyance to the County of Ventura, State of California, of easements and rights of

way for road and highway purposes along, in, through, or across property of the State known as the Camarillo State Hospital grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 838—An act to amend Section 695 of the Political Code, relating to services furnished State agencies other than those supported by the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 741—An act to amend Sections 20743, 20744, 20746, 20751, 20880, 20888, 20930 and 20956 of, to repeal Sections 20800, 20826, 20840, 20849, 20860, 20866, 20892, 20910, 20911 and 20950 of, and to add Sections 20704, 20705, 20706, 20707, 20708, 20800, 20826, 20840, 20849, 20860, 20866, 20882.5, 20892, 20911 and 20950 to the Business and Professions Code, relating to sales of petroleum products

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—72

NOES—None

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 741

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 741 was this day passed

Senate Bill No. 77—An act to amend Section 12416 of, and to add Sections 12418.5 and 12421 to, the Business and Professions Code, relating to measurement of logs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 504—An act to amend Section 83 of the Fish and Game Code, relating to Fish and Game District 15.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 822—An act to repeal Sections 301 to 304, both inclusive, and to amend Section 300 of the Labor Code, all relating to assignment of wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 233—An act to amend School Code Sections 3.618 and 3.624, relating to the average daily attendance of physically handicapped pupils of the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie,

Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 448—An act to amend Section 737tt of the Political Code, relating to the salary of the judge of the superior court in and for the County of Sierra.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—57.
NOES—Bashore, Burkhalter, Field, Heisinger, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Massion, McCollister, and Richie—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 220—An act to amend Section 737uu of the Political Code, relating to the salary of superior judges in and for the County of Siskiyou.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Call, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58
NOES—Bashore, Burkhalter, Carlson, Dilworth, Field, Heisinger, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Massion, and Richie—11.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.30 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Leonard:

An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the managements, maintenance and control thereof.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., John-

son, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2631: By Mr. Leonard—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the managements, maintenance and control thereof.

Referred to Committee on Municipal Corporations

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Watson:

An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery, Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol. 692, at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the act of the Legislature of the State of California, approved May 20, 1861 (Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and following), as amended, and by the act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following), and acts amendatory thereof or supplemental thereto

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2632: By Mr. Watson—An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery, Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol.

692, at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the act of the Legislature of the State of California, approved May 20, 1861 (Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and following), as amended, and by the act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following), and acts amendatory thereof or supplemental thereto.

Referred to Committee on County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kellems:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Respectfully submitted.

JESSE RANDOLPH KELLEMS

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Kellems:

An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2633: By Mr. Kellems—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 62: By Messrs. Sawallisch and Burns, Hugh M.—Proposed amendment to Section 2, Article IX of the Constitution, relative to county superintendents of schools.

Referred to Committee on Constitutional Amendments

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1905—An act to amend Sections 1333 and 1567 of, and to add Section 1567a, to the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "the", and insert "a".

Amendment No. 2

On page 1, line 17, of the printed bill, as amended, after "magistrate", insert "or upon the court's own motion".

Amendment No. 3

On page 2, line 4, of the printed bill, as amended, after "such order", insert "shall recite the purposes for which said person is to be brought before the court, grand jury or magistrate, and".

Amendment No. 4

On page 2, line 13, of the printed bill, as amended, after "court," insert "(or to have said motion heard)".

Amendment No. 5

On page 2, line 14, of the printed bill, as amended, after "_____", insert "for the purpose of (recite purposes)".

Amendment No. 6

On page 2, line 19, of the printed bill, as amended, strike out "the affidavit", and insert "said order".

Amendment No. 7

On page 2, line 24, of the printed bill, as amended, strike out "affidavit", and insert "order".

Amendment No. 8

On page 2, lines 37 and 38, of the printed bill, as amended, strike out "or prosecutor, or of the defendant or of his counsel, stating", and insert "or of the defendant or of his counsel, showing".

Amendment No. 9

On page 2, line 42, of the printed bill, as amended, strike out "shall be", and insert "is".

Amendment No. 10

On page 2, line 49, of the printed bill, as amended, after "orders", insert "shall recite the purposes for which said person is to be brought before the court, grand jury or magistrate, and".

Amendment No. 11

On page 3, line 8, of the printed bill, as amended, after "_____", insert "for the purpose of (recite purposes)".

Amendment No. 12

On page 3, line 13, of the printed bill, as amended, strike out "affidavit", and insert "order".

Amendment No. 13

On page 3, line 18, of the printed bill, as amended, strike out "affidavit", and insert "order".

Amendment No. 14

On page 3, lines 46 and 47, of the printed bill, as amended, strike out ", for the purpose of being orally examined,".

Amendment No. 15

On page 3, line 49, of the printed bill, as amended, after "justice's", insert "or small claims".

Amendment No. 16

On page 4, line 1, of the printed bill, as amended, strike out "a Justice of the Supreme Court, or".

Amendment No. 17

On page 4, line 3, of the printed bill, as amended, after "justice's", insert "or small claims".

Amendment No. 18

On page 4, line 15, of the printed bill, as amended, strike out ", for the purpose of being orally examined,".

Amendment No. 19

On page 4, line 18, of the printed bill, as amended, after "justice's", insert "or small claims".

Amendment No. 20

On page 4, line 21, of the printed bill, as amended, after "justice's", insert "or small claims".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2069—An act to amend Section 661 of the Political Code, relating to deficiency appropriations.

Bill read third time.

Motion to Amend

Mr. Poulson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, after "specific", insert "financial emergency".

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, after "strictly", insert "necessary and not otherwise provided for."

Amendment No. 3

On page 1, line 18, of the printed bill, as amended, strike out "emergency in character."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1071—An act to add Section 38.1 to the Public Utility District Act of 1921 (Stats. 1921, page 906 and amendments) providing for the addition of a section thereto whereby delinquent service charges may be made a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

Bill read third time.

Motion to Amend

Mr. Millington offered the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 30.5 and".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, as amended, strike out "of 1921 (Stats. 1921, page 906 and amendments) providing for the addition of a section thereto whereby", and insert ", relating to the incurring of indebtedness by public utility districts and the manner of refinancing thereof, validating certain indebtedness heretofore incurred by public utility districts, and relating to making".

Amendment No. 3

In line 4 of the title of the printed bill, as amended, strike out "may be made".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 30.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 30.5. Notwithstanding any provision in this act limiting the amount of indebtedness which may be incurred by it, upon the unanimous vote of its board of directors any public utility district in order to repair and replace structures and equipment impaired or destroyed or both by flood, fire, earthquake, or other catastrophe may do any or all of the following:

(a) Borrow, including borrowing from the United States or any agency of it, money in a principal amount not to exceed an amount equal to 6 per cent of the assessed value of all real and personal property situated in the district at a rate of interest not exceeding 6 per cent per year.

(b) Issue evidences of indebtedness to represent the sum borrowed.

(c) Arrange terms for the repayment of the sum borrowed.

A district may refinance any indebtedness incurred pursuant to this section by borrowing from the United States or any agency thereof and issuing in connection therewith evidences of indebtedness in the form and upon the terms required by the United States or its agency. But the sum borrowed from the United States or its agency shall not exceed the amount of the obligation being refinanced, and interest on the obligation to the United States or its agency shall not exceed 6 per cent per year. The money so borrowed from the United States or its agency for refinancing shall be used, and be used only, to repay the obligation for the retirement of which the money was borrowed.

SEC. 2. Any amount heretofore borrowed by a public utility district formed pursuant to the Public Utility District Act which borrowing would hereafter be in conformity with the terms of Section 30.5 of the Public Utility District Act as enacted hereby is a valid obligation of the borrowing district.

SEC. 3. Section 38.1 is hereby added to the act cited in the title hereof, to read as follows:".

Amendments read and adopted

Bill ordered printed, and to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 393
Senate Bill No. 642
Senate Bill No. 1048

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 393—An act to amend Section 5 of The Personal Income Tax Act of 1935, relating to rates of taxation.

Referred to Committee on Revenue and Taxation

Senate Bill No. 642—An act authorizing municipalities as herein defined to acquire, construct, improve and extend within and without their limits sanitation, sewer and water revenue-producing enterprises as herein defined, and providing an additional and alternative method of financing such enterprises through the issuance of revenue bonds payable solely from the revenues of such enterprises, and in no respect secured by the taxing power; limiting the issuance of revenue bonds to the enterprises defined herein and excluding therefrom systems for the generation or distribution of electricity; authorizing such municipalities to maintain and operate such enterprises and to prescribe, revise

and collect fees, tolls, rates, rentals and other charges for the services, facilities and commodities furnished thereby; regulating the issuance of such revenue bonds; providing for their payment and the rights and remedies of the holders thereof

Referred to Committee on Municipal Corporations.

Senate Bill No. 1048—An act to amend School Code Section 5.820, relating to the Teachers Retirement Board

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swing, Luckey and Swan as a Committee on Conference concerning:

Assembly Bill No. 563—An act to amend Sections 593 and 604 of and add Section 330 25 to the Civil Code, relating to the formation and purposes of nonprofit corporations.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Bill No. 2547 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of, and to add Section 103n to, the Code of Civil Procedure, relating to justices' courts in townships and cities.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Bill No. 2548 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 128—An act to add Section 96 5 to the State Civil Service Act, relating to State civil service employees, declaring the urgency of this act and that it shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Bill No. 128 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 150

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER Your Committee on Rules, to which was referred

House Resolution No. 186

Has had the same under consideration and reports the same back with the recommendation. Be adopted

LYON, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 186

By Mr. Garland:

House Resolution No. 186

Relative to the creation of a Legislative Committee, to be assisted by leaders in labor, agriculture, business and industry, to make a thorough study of economic conditions in the State of California, and to formulate a legislative program designed to protect this State from the economic and social effect of those depressions which ordinarily follow a period of artificial prosperity created by defense spending and the participation of other nations in war.

WHEREAS, This State and the Nation as a whole are now experiencing a period of rapidly expanding business activity with corresponding increases in employment due to the National Defense Program and the purchase in this country of the materials of war by belligerent nations; and

WHEREAS, The maladjustment of economic conditions and the severe business depression with its consequent unemployment which followed the cessation of hostilities in the last World War provides a grim reminder of the necessity for the formulation of long-range plans which will cushion the economic shock of the termination of the present war and the spending of billions of dollars for National defense; and

WHEREAS, History has demonstrated that it is the laborer and his family and the farmer and his family who first feel the effects of business recession, and if employment and business activity are to be maintained at the highest possible level after the defense program ends, plans must be made to

(a) Absorb defense industry workers in peacetime enterprises and to that end the development of new industries and new uses for agricultural products must be stimulated and encouraged; and

(b) Develop new markets for the products of California industries and farms; and

(c) Provide adequate vocational training for the youth of today in peacetime pursuits; and

(d) Provide housing and educational facilities to accommodate the population shifts caused by the migration of workers to those industrial centers where defense industries are located; and

(e) Provide for a constructive program of industrial and agricultural development which will assure the gainful employment of all able-bodied persons; and

(f) Provide an economical and efficient, yet adequate program for the care of all needy persons including the physically handicapped; and

(g) Make adequate provision for the aged in order that workers may be assured of security for themselves and their families in old age; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated "The Legislative Committee on Economic Security," consisting of 15 members of the Assembly appointed by the Speaker of the Assembly, is hereby created, which committee shall, and it is hereby authorized to, gather, assemble, study and analyze all facts relating to any and every phase of the matters specified in this resolution and of the economic and social conditions in the State of California, both as those conditions exist during periods of intense activity in agriculture, business and industry and as those conditions exist in periods of severe business depressions, all with a view to formulating a plan and preparing and submitting such legislative measures as will enable the State to bring about and assure the least possible maladjustment of economic and social conditions following the cessation of defense activities after the present European War, to which end the committee shall, except when inconsistent with this resolution, have and exercise all the powers, duties, and privileges conferred upon committees by Rule 35 of the Joint Rules of the Senate and Assembly for the Fifty-fourth Session (and the provisions of said Rule 35 as they exist on the adoption of this resolution are, to the extent not inconsistent with this resolution, hereby incorporated herein and made a part hereof as though set forth in full in this resolution), and shall also have and exercise the duty and power

(1) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(2) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(3) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, and enforcement of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(4) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, and to report its findings and recommendations to the Assembly and to the people from time to time and at any time and to make its final report to the Assembly at the Fifty-fifth Session of the Legislature on or before March 15, 1943; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance eight dollars ($8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That an Advisory Committee to the Legislative Committee is hereby created, to consist of nonlegislator members, appointed by the Speaker of the Assembly, the appointees to include industrial, Military, Naval, aeronautical, transportation, employment, vocational training and scientific experts, and representatives of labor and of agriculture to advise, aid, and counsel the Legislative Committee in the studies conducted by the latter in carrying out the purposes of this resolution, the Advisory Committee to have and exercise such powers and duties as shall be defined from time to time by the Legislative Committee, within the scope of the powers and duties committed to the latter by this resolution.

Resolution read.

Request for Unanimous Consent

Mr. Lyon asked for unanimous consent to take up House Resolution No. 186, at this time, without reference to file.

Mr Bennett withheld unanimous consent.

Motion to Suspend Rules

Mr. Lyon moved that the Rules be suspended in order that House Resolution No 186 might be taken up without reference to file.

The roll was called and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Bennett, Collins, George D., Donnelly, Kilpatrick, and Masson—5

Motion to Amend

Mr. Heisinger offered the following amendment:

Amendment No. 1

Provide for flood control in the rivers of the State by the construction of dams to conserve the waste waters which destroy farm crops and other properties and

from which waste waters could be made to irrigate our lands and provide electric power which may be generated for the benefit of the people.

Amendment read.

Motion to Lay Amendments on the Table

Mr. Allen moved that the amendment to House Resolution No. 186 be laid on the table.

Motion carried.

Demand for Previous Question

Messrs Allen, Kellems, Pfaff, Burkhalter and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 186.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—George D. Collins—1.

MOTION TO PRINT SPEECH IN THE JOURNAL

On motion of Mr. Turner, the following remarks by Mr. Pelletier, relative to House Resolution No. 186 were ordered printed in the Journal:

Remarks by Mr. Pelletier

MR. SPEAKER, MEMBERS OF THE ASSEMBLY. The world is passing through a titanic struggle for existence. A war of destruction goes on all about us today. Sooner or later every country of the world, including the United States, will be involved. What the end will be, no one can say.

We, as members of this Legislature, can do but very little to govern the destiny of mankind and prevent this destruction of life and property. We, on the Pacific Coast, can do very little to organize a new social order and guide the destiny of this great Nation without the help of all of America and all Americans. But we CAN do much to reorganize the social structure of the State of California, not only industrially, but socially and politically, and thereby maintain, in California, at least, a democratic and normal social order which is so important and vital in these times of stress and war overseas.

NOW is the time and CALIFORNIA is the place in which to program a workable plan of economy AT THE CONCLUSION OF THE PRESENT WAR. We must be brought to realize, and at once, the financial condition in which we have become involved, and the condition in which we inevitably will find ourselves, our economic condition, when the war in Europe comes to an end.

We now are spending over two billions of dollars for National defense in California alone. What are we going to do when this Nation-wide spending stops? Forty-seven other States likewise are participating in the great American orgy of spending good American dollars that are not yet even EARNED. What will be the outcome? What will be the condition of the National bookkeeping? What are we going to do when the National defense contracts are cancelled, when the National Defense Program is no longer necessary?

What are we going to do when our soldiers and sailors come home to take their rightful places in civilian life?

These questions, and many others, must be answered now, and there must be no waiting, no procrastination on our part—America must find the answers and find them NOW.

These problems must be solved before the conclusion of the present war in Europe if we are to escape the experience which was Spain's for 33 months—the destruction of life and property that would put our country back hundreds of years in progress, in prosperity, in health and population, and in the general welfare which the people of America have every right to expect as Americans.

We in California are very fortunate to be living in the richest State in the world. We have more diversified resources than has any other State in the Union, or any

other country in the world. God has not only blessed the great Commonwealth of California with beautiful scenery, but HE also has blessed us with brains and intelligence to develop the resources at hand that they may be applied to the best human needs in order that we may produce a beautiful land and a powerful people to inhabit that land. Let us live not only for the present, but for the FUTURE—a future to which our sailors and soldiers are to return—a future they are fighting now to insure and protect.

If Speaker Gordon Garland does nothing else during this Fifty-fourth Session of the Legislature than to start this program of postwar preparedness, a plan for economy and common sense at the conclusion of the present war, he will have won the respect and confidence of every man, woman and child in the State of California, as well as in the Nation.

Mr. Speaker, the members of the committee you are to appoint to serve in an effort to carry on a program of preparedness and prosperity following the war should be men who have a broad view of the problems of agriculture, of industry, and of labor. Only by appointing such men, capable and far-visioned, is such a program possible if it is to be a success.

Agriculture must be taken into consideration in this Plan-for-Economy Program, for *industry can not be divorced from agriculture.* The progress of industrial centers depends on the success of their agricultural districts Agriculture and industry can not be separated from labor and its problems, for in the last analysis the success of agriculture and industry depends in a large measure on labor. Labor is the large consuming power of the products of both, industry and agriculture, therefore, the higher the wage scale of labor the greater labor's power to buy back its own products This is a theory that has been greatly misunderstood by both agriculturalists and industrialists, but it is the only theory that will maintain our social structure if we are to survive during the critical postwar era that inevitably faces us as Americans whether or not we become embroiled in the European war or not.

In conclusion, let me say that the appropriation requested in this resolution is the best investment the Legislature of the State of California can make at this time. We are the only body of people in the State empowered to make an impartial investigation of conditions and to formulate an economical plan that will be of benefit not only to agriculture, to industry, and to labor, but to the entire State of California.

This work can not be accomplished without expenditure of money. This committee of loyal citizens may function willingly and gladly without compensation, but they must receive their expenses if this work is to be done, and this work MUST be done if we are to avoid economic catastrophe at the conclusion of this war.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1242—An act to amend Section 453 of the Fish and Game Code, relating to the possession of game birds and animals;

Assembly Bill No. 1407—An act to amend Sections 701, 1191, and 10970 of, and to add Sections 706.7, 11532.1, 11532.2, 11532.3, 11532.4, 11532.5, 11532.6, 11532.7, 11532.8, 12921.5 and 12973.7 to, the Insurance Code, all relating to insurance and the Insurance Commissioner;

Assembly Bill No. 1466—An act to amend Sections 814 and 829.4 of the Agricultural Code, relating to lettuce;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1478—An act to add a section to the School Code, to be numbered 5 798b, relating to the procedure for layoff of classified employees;

Assembly Bill No. 1499—An act to amend Section 817 of the Agricultural Code, relating to peas;

Assembly Bill No. 1678—An act to amend Section 1662 of the Probate Code, requiring the issuance of public records by the official in charge thereof to be used in matters under the jurisdiction of the Veterans Administration of the United States;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 202—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to bail in municipal courts;

Assembly Bill No. 203—An act to amend Section 822 of the Penal Code, relating to bail;

Assembly Bill No. 204—An act to amend Section 1269a of the Penal Code, relating to bail;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 211—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications, and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches;

Assembly Bill No. 237—An act to amend Sections 2330, 2350 and 2351 of the Labor Code, relating to sanitary conditions of factories and other places of employment;

Assembly Bill No. 315—An act to amend School Code Section 3.180 and to add Section 3.223 to the School Code, relating to schools and classes of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 338—An act to add Section 3.265 to the School Code, relating to the average daily attendance of junior high school pupils;

Assembly Bill No. 339—An act to add a new section to the Penal Code of the State of California, to be known as Section 1309, relating to the escheat of certain money deposited as bail;

Assembly Bill No. 387—An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 587—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, designated Section 16½, relating to the power of the Los Angeles County Flood Control District to condemn or acquire property and to use or exchange same for other property required by the district;

Assembly Bill No. 818—An act to amend Section 6.406 of the School Code, relating to school book depositories;

Assembly Bill No. 882—An act to amend Section 1083.1 of the Agricultural Code, relating to commercial feeding stuffs licenses, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 471—An act to amend Section 89 of the Code of Civil Procedure, relating to original jurisdiction of municipal courts;

Assembly Bill No. 566—An act to permit holders of certificates of purchase of State school lands to pay certain obligations therein contained to the State in installments, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 569—An act to add Section 795.8 to the Agricultural Code, and to repeal Section 795.6 of said code, relating to standards for field picking boxes for citrus fruits;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 901—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments;

Assembly Bill No. 959—An act to add Section 845.2 to the Fish and Game Code, relating to nets seized for violations of law, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 960—An act to amend the heading of Division 4 and Sections 452, 455, 456, 466, 467, 470, 471, 476, 478, 481, 482, 483, 484, 485, 486, 498, 500, 501, 511, 513, 523, 526, 542, 543, 545, 546, 551, 616, 618, 619, 620, 621, 631, 635, 636, 641, 642, 643, 644, 645, 661, 662, 666, 676, 681, 722 and 723 of, and to add Sections 472, 590, 640 and 640.5 to the Agricultural Code, relating to the dairy industry and milk, milk products, and imitation milk products, processing plants and factories, and retail establishments, milk products, and imitations of milk products, and providing for the taking effect hereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1001—An act to validate and legalize the conversions of building and loan associations organized under the laws of this State into Federal savings and loan associations;

Assembly Bill No. 1136—An act to amend Sections 6.195, 6.198 and 6.199 of the School Code, relating to payment by governing boards of commissions for the sale or lease of property;

Assembly Bill No. 1219—An act authorizing the State Lands Commission to grant, convey, and sell by deed, or any other proper legal conveyance, all the right, title, and interest of the State of California, in and to the abandoned channel of Petaluma Creek or River in and adjacent to the City of Petaluma, County of Sonoma, State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1714—An act to amend Section 785 of the Agricultural Code, relating to the disposal of fruits, nuts, and vegetables not conforming to standardization requirements,

Assembly Bill No. 1987—An act to amend Section 11102 of, and to add Article 1a to Chapter 5 of Division 10 of, and add Section 11331.5 to, the Health and Safety Code, relating to narcotics and the use, production, cultivation, prescribing, possession or transportation thereof;

Assembly Bill No. 2063—An act providing for the publication and distribution of a State Blue Book;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2203—An act to amend Sections 2983 and 2985 of, and to repeal Sections 2981 and 2982 of, the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, including the determination of the ratio of assessed value to true value,

Assembly Bill No. 2318—An act to add a new section to the School Code, to be numbered 5.723a, relating to sabbatical leaves;

Assembly Bill No. 2365—An act to add Sections 10c and 10d to the California Real Estate Act, relating to persons licensed as real estate brokers and real estate salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 32—Relative to providing suitable space and facilities for the office of the Legislative Counsel;

Assembly Joint Resolution No. 37—Relative to memorializing Congress to designate December 15, 1941, as Bill of Rights Day;

Assembly Joint Resolution No. 40—Relative to making citrus fruits available to the enlisted personnel of the Military and Naval Forces of the United States;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 246

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend. and do pass as amended.

DALEY, Chairman	WEYBRET
JOHNSON	WOLLENBERG
KEPPLE	POULSON
WATSON	FIELD
TURNER	

Above reported bill ordered to second reading.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 386

Messrs. Doyle and Desmond gave notice that on the next legislative day they would move to reconsider the vote whereby Senate Bill No. 386 was this day passed.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 386 WAIVED

Mr. Doyle waived his notice of motion to reconsider the vote whereby Senate Bill No. 386 was passed.

Senate Bill No. 386 ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1740.
Assembly Bill No. 1820.
Assembly Bill No. 1346.
Assembly Bill No. 2142.
Assembly Bill No. 1026.
Assembly Bill No. 1731.
Assembly Bill No. 1631.
Assembly Bill No. 2229.
Assembly Bill No. 2223.
Assembly Bill No. 1339.
Assembly Bill No. 2164.
Assembly Bill No. 1484.
Assembly Bill No. 2382.
Assembly Bill No. 770.
Senate Bill No. 776.
Senate Bill No. 932.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 62.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 234 re-referred to Committee on Ways and Means

Assembly Bill No. 1570 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 272 re-referred to Committee on Ways and Means.

Assembly Bill No. 828 re-referred to Committee on Ways and Means.

Assembly Bill No. 1249 re-referred to Committee on Ways and Means.

Assembly Bill No. 2599 re-referred to Committee on Ways and Means.

Assembly Bill No. 1149 re-referred to Committee on Exhibitions and Fairs.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Milton Dobkin, manager of finance, Leo Bromberg, election committee chairman, and Lewis Matlin, executive editor of "Collegian", all of Los Angeles City College.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Otto A. Jeschien, Mr. Bruce Jeschien and Mr. Tom Palmer of Berkeley, secretary of the Associated Students of the University of California.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marion Olsen and Miss Evelyn Rogers.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Leretta Johnson and Miss Helen Johnson of Sacramento.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Robert McCarthy of San Francisco.

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Margaret Ashley, teacher, and the following students of the Live Oak School near Lodi: James Ohman, Wesley Miller, Harlan Knudsen, Raymond Berg, Billie Joe Wade, Jimmie Formento, Margaret Boone, Melvin Quaschinck, Keith Winsor, Sammie Greenwood, Harold Amburn, Naomi Greenwood, Eleanor Markel and Loren Mason.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harold E. Darby, Principal; and the following students of Live Oak School, Lodi: Jane Heath, Florence Vance, Ellen Keszler, Marion Parker, Edward Soucie, Harry Bender, Helen Wagner, Richard Hanlin, Elenora Ruscker, Clairdine Jacobsen, Curtis Hanlon, Lillian Buth Melcher, Walley Martin Christensen, George Powell, Gine Thompson, Jane Tilstra, Janey Greenwood, Betty Knittel, Norman Wagner, Erna Berg, Helen Hilliker, Clara Wright, Maxine Belden, Marjorie Knittel, Melvin Reuscker, Florence Fusie, Lyle Scheickeman, Dorothy Gates, Ed Wagner, Don Winsor, Doris Moore, Ouida Greenwood, Geraldine Anderson, Dona Bohnet, Alice Berg, Evangelyn Mayer, Dora Jean Hanlon, Bob Klemis, Primo Castagno, Jack Belden, Harvey Wagner, Henry Wright, Kenneth Keven and Marian Murphy.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following adults who attend the Tompkins and Lafayette schools of the Oakland public schools: Mrs Brizaide G. Hare, Home Teacher; Mr Giacomo

Parodi, Mrs. Antonette Dastros, Mrs Celeste Newell, Mrs Cruz Lozado, Mrs. Fresquez, Mrs. Grace Hubbard, Mrs Bertha Baxter, Mrs Rose Mazza, Mrs Maurilia Munoz, Mrs. Magdeline Angelakis, Mr. George Angelakis, Mrs. Catherine Paras, Mrs. Annunziata Morganti, Mrs. Frances Scribante, Mrs. Bessie Conrad, Mrs. M. Stoicich, Mrs. Agnes Harris, Mrs. Josephine Gonzalez, Mrs. E. Becerra, Mrs. Micaela Macias, Mrs. Ester Garcia, Mrs. Esperanza Ortiz, Mrs. Teresa Perez, Mrs. M. Hurtado, Mrs. Mary Valdez, Mrs. Cecile Lang, Mrs. Flora Celia, Mrs. Virginia Cruz, Mrs. Bessie La Tour, Mr. Elias Perez, Mrs Katie McCole, Mrs. Paul Stevenson, Guest Mr. L. C. M. Hare, Teacher Mrs Brizaide G. Hare and Mr. D. R. Franklin.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following members of the adult citizenship classes of Cole and Clawson schools, Oakland: Mrs. Mary Rose Alcaide, Mrs. Italia Baroni, Mrs. Clara Barouh, Simon Bouhaben, Mrs. Josephine Ceremello, Mrs. Eleanora Cafferata, Mrs. Maria Damele, Mrs. Lucile Domonick, Mrs. Gema Reverdito, Mrs. B. Farrell, Mrs. Mary Ferrero, Mrs. Albina Giani, Mrs. Mary Gomes, Mrs. Aurelia Guglielmone, Mrs. Antoinette Kersich, Manuel Laclaustra, Mrs. Marie Laclaustra, Mrs. Josephine La Rosa, Mrs. L. Lampart, Mrs. Arcadia Malijen, Mrs. Isabelle Oliver, Mrs. Anna Pacheco, Mrs. Caterina Pino, Mrs Assunta Ratto, and Mrs. Arax Tash, and Mrs Mildred Dyer Myers, teacher.

ADJOURNMENT

At 11.30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 9.30 a m., Friday, May 16, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY
ONE HUNDRED THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 16, 1941

The Assembly met at 9:30 a m
Hon Arthur A. Ohnimus, Chief Clerk, presiding.

Motion

Mr. Maloney moved that Mr. Rodney L. Turner act as Speaker in the absence of the Speaker and Speaker pro tempore.

Motion carried.

Hon. Rodney L. Turner Presiding

At 9.33 a m , Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

ROLL CALL

The roll was called, and the following answered to their names:

Allen Bennett, Burkhalter, Burns, Michael J , Carlson, Clarke, Collins, Sam L , Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F , Howser, F. N , Kellems, Knight, John B , Knight, T. Fenton , Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Pelletier, Poole, Potter, Robertson, Russell, Stream, Thomas, Thurman, Turner, Waters, Welch, and Weybret—47.

Quorum present

PRAYER

Prayer was offered by the Chaplain, Rev Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Clarke.

EXPLANATION OF TEMPORARY ABSENCE

We, the undersigned, were attending a Ways and Means Subcommittee conference at the time of the original roll call and several subsequent roll calls:

HARVEY E. HASTAIN
CLYDE WATSON
LEE BASHORE

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 1935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Constitutional Amendment No. 55

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1941

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1147

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 274	Assembly Bill No. 1916
Assembly Bill No. 492	Assembly Bill No. 1918
Assembly Bill No. 527	Assembly Bill No. 1932
Assembly Bill No. 1154	Assembly Bill No. 2494
Assembly Bill No. 1185	Assembly Bill No. 2601
Assembly Bill No. 1664	Assembly Bill No. 2615

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1579
Assembly Bill No. 1905
Assembly Bill No. 2069

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1349

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1598
Assembly Bill No. 2206
Assembly Constitutional Amendment No. 16

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which were referred:

Assembly Bill No. 2624
Senate Bill No. 1323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 1436

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

ALLEN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 999
Senate Bill No. 1312

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1916—An act to amend Section 51, Statutes of 1917, Chapter 586, page 831, relating to workmen's compensation and payments to State Treasury by State Compensation Insurance Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1918—An act to amend Section 11792 of the Insurance Code, relating to State Compensation Insurance Fund.

Bill read second time, and ordered engrossed

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers

Bill read second time, and ordered to third reading.

Assembly Bill No. 301—An act to amend Sections 17050, 17083 and 17086 of, and to add Sections 17087 and 17088 to, the Business and Professions Code or to amend Sections 6 and 10 of, and to add Sections 6.2 and 6.3 to, an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to close-out sales

Bill read second time, and ordered to third reading.

Assembly Bill No. 274—An act to add Section 1274.5 to the Fish and Game Code, relating to the wearing of red garments, hats, or caps while deer hunting.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Bill read second time, and ordered engrossed

Assembly Bill No. 943—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1664—An act to amend Section 664 of the Political Code, empowering the State Board of Control to prescribe by rule and regulation limitations upon amounts to be expended by officers, agents and employees of the State while traveling on official business of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1932—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2601—An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made," approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938, and not yet paid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 527—An act to amend Section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1581—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1917—An act to amend Section 11840 of the Insurance Code, relating to periods for which State Compensation Insurance Fund may write workmen's compensation insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and general usage".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2212—An act to amend Section 555 of the Insurance Code, relating to proof by a third party under a policy of insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, after "insured", strike out ", or such person entitled to the benefits of the insurance", and insert "or beneficiary".

Amendment No. 2

On page 1, line 7, of the printed bill, after "insured", strike out "or such person entitled to the benefits of the insurance", and insert "or the beneficiary".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 246—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code, relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political

activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 6 of the title of the printed bill, as amended, strike out "and 2557", and insert ", 2557 and 2558".

Amendment No. 2

In line 9 of the title of the printed bill, as amended, strike out "and 2636, and Article"; and strike out all of line 10, and insert "to 2642, inclusive, and Article 7, comprising Sections 2650 to 2659, inclusive, to".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 9 and 10, and insert "State hospitals or other State or private institutions."

Amendment No. 4

On page 2, line 17, of the printed bill, as amended, after "ineligible", insert "under Section 2562".

Amendment No. 5

On page 2, line 21, of the printed bill, as amended, strike out "by the county"; and strike out all of line 22, and insert "for a period which shall not exceed 90 days. The relief, if granted, shall be granted by the county of presence and shall be at State expense.

If relief is necessary for more than 90 days, the county of presence may grant such relief and the direct costs thereof shall be entirely a county charge."

Amendment No. 6

On page 2, lines 23 and 24, of the printed bill, as amended, strike out "direct costs of the relief granted to such needy persons and for all".

Amendment No. 7

On page 2, line 25, of the printed bill, as amended, strike out "them", and insert "needy persons and their dependents".

Amendment No. 8

On page 2, line 29, of the printed bill, as amended, after "section.", insert "The county may determine the amount and scope of relief within the limits of this chapter that it grants at its own expense under this section."

Amendment No. 9

On page 3 of the printed bill, as amended, strike out lines 14 to 17, inclusive.

Amendment No. 10

On page 3, line 22, of the printed bill, as amended, after "California", insert "on or".

Amendment No. 11

On page 3, line 33, of the printed bill, as amended, after "State.", insert "Medical, dental, surgical or hospital care may be received within the applicable period provided in subdivision (a) without such care constituting a disqualification by reason of this subdivision."

Amendment No. 12

On page 4, line 26, of the printed bill, as amended, after "2557.", and before "Notwithstanding", insert "(1)".

Amendment No. 13

On page 4, line 28, of the printed bill, as amended, strike out "may", and insert "shall".

Amendment No. 14

On page 4, line 29, of the printed bill, as amended, after "of", insert "all of".

Amendment No. 15

On page 4, line 34, of the printed bill, as amended, after "Commission.", insert "This subdivision (a) does not include persons who received relief under subdivision (c) of Section 10 of Chapter 45 of the Statutes of 1940 or subdivision (c) of Section 9 of Chapter 12 of the Statutes of 1940."

Amendment No. 16

On page 4, line 40, of the printed bill, as amended, before "The", insert "(2)".

Amendment No. 17

On page 5 of the printed bill, as amended, between lines 3 and 4, insert

"(3) County residence imputed to a person by Subdivision (2) of this section may be lost (i) by absence from the county for three years or (ii) residence in another county for one year. All changes in residence for any person to whom this section applies shall be determined in accordance with Sections 2556 and 2558.

SEC. 8.5. Section 2558 is hereby added to said code, to read as follows:

2558. County residence once acquired is presumed to continue and no person shall be deemed to have lost his residence in any county unless (i) he has been absent therefrom for three years or (ii) he has resided in another county for one year.

If any needy person removes from one county to another county, the county to which he has removed shall be responsible for his relief upon the first day of the first month beginning after the date upon which he attains a residence of one year therein, unless the day upon which he attains one year of residence is the first day of the month in which event the transfer of costs shall take effect upon that day.

The county to which the person has removed shall provide relief and other necessary care, the same as though he were a resident of that county, during the period of presence before residence has been acquired therein and the former county residence lost. The county providing this assistance may demand payment thereof from the county of residence in an amount not in excess of the actual cost thereof and it shall be a proper charge and duty of the county of residence to pay the costs of such assistance."

Amendment No. 18

On page 5, line 12, of the printed bill, as amended, strike out "from time to time"

Amendment No. 19

On page 5, line 17, of the printed bill, as amended, strike out "him", and insert "a needy person".

Amendment No. 20

On page 5, line 18, of the printed bill, as amended, after "requirements", insert "in the community in which he lives".

Amendment No. 21

On page 6, line 7, of the printed bill, as amended, after "illegally", and before "subsequent", insert "on or".

Amendment No. 22

On page 6 of the printed bill, as amended, strike out all of line 18 and insert "be included in determining the family budget, except that his resources, not necessary for his maintenance and the maintenance of those who are ineligible for relief under this section, shall be considered in determining the whole budget of the case."

Amendment No. 23

On page 6 of the printed bill, as amended, at line 38, insert

"2564. No relief under this chapter shall be granted any person who is, or any member of whose family is, making payments upon any chattel mortgage or conditional sales contract for personal property, other than payments for essential food, essential clothing or essential housing, in excess of five dollars ($5) per month, when the debt, secured by the chattel mortgage or conditional sales contract, was incurred while relief was being received under this chapter."

Amendment No. 24

On page 7, line 10, of the printed bill, as amended, after "rates", insert ", rents".

Amendment No. 25

On page 7, lines 19 and 20, of the printed bill, as amended, strike out "agent of the county administering his case", and insert "county welfare director upon his own investigation".

Amendment No. 26

On page 7, line 25, of the printed bill, as amended, after "article", insert "2.5, except as to need".

Amendment No. 27

On page 9, line 5, of the printed bill, as amended, strike out "and 2636", and insert "to 2642, inclusive"

Amendment No. 28

On page 9 of the printed bill, as amended, between lines 26 and 27, insert

"2637. The department shall maintain a master file of persons applying for and receiving relief under this chapter. Every county shall supply the department regularly with the information and data the department requires for the maintenance of

the file. The department shall supply every county with all the information and data it has available in the file concerning every person applying for or receiving relief under this chapter about whom the county requests information and data.

2638 The department shall secure from the California Employment Commission and supply the counties with information concerning unemployment insurance benefits under the Unemployment Insurance Act which may be available for or are being paid to persons applying for or receiving relief under this chapter.

2639 The department and every county is authorized to make grants to, and to receive and expend funds made available to both or either from, the Federal Government or any agency or department or board thereof for relief, work relief, rehabilitation or cooperation with the Federal Government for the relief of persons in need, and in this connection the department and every county shall cooperate with the Federal Government

Every county grant under this section constitutes a direct relief expenditure for which the State shall be responsible to the same extent as it is responsible for the direct relief costs in that county under subdivision (b) of Section 2652.

2640 Except as otherwise provided in this section, until budgets and standards are prepared by the department under Section 2559 and approved by the board of supervisors for the county, the board of supervisors may determine its own policies with reference to the resources and amount of relief a person may be permitted to have

When budgets and standards under Section 2559 are prepared by the department for the county, they shall be submitted to the board of supervisors and, within 30 days after the date of submission, the board of supervisors shall approve or reject in whole or in part such budgets and standards Those budgets and standards approved by the board of supervisors shall take effect upon the date of approval. All budgets and standards not approved within 30 days shall be deemed rejected.

If any budgets and standards are rejected by the board of supervisors, and the department and the board of supervisors can not agree upon modifications, a relief standards board of three members for the particular county shall be established as follows: The department shall select a member of the Social Welfare Board, an officer or employee of the department to represent the department upon the relief standards board. The board of supervisors shall select a member of the board of supervisors, an officer or employee of the county to represent the county upon the relief standards board The representative of the department and the representative of the county shall select an impartial third person, other than a public officer or employee, to act as chairman of the relief standards board. Neither the representative of the department nor the county shall receive any compensation for his services as a member of the relief standards board but he shall be entitled to his expenses if otherwise entitled thereto by law The chairman of the relief standards board shall be paid twenty-five dollars ($25) per day with a minimum of one hundred dollars ($100), from the day the relief standards board convenes until the disputed budget and standards are taken under submission. While the budgets and standards are under submission, the chairman shall receive no compensation. He shall receive his actual and necessary expenses in an amount not to exceed eight dollars ($8) per day. All expenses of the relief standards board shall be borne 50 per cent by the State from the money available for expenditure under this chapter and 50 per cent by the county from county funds. Expenses incurred by a county for a relief standards board shall not be a county relief expenditure for which reimbursement may be had from the State.

The disputed budgets and standards shall be submitted to the relief standards board for hearing and decision. The relief standards board may approve, reject or modify the disputed budgets and standards. It may make its decisions by a majority vote and its decision shall take effect immediately, shall be final and shall be binding upon the department and the county

If the budgets and standards rejected by the board of supervisors are not agreed upon by negotiation or settled by the relief standards board within 60 days after submission to the board of supervisors, the department may put them into effect in the form submitted or modified by the department at any time after the expiration of 60 days from the date upon which the budgets and standards were submitted to the board of supervisors, and, if put into effect, shall be binding upon the county. If the department does put into effect any budgets and standards without the approval of the board of supervisors and it subsequently appears when the budgets and standards are finally determined, either by negotiation or by decision of the relief standards board, that higher direct relief costs have been imposed upon the county than would have been imposed had such budgets and standards as finally determined been in effect from the date upon which the budgets and standards determined by the department were imposed, the State shall reimburse the county for the full amount of the difference borne by county funds

2641. The provisions of Sections 114, 115 and 116 of this code do not apply to relief activities or to appropriations for expenditure under this chapter. The department and the counties may enforce the rights and obligations and powers and duties granted or imposed upon one or the other under this chapter and this code by appropriate actions at law or suits in equity.

2642. No county shall take any action against any needy person, his property or his kindred under Article 3 or Article 4 of this chapter without the approval of the department."

Amendment No. 29

On page 9, line 27, of the printed bill, as amended, strike out "2658", and insert "2659".

Amendment No. 30

On page 10 of the printed bill, as amended, strike out lines 37 to 41, inclusive, and insert

"2651. Until a county residence is acquired in the case of needy persons having no county residence but who are State residents, and until the period provided therefor has elapsed in the case of needy persons eligible for relief at State expense under Section 2501, State money may be expended for home relief, medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances.

In the case of needy persons having a county residence, State money may be expended for home relief, when matched by the required share of county money. Necessary medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances for needy persons having a county residence shall be an obligation and duty of the county to be performed at county expense and the county shall be the sole determinant of the standards thereof. The county may furnish medicines, medical, surgical, hospital and other treatment, nursing care and corrective appliances for nonresidents whom it is authorized to assist under this chapter.

Home relief includes money, food, housing, clothing, fuel, light, water, household equipment, commodities and services."

Amendment No. 31

On page 10, line 46, of the printed bill, as amended, after "residence", insert "to the extent permitted by Section 2501"

Amendment No. 32

On page 10, line 48, of the printed bill, as amended, after "of", and before "relief", insert "home".

Amendment No. 33

On page 10, line 52, of the printed bill, as amended, after "indigent", and before "relief", insert "home"

Amendment No. 33.5

On page 11, line 4, of the printed bill, as amended, after "county", insert "No county shall levy any tax for the purposes of relief under this chapter beyond a rate necessary to produce the amount for which it is liable under the provisions of this chapter."

Amendment No. 34

On page 11, line 15, of the printed bill, as amended, after "quarter", insert "for home relief".

Amendment No. 35

On page 11, line 35, of the printed bill, as amended, after "county", insert "for home relief"

Amendment No. 36

On page 11, line 46, of the printed bill, as amended, strike out "shall", and insert "may"

Amendment No. 37

On page 12 of the printed bill, as amended, strike out lines 7 to 10, inclusive, and insert

"2657. Each county shall send to the department records and reports in such manner and form and at such times as the department may prescribe concerning."

Amendment No. 38

On page 12, line 15, of the printed bill, as amended, after "2658.", insert "County claims for the costs of medicines, medical, surgical, hospital and other treatment, nursing and corrective appliances for which the State is responsible under Section 2651 *shall be filed separately and distinct from claims for home relief, in the manner* prescribed by the department

Payments of such claims shall be made subsequent to the furnishing of such assistance, monthly or later as determined by the department and shall be paid after audit and settlement by the department and the Controller from the money available for expenditure under this chapter

2659."

Amendment No. 39

On page 12 of the printed bill, as amended, strike out lines 36 to 40, inclusive

Amendment No. 40

On page 12, line 48, of the printed bill, as amended, after "and", and before "four", insert "within the time otherwise provided by law but not later than".

Amendment No. 41

On page 13, line 17, of the printed bill, as amended, strike out "April 1, 1942", and insert "the first day of the first month beginning 90 days after the effective date of this act".

Amendment No. 42

On page 13, line 50, of the printed bill, as amended, strike out "January 1, 1942, after which date", and insert "the first day of the first month beginning 60 days after the effective date of this act, on and after which day".

Amendment No. 43

On page 14, lines 9 and 10, of the printed bill, as amended, strike out "after January 1, 1942", and insert "on and after the first day of the first month beginning 60 days after the effective date of this act".

Amendment No. 44

On page 14, line 21, of the printed bill, as amended, strike out "April 1, 1942", and insert "the first day of the first month beginning 90 days after the effective date of this act".

Amendment No. 45

On page 14 of the printed bill, as amended, strike out lines 23 to 29, inclusive.

Amendment No. 46

On page 14, line 39, of the printed bill, as amended, after "enacted," insert "and while it remains in force,".

Amendment No. 47

On page 15, line 1, of the printed bill, as amended, after "enacted," insert "and while it remains in force,".

Amendment No. 48

On page 15, line 15, of the printed bill, as amended, after "records", insert "(including the files containing the records)".

Amendment No. 49

On page 16 of the printed bill, as amended, strike out line 19, and insert "Act of 1941 is in effect and provides (i) that the State shall bear not less than two-thirds and the counties not more than one-third of the costs of aid under the Old Age Security Law after the deduction from such costs of the amount of the Federal grant and (ii) an appropriation for such costs and unless the Public Works Act of 1941 is".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2245—An act to amend Section 10270.9 of the Insurance Code, relating to approval of policy forms.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 10270.9 of", and insert "add Section 10369 to".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "10270.9 of the Insurance Code", and insert "10369".

Amendment No. 3

On page 1, line 2, of the printed bill, strike out "amended", and insert "added to the Insurance Code,".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 19, inclusive, and insert

"10369. The commissioner may approve a policy form which contains, in lieu of Standard Provision 11, an optional standard provision setting forth a facility of payment clause which shall be in modification of or in addition to the substance of Standard Provision 11. Such optional standard provision shall be in such form or forms as the commissioner, after notice and hearing, promulgates"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 859—An act to add Section 2468.5 to the Civil Code, relating to licenses and permits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 2 of the title of the printed bill, preceding the period, insert ", and the suspension of privileges exercised thereunder"

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 19, inclusive, and insert

"2468.5. When a person or partnership transacts business under a fictitious name, the privileges exercised under a business or vocational license or permit, including a sales tax permit, issued or renewed after the effective date of this section, which license or permit is required by law for the transacting of business by the person or partnership, shall be suspended as provided herein if such person or partnership has not filed and published a certificate as provided in Sections 2466 and 2468 or does not file and publish a certificate as provided in Sections 2466 and 2468 within 70 days after the issuance or renewal of the license or permit. After the expiration of this period and at least 70 days prior to the suspension of privileges, the officer, board or agency issuing or renewing the license or permit shall give a notice in writing to the person or partnership which has not filed and published a certificate, which notice shall require compliance with Sections 2466 and 2468, shall be addressed to the licensee or permittee at the address mentioned in the license or permit, and shall either personally be served on the licensee or permittee or sent by registered mail with postage prepaid.

After suspension of privileges pursuant to this section, upon proof of compliance with Sections 2466 and 2468, such privileges shall be restored to the person or partnership if they are otherwise qualified to transact business."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, following the period, insert "All purchasers of sharks from fishermen must file reports on all shark received in accordance with Sections 1017 and 1018 of this code."

Amendment No. 2

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "Notwithstanding any provision of this code no license or permit", and insert "No additional tax as provided by Section 1015 of this code shall be paid and no permit as provided by Section 1068 of this code".

Amendment No. 3

On page 1, line 24, of the printed bill, as amended, after "State", insert "nor to shark livers or parts of sharks brought ashore from a vessel returning from fishing operations carried on under a customhouse clearance to a foreign port or for the high seas".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1165—An act to amend Section 1270 and to repeal Section 1270.5 of the Fish and Game Code, relating to deer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 1204 of the Fish and Game Code, relating to ducks."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert "SECTION 1. Section 1204 of the Fish and Game Code is hereby amended to read as follows:

1204 Ducks may be taken between October 1 and January 15 *except that in that part of District 1 comprising Butte, Sutter, and Yuba Counties ducks may be taken between November 1 and February 15* The bag limit is 15 per day, 30 per week Not more than two daily bag limits of ducks may be possessed by any person during one day"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1662—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill strike out ", such headquar-"; and strike out all of line 8, and in line 9, strike out "trol", and insert "The headquarters of heads of departments, unless fixed by law, shall be determined and fixed by the State Board of Control, and the headquarters of all other officers, agents and employees of departments shall be determined and fixed by the appointing power"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2612—An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of, such posted property, and providing penalties for violation thereof.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, strike out lines 28 and 29

Amendment No. 2

On page 3 of the printed bill, strike out lines 6 to 8, inclusive, and insert "telephonic messages or of towers or derricks for the production of oil or gas, by affixing a sign upon one or more sides of such poles, towers or derricks, but such posting shall render only the pole, tower, derrick, or appurtenant structure "posted property""

Amendment No. 3

On page 3, line 49, of the printed bill, after "11", insert
"The provisions of this act are applicable throughout the State in all counties and municipalities and no local authority shall enact or enforce any ordinance in conflict with such provisions.
Sec 12"

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2155—An act making an additional appropriation for construction, improvements, and equipment at the University of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities:

Amendment No. 1

On page 1, line 2, of the printed bill, after "appropriated", insert "to The Regents of the University of California".

Amendment No. 2

On page 1, line 3, of the printed bill, after "appropriated", insert "to be expended by The Regents of the University of California".

Amendment No. 3

On page 1, line 2, of the printed bill, after "sum of", insert "three million six hundred forty-nine thousand dollars ($3,649,000)"

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2018—An act to provide for the reconstruction of a dismantled old adobe home built in 1821 and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Universities:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert
"An act to provide for the reconstruction by The Regents of the University of California, upon the campus of the University of California at Los Angeles, of a certain dismantled adobe home, and making an appropriation therefor."

Amendment No. 2

On page 1, line 1, of the printed bill, preceding "University", insert "Regents of the".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "the University", and insert "The Regents of the University".

Amendment No. 4

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert
"SEC. 2. The sum of two thousand five hundred dollars ($2,500) is hereby appropriated to The Regents of the University of California out of any money in the State Treasury not otherwise appropriated, to be expended by The Regents of the University of California in carrying out the provisions of Section 1 of this act."

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1296—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "in the minutes, the defendant and his bail appear and the defendant satisfactorily excuses his neglect, or his"

Amendment No. 2

On page 1, line 19, of the printed bill, after "unable", insert "by reason of illness or insanity".

Amendment No. 3

On page 1, line 22, of the printed bill, strike out "(shall)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2402—An act to add Section 4157.5 to the Political Code, relating to the powers and duties of county sheriffs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

In line 1 of the title of the printed bill, after "act to", insert "amend Section 4157 of and".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 4157 of the Political Code is hereby amended to read as follows.

4157. The sheriff must:

1. Preserve peace, *and to accomplish this object may sponsor, supervise or participate in any project of crime prevention, rehabilitation of persons previously convicted of crime or the suppression of delinquency when authorized by the board of supervisors.*

2 Arrest and take before the nearest magistrate for examination all persons who attempt to commit, or who have committed, a public offense.

3. Prevent and suppress any affrays, breaches of the peace, riots, and insurrections which may come to his knowledge, and investigate public offenses which have been committed

4. Attend all superior courts held within his county, and obey all lawful orders and directions of all courts held within his county.

5 Command the aid of as many male inhabitants of his county as he may think necessary in the execution of these duties.

6. Take charge of and keep the county jail, and the prisoners therein.

7 Release on the record all attachments of real property, when the attachment placed in his hand has been released or discharged.

8 Indorse upon all process and notices the year, month, day, hour and minute of reception and issue therefor to the person delivering it, on payment of fees, a certificate showing the names of the parties, title of paper, and time when received

9 Serve all process and notices in the manner prescribed by law.

10. Certify, under his hand, upon process or notices, the manner and time of service, or if he fails to make service, the reason of his failure, and return the same without delay.

SEC 2. Section 4157.5 is hereby added to the Political Code, to read as follows "

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 309—An act declaring all buildings and places nuisances wherein or upon which any of the acts which are offenses under Section 337a of the Penal Code, relating to pool-selling and book-making, are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, as amended, strike out "and amending Section 337a of,".

Amendment No. 2

Strike out all of page 4 of the printed bill, as amended; and on page 5, strike out lines 1 to 18, inclusive, and insert

"SEC. 11. Section 337g is hereby added to the Penal Code, to read as follows:

337g. Every person who furnishes, supplies or transmits to any pool-selling or bookmaking establishment conducted in violation of the provisions of Section 337a of this code or to the owners, operators or patrons of any such establishment any information concerning the entries, starting time, probable betting odds, winners results, bettors' winnings or pari-mutuel prices of any trial or purported trial or contest or purported contest of skill, speed or power of endurance of man or beast or between men, beasts or mechanical apparatus, knowing or having reasonable grounds for believing that such information will be used in such establishment in violation of any of the provisions of Section 337a of this code, is punishable as provided in said section."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1378—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "51", and insert "67".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "seizure of unlawful alcohol", and insert "sales of alcohol and alcoholic beverages for use in the trades, professions or industries."

Amendment No. 3

In line 3 of the title of the printed bill, strike out "beverages."

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "51", and insert "67"

Amendment No. 5

Strike out lines 3 to 27, inclusive, of the printed bill, and insert

"SEC. 67. *(a)* It is hereby declared that this act shall not apply to the manufacture, sale or use of completely denatured ethyl alcohol or special denatured ethyl alcohol, as these substances are defined in the various statutes and regulations of the United States Government relating thereto.

(b) Nothing in this act shall be deemed to prevent or restrict the use of tax-free ethyl alcohol under regulation of the Treasury Department of the United States Government by any governmental agency, State or Federal, or any scientific university or college of learning or any laboratory for use exclusively in scientific research or to any hospital or sanitarium.

(c) Nothing in this act shall be deemed to prevent or restrict the use of tax-free alcohol or of industrial alcohol or other distilled spirits or wine under regulation of the United States Government in the manufacture of medicinal, pharmaceutical, or antiseptic products, including prescriptions compounded by [retail druggists] *registered pharmacists;* of toilet products, of flavoring extracts, sirups, of food products, of scientific, chemical, or industrial products; provided such products are unfit for beverage use.

(d) Alcohol sold for the uses mentioned in paragraph (b) of this section may be sold tax-free in packages of not less than one-half pint capacity. Alcohol sold to a registered pharmacist for use in compounding prescriptions as provided in paragraph (c) of this section may be sold to such pharmacist in packages of not less than one-half pint capacity, provided that distilled spirits excise tax as required by Section 24 of this act is reported and paid by the licensee selling the alcohol to the pharmacist.

(e) The sales of alcohol authorized to be made by paragraph (d) of this section may be made by those licensees who are authorized to sell alcohol for use in the trades, professions or industries."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1776—An act to amend Section 19561 of the Business and Professions Code, relating to horse racing and the conduct of horse races.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, strike out lines 19 to 27, inclusive.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2213—An act to amend Section 13, and to add Sections 13a, 13b, 13c to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in the Assembly on May 8, 1941, after "associations;", strike out "one thousand dollars ($1,000)".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2366—An act to add Section 19421.5 to the Business and Professions Code, and to add Section 5 5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the California Horse Racing Board, and the appointment and qualifications of its members.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

Strike out lines 2 to 11, inclusive, of the title of the printed bill, and insert "Code, relating to the California Horse Racing Board, and".

Amendment No. 2

On page 1 of the printed bill, strike out lines 11 to 19, inclusive, and strike out all of pages 2 to 4, inclusive, and insert

"(1) When the Senate is meeting, if an appointment is made to an office in which a vacancy does not exist, or to an office in which a vacancy does exist but the Governor is of the opinion that it is to the public interest that the appointment be first confirmed by the Senate, the appointment shall be promptly submitted to the Senate, and the person appointed is not qualified to hold such office until his appointment is confirmed Failure of the Senate to act on the appointment shall not render the person appointed ineligible to interim appointment

(2) When the Senate is meeting, and the Governor determines that it is to the public interest that an appointment be made to an office in which a vacancy exists without such appointment being first confirmed by the Senate, the appointment may be made and the appointment shall be promptly submitted to the Senate

The person appointed shall hold office until the expiration of his term and the appointment and qualification of his successor, unless:

(a) The appointment is not submitted to the Senate within 10 days or before final adjournment of the Senate, whichever is earlier, in which event he shall surrender the office at the end of the 10-day period or on final adjournment, whichever is earlier, and he shall not hold such office until he is again appointed and until his appointment is confirmed by the Senate

(b) The Senate refuses confirmation, in which event he shall not hold the office after midnight of the day following the day on which the Senate refused confirmation

(c) The Senate fails to act, and adjourns sine die, in which event he shall hold the office as provided in Subdivision 4

(3) When the Senate is not meeting and the Governor determines that it is to the public interest that an appointment be made to an office in which a vacancy exists or the term of which has expired, the Governor may issue an interim appointment to the office, which appointment does not need confirmation by the Senate The person appointed to the office shall hold such office at the pleasure of the Governor but his term shall not extend beyond midnight of the day on which the Senate next meets, at which time the office shall be vacated by such appointee or his successor, unless there has been submitted to the Senate an appointment of such person holding the office for the remainder of the term, if any, or for a new term If the appointment is so submitted, it shall be considered to be an appointment made pursuant to Subdivision 2

(4) If the Senate fails to act on an appointment and adjourns sine die, and if the appointment was made to an office pursuant to Subdivision 2, the person appointed shall continue to hold such office, at the pleasure of the Governor, until the next meeting of the Senate At the next meeting of the Senate, the appointment shall again be submitted for confirmation to the Senate, unless such person has been replaced by another appointee, in which event the latter's appointment shall be like

any other interim appointment. Until rejection, the failure to confirm shall not effect the right of the appointee to hold the office and discharge the duties thereof."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 583—An act to add Section 1020 to the Fish and Game Code, relating to loans and advances by licensed fish canners, packers, processors, or dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1020 to", and insert "amend Section 1019 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "loans and advances by licensed fish canners, packers,"; and strike out line 3, and insert "disposition of moneys collected for commercial fishing licenses, packing and reduction licenses."

Amendment No. 3

On page 1, lines 1 and 2, of the printed bill, strike out "1020 is hereby added to the Fish and Game Code," and insert "1019 of the Fish and Game Code is hereby amended".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"1019. All moneys collected under the provisions of [this article] *articles 1 and 2 of this chapter* shall be paid to the commission, and shall be expended for patrol of packing plants, administration, inspection, and regulation of the industry, and conservation work for the benefit of the commercial fishing industries [within the districts from which the revenues are derived]."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1076—An act to amend Section 113 of the Business and Professions Code, relating to travel outside the State for officers and employees of the Department of Professional and Vocational Standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 113 of", and insert "add Section 114 to".

Amendment No. 2

In lines 1 and 2 of the title of the printed bill, strike out "travel outside the State for officers and employees", and insert "authorize the use of referees by boards, commissions and agencies"

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "113 of", and insert "114 is hereby added to".

Amendment No. 4

On page 1, line 2, of the printed bill, strike out "is hereby amended".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 3 to 14, inclusive, and insert "114. For the purposes of disciplinary proceedings and the suspension and revocation of licenses, certificates and registration, any board, commission or agency comprising the Department of Professional and Vocational Standards or subject to its jurisdiction may designate one or more of its members, officers or employees as referees to conduct the investigation, hold the hearing, prepare the findings of fact and make the recommendations for the board, commission or agency.

Except as provided in Chapter 9 of Division 3 of this code, relating to contractors, only the board, commission or agency can make the decision and the findings of fact and recommendations of the referee are not final until approved by the board, commission or agency."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 535—An act to add Section 19564 to the Business and Professions Code, relating to equipment required in connection with horse racing and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "required".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "and making an appropriation therefor".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "Every", and insert "The board may require any".

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "with photo finish camera equipment", and insert "to use an electrical or mechanical starting gate".

Amendment No. 5

On page 1, line 5, of the printed bill, strike out "shall", and insert "may require any licensee to".

Amendment No. 6

On page 1 of the printed bill, strike out lines 9 to 28, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 94—An act to amend Section 4 of the Central Valley Project Act of 1933, relating to units.

Bill read second time, and ordered to third reading.

Senate Bill No. 691—An act to add Section 52½ to the California Irrigation District Act, relating to credits on and payments of irrigation district assessments and the finality thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 733—An act to amend Section 45 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments and the recording of certificates

of sale of the property, and validating certificates of sale of property sold to irrigation districts for delinquent assessments, collectors' deeds issued pursuant to the certificates, and other acts, the validity of which depends upon the validity of the certificates or deeds

Bill read second time, and ordered to third reading.

Senate Bill No. 734—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 755—An act to add Sections 3.5 and 3.75 to "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such district from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the management of irrigation districts having an area of more than 500,000 acres.

Bill read second time, and ordered to third reading.

Senate Bill No. 1005—An act to amend Sections 1, 2, 3, 3a, 4, 5, 7, 11, 12 and 15 of, and to add a new section to be numbered 19 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1317—An act to repeal Section 400.5 and to amend Section 404 of the Civil Code, relating to dissolution of corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 527—An act to repeal certain obsolete or superseded acts, all relating to appropriations of money from the State Treasury, and matters incidental thereto.

Bill read second time, and ordered to third reading.

Senate Bill No. 1304—An act to amend Section 724.5 of the Fish and Game Code, relating to catfish in District 2½.

Bill read second time, and ordered to third reading.

Senate Bill No. 211—An act to amend Section 1151 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 1323—An act to amend Section 392 of the Penal Code, relating to the running of railroad trains with passenger-cars ahead of freight-cars

Bill read second time, and ordered to third reading.

Senate Bill No. 1330—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, by amending Sections 1, 2, 3, 4, 6, 9, 10, 11, 12, 13 and 15 thereof, and by adding thereto, three new sections to be Sections 4 5, 10 5 and 11.5 thereof, relating to county peace officers' retirement system

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 10, line 22, of the printed bill, as amended May 9, 1941, following the comma, insert "or within 60 days after the effective date of this section,"

Amendment read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended May 8, 1941, strike out "six thousand dollars", and insert "seven thousand five hundred dollars"

Amendment No. 2

On page 1, line 5, of the printed bill, as amended May 8, 1941, strike out "($6,000)", and insert "($7,500)".

Amendments read and adopted.

Bill ordered printed, and to third reading

Senate Bill No. 421—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended, at the beginning of said line, insert "(e)"

Amendment No. 2

On page 2, line 20, of the printed bill, as amended, after "officers", insert "and employees"

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 23 to 28, inclusive, and insert "likewise send officers and employees out of the State for the purpose

of securing information relative to improvements in methods of highway design, construction, maintenance and administration developed by other States; provided, however, that traveling expenses outside of the State for officers and employees of the department for travel outside of the State authorized under this subdivision shall not".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 29, insert

"Officers and employees of the department may be sent out of the State, subject to the provisions of Section 352 of the Political Code to meet with officers or employees of the Federal Government in connection with Federal-State cooperative highway work, without reference to the limitations on amount specified in subdivision (e) hereof."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1311—An act to amend Section 1250 of, and to add Section 1346 to, the Fish and Game Code, relating to antelope.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 20, of the printed bill, following the period, insert "The fees provided herein shall be deposited in the Fish and Game Preservation Fund and shall be expended in addition to moneys provided in the Budget for salaries of the Division of Fish and Game for the expense of enforcing the provisions of Section 1346 of the Fish and Game Code."

Amendment read and adopted.

Bill ordered printed, and to third reading

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1631 WAIVED

Mr. Frederick F Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1631 was passed

Assembly Bill No. 1631 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2164 WAIVED

Mr Robertson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2164 was passed.

Assembly Bill No 2164 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 651

In compliance with a notice given on a previous day, Miss Miller moved that the vote whereby Assembly Bill No. 651 was refused passage be reconsidered.

Demand for Previous Question

Messrs Howser, F. N., Collins, Sam L., Allen, Burkhalter and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 651.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Miss Miller moved a call of the Assembly.

Motion carried. Time, 10 27 a m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 247 WAIVED

Mr. Crowley waived his notice of motion to reconsider the vote whereby Senate Bill No 247 was passed.

Senate Bill No. 247 ordered transmitted to the Senate

Speaker Presiding

At 10.32 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1424—An act to amend Section 243 of the State Civil Service Act, relating to the State Personnel Board and the executive officer thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1424?

Amendment No. 1

On page 1 of the printed bill, following line 26, insert "Any power, duty, purpose, function, or jurisdiction which the board may lawfully delegate shall be conclusively presumed to have been delegated to the executive officer unless it be shown that the board by affirmative vote recorded in its minutes specifically has reserved the same for its own action The executive officer shall have full power to redelegate to his subordinates unless by rule of the board or by express provision of law he is specifically required to act personally."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1424 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—58.

NOES—None.

Assembly Bill No 1424 ordered enrolled.

Assembly Bill No. 431—An act to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 431?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "act," insert "to amend Section 73b of and".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 73b of the Code of Civil Procedure is hereby amended to read as follows:

73b. In addition to the sessions of superior courts provided for in Sections 73 and 142 of this code, or any amendment of either of said sections, at least one session of the superior court shall be held: *(1)* in each city containing a population of not less than 20,000 as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall is not less than 30 miles distant from the site of the county courthouse[ ]; *(2) in each city containing a population of not less than 50,000 as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall is not less than six miles distant from the site of the county courthouse.*

SEC. 1.5. Section 73c is hereby added to said code, to read as follows:".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 431 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg and Mr. Speaker—60

NOES—None.

Assembly Bill No. 431 ordered enrolled.

Assembly Bill No. 1250—An act to amend Sections 806 and 828.4 of the Agricultural Code, relating to standard containers for fruits and the marking and use thereof.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1250?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 828.4", and insert ", 828.4 and 829.2".

Amendment No. 2

On page 3, line 33, of the printed bill, as amended, after "22B" insert "23,".

Amendment No. 3

On page 3 of the printed bill, as amended, between lines 33 and 34, insert

"Container No. 23 shall be standard for plums and fresh prunes only when such fruits are wrapped and packed throughout the container."

Amendment No. 4

On page 3 of the printed bill, as amended, strike out all of line 38, and insert

"Container No. 25 may be used without a cleat or with any cleat other than those provided for in this section and other size containers than those provided in this section may be used if conspicuously marked"

Amendment No. 5

On page 3 of the printed bill, as amended, after line 41, insert

"SEC. 3. Section 829.2 of the Agricultural Code is hereby amended to read as follows:

829.2. 7. Fresh peaches, numbers 1, 1A, 5, 6, 7, 8, 9, 9A, 9B, 12B, 15, 16, 17, 18, 18A, 26, 27 or 27A

8. Fresh pears, numbers 1A, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 26, 27 or 29A. Container No. 19 shall be standard only when used with three pads or cushions

9. Oriental persimmons, numbers 6, 7, 8, 13, 14, 15, 16, 17, 18, 27 or 32

10. Plums or fresh prunes, numbers 1, 1A, 5, 6, 7, 8, 9, 12A, 12B, 14, 15, 16, 17, 18A, 22B, 23, 24, 25, 26 or 27

11. "Wonderful" pomegranates, numbers 33 or 34."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1250 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 1250 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 310—An act to amend Sections 3931, 3933, 3934 and 3935 of, and to add Sections 3930.5 and 3935.5 to, the Elections Code, relating to the order of names of candidates on primary ballots.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 310 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Daley, Hawkins, and Houser, Frederick F.—3

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 502 WAIVED

Mr. Allen waived his notice of motion to reconsider the vote whereby Senate Bill No. 502 was passed.

Senate Bill No. 502 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 517 WAIVED

Mr. Pfaff waived his notice of motion to reconsider the vote whereby Senate Bill No. 517 was passed.

Senate Bill No. 517 ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 150—An act to amend Sections 4005c, 4006, 4234, 4235, 4238, 4240, 4241, 4242, 4243, 4244, 4245, 4246, 4247, 4248, 4249, 4250, 4251, 4252, 4253, 4254, 4255, 4257, 4258, 4259, 4260, 4261, 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276, 4277, 4278, 4279, 4280, 4281, 4282 and 4283 and to repeal Sections 4234a, 4242.1, 4242.2, 4242.3, 4242a, 4248a, 4248b, 4248c, 4248d, 4248e, 4248f, 4248g, 4248h, 4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248p, 4248p2, 4248q, 4248r, 4248s, 4248t, 4248u, 4248v, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254*l*, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s,

4254t, 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263j, 4263k 4263*l*, 4263m, 4263n, 4263o, 4263p, 4263q, 4263r, 4263s, 4265a, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270*l*, 4270m, 4270n, 4270o, 4270p, 4270q, 4270r, and 4272a of the Political Code, relating to the classification of the counties of California and providing for the compensation of public personnel in said counties as so classified.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 150?

Amendment No. 1

In line 7 of the title of the printed bill, as amended, after "4242a," and before "4248a," insert "4246a,".

Amendment No. 2

In line 18 of the title of the printed bill, strike out "of".

Amendment No. 3

On page 15 of the printed bill, between lines 14 and 15, insert

"SEC. 14.5. Section 4246a of said code is hereby repealed".

Amendment No. 4

On page 22, line 28, of the printed bill, as amended, strike out "6", and insert "26".

Amendment No. 5

On page 25, line 8, of the printed bill, as amended, strike out "mileage".

Amendment No. 6

On page 30, line 29, of the printed bill, as amended, strike out "of", and insert a comma.

Amendment No. 7

On page 34, line 1, of the printed bill, as amended, strike out "of Calaveras".

Amendment No. 8

On page 34, line 28, of the printed bill, as amended, strike out "mileage,".

Amendment No. 9

On page 36, after line 24, of the printed bill, as amended, insert

"SEC 56. Unless otherwise expressly provided, the provisions of the Political Code, as amended by this act, shall not apply to the compensation paid for public services during his current term to any person, whose compensation the Legislature is required or authorized to regulate, and from the effective date of this act to the time that his current term expires, such person shall be paid the same compensation as he was paid prior to the effective date of this act."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 150 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 150 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 203

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons

or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Expenses Incurred for Mother's Day—May 9, 1941

Rebecca Frostiek (services Indian character)	$3 00
Paul Battese (services Indian character)	3 00
McCurry Foto Co (photographs)	7 73
Sherman, Clay & Co. (sheet music)	1 55
Marcella Thorp (music)	10 00
Rudolph M. Caffaro (music)	15 00
Jones & Dart Music Company (piano rental and drayage)	15 00
Hotel Regis (two nights lodging for Mrs Klosterman)	5 50
Avesia Vickery (harpist and drayage)	11 50
Safeway Stores (vegetables and flowers)	6 92
Eleanor Miller (telegrams)	3 41
Hobby Shop (drayage and material)	7 50
Jiro Hirose (music)	5 00
L. D. Johnson (artist for program)	10 00
Department of Finance (work and material)	124 69

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Howser, F. N., Johnson, Kellems, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Heisinger—1.

By Committee on Rules:

House Resolution No. 204

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Veterans' Welfare Board (Five electric fans)	$41 25
H. S. Crocker Co. (Supplies)	8 25
Cascade Towel Supply Co. (Towel Service—April)	54 04
Hotel Senator Flower Shop (Floral piece for Mrs Collins)	10 30
Department of Finance (Install partition Speaker's Room)	158 75
Department of Finance (Alterations—Speaker's Room)	14 80
Department or Finance (Work and material Speaker's Rostrum)	79 30
Department of Finance (Mimeograph service)	3 80
Department of Finance (Pro-rate telephone service to May 25th)	102 33

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Heisinger—1.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1229—An act to amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the

Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1229?

Amendment No. 1

On page 2, line 24, of the printed bill, as amended, following the period after "865", strike out "It", and insert "Unless otherwise provided, it".

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 1229 by the following vote:

AYES—Burns, Michael J., Crowley, and Russell—3

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson Kellems, Kepple, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Thomas, Thorp, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—59

Assembly Bill No. 1229 ordered to conference.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1229

The Speaker announced the appointment of Messrs. Call, Dickey and Thurman as a Committee on Conference concerning Assembly Bill No. 1229.

Speaker Pro Tempore Presiding

At 11:05 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 46: By Messrs. Bashore, Middough, Stream, Maloney, Kepple, Cronin, Call, Thomas, Cain, Crowley, Lowrey, Desmond, Watson, Burns, Michael J., Lyon, Field, Kellems, and Robertson—Relative to creating a Joint Legislative Committee to report plans to commemorate the discovery of California by Juan Rodriguez Cabrillo.

Referred to Committee on Rules.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 1740

In compliance with a notice given on a previous day, Mr. Richie moved that the vote whereby Assembly Bill No. 1740 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Allen, Stream, Collins, Sam L., Howser, F. N., and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 1740.

The roll was called, and Assembly Bill No. 1740 reconsidered by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Crowley, Dickey, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, Meehan, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, and Welch—41.

NOES—Allen, Call, Carlson, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Phillips, Poole, Stream, Watson, Weybret, Wollenberg, and Mr. Speaker—28.

Assembly Bill No. 1740 ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dilworth, Lyon, Thorp, Clarke, McCollister, Heisinger, Cronin, Weber, Gallagher, O'Day, Welch, Gaffney, Burns, Hugh M., Cain, Call, Crowley, Leonard, Thurman, Burns, Michael J., Desmond, Field, Del Mutolo, Carlson, Johnson, Weybret, Sheridan, Salsman, Dickey, Cooke, Robertson, Howser, F. N., Collins, Sam L., Dills, Richie, Waters, Andreas, Potter, Houser, Frederick F., Pelletier, Stream, Pfaff, Kellems, Watson, Knight, T. Fenton; Kepple, Kilpatrick, Burkhalter, Bashore, Allen, Evans, Middough, Poole, Knight, John B., Hastain, Massion, Russell, Doyle, Bennett, Voigt, Thomas, Hawkins, Tenney, Collins, George D., Green, Donnelly, Maloney, Phillips, Turner, Poulson, King, Lowrey, Millington, Cassidy, Gunlock, Sawallisch, Wollenberg, Meehan, Miss Miller and Mrs. Daley:

House Resolution No. 205

WHEREAS, On the sixteenth day of May, 1898, on an Ozark farm near Lebanon in the State of Missouri, there was born a sturdy son to make happy and joyous the home of a family of Garlands from historic Virginia, American born for 300 years; and

WHEREAS, The lad grew strong around the log cabin home of his parents in the virtues of character for which the sons of Missouri are everywhere famous; and

WHEREAS, His elementary education was acquired by diligent study and application in the one room, log cabin Blackfoot School in the Ozarks; and

WHEREAS, His education was further pursued in California, where he completed studies in animal husbandry, citriculture, horticulture, and viticulture, preparing him for his ranching operations in this State, and

WHEREAS, In his manhood he has by continued industry and determination achieved a brilliant career in his adopted State of California, now, therefore, be it

Resolved, That it is with genuine pride and pleasure that the Members of this Assembly do pause in their deliberations on this the forty-third anniversary of his natal day, to extend this evidence of our personal esteem and best wishes to the Honorable Gordon H. Garland, Speaker of this Assembly, for many more years of honorable achievement, happiness, prosperity and good health; and be it further

Resolved, That an engrossed copy of this resolution be prepared and presented to Mary Catherine Garland, the mother of our Speaker, whose loving hands rocked his cradle in youth, and who has ever been his inspiration and guide.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up House Resolution No. 205, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Voigt moved that the following remarks by Mr. Dilworth be printed in the Journal.

Motion carried

Remarks by Mr. Dilworth

A life is a long time.

The journey of a man from the cradle to mature age is fraught with hardship, disappointment and adventure.

It is not surprising that those who start this life in the lap of luxury with every advantage, may arrive at the years of maturity in comfortable competence.

The pride of American history is the familiar story of distinguished American citizens who began life in the humble homes of rural life, men and women who have turned their difficulties into stepping stones, their hardships into sterling qualities of character and their adventure into wise and mature judgment.

Gordon Garland saw the first light of day in a log cabin on the Ozark farm of his parents. Step by step he made his way by diligent work and faithful service to achieve an honored place of esteem in his home community of Woodlake and in the entire State of California.

No small part of this esteem in which our Speaker is held is due to those qualities of kindliness and patience so evident in his daily life

In appreciation of the service and character of Gordon Garland it is fitting and appropriate that this evidence of our esteem and regard for him be presented to his devoted mother whose affection and guidance have been a daily blessing in his life.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Voigt, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 2223.

RECONSIDERATION OF ASSEMBLY BILL NO. 2223

In compliance with a notice given on a previous day, Mr Wollenberg moved that the vote whereby Assembly Bill No 2223 was passed be reconsidered.

Demand for Previous Question

Messrs. Turner, Waters, Lyon, Allen and Welch demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 2223.

The roll was called, and Assembly Bill No. 2223 refused reconsideration by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Carlson, Collins, George D., Cooke, Cronin, Daley, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Maloney, Meehan, Middough, Richie, Stream, Thurman, Watson, Weber, Weybret, and Wollenberg—31

NOES—Allen, Bashore, Burkhalter, Cain, Call, Clarke, Collins, Sam L., Del Mutolo, Dills, Evans, Field, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John R., Leonard, Lowrey, Massion, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Thorp, Turner, Voigt, Waters, Welch, and Mr Speaker—38.

Assembly Bill No. 2223 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 651

At 12.20 p.m., on motion of Miss Miller, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 651 refused reconsideration by the following vote:

AYES—Allen, Carlson, Cronin, Crowley, Daley, Dilworth, Donnelly, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Lyon, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Sheridan, Thomas, Voigt, and Waters—27

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Millington, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

RECESS

At 12.22 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1526—An act to further the education of children of disabled World War veterans by allowing them free tuition in State-owned colleges and universities.

Bill read third time.

Demand for Previous Question

Messrs. Waters, Robertson, Collins, Sam L., Howser, F. N., and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1526.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Welch, and Mr. Speaker—56

NOES—Collins, Sam L., Hastain, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lyon, Middough, Waters, Watson, and Weybret—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4061, 4062, 4063, 4064, 4080, 4082, 4084, 4085 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4, Part 1, Division 2 of the Insurance Code and to add Sections 4065 and 5001 thereto, all relating to insurance.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "4061, 4062, 4063, 4064," and insert "4062, 4063, 4064, 4064.5,".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 10 to 20, inclusive

Amendment No. 3

On page 4 of the printed bill, as amended, between lines 22 and 23, insert

"SEC. 12.5. Section 4064.5 is hereby added to the Insurance Code, to read as follows:

4064.5 Any domestic insurer which has received a certificate of authority to transact insurance under this chapter prior to January 24, 1941, may continue to transact insurance in accordance with the provisions of Sections 4064 and 4084, as they existed on that date, until December 31, 1951, at which time the provisions of Sections 4064 and 4084 as they then or may thereafter exist are applicable to such an insurer.

Any domestic insurer organized under this chapter which has prior to January 24, 1941, procured from the commissioner a permit to solicit subscriptions for insurance and prior to the expiration of such permit has complied with all the provisions thereof, upon proof of compliance with all of the provisions of this chapter, other than Sections 4064 and 4084 as amended, and upon proof of compliance with the provisions of Sections 4064 and 4084 as they existed on January 24, 1941, shall receive a certificate of authority to transact insurance under this chapter. Such insurer may continue to transact insurance in accordance with the provisions of Sections 4064 and 4084 as they existed on January 24, 1941, until December 31, 1951, at which time the provisions of Sections 4064 and 4084 as they then or may thereafter exist are applicable to such an insurer.

Any insurer referred to in this section, may, prior to December 31, 1951, elect by written notice to the commissioner to transact insurance under the provisions of Sections 4064 and 4084 as they exist after January 24, 1941. Upon the filing of such written election with the commissioner, specifying the date upon which it is to be effective, such an insurer is subject to all of the provisions of Sections 4064 and 4084 as so amended from and after the date specified in the notice of election."

Amendment No. 4

On page 4, line 36, of the printed bill, as amended, strike out "35", and insert "40".

Amendment No. 5

On page 5 of the printed bill, as amended, strike out lines 2 and 3, and insert "surplus required by Section 4064 or the minimum net cash surplus of one hundred fifty thousand dollars ($150,000) required pursuant to Section 4022 before the making of dividends, whichever is greater. Whenever".

Amendments read.

Demand for Previous Question

Messrs. Houser, Frederick F., Evans, Dickey, Robertson and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Assembly Bill No. 1519.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time 3 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on amendments to Assembly Bill No. 2380.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2380—An act to amend Sections 2182 and 2184 and to add Sections 2163a and 2165a to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Hon. Hugh P. Donnelly Presiding

At 3.16 p m, Hon Hugh P. Donnelly, Member of the Assembly from the Thirty-second District, presiding.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2182 and 2184 and to add Sections 2163 and", and insert "2020, 2182 and 2184 of, and to add Section".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 20, inclusive, and insert

"SECTION 1 Section 2020 of the Welfare and Institutions Code is hereby amended to read as follows:

2020 The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, thirty-five dollars ($35) per month.

The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income Net income from any [of the following sources] *source* of a combined total value not exceeding fifteen dollars ($15) per month shall not be considered for any purpose [.

(a) Income from the applicant's labor or service; or rent from the premises owned by applicants,

(b) The value of foodstuffs or other merchantable products, produced by the applicant;

(c) The value of firewood or water produced on the premises of the applicant or given to him by another;

(d) The value of gifts of money, other than contributions by relatives legally responsible by law], *except contributions made by legally responsible relatives*"

Amendments read

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, and Welch—49.

NOES—Allen, Bashore, Daley, Del Mutolo, Howser, F. N., Johnson, Kellems, Knight, John B., Meehan, Watson, Weybret, and Wollenberg—12.

Bill ordered reprinted and re-engrossed.

Motion to Set Special Order

Mr. Dills moved that Assembly Bill No. 2380 be made a special order of business for Monday, May 19, 1941, at 2 p. m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—65.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Miss Miller:

House Resolution No. 206

Relating to the hundredth birthday of Mr. Winslow W. Thomas

WHEREAS, Mr. Winslow W. Thomas, a resident of the City of Pasadena, who was born on May 20, 1841, in North Haven, in the State of Maine, will celebrate his hundredth birthday on the twentieth day of this month.

Mr. Thomas served his country faithfully and well during the War Between the States as a member of the Fourth Maine Infantry, and has been active in the Grand Army of the Republic, of which organization he is one of the few surviving members.

He took up a homestead in Kansas in 1866 and it was there that he met Josephine Howe, whom he married on October 25, 1878. This happy marriage was blessed with four children and the tender devotion and love of this couple for each other extending over a period of more than 62 years has ever been a splendid example to their numerous friends and acquaintances

At an early day Mr. Thomas went to Colorado where he engaged in farming and stock raising, and has made his home in the City of Pasadena since 1918; and

WHEREAS, It is most fitting and proper that the Members of this Assembly should pause and pay sincere tribute to a citizen of this State and Nation whose exemplary life and achievements afford an outstanding living example of the ideals and principles that have made this country a truly great democracy; now, therefore, be it

Resolved by the Assembly, That the Members thereof, as representatives of the people of the State of California, express to Mr. Winslow W. Thomas, and to his beloved wife their congratulations upon the attaining of his hundredth birthday, and join with their friends and acquaintances in the City of Pasadena, in extending every good wish for continued happiness and joy throughout the remainder of their years; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably engrossed copy of this resolution to Mr. Winslow W. Thomas.

Request for Unanimous Consent

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 206, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 650—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support, and maintenance of persons in State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Turner, Voigt, Waters, Welch, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 654—An act to amend Sections 154 and 157 and to repeal Section 155 of the Welfare and Institutions Code, relating to the institutions subject to the jurisdiction of the Department of Institutions and appointment of superintendents of those institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Meehan, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 733—An act to amend Section 740 of the Welfare and Institutions Code, pertaining to the order of commitment of juvenile delinquents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 742—An act to amend Section 5252 of the Welfare and Institutions Code, relating to petition for commitment of a feeble-minded person.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman,

Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—67.
NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 1519

At 3:40 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments to Assembly Bill No. 1519 were adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Desmond, Dilworth, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lyon, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Richie, Robertson, Russell, Sheridan, Stream, Turner, Voigt, Watson, and Mr. Speaker—42
NOES—Bennett, Burns, Michael J., Cain, Carlson, Cassidy, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, O'Day, Phillips, Poole, Potter, Salsman, Thorp, Thurman, Waters, Welch, Weybret, and Wollenberg—31.

Assembly Bill No. 1519 ordered reprinted and re-engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 754—An act to amend Section 6655 of the Welfare and Institutions Code, relating to the liability to the State of the estates of persons committed to State institutions for the care, support, and maintenance of such persons.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Wollenberg—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755—An act to amend Section 6656 of the Welfare and Institutions Code, relating to the deposit of funds by the guardian in the patient's deposit fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Wollenberg—71
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 773—An act to amend Section 1554 of the Probate Code, relating to accounts of guardians of insane persons

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, and Wollenberg—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1146—An act to amend an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," Statutes of 1921, page 370, as amended by Statutes of 1937, page 1536, providing a procedure for the disposition of exhibits filed with the court in criminal cases and declaring for the property to be contraband, and providing for the seizure, confiscation and destruction of such contraband property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Meehan, Bennett, Dills and Hawkins:

House Resolution No. 207

WHEREAS, Our colleague, Vernon Kilpatrick, and his wife, Hazel, yesterday, May 15, 1941, celebrated the happy day 28 years ago when they were united in matrimony; and

WHEREAS, In the years that have gone by, the happiness which crowned their union has been ever present and their wedded life has been rich in love and mutual respect; now, therefore, be it

Resolved by the Assembly of the State of California, That it congratulates the happy couple on their wedding anniversary and expresses the wish that they may enjoy many more years together in health and happiness; and be it further

Resolved, That the Chief Clerk of the Assembly present to Assemblyman and Mrs. Vernon Kilpatrick an engrossed copy of this resolution

Request for Unanimous Consent

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 207, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1020—An act to amend Sections 5.792, 5.793, 5.794, 5.795, 5.796, 5 798 and 5 799a of the School Code and adding a new section thereto, to be numbered 5.792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 3 to 5, inclusive, and insert "5.798 and 5.799a of, and to add Section 5 792a to the School Code, all relat-".

Amendment No. 2

On page 3, line 38, of the printed bill, as amended, strike out "of the governing board, shall be included", and insert "of the county superintendent of schools, shall be included by the governing board"

Amendment No. 3

On page 3, lines 40 and 41, of the printed bill, as amended, strike out "board of education", and insert "county superintendent of schools".

Amendment No. 4

On page 3, line 43, of the printed bill, as amended, strike out "board of education", and insert "county superintendent"

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 47 to 50, inclusive, and insert "The budget for the first year shall be determined by the governing board, and pending receipt of".

Amendment No. 6

On page 4 of the printed bill, as amended, strike out lines 21 to 23, inclusive; and in line 24, strike out "following", and insert "The said rules shall provide for the procedure to be followed both by the governing board and the commission".

Amendment No. 7

On page 4 of the printed bill, as amended, strike out lines 36 to 43, inclusive, and insert "of this article, within 30 days after their adoption and shall not be effective until so printed and available."

Amendment No. 8

On page 4, line 44, of the printed bill, as amended, strike out "Sec. 6 ", and insert "Sec. 5."

Amendment No. 9

On page 4, lines 47 and 48, of the printed bill, as amended, strike out "full-time or part-time secretary to the commission", and insert "Personnel Director".

Amendment No. 10

On page 4 of the printed bill, as amended, strike out lines 50 and 51; and on page 5, strike out lines 1 to 12, inclusive, and insert 'the commission. He shall be responsible to the commission for carrying out all procedures in the administration of the classified personnel in conformity with the provisions of this article and the rules of the commission. He shall also act as secretary of the commission and shall prepare, or cause to be prepared, an annual report which shall be sent by the commission to the governing board Any two or more districts may cooperate in the employment of one person as personnel director for all such districts. Districts may contract for".

Amendment No. 11

On page 5, line 15, of the printed bill, as amended, strike out "Sec. 7", and insert "Sec. 6".

Amendment No. 12

On page 5 of the printed bill, as amended, strike out line 52; and on page 6, strike out lines 1 to 3, inclusive, and insert "crimination be exercised therefor "

Amendment No. 13

On page 6 of the printed bill, as amended, strike out lines 41 to 51, inclusive; and on page 7, strike out lines 1 to 44, inclusive.

Amendment No. 14

On page 7, line 45, of the printed bill, as amended, strike out "Sec. 10", and insert "Sec. 7".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 207—An act to add Sections 2010, 2011 and 2012 to, and to amend Sections 2182 and 2183 of, the Welfare and Institutions Code, relating to aid to the aged, providing for the payment thereof, and specifying the powers and duties of certain public officers and employees in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, and Weybret—57

NOES—Collins, Sam L., Dilworth, and Watson—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1887—An act making an appropriation in augmentation of the Revolving Fund of the Bureau of Printing, Department of Finance, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1887:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 16, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 1887

"An act making an appropriation in augmentation of the Revolving Fund of the Bureau of Printing, Department of Finance, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1887 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Weybret, and Wollenberg—58

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2342—An act to add Section 511.5 to the Vehicle Code, relating to speed limits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green Gunlock, Hawkins, Heisinger, Houser, Frederick F Howser, F N, Johnson, Kellems, Kepple Kilpatrick King Leonard, Lowrey, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawtelle, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read third time.

Motion to Amend

Mr Turner moved the adoption of the following amendment.

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, after "judgment", insert "entered after the taking effect of this amendment"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 891—An act to amend an act of the Legislature approved April 27, 1923, conveying certain lands of the State to the City of Coronado, to correctly describe the boundaries of such lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 368—An act to amend Sections 7302, 7373, 7393, 7400 and 7414 of, and to add Sections 7385 and 7417 to, the Business and Professions Code, relating to the practice, the training for, and the government of cosmetology.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Cain, Carlson, Cassidy, Clarke, Collins, George D., Crowley, Desmond, Dickey Dills, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Hawkins Heisinger, Houser, Frederick F., Howser F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight John B Knight, T Fenton; Maloney, Massion, Meehan, Miller, Millington, O'Day Pelletier, Pfaff, Poole Richie, Robertson, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Welch, and Weybret—47.

NOES—Allen, Bashore, Cronin Dilworth Gaffney Gallagher, Leonard, Lowrey, Russell, Stream, Watson, and Wollenberg—12

Notice of Motion to Reconsider Assembly Bill No. 368

Mr Gaffney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 368 was this day passed.

Assembly Bill No. 902 —An act to amend Section 318 of the Agricultural Code, relating to artificial coloring of meat products and casings

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Desmond, Dickey, Dills Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters Watson, Welch, Weybret, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 37—An act granting certain submerged lands and tidelands of the State of California to the City and County of San Francisco, including the management, use and control thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Daley, Desmond, Dickey, Dills Donnelly, Doyle, Field, Gaffney Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff Phillips, Poole, Potter Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1925—An act to amend Section 451 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt Waters, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 4 15 p m. Hon Gordon H. Garland, Speaker of the Assembly, presiding

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Demand for Previous Question

Messrs Turner, Heisinger, Knight, John B, Collins, Sam L., and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1162.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Collins, George D., Cronin, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Poulson, Richie, Robertson, Salsman, Sheridan, Thurman, Waters, and Welch—28

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lyon, Millington, Phillips, Poole, Potter, Russell, Sawallisch, Thomas, Thorp, Turner, Voigt, Watson, Weybret, Wollenberg, and Mr. Speaker—39.

Notice of Motion to Reconsider Assembly Bill No. 1162

Mr. Green gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1162 was this day refused passage.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2633

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LYON, Chairman

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No 2633 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2633

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read second time.

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1966—An act to add Sections 5.129 and 5.344 to the School Code, relating to the continuance of documents authorizing service in the public schools and held by persons serving in the military service of the United States or of the State of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan,

Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas; Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

LEAVES OF ABSENCE FOR BALANCE OF DAY

The following member was granted leave of absence for the balance of the legislative day:

Mr. Cassidy, on motion of Mrs. Daley.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 264 FROM COMMITTEE

Mr. Crowley gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 264 from the Committee on Education, and have it placed upon the file.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1323—An act to amend Section 392 of the Penal Code, relating to the running of railroad trains with passenger cars ahead of freight cars.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Robertson:

Resolved, That Senate Bill No. 1323 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—65.
NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1323

Senate Bill No. 1323—An act to amend Section 392 of the Penal Code, relating to the running of railroad trains with passenger cars ahead of freight cars.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read and on motion of Mr. Maloney, ordered printed in the Journal:

WESTERN UNION

HOLLYWOOD, CALIFORNIA, May 16, 1941

Gordon H. Garland, Speaker, State Capitol

Many thanks for your kind message and please express my appreciation to the Assembly for the resolution adopted. Please inform them that I am well on the way to recovery and will be back on the job in about 10 days with the eye practically good as new.

LEFTY O'DOUL

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1026 WAIVED

Mr. Carlson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1026 was passed.

Assembly Bill No. 1026 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 741 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Senate Bill No. 741 was passed.

Senate Bill No. 741 ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1900 WITHDRAWN FROM INACTIVE FILE

Mr. Poulson moved that Assembly Bill No. 1900 be withdrawn from the inactive file.

Motion carried.

Request for Unanimous Consent

Mr. Poulson asked for unanimous consent to take up Assembly Bill No. 1900, at this time.

Mr. Bashore withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Poulson moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 1900, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Bennett, Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Poole, Poulson, Richie, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker—45.

NOES—Bashore, Burkhalter, Burns, Michael J., Cooke, Cronin, Crowley, Dills, Heisinger, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Massion, Middough, Pelletier, Potter, Robertson, Russell, Salsman, Turner, Voigt, and Wollenberg—21.

CONSIDERATION OF ASSEMBLY BILL NO. 1900

Assembly Bill No. 1900—An act to amend Section 3 of an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, relating to the board of supervisors.

Bill read third time.

Motion to Hold Bill on File

Mr. Pelletier moved that Assembly Bill No. 1900 be kept on file until the Supervisors of Los Angeles County endorse it by resolution.

Motion to Table Motion

Mr. Johnson moved that the motion by Mr. Pelletier be laid on the table.

Mr. Lyon seconded the motion.

Motion to Table Withdrawn

Motion withdrawn by Mr. Johnson with the consent of his second.

Demand for Previous Question

Messrs. Johnson, Lyon, Poulson, Collins, Sam L. and Howser, F. N. demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 1900 be kept on file until the Los Angeles County Supervisors indorse it by resolution.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Heisinger, Kilpatrick, Knight, T. Fenton; McCollister, Middough, Pelletier, Richie, Turner, and Mr Speaker—12

NOES—Allen, Bennett, Burns, Hugh M., Cain, Collins, George D., Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Welch, and Weybret—49.

Demand for Previous Question

Messrs. Thorp, Hastain, Poole, Lyon and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1900.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Kepple, King, Knight, John B., Leonard, Lyon, Maloney, Massion, Miller, Millington, Pfaff, Poole, Poulson, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, and Welch—43.

NOES—Bashore, Burkhalter, Burns, Michael J., Carlson, Desmond, Field, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton, McCollister, Middough, Pelletier, Phillips, Potter, Richie, Russell, Salsman, Wollenberg, and Mr. Speaker—22.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Desmond, ordered printed in the Journal:

POSTAL TELEGRAPH

SACRAMENTO, CALIFORNIA, May 16, 1941

Earl D. Desmond, Assembly Chambers, State Capitol, Sacramento

Please extend a cordial invitation to all members of the Legislature to attend the premier performance of Sacramento's own Newsreel Theatre tonight at 9 p.m. Sacramento, capital of Superior California, becomes the Nation's sixth city to present an exclusive newsreel theater showing all the news from all the world air-expressed from the scene of action. Would appreciate your presence as the capitals of the world salute the capital of the West.

THE SACRAMENTO NEWSREEL THEATER
SIERRA, 9th and 10th on K

RECESS

At 5.27 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 731
Assembly Bill No. 732

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEORGE D. COLLINS, Vice Chairman

Above reported bills ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 481

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRONIN, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2465

Has had the same under consideration, and reports the same back with the recommendation, Do pass.

(Signed out)

DALEY, Chairman	HAWKINS
KILPATRICK	POULSON
BURKHALTER	HOUSER, FREDERICK F.
COOKE	WOLLENBERG
TURNER	KEPPLE

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No 1841

Has had the same under consideration, and reports the same back with amendments with the recommendation. Be amended, and be re-referred to Committee on Insurance.

(Signed out)

SAWALLISCH, Chairman	PHILLIPS
PELLETIER	DESMOND
MEEHAN	LYON
POTTER	CRONIN
CROWLEY	McCOLLISTER
SALSMAN	MALONEY
ROBERTSON	

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1542—An act to amend Section 803 of the Agricultural Code, relating to peaches;

Assembly Concurrent Resolution No. 43—Relating to mediation of certain labor controversies;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1941, at 3 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 640—An act to add Section 132a to the Labor Code, relating to the Industrial Accident Commission;

Assembly Bill No. 1268—An act to amend Sections 372, 704 and 705, and to repeal Sections 702 and 703 of the Vehicle Code, relating to weight limitations imposed upon vehicles and combinations of vehicles, and the registration thereof;

Assembly Bill No. 1479—An act to add Section 259 to the Labor Code, relating to security for payment of wages;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1941, at 3 p m

JOHN B KNIGHT, Chairman

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No 2623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MICHAEL J BURNS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, MAY 16, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 180
Assembly Bill No 325
Assembly Bill No 369
Assembly Bill No. 377
Assembly Bill No. 379
Assembly Bill No 398
Assembly Bill No. 399
Assembly Bill No 904
Assembly Bill No. 956
Assembly Bill No. 1087
Assembly Bill No 1089
Assembly Bill No 1163
Assembly Bill No. 1282
Assembly Bill No. 1500
Assembly Bill No. 1543
Assembly Bill No. 1552
Assembly Bill No 2027
Assembly Bill No. 2191
Assembly Bill No 2518
Assembly Bill No. 2520
Assembly Bill No 2521

J A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, MAY 16, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Kenny, DeLap and Swing as a Committee on Conference concerning:

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346, 6360 and 6363 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, MAY 16, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Quinn, Keating and Foley as a Committee on Conference concerning

Senate Bill No. 1276—An act to amend Section 4254 of the Political Code, relating to the compensation for public services in counties of the twenty-fifth class

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, MAY 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346, 6360 and 6363 of the Business and Professions Code, and to add Sections 6326, 6348.3 and 6348.5 thereto, relating to boards of law library trustees and law libraries

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 16, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 123
Senate Bill No 117
Senate Bill No 216
Senate Bill No. 341
Senate Bill No. 562
Senate Bill No 563
Senate Bill No. 655
Senate Bill No 661
Senate Bill No 748
Senate Bill No. 822
Senate Bill No 889
Senate Bill No. 1154
Senate Bill No. 1184
Senate Bill No 1306
Senate Concurrent Resolution No. 16

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 24	Assembly Bill No. 1291
Assembly Bill No. 36	Assembly Bill No. 1683
Assembly Bill No. 192	Assembly Bill No. 1845
Assembly Bill No. 1090	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 41

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT

Mr. Thurman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38

Senate Concurrent Resolution No. 38—Approving certain amendments to the city charter of the City of Oroville, a municipal corporation of the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1941.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 8.08 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

LEAVES OF ABSENCE FOR BALANCE OF DAY

The following member was granted leave of absence for the balance of the legislative day:

Mr. F. N. Howser, on motion of Mr. Sam L. Collins.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER. The Committee on Conference concerning

Senate Bill No. 363—An act to amend Sections 6320, 6322, 6323, 6324, 6343, 6346 and 6360 of the Business and Professions Code, and to add Section 6326 thereto, relating to boards of law library trustees and law libraries;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the Assembly amendments of April 18th and 28th be concurred in, and that the Assembly amendments of May 10th be not concurred in, but that the bill be approved as amended by the Assembly on April 28, 1941.

KENNY	KELLEMS
SWING	WATERS
DELAP	POULSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the conference report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weybret, and Mr. Speaker—49

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1420—An act to amend Sections 140 to 158, inclusive, of the State Civil Service Act, relating to regulation of employees in the State civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1949—An act defining henceforth the boundaries of Alameda County Water District, also ratifying the incorporation in said district of certain lands as shown in the certificate of the president and secretary of the board of directors of said district filed in the office of the Secretary of State of the State of California on May 18, 1940, and as certified to by the certificate of the said Secretary of State filed in the office of the County Clerk of Alameda County on May 22, 1940, also providing for the management of said district as enlarged by the present officers thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Rus-

sell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 458—An act to add Article 2 to Chapter 8 of Division 5 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Ptaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 670—An act to add Section 615 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Ptaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—54
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. T. Fenton Knight moved that Assembly Bills Nos. 1654, 1655, 1657, 1658, 1659 and 1660 be made a special order of business for Tuesday, May 20, 1941, at 2:00 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—55
NOES—Crowley, Dickey, Ptaff, and Salsman—4

MOTION TO SET SPECIAL ORDER

Mr. Middough moved that Assembly Bill No. 13 be made a special order of business for Tuesday, May 20, 1941, at 2:30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54
NOES—Call, Cooke, Dickey, Lowrey, Robertson, and Salsman—6

Speaker Presiding

At 8 53 p m , Hon Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1289—An act to amend Section 737 of, and to add Sections 517 and 518 to, the Vehicle Code, relating to speed contests.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Allen, Andreas, Bashore Bennett, Burns Michael J , Clarke, Collins, George D , Cronin, Dickey, Dills, Dilworth, Donnelly Doyle, Evans, Gaffney, Green, Gunlock, Hastain Heisinger Houser, Frederick F , Kepple, Knight, John B , Knight, T Fenton , Leonard, Lowrey, Maloney Masson McCollister Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole Poulson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters Watson, Welch, Weybret, and Wollenberg—49

NOES—Carlson, Crowley Hawkins, Johnson, Lyon, Pelletier, Potter, Richie, Robertson, and Thomas—10

Bill ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1026 WAIVED

Mr Carlson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1026 was passed.

Assembly Bill No 1026 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RECONSIDER ASSEMBLY BILL NO. 368

Mr Pfaff asked for unanimous consent to reconsider the vote whereby Assembly Bill No 368 was passed.

Mr Gaffney withheld unanimous consent

Motion to Temporarily Suspend the Rules

Mr. Pfaff moved that the Rules be temporarily suspended for the purpose of considering the motion to reconsider Assembly Bill No 368, at this time

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas Burkhalter, Burns Michael J , Carlson, Clarke, Crowley, Daley, Donnelly, Doyle, Gunlock, Hastain, Hawkins, Kepple, Kilpatrick Knight, John B , Knight T Fenton , Lyon, Masson, Meehan Middough, Millington, Pelletier Pfaff, Phillips, Potter, Poulson Robertson Russell, Sheridan, Stream, Thomas, Thorp, Voigt Welch Weybret and Mr Speaker—36

NOES—Allen, Bashore Bennett, Collins, George D Cooke, Cronin, Dickey, Dills, Dilworth, Evans, Gaffney, Green, Heisinger, Houser, Frederick F , Johnson, Leonard Lowrey, Maloney, McCollister, Miller, Poole, Richie, Salsman, Thurman, Waters, Watson, and Wollenberg—27

MOTION TO SET SPECIAL ORDER

Mr Lyon moved that Senate Bill No 975 be made a special order of business for Wednesday, May 21, 1941, at 2 p.m

The roll was called, and the motion carried by the following vote·

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J , Carlson Clarke Collins, George D Collins, Sam I , Cooke, Cronin, Daley, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Fred-

erick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Crowley, Dickey, Dills, Gaffney, Gunlock, Kilpatrick, Lowrey, and Meehan—8.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1836—An act to add Section 583 to the Streets and Highways Code, relating to State highways.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dills, Donnelly, Evans, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Carlson—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2458—An act to add Section 1817 to Article 8, Chapter 1, Part 7 of the Labor Code, relating to working laws on public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Johnson, Kepple, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55

NOES—Hawkins, and Leonard—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 709—An act to add Section 673.9 to the Vehicle Code, relating to devices for arresting burning carbon or sparks emitted from exhausts of vehicles operated over private property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An act to repeal Chapter 8 of Division 6 of the Agricultural Code, relating to marketing of milk and other dairy products.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2054—An act to add a new section to the Agricultural Code, to be numbered 691.1, relative to inspection of dairies.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1112—An act to add a new section to the Agricultural Code, to be numbered 766.5, relating to canning tomato standards and inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1799—An act to amend Section 52 of, and to add Section 52.5 to, the Agricultural Code, relating to county agricultural commissioners

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—56.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 356—An act to amend Section 1032a of the Code of Civil Procedure, relating to the cost of depositions as costs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470—An act to amend Section 112 of the Code of Civil Procedure, relating to original jurisdiction of justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—56.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1009—An act to amend Section 137 of the Civil Code, relating to the support of a spouse pending divorce proceedings.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—56
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 748—An act to amend Section 5104 of the Welfare and Institutions Code, relating to the patients' personal deposit fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kilpatrick, Knight, John B, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—56.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 751—An act to amend Section 5701 of the Welfare and Institutions Code, providing for the license fee for private institutions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 752—An act to add Section 6500.5 to the Welfare and Institutions Code, relating to care and management of institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—67
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 438—An act to repeal Section 1588.5 of the Labor Code, relating to labor contractor's license fees

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle Evans, Field Gaffney Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F Johnson, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1013—An act to amend Section 1989 of the Code of Civil Procedure, relating to witnesses

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2137—An act to amend Section 284 of the Code of Civil Procedure, relating to substitution of attorneys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 419—An act to add Section 1432.1 to the Penal Code, relating to the procedure in a justice's court when a complaint is filed against the justice of said court

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2526—An act to amend Section 117b of the Code of Civil Procedure, relating to small claims courts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp,

Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2526

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2526 was this day passed.

Assembly Bill No. 2527—An act to amend Section 117c of the Code of Civil Procedure, relating to small claims courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act to amend Section 1593 of the Labor Code, relating to employment agency licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 875
Senate Bill No. 1165

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 875—An act to amend Sections 9 and 36 of the California Water Storage District Act, relating to voting in California water storage districts.

Referred to Committee on Irrigation.

Senate Bill No. 1165—An act to add Section 2.5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, abolishing the revolving fund created by the Unemployment Relief Appropriation Act of 1940, declaring the urgency thereof, to take effect immediately.

Temporary Suspension of Assembly Rule No. 33

On motion of Mrs. Daley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 1165.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up Senate Bill No. 1165, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 1165

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1165:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS On March 18th I advised you that the appropriation contained in Assembly Bill No 253 was insufficient to cover unemployment relief needs for the fourth quarter of the current fiscal year and that the amount should have been $4,617,000 instead of $2,042,000, a difference of $2,575,000 (page 1031 of the Assembly Journal) You did not see fit to heed my recommendation and enacted this bill at the lower figure.

The present relief load of approximately 39,000 cases is 3,000 cases in excess of the best estimates of the Relief Administration and the Department of Finance, despite all efforts by the Administration and the Department of Employment to return persons on the rolls to private employment This is due to the facts that farm employment has been delayed by stormy weather and that the Work Projects Administration quotas have been drastically curtailed, reducing the number of cases closed by the SRA to the WPA and returning many of the cases eliminated by the WPA to the SRA rolls The WPA rolls have been reduced in excess of 14,000 cases in the past two months

Expenditures for the month of April total approximately $2,057,000 as against an original estimate of $2,044,000 Although expenditures for direct relief total $125,000 in excess of estimates, strict economy in administration and increased collections of board from WPA workers in single men's camps have held the net increase in total expenditures to approximately $13,000 The number of employees of the State Relief Administration has been reduced to 2,595 as of April 30th, (including approximately 200 separated as of the termination of their vacations), and the total administrative costs have been reduced to a much lower figure than at any previous date in the history of this agency

After reservation for April expenditures unpaid on May 1st, a balance of approximately $560,000 remains which is estimated to last until May 10th This does not include the amount of $650,000 set aside as a Federal Stamp Revolving Fund which the Attorney General has just advised is not available for expenditure or encumbrance for any other purpose

I therefore recommend again that an additional appropriation of $2,575,000 be granted immediately for the balance of the fourth quarter and that a separate revolving fund be appropriated to release the $650,000 mentioned above It appears that the first item can be best accomplished by Assembly Bill No. 1910 and the second by Senate Bill No 1165 One or both of these bills must be enacted into law by May 7th to prevent the stoppage of relief disbursements

You are therefore advised that ASSEMBLY BILL No 1910—

"An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment, and to provide that this act shall take effect immediately"

and SENATE BILL No 1165—

"An act to add Section 2 5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitute emergency bills within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

Respectfully submitted

CULBERT L OLSON, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mrs. Daley:

Resolved, That Senate Bill No 1165 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore Bennett Burkhalter, Burns, Michael J, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser Frederick F., Johnson, Kilpatrick, King, Knight, John R, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 1165—An act to add Section 2.5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, abolishing the revolving fund created by the unemployment relief appropriation act of 1940, declaring the urgency thereof, to take effect immediately

Bill read second time.

Senate Bill No. 1165—An act to add Section 2.5 to the California Unemployment Relief Act of 1935, establishing a revolving fund for use in the operation of the Federal Stamp Plan, making an appropriation therefor, abolishing the revolving fund created by the unemployment relief appropriation act of 1940, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King,

Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 749—An act to amend Section 5502 of the Welfare and Institutions Code, relating to the dismissal of criminal proceedings and the affidavit for commitment of a sexual psychopath.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 750—An act to add Section 5502.5 to the Welfare and Institutions Code, relating to the parole and discharge of sexual psychopaths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 38

At 10:10 p.m., on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 38 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley,

Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 753—An act to amend Section 6650 of the Welfare and Institutions Code, relating to liability for care, support, and maintenance of patients in State hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 756—An act to add Section 6656.5 to the Welfare and Institutions Code, relating to the patient's personal revolving fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 771—An act to amend Section 7508 of the Welfare and Institutions Code, relating to civil actions or claims arising out of the discharge of official duties relating to inmates of State institutions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Potter moved a call of the Assembly.

Motion carried. Time, 10 20 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Potter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 745.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 745—An act to amend Section 166 of the Welfare and Institutions Code, relating to the disposition of personal property unclaimed by the owner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 954—An act to amend Section 3408d of the Political Code, relating to the sale of indemnity certificates

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1679—An act to amend Section 5.722 of the School Code, relating to sabbatical leaves.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2090—An act to add Sections 1443, 1444, 1445, 1446, to the Probate Code, relating to the appointment of guardians of minors and incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59

NOES—Allen, Carlson, Donnelly, Evans, and King—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2396—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2 and 972.3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and District Court of Appeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastam, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—66

NOES—Houser, Frederick F.—1

Bill ordered transmitted to the Senate

Assembly Bill No. 813—An act to validate county ordinances wherein publication was defective.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 4057 of, and to add Section 4058 to, the Political Code, relating to county ordinances and"

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 4057 of the Political Code is hereby amended to read as follows:

4057. The enacting clause of all ordinances of the board shall be as follows: "The Board of Supervisors of the County of _____ do ordain as follows." Every ordinance shall be signed by the chairman of the board and attested by the clerk. On the passage of all ordinances the votes of the several members of the board shall be entered on the minutes, and all ordinances shall be entered at length in the "ordinance book." Except as provided in [section four thousand fifty-eight] *Division 4, Chapter 2 of the Elections Code* no ordinance passed by the board shall take effect within less than 30 days after its passage[,and] Before the expiration of 15 days after the passage of an ordinance it shall be published *once*, with the names of the members voting for and against the same, [for at least one week,] in some newspaper published in the county, if there be one, and if there be none published in the county, then such ordinance shall be posted at the courthouse door *within said 15 day period and remain posted thereafter for* at least one week. An order entered in the minutes of the board that such ordinance has been duly published or posted shall be *prima facie* proof of such publication or posting

SEC. 2. A new section numbered 4058 is hereby added to the Political Code, to read as follows:

4058. No county ordinance heretofore passed shall be".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 817—An act to amend Sections 1, 2, 4, 5 and 6 and to repeal Section 3 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of public defender.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Ptaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1701—An act to add Article 2.5, comprising Sections 5135 to 5138, inclusive, to Chapter 2 of Division 5 of the Public Resources Code, relating to local art galleries and museums, authorizing counties and cities to accept title to real property therefor and to permit buildings therefor to be erected on public lands, providing for the delegation of authority thereover, and permitting the appropriation of moneys therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1246—An act to add Section 5041.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on accountants, declaring the urgency thereof, and to take immediate effect.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—64.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—62.
NOES—Carlson, and Millington—2.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Pelletier, ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 16, 1941

Honorable John B. Pelletier, Assemblyman, Fourty-fourth District
Assembly Chamber, State Capitol, Sacramento, California

DEAR SIR: In answer to your request with respect to the position of the commercial fishing interests in regard to Assembly Bill No. 1229, as amended, we desire to inform you they are in favor of the bill as it contains a compromise arrived at by the sportsmen, Fish and Game Department, and the commercial fishing interests operating on the Sacramento River

We, however, desire to state their position on Section 1 of the bill, as amended, which amends Section 697.5 of the Fish and Game Code, so that there will be no misunderstanding regarding their views.

The Attorney General has ruled, under the present law (Section 697.5), the fishermen must deliver striped bass, incidentally taken with shad and salmon, to State institutions at their own expense and without remuneration for the fish.

All the interested parties agree it would be unfair to expect the commercial fishermen to comply with this ruling. It was, therefore suggested to the commercial fishermen that they liberate all striped bass taken incidentally with shad and salmon. They agreed to this proposal under the circumstances, but only after they had exhausted every attempt to convince the sportsmen that it was very unwise to waste a valuable food fish which could be utilized for human consumption, especially in view of the fact there is an abundance of striped bass in the Sacramento River.

The commercial interests feel satisfied that within the next two years the advocates of Section 1 of Assembly Bill No. 1229 will be dissatisfied with the results which they intended to accomplish, and will themselves recommend the adoption of amendments, to utilize this valuable food fish, as suggested by the commercial interests.

We will appreciate very much if you will enter this letter into the legislative record so that the Legislature may know of our views regarding this matter.

Respectfully yours,

MATT BATINOVICH
Legislative Representative for I. F. A. W. A.
LLOYD TURNACLIFF
Legislative Representative for Wholesale Fish Dealers on Sacramento River

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2355—An act to amend School Code Section 3.760, relating to course of study in day elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 973 AND 974

Mr. Watson moved that Assembly Bills No. 973 and 974 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2573—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO May 16, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith, without my signature, Assembly Bill No. 1016, entitled "An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property"

My objections to this bill are as follows

This bill proposes to amend Civil Code Section 2931a At present Section 2931a provides that in the limited cases of actions to "foreclose a mortgage or other lien upon real property" the State may be made a party in order to determine the "priority" of all State tax liens, except the lien of real property taxes on the property affected This bill proposes, however, to authorize the State to be made a party to all actions brought *to determine conflicting claims to, or partition of, real property*, as well as actions to foreclose mortgage or other liens and deeds of trust, hence the State can be made party to all quiet title actions Further, the bill enlarges the scope of the action from one to determine the "priority" of State liens to one to determine the "*priority and effect*" of State liens

Under this bill there is no way that either the Attorney General or the Chairman of the Board of Equalization could determine what liens or other obligations held by the State of California would be affected by the action It might be a lien for franchise, inheritance, sales, or other taxes, or it might be a lien of a judgment obtained for the destruction of State property, such as a bridge, or the lien or other obligation might assume many other forms The lien for taxes or the judgment might have been obtained against some person other than the plaintiff in a quiet title action, and no search of State records would show the State's interest in the property covered by a quiet title action brought under the provisions of this bill It is possible that a title search might in some instances reveal the interest but this bill makes no provisions whereby the Attorney General or the Chairman of the Board of Equalization could pay for such a search by the title companies.

If this bill should become law, I have no doubt but that in the majority of quiet title actions the State would be made a party in order to clear up any question that might arise as to whether the State had a lien against the property affected by the actions and if it should be advisable to enact a law to permit quiet title actions against the State concerning liens or other obligations, provisions should also be enacted whereby the liens or other obligations affected would be specifically described so that the proper State officials could protect the interests of the State.

The wording of this bill which enlarges the scope of the action so that the court may determine the effect of State liens is so broad that under this bill it might be possible to collaterally attack the tax assessments which gave rise to the lien Ample provisions now exist in relation to State taxes so that their validity amount and like questions should not be adjudicated in quiet title actions

Respectfully submitted

CULBERT L. OLSON, Governor of California

Assembly Bill No 1016 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 16, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith without my signature, Assembly Bill No 679, entitled "An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435 1, 1435 2, 1435 3, 1435 4, 1435 5, 1435.6, 1435 7, 1435 8, 1435 9 and 1435 10 to Division 4, Chapter 11 thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d 1269a, 1269b and 1269c of the Civil Code."

My objections to this bill are as follows

Sections 172b, 172c, and 172d, of the Civil Code now provide a procedure whereby where one spouse has been adjudicated insane or incompetent, the other spouse may petition the court for an order permitting the sale or encumbrance of community real property. Sections 1269a, 1269b, and 1269c, of the Civil Code, provide a means whereby a spouse may petition a court for an order permitting the sale or encumbrance of homestead property where the other spouse is insane or incompetent This bill repeals these sections of the Civil Code and reenacts some of their provisions into the Probate Code setting up a procedure which is uniform as to both community property and homestead property However, this procedure does not follow either the present law as to community property or the present law as to homestead property but borrows some provisions from the one and some from the other, and adds some provisions not now contained in the law relating to either homestead or community property.

In relation to the filing of the petition and the hearing of the petition, the provisions follow the procedure now set up in relation to homestead rather than the procedure relating to community property, that is, at present a petition may only be filed relating to community property if the spouse has been adjudicated insane or incompetent; whereas, this bill and the present procedure in regard to homestead permit the proceedings to be instituted where there is no adjudication and in the proceedings the court makes a determination as to the insanity or incompetence of the spouse.

I find no objection to the form of the petition, the setting of the case for hearing, and the notification given to the alleged incompetent and his relatives, but there is no requirement that the provisions of Section 1461 of the Probate Code must be complied with Section 1461 provides that the incompetent person must be brought into court, if able to attend; if not able to attend, there must be an affidavit and certificate of a physician and surgeon that he is unable to attend.

The new provisions do provide that wherever applicable, Section 5752 of the Welfare and Institutions Code must be complied with That section provides that no court proceeding shall be held in relation to the mental condition of a patient in a private institution, etc., unless the patient is either present or represented by an attorney and the judge in such case must appoint two medical examiners to make a personal examination of the patient and testify before the judge However, this only applies where the patient is confined in a *private* mental hospital, etc, so that if he is in a home or at a State institution, or wandering at large, his presence in court is not required nor is it required that it be shown that he is unable to attend.

I believe that provisions similar to the requirements of Section 1461 of the Probate Code should be included in the new procedure relating to community property and homestead property. Certainly, if they should be required where he is to be adjudicated insane or incompetent and a guardian appointed to take care of his property, they should also be required in a proceeding where he is to be likewise adjudicated insane or incompetent although the purpose is merely to allow the sale or encumbrance of his community property or his homestead property, and I believe this protection should be placed in the law, notwithstanding the fact that in the present proceedings regarding homesteads, it is not so included

Section 1435.8 under this bill provides that "Any money realized upon such sale, transfer, exchange, mortgage, lease, deed of trust, compromise, settlement, or composition, shall be paid to the spouse not insane nor incompetent." In this respect, the new provisions apparently follow the present procedure now applicable to the community property. Section 172d of the Civil Code is not specific as to what happens to the money received upon a sale ordered by the court, but I am informed that the money is paid to the sane spouse, even in those instances where the incompetent spouse has a guardian However, this procedure is distinctly at variance with the present provisions relating to homestead property, which provide that before the execution of the conveyance the husband or wife must give a bond in double the amount of the mortgage to the effect that he or she will apply the proceeds only under the direction of the court.

I believe that here, likewise, in consolidating the two procedures, we should retain the one most likely to protect the insane or incompetent person, and that in the new procedure set up relating to both homestead and community property, provisions similar to the last sentence of the present Section 1269c of the Civil Code should be included. Said sentence reads as follows: "Such husband or wife must, before executing any conveyance, mortgage, or deed of trust, give a bond to be approved by the judge of the court, in double the amount of the mortgage or deed of trust, or double the value of the property to be sold, or exchanged conditioned to account for the proceeds of the mortgage, deed of trust, exchange, or sale and to apply such proceeds only as the court may direct"

I note that on pages 184 to 187 in Part 2 of the August 1940 State Bar Journal, the Report of a Committee to Study Community Property Law discusses the present provisions of Sections 172b, 172c, and 172d, and 1269a, 1269b, and 1269c, of the Civil Code, and recommends the adoption of a bill similar to this bill, but it will be noted that in the original report of such committee, the draft of a bill which was approved contained substantially the same provisions as are contained in the above noted provisions of Section 1269c of the Civil Code.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 679 ordered to unfinished business.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1299—An act to amend Section 665 of the Fish and Game Code, relating to sale of salmon in certain districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 771

At 11.21 p.m., on motion of Mr. Potter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 771 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1724 FROM COMMITTEE

Mr. Desmond gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1724 from the Committee on Municipal Corporations, and have it placed upon the file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No 1346
Assembly Bill No 2142.
Assembly Bill No. 1731.
Assembly Bill No 2229.
Assembly Bill No. 1339.
Assembly Bill No 1484
Assembly Bill No 2382.
Assembly Bill No. 770.
Senate Bill No 776
Assembly Bill No. 509
Assembly Bill No 915
Senate Bill No. 327

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No 62.
Assembly Bill No 1812.
Assembly Bill No 1813.
Assembly Bill No 1814.
Assembly Bill No. 2583.
Assembly Bill No. 1035.
Assembly Bill No. 197.

RE-REFERENCE OF BILLS

By order of the Speaker the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No 1154 re-referred to Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Albert E. Harris and Mrs. Robert House, all of Berkeley

On request of Messrs Field, Potter and Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon Dudley Valentine, Judge of the Superior Court of Los Angeles County.

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry E. Shaffer, principal; Mrs. Iola S Young, teacher; and the following Banta School pupils: Fifth Grade—Robert Barenchi, Inez Barendelli, Henry Dethlefsen, Elsie Frei, Theresa Gwerder, Betty Farmer, Joe Gaines, Albert Kiehger and Ralph Wells; Sixth Grade—Manuel Amaral, Louise Ando, Felix Castro, Curtis Gaines and Harold Gallagher, Seventh Grade—Beatrice Castro, Betty Frei, Carlotta Hauschildt, Frank Colli, Paul Obad, George Pombo, Henry Cardoza, Kenneth Smith, William Long, Tommie Garner, Paul Gukan, Frank Jacks, Raymond Long, Francis Mello, Dick Peters, Betty Petrig, Claudia Shupe, Frank Silva, Belmeda Simas, Herbert Sneed and Robert Varela; Eighth Grade—Josephine Bettencourt, Darlene Canale, Eva Mello, Adeline Neto, Marie Sanguinetti, Harold Barenchi, Ernest Pombo, John Obad, Henry Varela and George Ando; and the following from Mossdale School: Leanna Schlapkohl, Robert Hunter and Leslie Smith

On request of Mr Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr W. B. Ellis, Helen Ellis, and Howard Olivier, teachers, and the following students from Lafayette Elementary School, Contra Costa County: John Huovinen, Bill Ingram, Bill Rupp, Donald Ryan, George Hoya, Donald Mathews, Jay Bartmess, Donald Hoskins, Stanley Amtoft, Jack Malley, Billy Collins, Allen Campbell, Teddy Alpen, Nancy Mallet, Betty Jo Blankenship, Jane Ann Westfall, Frances Stanley, Sara Jean Kittredge, Ruth Pape, Lorna Vogt, Rosina Braudrick, Eileen Zuur, Lavern Doty, Connie Peugh, Mary Memmesheimer, Sarah Ramsey, Rose Lobo, Mary Kido, Barbara Lee Berry, Ruth Mortenson, Mary Louise Wilkenson, Lois Hazen, Bill Ledson, Gilbert Baker, Ronald O'Dell, Jack Breiht, Joey Machado, Maurice Smith, Richard Stanley, Wilfred Hallmeyer, Lee Wilson, Ronald Lyons, Jack Ingram, Jimmy Codding, Stanley Franke, Donald Starlss, Hubert Hall, Mickey Cook, J F Braudrick, Frank King, Joe Soares, Les Robertson and Raymond Franke

ADJOURNMENT

At 11 25 p m., on motion of Mr Lyon, the Speaker declared the Assembly adjourned until 9 a.m., Saturday, May 17, 1941.

C WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, May 17, 1941

The Assembly met at 9 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Poulson, Robertson, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—45

Quorum present

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. F. N. Howser, on motion of Mr. Sam L. Collins.
Mr. Cassidy, on motion of Mr. Maloney.
Mr. Gaffney, on motion of Mrs Daley.
Mr. Andreas, on motion of Mr. Dilworth

Call of the Assembly

Mr. Turner moved a call of the Assembly.

Motion carried. Time, 9.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 535
Assembly Bill No 859
Assembly Bill No 1076
Assembly Bill No. 1165
Assembly Bill No 1296
Assembly Bill No 1662
Assembly Bill No 1776
Assembly Bill No 1917
Assembly Bill No. 2018
Assembly Bill No 2155
Assembly Bill No. 2212
Assembly Bill No 2245
Assembly Bill No 2366
Assembly Bill No 2402
Assembly Bill No. 2612

And reports the same correctly engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 309
Assembly Bill No. 583
Assembly Bill No 686
Assembly Bill No 813
Assembly Bill No. 1378
Assembly Bill No 2213
Assembly Bill No. 2380

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2214

And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 1020

And reports the same correctly re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 2624

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1519

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1940

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bill ordered to second reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Salsman, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 1346.

RECONSIDERATION OF ASSEMBLY BILL NO. 1346

In compliance with a notice given on a previous day, Mr. Salsman moved that the vote whereby Assembly Bill No. 1346 was refused passage be reconsidered.

Assembly Bill No. 1346 reconsidered by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Masson, McCollister, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—46

NOES—None.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 999—An act to add Section 473B to the Political Code, relating to approval of rules and regulations by the Attorney General.

Bill read second time, and ordered to third reading.

Assembly Bill No. 481—An act to add Section 2175 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the jurisdiction of the Department of Institutions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2624—An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2465—An act to add Section 2193 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered to third reading.

Assembly Bill No. 731—An act to amend Sections 689a and 689b of the Code of Civil Procedure, relating to third party claims

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "there is a chattel mortgage may be taken under attachment or execution".

Amendment No. 2

On page 1 of the printed bill, strike out lines 14 and 15, and insert "days after being served with a verified written claim together with a copy thereof, containing a detailed statement thereof, pay or tender to".

Amendment No. 3

On page 1 of the printed bill, strike out lines 18, 19 and 20, and insert "with interest to date of tender, in which event the attachment or execution creditor shall be subrogated to the rights and remedies of said seller or mortgagee to the extent of any money actually paid to the seller or to the mortgagee or deposited to the order of said seller or mortgagee. If not so".

Amendment No. 4

On page 1 of the printed bill, strike out line 28, and insert "mortgagee or double the value of the personal property,".

Amendment No. 5

On page 2 of the printed bill, strike out line 1, and insert "the officer shall retain the".

Amendment No. 6

On page 2, line 2, of the printed bill, after "in", and before "case", insert "the".

Amendment No. 7

On page 2, line 4, of the printed bill, after "to", insert "both the officer and".

Amendment No. 8

On page 2, line 5, of the printed bill, after "them", insert "and each of them,".

Amendment No. 9

On page 2, line 6, of the printed bill, after "of", insert "the".

Amendment No. 10

On page 2, line 8, of the printed bill, after the first "and" appearing in said line, insert "their".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 732—An act to amend Section 2969 of the Civil Code, relating to the levy of attachments and executions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "serve upon", and insert "present to".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "in duplicate," and insert "together with a copy thereof,"

Amendment No. 3

On page 1 of the printed bill, strike out lines 7, 8 and 9, and insert "gagee or by that of his agent, setting out that a chattel mortgage exists against the property levied upon,".

Amendment No. 3a

On page 1, line 10, of the printed bill, after "owing," insert "the value of the property,".

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "creditor of the mortgagor", and insert "person in whose favor the writ runs or his attorney of record".

Amendment No. 5

On page 1 of the printed bill, strike out line 22, and insert "by said verified claim, provided, however, that".

Amendment No. 6

On page 1 of the printed bill, strike out line 27, and insert "written claim, within five days after".

Amendment No. 7

On page 1, line 28, of the printed bill, strike out "knowledge", and insert "receipt of notice"

Amendment No. 8

On page 2, line 5, of the printed bill, strike out "in duplicate"

Amendment No. 9

On page 2, line 6, of the printed bill, strike out "creditor of the mortgagor", and insert "plaintiff or person in whose favor the writ runs".

Amendment No. 10

On page 2 of the printed bill, strike out lines 16 and 17, and insert "debt or double the value of the mortgaged property, the officer shall keep the"

Amendment No. 11

On page 2, line 18, of the printed bill, strike out the comma after "property", and insert "in his custody,".

Amendment No. 12

On page 2, line 20, of the printed bill, after "to", insert "both the officer and".

Amendment No. 13

On page 2, line 21, of the printed bill, strike out "him", and insert "them and each of them".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1147—An act to amend Section 1083 of the Agricultural Code, relating to commercial feeding stuffs

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, between lines 2 and 3, insert

"(m) In the case of commercial feeding stuffs for which special qualities are claimed, such as, vitamin potency or protein quality, a definite guarantee relative to such quality; provided, however, the director may by rule and regulation permit the deletion of any such guarantees as may not be pertinent to a specific commodity."

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "(m) In all", and insert "(n) In".

Amendment No. 3

On page 2, line 4, of the printed bill, strike out "shall", and insert "may".

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 7 to 10, inclusive, and insert "Whenever a manufacturer, processor, or mixer of feeding stuffs makes a claim or guarantee on or with the package in addition to those required by law, he shall be

responsible for maintaining such claim or guarantee, and he may be required to submit information and records pertinent to such claim or guarantee."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1841—An act to add Article 13, comprising Section 12650, to Chapter 2 of Part 6 of Division 2 of the Insurance Code, relating to mortgage insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Article 13, comprising Section 12650, to Chap-", and insert "amend Section 1043".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "ter 2 of Part 6 of Division 2"

Amendment No. 3

In line 3 of the title of the printed bill, strike out "mortgage insurers", and insert "reinsurance and rehabilitation".

Amendment No. 4

On page 1, line 1, of the printed bill, after "SECTION 1.", strike out the balance of line 1, and strike out lines 2 to 11, inclusive, and insert "Section 1043 of the Insurance Code is hereby amended to read as follows:

1043. In any proceeding under this article, the commissioner, as conservator or as liquidator, *the officers of the person the property and business of which have been taken possession of by the commissioner, and any policyholder or group of policyholders thereof* may, subject to the approval of said court, and subject to such liens as may be necessary, mutualize or reinsure the business of such person, or enter into rehabilitation agreements. Such rehabilitation or reinsurance agreements shall provide that, subsequent to the date thereof and for such period of time as the commissioner may determine, no investment or reinvestment of the assets of the person rehabilitated or reinsured shall be made without first obtaining the written approval of the commissioner.

Every party to such agreement, and every director, officer, agent and employee of such person, and every other person who knowingly in violation thereof directs or aids or assists in causing to be made an investment or reinvestment of any of said assets without first having obtained the written approval of the commissioner, or who makes such investment or reinvestment in nonconformity with the written approval of the commissioner then in effect authorizing such investment or reinvestment, is guilty of a public offense and shall be punished by imprisonment in the State prison not exceeding five years or in the county jail not exceeding two years, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment."

Amendments read and adopted

Bill ordered printed and engrossed

Assembly Bill No. 1935—An act to amend Sections 6106, 6501, 6835, 6964, 6966 and 6978 of the Public Resources Code, to add Sections 6210.2, 6210.5, 6501.2, 6505, 6963 and 6966.2 to said code, and to add Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, 6963, 6965, 6967, 6968 and 6969, and Chapter 2, comprising Sections 6601 to 6715, inclusive, of Part 2 of Division 6, thereof, all relating to lands owned by the State and the administration, management, leasing and disposal thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "6505, 6963 and 6966 2", and insert "6505 and 6963".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out lines 3 to 19, inclusive.

Amendment No. 3

On page 4, line 20, of the printed bill, as amended, strike out "15", and insert "14".

Amendment No. 4

On page 4, line 32, of the printed bill, as amended, strike out "16", and insert "15".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 5a to Article VI thereof, relating to the judicial department

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes.

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In lines 3 and 4 of the title of the printed measure, strike out "adding Section 5a", and insert "amending Section 4c of, and adding Sections 4d and 5a".

Amendment No. 2

On page 1 of the printed measure, strike out lines 7 and 8, and insert "State as follows:

First. That Section 4c of Article VI be amended to read as follows

Sec. 4c. The Supreme Court *of its own motion* shall have power to [order] *retransfer* any cause pending before [the Supreme Court to be heard and determined by a] *it for further consideration by the division of the* district court of appeal *from which it was received*, and to order any cause pending before a district court of appeal to be heard and determined by the Supreme Court. The order last mentioned may be made before judgment has been pronounced by a district court of appeal, or within 15 days in criminal cases, or 30 days in all other cases, after such judgment shall have become final therein. *The Supreme Court, however, shall have the power to extend, on its own motion, by order duly made prior to the expiration of the jurisdictional time limits herein fixed, the period within which the order granting or denying a hearing in any case may be made, for additional periods of 10 days each, but in any case not to exceed 30 additional days*

In denying a hearing, the Supreme Court, in its discretion, may modify the order of the appellate court, or may strike from the opinion of the appellate court any portion or portions thereof

The judgment of the district courts of appeal shall become final therein upon the expiration of 15 days in criminal cases, or 30 days in all other cases, after the same shall have been pronounced.

The Supreme Court shall have power to order questions pending before a district court of appeal for one district to be transferred to the district court of appeal for another district or from one division thereof to another, for hearing and decision

Second. That Section 4d be added to Article VI, to read as follows

Sec. 4d. Each district court of appeal, or division thereof, shall have the power to certify to the Supreme Court questions of law involved in causes pending before it. The Supreme Court may either certify to the district court of appeal its deter-

mination upon such questions of law so certified to it, or may order such questions returned to the district court of appeal without determination.

Third: That Section 5a be added to Article VI, to read as follows:".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1436—An act to amend Sections 2, 5, 7, 8, 11, 13 and 20 of and to add Sections 8.5 and 10.5 to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly May 10, 1941, strike out lines 32 to 36, inclusive, and insert "hereunder. The board, if it deems it necessary in order to insure payment of the tax imposed by this act, or to facilitate the administration of this act, may require returns and payment of the tax to be made for other than monthly periods"

Amendment No. 2

On page 6 of the printed bill, strike out all of lines 13 to 16, inclusive, and insert "by the board but after payment of".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 7, of the printed bill, after "civil", insert "or criminal".

Amendment read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1312—An act to amend Sections 218 and 219 of the Penal Code, relating to the wrecking of trains.

Bill read second time, and ordered to third reading.

Senate Bill No. 25—An act to amend Section 4153 of the Political Code, relating to the duties of the district attorney.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on County Government:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended, strike out "freeholders' charter creating the office of".

Amendment read and adopted

Bill ordered printed, and to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1496—An act to amend the Fish and Game Code of the State of California, by adding thereto Sections 103.7, 103.7A, 615.6, 615.7, 615.8, relating to steelhead trout fishing in the Carmel River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Ptaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Rodney L. Turner Presiding

At 9.43 a.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

Speaker Presiding

At 10.10 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1128—An act to add Sections 990.5, 990.6 and 994 to the Fish and Game Code, relating to persons applying for or holding commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2336—An act to amend Sections 653.1, 653.3, 653.8, 653.9, 653.14, 653.15, of the Civil Code, relating to cooperative corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1309—An act making an appropriation for construction, improvements, and equipment at the Whittier State School.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 624—An act to amend Section 5539 of the Business and Professions Code, relating to partnerships for practice of architecture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1355—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastam, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—52
NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1355

Mr Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1355 was this day passed.

Assembly Bill No. 2475—An act to amend Section 4271 of the Political Code, relating to compensation of county and township officers and court reporters in counties of the forty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastam, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2360—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastam, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 101—An act to amend Section 2020 of the Welfare and Institutions Code, relating to income under the Old Age Security Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Hastam, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2602—An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Robertson, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—42.

NOES—Clarke, Houser, Frederick F., Kepple, Knight, T. Fenton; and Watson—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2603—An act to amend Section 7608 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 2—Relative to a legislative declaration of the public policy of this State with reference to the acquisition and use of beaches for public park purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—59.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2447—An act to amend Section 653.16 of the Civil Code, relating to cooperative corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1984—An act to add Section 820.5 to the Streets and Highways Code, relating to cooperation with the United States in connection with right of ways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 187—An act to amend Section 17050 of, and to add Section 17050.5 to the Business and Professions Code, relating to unfair practices in closeout sales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2120—An act to add Section 63 to the Labor Code, relating to refunds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister,

Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Turner, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2605.

Assembly Bill No. 2605—An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—59
NOES—None.

Demand for Previous Question

Messrs. Waters, Collins, Sam L., Pfaff, Middough and Mrs Daley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2605.

The roll was called, and the bill refused passage by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Green, Hastain, Hawkins, Heisinger, King, Knight, John B., Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Pelletier, Poole, Poulson, Richie, Robertson, Sheridan, Thurman, Turner, Waters, Weber, Weybret, and Mr. Speaker—38.
NOES—Andreas, Bennett, Cain, Carlson, Dilworth, Field, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Massion, Miller, Pfaff, Potter, Russell, Salsman, Stream, Watson, and Wollenberg—19.

Notice of Motion to Reconsider Assembly Bill No. 2605

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2605 was this day refused passage.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2600.

Assembly Bill No. 2600—An act to amend Sections 7643, 7662, 7665, 7666, 7668 and to repeal Section 7664 of the Business and Professions Code, relating to embalmers and apprentices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1129 WITHDRAWN FROM INACTIVE FILE

Mr. Poulson moved that Assembly Bill No. 1129 be withdrawn from the inactive file.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NO. 1129

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, to repeal Sections 658 and 679 of the Political Code, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Poulson moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "Legislature," insert "and in connection therewith".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "Code," insert "and".

Amendment No. 3

In line 5 of the title of the printed bill, as amended, strike out ", and making an appropriation".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 15 and 16; and in line 17, thereof, strike out "bers shall be", and insert

"(1) Four members of the Senate, one of whom shall be a holdover Senator,".

Amendment No. 5

On page 2, line 19, of the printed bill, as amended, strike out "Three", and insert "Four".

Amendment No. 6

On page 5 of the printed bill, as amended, strike out lines 33 to 43, inclusive, and insert

"SEC. 19. The Director of Finance and the Legislative Auditor shall determine what amount appropriated for the support of the Department of Finance by the Budget Act of 1941, is available for the performance of post auditing functions, and shall certify that amount to the Controller, who shall transfer that amount to the Legislative Audit Bureau for the support of the bureau."

Amendment No. 7

On page 5, line 50, of the printed bill, as amended, after the period, insert "The Legislative Auditor of California shall annually audit such reports and statements and the State Controller shall, upon the receipt of such audit cause an abstract thereof to be published one or more times in at least two newspapers of general circulation in the State."

Amendments read and adopted.

Bill ordered reprinted, re-engrossed, and to unfinished business file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 242—An act to add new Section 1461.5 to the Probate Code, relating to the appointment of guardians of insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2138—An act to add Section 2057 to the Code of Civil Procedure, relating to statements of parties to actions for personal injuries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 757—An act to amend Section 6660 of the Welfare and Institutions Code, relating to guardianship of the inmates' estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 210—An act to amend Section 1297 of the Penal Code, relating to bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller

Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Allen G. Thurman Presiding

At 11.50 a.m., Hon. Allen G. Thurman, Member of the Assembly from the Sixth District, presiding.

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.9 and 736.1 of the Agricultural Code, including definitions, collections and hearings relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1913—An act to amend Section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 220—An act to add Article 9, consisting of Sections 240 to 242, inclusive, to Chapter 1 of Division 2 of the Fish and Game Code, relating to archery reserves.

Bill read third time.

Motion to Withdraw and Re-refer Assembly Bill No. 220

Mr. Poulson moved that Assembly Bill No. 220 be withdrawn from the file, and re-referred to the Committee on Public Morals.

Mr. Lowrey seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Daley, Dills, Evans, Field, Green, Heisinger, Houser, Frederick F., Kepple, King, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Turner, Voigt, Weber, Welch, and Wollenberg—29.

NOES—Bennett, Burkhalter, Cain, Carlson, Cooke, Crowley, Desmond, Dickey, Donnelly, Hastain, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Massion, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Waters, Watson, and Weybret—26

The roll was called, and the bill refused passage by the following vote:

AYES—Clarke, Dickey, Donnelly, Knight, John B., Lyon, Poulson, Robertson, and Sheridan—8.

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—48.

Notice of Motion to Reconsider Assembly Bill No. 220

Mr. Dickey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 220 was this day refused passage.

THIRD READING OF SENATE BILLS

Senate Bill No. 29—An act to add Section 653h to the Penal Code, relating to installation of dictographs.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Bashore, Collins, Sam L., Knight, John B., and Watson—4.

Bill ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Bennett moved that the Rules be temporarily suspended for the purpose of considering Senate Bill No. 269, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bennett, Burkhalter, Collins, George D., Cooke, Crowley, Dickey, Donnelly, Evans, Green, Kilpatrick, King, Maloney, Massion, Meehan, Middough, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Thurman, and Weber—23.

NOES—Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Daley, Desmond, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple,

Knight, T. Fenton; Lowrey, Lyon, Miller, Pelletier, Poole, Potter, Stream, Turner, Voigt, Waters, Watson, Welch, and Weybret—28.

RESOLUTIONS

The following resolution was offered:

By Messrs. Robertson and Garland:

House Resolution No. 208

WHEREAS, Commander, now Assemblyman, J. B Cooke, today, May 17, 1941, celebrates his fifty-sixth birthday; and

WHEREAS, It is a signal honor for this Assembly to number among its members a man who has earned such high distinction in voyaging the seas in the service of the Navy of the United States; and

WHEREAS, It is fitting that a pause be taken from the deliberations of the day to give recognition to an event in the life of one of such rank and fame; now, therefore, be it

Resolved, by the Assembly of the State of California, That it extends joyous birthday greetings to colleague Commander J. B. Cooke and tender him best wishes for many happy returns of the day, and, be it further

Resolved, That the Chief Clerk of the Assembly shall present an engrossed copy of this resolution to Commander J. B. Cooke.

Request for Unanimous Consent

Mr Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 208, at this time, without reference to committee.

Resolution read and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1346—An act to amend Sections 1.01, 8.01 and 12.10 of, and to add Sections 3.06, 8.12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations, articles, investments, certificates, voting rights and membership therein, and notices thereto.

Bill read third time.

Motion to Amend

Mr. Salsman moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert "An act to amend Section 12 10 of, and to add Section 8 12 to, the Build-".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 47, inclusive, and insert "SECTION 1 Section 8 12 is hereby added to the act cited in".

Amendment No. 3

On page 5, line 3, of the printed bill, as amended, strike out "4", and insert "2"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1291—An act to amend Sections 623.5, 625, 627 and 694 of the Vehicle Code, relating to lights, other equipment, and loading of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1291?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "627 and 694", and insert "and 627".

Amendment No. 2

On page 2 of the printed bill, strike out lines 29 to 51, inclusive, and on page 3, strike out lines 1 to 5, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1291 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Assembly Bill No. 1291 ordered enrolled.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2155 re-referred to Committee on Ways and Means.
Assembly Bill No. 2018 re-referred to Committee on Ways and Means.
Assembly Bill No. 1296 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 2402 re-referred to Committee on Judiciary Codes
Assembly Bill No 309 re-referred to Committee on Public Morals
Assembly Bill No. 535 re-referred to Committee on Public Morals
Assembly Bill No. 1378 re-referred to Committee on Public Morals
Assembly Bill No. 1776 re-referred to Committee on Public Morals.
Assembly Bill No. 2213 re-referred to Committee on Public Morals.
Assembly Bill No. 2366 re-referred to Committee on Public Morals.
Assembly Bill No. 583 re-referred to Committee on Fish and Game.
Assembly Bill No 1076 re-referred to Committee on Governmental Efficiency and Economy.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 2142.
Assembly Bill No. 1731.
Assembly Bill No. 2229.
Assembly Bill No. 1339.
Assembly Bill No. 1484.
Assembly Bill No. 2382.
Assembly Bill No. 770.
Senate Bill No. 776.
Assembly Bill No. 509.
Assembly Bill No. 915.
Senate Bill No. 327.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 264.
Assembly Bill No. 1724.
Assembly Bill No. 62.
Assembly Bill No. 1812.
Assembly Bill No. 1813.
Assembly Bill No. 1814.
Assembly Bill No. 2583.
Assembly Bill No. 1035.
Assembly Bill No. 197.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 12.37 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ruth Conover of San Francisco and Miss Lucille Denhart of Sacramento.

On request of Mr. Green, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Annalou Pratt of San Francisco.

ADJOURNMENT

At 12.42 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a.m., Monday, May 19, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 19, 1941

The Assembly met at 10.30 a m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Cooke, Daley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Robertson, Salsman, Stream, Watson, Welch, Wollenberg, and Mr. Speaker—44.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Stream.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. F. N. Howser, on motion of Mr. Robertson.
Mr. Gunlock, on motion of Mr. Cain.
Mr. Cassidy, on motion of Mr. Maloney.

Hon. Frederick F. Houser Presiding

At 10.45 a.m., Hon. Frederick F Houser, member of the Assembly from the Fifty-third District, presiding.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Section 2 600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2 600 to the School Code, all relating to the formation of high school districts

Respectfully submitted

CHARLES W. STREAM

Request referred to Committee on Introduction of Bills.

MOTION TO SEND FLOWERS

Mr. Field moved that the Chief Clerk be instructed to send a floral piece to the funeral of the late Mrs. Gannon, mother of former Assemblyman Chester Gannon of Sacramento.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 731
Assembly Bill No. 732
Assembly Bill No. 1147
Assembly Bill No. 1841
Assembly Bill No 2623
Assembly Constitutional Amendment No 55

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1129.

And reports the same correctly re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1436
Assembly Bill No. 1935

And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER SACRAMENTO May 19, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 246
Assembly Bill No. 1346
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1940—An act to amend School Code Section 3.490, relating to the Public School System.

Bill read second time, and ordered engrossed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Potter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 205.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Stream, Tenney, Thurman, Watson, Welch, and Wollenberg—44.

NOES—Cooke—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1650—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Watson, Welch, and Wollenberg—43.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1856—An act to amend Sections 30 and 39 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Daley, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Watson, Welch, and Wollenberg—43.
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Welch, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1119.

Assembly Bill No. 1119—An act to add Section 120.5 to the Agricultural Code, relating to seed dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Cain, Call, Clarke, Cooke, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Watson, Welch, and Wollenberg—45.
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Donnelly, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 546.

Assembly Bill No. 546—An act to add Section 5.143 to the School Code, relating to the issuance of teachers' credentials to blind or partially blind persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Welch, and Wollenberg—46.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Sawallisch, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1270

Speaker Presiding

At 11.40 a.m., Hon Gordon H Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1270—An act to amend Section 750 of the Vehicle Code, relating to uniforms and equipment of the California Highway Patrol.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Middough, Thurman, Kepple and Watson demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No 1270.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dills, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Johnson, Kellems, Kepple, Lyon, Maloney, McCollister, Middough, O'Day, Pelletier, Pfaff, Potter, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—41.

NOES—Bennett, Burkhalter, Cooke, Dilworth, Donnelly, Doyle, Evans, Heisinger, Houser, Frederick F., Knight, T. Fenton; Lowrey, Massion, Miller, Phillips, Richie, and Watson—16.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Lyon moved to expunge the record and rescind the action whereby Mr. Stream was refused permission to introduce a bill relative to repealing Section 2.600 of the School Code.

Motion carried.

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Cain, Collins, George D, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Johnson, Kellems, Kepple, King, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—49

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1554—An act to amend Sections 9, 10, 12, 14, 15, 17 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately," all relating to the taxation of the storage, use or other consumption of tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr Lyon moved the adoption of the following amendments:

Amendment No. 1

Strike out all of the title of the printed bill, as amended, and insert

"An act to amend Section 2 of the Retail Sales Tax Act of 1933; to amend Sections 2 and 21 of the Use Tax Act of 1935, to add Section 6009 1 to, and to amend Sections 6015 and 7054 of, the Revenue and Taxation Code, relating to the definition of retailer, storage and use, and to the administration of the tax, and providing that this act shall take effect immediately."

Amendment No. 2

On page 7 of the printed bill, as amended, strike out lines 38 to 42, inclusive, and insert

"(f) "Retailer" includes.

(1) Every person engaged in the business of selling tangible personal property for storage, use, or other consumption;

(2) Every person who has custody or possession of the tangible personal property of another person or persons and who, for a consideration received either from the owner of the property or the purchaser thereof negotiates a sale for storage, use or other consumption of the property; provided, however, that the owner may elect to regard himself as the retailer of such property and may pay the amount of the tax with respect to the sale thereof;

(3) Any person conducting a race meeting under the provisions of Chapter 769, Statutes of 1933, as amended, with respect to horses which are claimed during such meeting;

(4) Every auctioneer selling or negotiating a sale for storage, use or other consumption of tangible personal property owned by him or owned by others

Public or".

Amendment No. 3

On page 9 of the printed bill, as amended, between lines 9 and 10, insert

"SEC. 2 5. Section 2 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows.

Sec. 2 The following words, terms and phrases when used in this act have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit, and the plural as well as the singular number.

(b) "Sale" means any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property, for a consideration, or any withdrawal, except a withdrawal pursuant to a transaction in foreign or interstate commerce, of tangible personal property from the place at which such property is located for delivery to a point in this State for the purpose of the transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever, of such tangible personal property for a consideration, and includes the producing, fabricating, processing, printing or imprinting of tangible personal property for consumers who furnish either directly or indirectly the materials used in such producing, fabricating, processing, printing or imprinting, the furnishing and distributing of tangible personal property for a consideration by social clubs and fraternal organizations to their members or others, and the furnishing, preparing or serving for a consideration of food, meals or drinks. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price shall be deemed a sale. A transfer for a consideration of the title or possession of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication, shall likewise be deemed a sale.

(c) A "retail sale" or "sale at retail" means a sale to a consumer or to any person for any purpose other than for resale in the regular course of business in the form of tangible personal property, except that the expressions "transfer of possession," "lease," and "rental" as used in subdivision (b) of this section shall mean and include only such transactions as the board, upon investigation, finds to be in lieu of sales as defined in subdivision (b) of this section without the words "lease or rental."

The delivery in this State of tangible personal property by an owner or former owner thereof or by a factor if such delivery is to a consumer pursuant to a retail sale made by a retailer not engaged in business in this State, is a retail sale in this State by the person making such delivery and such person shall include the retail selling price of such property in his gross receipts.

(d) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect.

(e) "Seller" includes every person engaged in the business of selling tangible personal property the gross receipts from the retail sale of which are required to be included in the measure of the tax imposed hereunder.

"Retailer" includes:

(1) Every person engaged in the business of selling tangible personal property at retail;

(2) Every person who has custody or possession of the tangible personal property of another person or persons and who, for a consideration received either from the owner of the property or the purchaser thereof, negotiates a sale at retail of the property; provided, however, that the owner, if holding a seller's permit hereunder, may elect to regard himself as the retailer of such property and may pay the tax with respect to the sale thereof;

(3) Any person conducting a race meeting under the provisions of Chapter 769, Statutes of 1933, as amended, with respect to horses which are claimed during such meeting;

(4) Every auctioneer selling or negotiating a sale at retail of tangible personal property owned by him or owned by others

Public or private schools, school districts, student organizations and parent-teacher associations serving meals exclusively to students and teachers, and employers or employee organizations serving meals exclusively to employees shall not be regarded as retailers of the meals served by them When in the opinion of the board it is necessary for the efficient administration of this act to regard any salesmen, representatives, peddlers, or canvassers as the agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the board may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for purposes of this act.

(f) "Gross receipts" means the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, including any services that are

a part of such sales, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property of any kind or nature, and also any amount for which credit is allowed by the seller to the purchaser, without any deduction therefrom on account of the cost of the property sold, except that in accordance with such rules and regulations as the board may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor must pay to the State, or has paid the use tax with respect to such property, and has resold the property prior to making any use of such property other than retention, demonstration, or display while holding it for sale in the regular course of business, and without any deduction on account of the cost of the materials used, labor or service cost, interest paid, losses or any other expense whatsoever; provided, however, that cash discounts allowed and taken on sales shall not be included, and "gross receipts" shall not include the sale price of property returned by customers upon rescission of the contract of sale, when the full sale price thereof is refunded either in cash or by credit, nor shall "gross receipts" include the price received for labor or services used in installing or applying the property sold.

For the purpose of this act the total amount of the sale price above mentioned shall be deemed to be the amount received exclusive of the tax hereby imposed; provided, that the retailers shall establish to the satisfaction of the board that the tax imposed hereunder had been added to the sale price and not absorbed by the retailer.

(g) "Board" means the State Board of Equalization.

(h) "Tangible personal property" means personal property which may be seen, weighed, measured, felt, touched, or is in any other manner perceptible to the senses

(i) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect

(j) "In this State" or "in the State" means within the exterior limits of the State of California, and includes all territory within such limits owned by or ceded to the United States of America."

Amendment No. 4

On page 9 of the printed bill, as amended, between lines 20 and 21, insert

"SEC 3 5. Section 6015 of the Revenue and Taxation Code is hereby amended to read as follows:

6015 "Retailer" includes:

(a) Every person engaged in the business of selling tangible personal property at retail or for storage, use, or other consumption;

(b) Every person who has custody or possession of tangible personal property of another person or persons and who, for a consideration received either from the owner of the property or the purchaser thereof, negotiates a sale at retail or for storage, use or other consumption of the property; provided, however, that the owner may elect to regard himself as the retailer of such property and may pay the amount of the use tax with respect to the sale thereof, or, if holding a permit under Section 6068 may pay the sales tax with respect to the sale thereof

(c) Any person conducting a race meeting under the provisions of Chapter 769, Statutes of 1933, as amended, with respect to horses which are claimed during such meeting;

(d) Every auctioneer selling or negotiating a sale at retail or for storage, use, or other consumption of tangible personal property owned by him or owned by others

Public or private schools, school districts, student organizations, and parent-teacher associations serving meals exclusively to students and teachers, and employers or employee organizations serving meals exclusively to employees are not retailers of the meals served by them.

When the board determines that it is necessary for the efficient administration of this part to regard any salesmen, representatives, peddlers, or canvassers as the agents of the dealers, distributors, supervisors, or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors, or employers the board may so regard them and may regard the dealers, distributors, supervisors, or employers as retailers for purposes of this part."

Amendment No. 5

On page 9 of the printed bill, as amended, strike out all of line 40, and insert "this act adding Section 6009 1 to, and amending Sections 6015 and 7054"

Amendment No. 6

On page 9 of the printed bill, as amended, strike out all of line 45, and insert "of 1935 and Section 2 of the Retail Sales Tax Act of 1933 amended by this act are hereby repealed, and further".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 19, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS. I am returning herewith without my signature, Assembly Bill No 1475, entitled "An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools."

My objections to this bill are as follows.

This bill adds to Section 2193 of the Business and Professions Code, which sets forth the evidence which an applicant to take an examination for a license as a physician and surgeon must furnish if his application is based on a diploma issued to him by a foreign medical school approved by the Board of Medical Examiners, except a Canadian school, the requirement that he must furnish evidence that

> "If the applicant is not a citizen of the United States, the country in which he has been licensed to practice medicine and surgery will admit to practice therein citizens of the United States upon proof of prior admission to practice medicine and surgery in some State of the United States or upon proof of matters similar to those required in this section for graduates of foreign medical schools."

The bill also provides that this requirement shall not apply to any person who, on March 31, 1941, was registered as an interne under Chapter 5 of Division 2 of the Business and Professions Code.

Only a very few, if any, foreign countries admit citizens of the United States to practice medicine, and so the practical effect of this bill would be that it would exclude any person from taking an examination for a license to practice medicine in this State who was not a citizen of the United States, unless he was registered as an interne before March 31, 1941. The bill, therefore, is in effect identical with Assembly Bill No 449 of the 1939 Session of the Legislature, which was refused executive approval

Practically all of the physicians who, within the next few years, may wish to qualify for licenses to practice medicine under the existing provisions of California laws, will be men or women forced to flee from their homes because of their race or because their political beliefs differ from those of the persons who now control most of Europe. They will be persons who are lawfully admitted to the United States and who will wish to earn their livings by practicing the profession for which they spent years of preparation and in many cases in which they spent years of practice. Some of them may be persons renowned in the practice of medicine. Under existing laws, before such persons can take the examination which the graduates of American, Canadian or foreign schools must take in order to receive a license in this State, each such person must show that.

> (a) He has completed a resident course of professional instruction in an approved medical school or schools equivalent to that required for a physician and surgeon applicant who is a citizen
>
> (b) Subsequent thereto, he has had issued to him by an approved medical school, a medical diploma, as evidence of the completion of the course of medical instruction required of a citizen applicant.
>
> (c) He has been admitted or licensed to practice medicine and surgery in the country wherein is located the institution in which he has completed the resident courses of professional instruction required under (a) and (b).
>
> (d) He has completed either the senior or fourth or final year in an approved medical school in the United States, or in lieu of this, that he has served at least one year in residence in a hospital located in the United States and approved by the board for training of internes.

Several days ago, I approved Assembly Bill No 503, which became Chapter 220 of the Statutes of 1941, which amended our laws so that a foreign physician or surgeon will not hereafter be given the credit of 1 per cent upon his general average in the California examination for each year of actual licensed practice since his graduation, which credit is granted to physicians who have practiced in other States of the United States or in Canada who wish to practice in California In other words, a foreign physician must have the equivalent of all the educational requirements of the graduates of United States approved medical schools, he must take the same examination, and pass with the same required grades, after having served a year as an interne in a United States hospital or completed either the senior or fourth or final year in an approved medical school of the United States There seems no good reason at this time why, in addition to these requirements, he must be a citizen of the United States.

As I have said, most of the foreign physicians who will apply for licenses will be persons who have been forced to flee from their own countries, that is, refugees.

They obviously will not have the five-year residence in the United States which is required before they can become citizens. It was doubtful if any of them have been or will be allowed to escape to America with any money or other possessions. Why shouldn't they be allowed to earn their livings by practicing medicine, if by our own standards we believe they are competent to do so? It would seem to be a needless waste of human knowledge and experience to require them to wait five years during which they would have to forego the practice of their profession. It is possible that a trained physician who would be obliged to enter into other occupations for five years could never resume the practice of his profession, and this would be a still greater waste of human services. I do not think that we should thus deal with human beings, especially those who have just undergone the pain of being driven from their homes, the association of their friends, and being stripped of their possessions.

I am told by some that we must put up this bar in order to protect California physicians, that is, they state that the profession is now overcrowded in California. Yet, on the other hand, I hear reports of the dearth of medical services for those who need them and of an impending scarcity of physicians because of National defense needs and I have lately been requested to do all I could to help secure an exemption of medical students from the Selective Service program on the ground that there will soon be a scarcity of physicians and that we must hasten the training of students to fill the defense needs for physicians. Between these conflicting claims of a shortage of physicians and the possibility of an overcrowding of the profession, if we must err, it should be on the side of making the services of these additional physicians available. I have no sympathy for the alien who comes to America and partakes of the benefits of our country and way of living and who refuses to become a citizen and share in the duties and responsibilities of citizenship, but I do not think that at this time we should add the requirements of citizenship to the other requirements of a physician.

If one looks at this bill as simply a reciprocity statute, aimed to force other countries to open their doors to American physicians, it takes little consideration to reach the conclusion that at this time under the present condition of world affairs such a statute would be absolutely fruitless. In the first place, very few American physicians at this time wish to go abroad to practice their profession. Assuming, however, that they should wish to do so, can any one imagine that the rulers of Europe will permit American physicians to practice there, because unless they do so, the refugee physicians cannot practice in the State of California until they have stayed here five years and become citizens? In a peaceful world, it is conceivable that a reciprocity statute as to foreign countries might work in the same manner that the reciprocity statutes work among the States of the United States, so that a physician, as long as he was competent, might use his services wherever there was need for them, but it is doubtful if such reciprocity statutes will work internationally. Therefore, even if the laws of some countries do not permit American physicians to practice in such countries, should we model our laws after theirs; do we have to retaliate? It surely is not within our American traditions to accept the rulings of other nations as models of our own, and no purpose would be served at this time by enacting a reciprocity statute such as this is assumed to be.

Lastly, if it is believed that a reciprocity statute is necessary in order to open up to American physicians the way to practice in other countries, then such a reciprocity statute should be drafted so that the physicians from other countries will be admitted in California on exactly the same basis that California physicians are admitted in those countries. A plain reading of this bill shows that it does not do this. Instead, it places a higher standard for the foreign physicians than we would have the foreign country establish for California physicians. Section 2193 of the Business and Professions Code sets forth the requirements an applicant must have before he will be allowed *to take the examination* in California. Under the bill the applicant must show that "the country in which he has been licensed to practice medicine *will admit to practice* therein citizens of the United States upon proof of"

(1) Prior admission to practice in some State of the United States, or
(2) Matters similar to the requirements *of Section 2193.*

California does not *admit to practice* an applicant from a foreign State upon proof of matters required in Section 2193, it only permits him *to take an examination*, so this bill would result in a statute which would not be truly reciprocal. Such may not have been the intention of the proponents of this bill, but this interpretation follows from the wording of the bill.

Respectfully submitted

CULBERT L. OLSON, Governor of California

REQUEST FOR LEAVE OF ABSENCE

Mr. Cooke requested that he be excused from the session for the balance of the legislative day, and for the entire seventy-sixth legislative

day for the purpose of participating in the settlement of a strike in Ventura County.

Request granted unanimously.

RECESS

At 12 15 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p m., the Assembly reconvened.

Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2166—An act to amend Section 5536 and to repeal Section 5537 of the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 5536 and 5537 of", and insert "Section 5537 of, and to add Section 5537.5 to,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 1 to 13, inclusive; and in line 14, strike out "SEC. 2", and insert "SECTION 1"

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 16, 17, 18 and 19, and insert

"5537. Any person, without stating whether or not he is an architect, may design and may represent and advertise that he has designed wood frame buildings not more than two stories and a basement in height, two-family dwellings and any other building which is exempt from the provisions of Chapter 2 of Part 3 of Division 13 of the Health and Safety Code."

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of lines 23 to 27, inclusive, and insert

"SEC. 2. Section 5537 5 is hereby added to said code, to read as follows:

5537.5. A person who is registered for the practice of civil engineering in this State under the provisions of Chapter 7 of Division 3 of this code, in so far as he practices civil engineering in its various branches, is exempt from licensing under the provisions of this chapter."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Bill No. 1005—An act to amend Sections 1, 2, 3, 3a, 4, 5, 7, 11, 12 and 15 of, and to add a new section to be numbered 19, to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read third time.

Motion to Amend

Mr Salsman moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 45, and insert "the partner, director or trustee thereof signing the application is a qualified elector of the State."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 46 to 50, inclusive; and in line 51, strike out "of such application.", and insert "The application shall state that the applicant, if an individual, or the signer thereof, if the applicant is a partnership, voluntary association or corporation, is to be actively in charge of the business for which such license is sought."

Amendment No. 3

On page 3, line 6, of the printed bill, as amended, strike out "applicant", and insert "person who signed such application"

Amendment No. 4

On page 3, line 7, of the printed bill, as amended, strike out "the filing of such application", and insert "the date of execution thereof".

Amendment No. 4a

On page 3, line 9, of the printed bill, as amended, strike out "the appli-"; and in line 10, strike out "cant," and insert "such person".

Amendment No. 4b

On page 3, line 17, of the printed bill, as amended, strike out the comma, and insert a semicolon.

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 25 to 43, inclusive.

Amendment No. 6

On page 3, line 46, of the printed bill, as amended, strike out "After May 1, 1941, no", and insert "No".

Amendment No. 6a

On page 3, line 48, of the printed bill, as amended, strike out the comma.

Amendment No. 7

On page 3, line 50, of the printed bill, as amended, strike out ", except that", and insert a period; and strike out lines 51 and 52.

Amendment No. 8

On page 4 of the printed bill, as amended, strike out lines 1 to 4, inclusive.

Amendment No. 9

On page 4, line 12, of the printed bill, as amended, strike out ", as hereinafter provided", and insert "and passes the examination herein provided for. Any other person may take such examination upon filing with the Secretary of State an application, in such form as may be required by rules established hereunder, which shall show among other things that he possesses the qualifications herein required."

Amendment No. 10

On page 4, line 16, of the printed bill as amended, strike out "provide", and insert "require".

Amendment No. 11

On page 4, line 24, of the printed bill, as amended, strike out "and have passed an"; and strike out line 25.

Amendment No. 12

On page 4, line 31, of the printed bill, as amended, strike out "as herein named".

Amendment No. 13

On page 5 of the printed bill, as amended, strike out lines 38 to 47, inclusive, and insert "Subject to the provisions of this act, any application herein provided for may be executed by any person who has passed such examination"

Amendment No. 14

On page 6, line 21, of the printed bill, as amended, strike out "Such bonds may be"; also strike out lines 22 to 24, inclusive, and insert "such".

Amendment No. 15

On page 6 of the printed bill, as amended, strike out line 27, and insert "and for any renewals thereof, as provided in Section 2852 of the Civil Code, unless terminated or".

Amendment No. 16

On page 6, line 28, of the printed bill, as amended, after "canceled", insert "by action of the surety as provided by law or".

Amendment No. 17

On page 6, line 33, of the printed bill, as amended, strike out "and any surety company may file with"; strike out lines 34 to 37, inclusive; and in line 38, strike out "in Section 10 hereof".

Amendment No. 18

On page 6, line 41, of the printed bill, as amended, strike out the period and insert "and shall forthwith advise any licensee for whom such company acted as surety of the fact of such cancellation, by collect telegram addressed to the licensee at the main office thereof, as shown by his records, whereupon the license of such licensee shall become suspended, subject to the right of such licensee, within 30 days thereafter, to file with the Secretary of State the bond hereinabove provided for, and upon the filing of such new bond the right of such licensee to conduct a collection agency shall forthwith be restored."

Amendment No. 19

On page 6 of the printed bill, as amended, strike out all of lines 42 to 51, inclusive, and insert "Upon the filing of notice with the Secretary of State by any surety company of its withdrawal as the surety of any licensee pursuant to Section 2851 of the Civil Code the Secretary of State shall forthwith give notice to the licensee of such withdrawal which notice shall be by registered mail with request for return receipt and shall be addressed to the licensee, at the main office thereof, as shown by the records of the Secretary of State."

Amendment No. 20

On page 7 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert "The license of any such licensee shall be void upon the termination of the bond of such surety company as provided in said section unless, prior to such termination, a new bond has been filed with the Secretary of State."

Amendment No. 21

On page 8, line 32, of the printed bill, as amended, strike out "of licensee", and insert "under which any licensee does business,".

Amendment No. 22

On page 8, line 36, of the printed bill, as amended, strike out "a fee of ten dollars ($10).", and insert "a fee of ten dollars ($10). Such license, if not deposited with the Secretary of State within such time, shall become and remain suspended until it has been so deposited."

Amendment No. 23

On page 8, line 40, of the printed bill, as amended, strike out "Any licensee", also strike out lines 41 and 42.

Amendment No. 24

On page 9 of the printed bill, as amended, strike out lines 3 to 11, inclusive, and insert "In case of the death of an individual licensee who leaves an established business as part of or all the assets of his estate or the dissolution of a licensed partnership by death or operation of law, the Secretary of State shall issue a license to a representative designated by the executor or administrator of such estate or by a majority of the surviving partners, respectively, notwithstanding the provisions of Sections 3 and 3a of this act, upon the filing by such representative of the bond herein provided for and upon payment of a fee of ten dollars ($10) Such license shall be effective for a period of one year from the date thereof and shall not be renewed. The authority of such licensee is hereby limited to such activities as may be necessary to wind up the business of the former licensee."

Amendment No. 25

On page 9 of the printed bill, as amended, strike out lines 13 to 16, inclusive; and in line 17, strike out "an original application" and insert "may be made by any licensee hereunder Such application shall state the location and address of such branch office and the name and address of the person to be in charge thereof, who must have passed the examination provided for in Section 3a unless the original license of such licensee was issued prior to May 2, 1941. Such application shall be accompanied by the bond required by Section 4 The fee required by Section 6 shall be paid for filing such application"

Amendment No. 26

On page 9, line 17, of the printed bill, as amended, strike out "Every branch office of a licensee"; and strike out lines 18 to 20, inclusive, and insert

"The person actively in charge of the main office or any branch office of any licensee whose original license was issued after May 1, 1941, must have passed the

examination provided for in Section 3a. Whenever such person ceases to be in such charge the licensee shall so notify the Secretary of State in writing within 10 days from such cessation. If such notice is given the license shall remain in force for a reasonable period to be determined by rules adopted pursuant to the provisions of this act; provided, however, that if such licensee fails to so notify the Secretary of State within such 10 days, at the end of such time the license shall be ipso facto suspended; provided, however, that the license shall be reinstated upon the filing of an affidavit by the licensee, if an individual, or by a partner, trustee or director of the licensee, if a partnership, voluntary association or corporation, respectively, to the effect that the person formerly in charge of such office has been replaced by another person who has passed such examination

No person shall be eligible to be in charge of any such office if he was a former licensee under this act and suffered a revocation of his license after a hearing upon a complaint or upon written charges by the Superintendent of Collection Agencies or if he was a partner, trustee or director of a partnership, voluntary association or corporation, respectively, which was a former licensee under this act and which suffered a revocation of its license after such a hearing."

Amendment No. 27

On page 10, line 9, of the printed bill, as amended, strike out "upon his own motion and".

Amendment No. 28

On page 11 of the printed bill, as amended, strike out lines 17 and 18, and insert "to review by the superior court under the provisions of Chapter 1, Title 1, Part 3 of the Code of Civil Procedure. The party desiring such review shall file his petition therefor in the superior court within 20 days after service upon him of the order. A judgment of revocation of license by the superior court shall be subject to appeal or review in accordance with the provisions of law as to appeal from or review of judgments of superior courts."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Stream:

An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2.600 to the School Code, all relating to the formation of high school districts."

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stream moved a call of the Assembly.

Motion carried Time, 1.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 915 WAIVED

Mrs. Daley waived her notice of motion to reconsider the vote whereby Senate Bill No. 915 was passed

Senate Bill No. 915 ordered transmitted to the Senate

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Welch, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 497.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 497—An act to amend Section 302 of the Agricultural Code, relating to meat inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Call, Clarke, Collins, George D, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—49.

NOES—None

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 820.

Assembly Bill No. 820—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J, Cain, Call, Clarke, Collins, George D., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—51.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the director thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Field, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—50.

NOES—None

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2013.

Assembly Bill No. 2013—An act to amend Section 736.12 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Del Mutolo, Desmond, Dickey, Donnelly, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pfaff, Phillips, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Weybret—44.

NOES—Burkhalter, Dills, and Pelletier—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1595—An act to amend Sections 6, 10, 14, 15, 16 and 20, and to add Sections 24, 25 and 26 to an act entitled "District Investigation Act of 1933," relating to the investigation report and debt limitations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1595

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1595 was this day passed.

Assembly Bill No. 492—An act to amend Section 25 of the Agricultural Code, relating to the Department of Agriculture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—59

NOES—None.

Bill ordered transmitted to the Senate.

House Resolution No. 198—Commends design of California State Guard insignia.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—57.
NOES—None.

Assembly Joint Resolution No. 51—Relative to poll taxes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—54
NOES—T. Fenton Knight—1

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1916—An act to amend Section 51, Statutes of 1917, Chapter 586, page 831, relating to workmen's compensation and payments to State Treasury by State Compensation Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—57.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 2.27 p.m., on motion of Mr. Stream further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2634: By Mr. Stream—An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2.600 to the School Code, all relating to the formation of high school districts.

Referred to Committee on Education.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2494—An act to add Sections 11650, 11651, 11652 and 11653 to the Elections Code, relating to abuse of the initiative, referendum and recall.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2494

Mr. Bennett gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2494 was this day passed.

Assembly Bill No. 1598—An act to amend Section 2 of the "County Improvement Act of 1921," relating to the levy of a maintenance tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1598

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1598 was this day passed.

Assembly Bill No. 1059—An act to amend Section 737eee of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Yolo.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—48

NOES—Field, Heisinger, Houser, Frederick F., Massion, Pelletier, Richie, and Weybret—7.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2615

Mr. Lyon moved that Assembly Bill No. 2615 be withdrawn from the third reading file, and re-referred to the Committee on Education.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 301—An act to amend Sections 17050, 17083 and 17086 of, and to add Sections 17087 and 17088 to, the Business and Professions Code or to amend Sections 6 and 10 of, and to add Sections 6.2 and 6.3 to, an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to close-out sales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 274—An act to add Section 1274.5 to the Fish and Game Code, relating to the wearing of red garments, hats, or caps while deer hunting.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the period, and insert ", and unless followed immediately by a person blowing a whistle and ringing a bell and unless preceded by a bugler mounted on a white horse playing "Yankee Doodle" ".

Amendment read.

Motion to Amend

Messrs. Lowrey and Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the period, and insert ", and wearing red underwear and using as ammunition nothing but blank cartridges."

Amendment read.

Motion to Table Amendments

Mr. Pelletier moved that the amendments by Mr. Call and Messrs. Lowrey and Dickey to Assembly Bill No. 274 be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Lyon, Maloney, Massion, Middough, Miller, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Thorp, Weber, and Wollenberg—37

NOES—Burns, Hugh M., Call, Dickey, Green, King, Leonard, Lowrey, McCollister, O'Day, Phillips, Sawallisch, Sheridan, Stream, Tenney, Thurman, Voigt, and Weybret—17.

Demand for Previous Question

Messrs. Robertson, Evans, Stream, Turner and Call demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 274.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Crowley, Daley, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Maloney, Massion, Middough, Miller, O'Day, Pelletier,

Pfaff, Potter, Richie, Russell, Salsman, Stream, Tenney, Turner, Voigt, and Mr. Speaker—42

NOES—Burns, Hugh M., Call, Collins, George D., Cronin, Del Mutolo, Desmond, Dickey, Doyle, Green, Hastain, Leonard, Lowrey, McCollister, Millington, Robertson, Sawallisch, Sheridan, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—24

Notice of Motion to Reconsider Assembly Bill No. 274

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 274 was this day passed.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 2380 was taken up.

Assembly Bill No. 2380—An act to amend Sections 2182 and 2184 and to add Sections 2163a and 2165a to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—Carlson, Knight, T. Fenton; and Wollenberg—3.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "tions 2149 and 2150", and insert "tion 2149"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 7, of the printed bill, as amended, strike out "5", and insert "4".

Amendment No. 4

On page 2, line 17, of the printed bill, as amended, strike out "6", and insert "5".

Amendment No. 5

On page 2, line 25, of the printed bill, as amended, strike out "7", and insert "6".

Amendment No. 6

On page 2, line 29, of the printed bill, as amended, strike out "8", and insert "7".

Amendment No. 7

On page 2, line 38, of the printed bill, as amended, strike out "9", and insert "8".

Amendment No. 8

On page 2, line 47, of the printed bill, as amended, strike out "10", and insert "9".

Amendment No. 9

On page 3, line 6, of the printed bill, as amended, strike out "11", and insert "10".

Amendment No. 10

On page 3, line 26, of the printed bill, as amended, strike out "12", and insert "11".

Amendment No. 11

On page 3, line 37, of the printed bill, as amended, strike out "13", and insert "12".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 396—An act to amend Section 13101 of the Health and Safety Code, relating to the compensation of the State Fire Marshal.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Middough, Dills, Stream and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 396.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—57.

NOES—Allen, Burns, Michael J., Call, Dilworth, Houser, Frederick F., Knight, T. Fenton; and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1135—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Explanation of Vote

Being in the rear of the Assembly Chamber at the time the vote on Assembly Bill No. 1135 was taken, I thought I was voting on another bill.

I am for one day's rest out of seven, and had I not read the wrong bill, I would have voted "no" on Assembly Bill No. 1135

T. A. MALONEY

Assembly Bill No. 1393—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1941 for the purpose of augmenting appropriations for the support of the Government of the State, in order to provide for salary and wage adjustments for certain State employees, and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1393:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 2, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 1393

"An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the purpose of augmenting appropriations for the support of the Government of the State, in order to provide for salary and wage adjustments for certain State employees, and providing that this act shall take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1393 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Vogt, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Carlson, Evans, Heisinger, and Knight, T. Fenton—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 943—An act to amend Section 12 of the State Lands Act of 1938, relating to the administration of public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Vogt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1932—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 527—An act to amend Section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, O'Day, Pfaff, Phillips, Potter, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Dilworth, Evans, Field, Heisinger, Houser, Frederick F., Knight, T. Fenton; Massion, Pelletier, Richie, and Mr. Speaker—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1917—An act to amend Section 11840 of the Insurance Code, relating to periods for which State Compensation Insurance Fund may write workmen's compensation insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to add Section 2468.5 to the Civil Code, relating to licenses and permits

Bill read third time.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 4 to 19, inclusive, and insert "tions 2466 and 2468; provided, however, that no privileges exercised under such a license or permit shall be suspended until at least 70 days' notice by the officer, board or agency issuing or renewing the license or permit required to be suspended shall have been given in writing to the person or partnership which has not filed and published such certificate, and such person or partnership does not within the 70 day period, or at any time thereafter and before the suspension, comply with such notice The notice shall expressly require compliance with Sections 2466 and 2468, shall be addressed to the licensee or permittee at the address mentioned in the license or permit, and shall be served on the licensee or permittee either personally or by United States registered mail with postage prepaid.

After suspension of privileges required by this section, upon proof of compliance with Sections 2466 and 2468, such privileges shall be restored to the person or partnership if they are otherwise qualified to exercise the privileges under such license or permit."

Amendment read and adopted

Bill ordered reprinted and re-engrossed

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Cronin moved to expunge the record and rescind the action whereby Assembly Bill No. 1918 was this day passed.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1918 ordered to inactive file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2612—An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of, such posted property, and providing penalties for violation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2624—An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations.

Bill read third time.

Motion to Amend

Mr. Welch moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "highway, on any of the land, whether covered by water or otherwise, owned by the municipality within any incorporated city or town."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 481—An act to amend Section 2100 of the Business and Professions Code, relating to the practice of medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2465—An act to add Section 2193 to the Welfare and Institutions Code, relating to pensions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1147—An act to amend Section 1083 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1436—An act to amend Section 20 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the deposit of license fees paid under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1935—An act to repeal Section 6963 of the Public Resources Code, and to add a new Section 6963 and Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, relating to State lands and regulating the taking of minerals from streams and lakes and from lands within the original meander lines of certain streams and lakes.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate

Assembly Constitutional Amendment No. 55—Proposed amendment to Article VI of the Constitution, by adding Section 5a, relating to the Judicial Department.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo,

Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenber—64

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1664—An act to amend Section 664 of the Political Code, empowering the State Board of Control to prescribe by rule and regulation limitations upon amounts to be expended by officers, agents and employees of the State while traveling on official business of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1662—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1355 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1355 was passed.

Assembly Bill No. 1355 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 360 WAIVED

Mr Johnson waived his notice of motion to reconsider the vote whereby Senate Bill No. 360 was passed

Senate Bill No. 360 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 327 WAIVED

Mr. Evans waived his notice of motion to reconsider the vote whereby Assembly Bill No. 327 was passed

Assembly Bill No. 327 ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 43 FROM COMMITTEE

Mr. Frederick F Houser gave notice that on the second legislative day, he would move to withdraw Assembly Joint Resolution No 43 from the Committee on Federal Relations, and have it placed upon the file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 81—An act to add Section 3930.5 to, and to amend Sections 3931, 3933, 3934 and 3935 of, the Elections Code, relating to the order of names on primary election ballots.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 3930.5 and 3935.5", and strike out all of line 2 of the title, and insert "Section 3935.5 to the".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 27, inclusive; strike out all of page 2; and on page 3, strike out line 1, and insert

"SECTION 1 Section 3935 5 is hereby added to the Elections".

Amendments read and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 916—An act to amend Section 12701 of the Business and Professions Code, relating to public weighmaster bonds and license fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1817—An act to amend the title and to add four new sections, to be numbered 70, 71, 72 and 73, to an act known as the "California Water Storage District Act," relating to cooperation and contract with the United States to the purchase or lease of electric energy and the construction, acquisition, operation, leasing and control of plants for the generation, distribution, sale and lease of electric energy, to right of ways for electric light and power lines, and to the

authorization and issuance of bonds secured in whole or in part by revenues or sources of payment designated by the board of directors, other than taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2300—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1593—An act to amend the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to the exemption of sanitary improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1591—An act to amend the act entitled "District Investigation Act of 1933," relating to sanitary and sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Rus-

sell, Salsman, Sawallisch, Sheridan, Stream Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 508—An act to amend Section 1589 of the Labor Code, relating to surety bonds of employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—61.
NOES—Evans—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 1271—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Bill read third time.

Motion to Amend

Mr. Sawallisch moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "511.3", strike out the comma, insert the word "and"; and in said line 2, strike out "and 511.5".

Amendment No. 2

On page 2, line 45, of the printed bill, strike out "Twenty-five", and insert "Fifteen"

Amendment No. 3

On page 2 of the printed bill, at the end of line 50, insert

"(2) When traversing a grade crossing of a steam, electric or street railway, if during the last 100 feet of the approach to such crossing the driver does not have a clear and unobstructed view of such crossing and of any traffic on such railway for a distance of 400 feet in both directions along such railway."

Amendment No. 4

On page 3, line 1, of the printed bill, strike out "(2)", and insert "(3)".

Amendment No. 5

On page 3, line 5, of the printed bill strike out "(3)", and insert "(4)".

Amendment No. 6

On page 3 of the printed bill, at the end of line 11, after the period, insert "(b) Twenty-five miles per hour:".

Amendment No. 7

On page 3, line 12, of the printed bill, strike out "(4)", and insert "(1)".

Amendment No. 8

On page 3, line 13, of the printed bill, strike out "(5)", and insert "(2)".

Amendment No. 9

On page 3 of the printed bill, strike out all of line 15, and insert "tion or building, veterans' home, or United States Veterans' Administration Facility."

Amendment No. 10

On page 3, line 16, of the printed bill, strike out "(6)", and insert "(3)".

Amendment No. 11

On page 3, line 17, of the printed bill, strike out "or", and insert a comma; and after "home", insert "or United States Veterans' Administration Facility".

Amendment No. 12

On page 3, line 22, of the printed bill, strike out "(7)", and insert "(4)".

Amendment No. 13

On page 3 of the printed bill, strike out all of lines 30 to 40, both inclusive.

Amendment No. 14

On page 3, line 41, of the printed bill, strike out "Forty-five", and insert "Fifty-five".

Amendment No. 15

On page 3 of the printed bill, strike out all of lines 47 to 52, inclusive; and on page 4, strike out all of lines 1 to 3, inclusive, and insert "the Department of Public Works determines upon the basis of an engineering and traffic investigation that a speed of 35 miles per hour or 45 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any State highway otherwise subject to a prima facie limit of 25 miles per hour under this code, the department may determine and declare a prima facie speed of 35 or 45 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said highway."

Amendment No. 16

On page 4, line 6, of the printed bill, strike out "45", and insert "55".

Amendment No. 17

On page 4, line 9, of the printed bill, strike out "45", and insert "55".

Amendment No. 18

On page 4, line 20, of the printed bill, strike out "45", and insert "55".

Amendment No. 19

On page 4 of the printed bill, strike out all of lines 28 to 42, both inclusive.

Amendment No. 20

On page 4, line 43, of the printed bill, strike out "SEC. 7. Section 511.4", and insert
"SEC. 6. Section 511.3".

Amendment No. 21

On page 4, line 45, of the printed bill, strike out "511.4", and insert "511.3".

Amendment No. 22

On page 5, line 2, of the printed bill, strike out "approved", and insert "subject to approval".

Amendment No. 23

On page 5, line 4, of the printed bill, strike out "SEC 8. Section 511.5", and insert
"SEC. 7. Section 511.4".

Amendment No. 24

On page 5, line 6, of the printed bill, strike out "511.5", and insert "511.4".

Amendment No. 25

On page 5, line 7, of the printed bill, strike out "65", and insert "70".

Amendment No. 26

On page 5, line 9, of the printed bill, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 27

On page 4, line 14, of the printed bill, strike out "45", and insert "55".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Cain, Desmond, Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Garland, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson,

Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, Mrs. Daley and Miss Miller:

House Resolution No. 209

WHEREAS, Upon the seventeenth day of May, 1941, Mrs Mary Jane Gannon, mother of Honorable Chester F. Gannon, former member of the Assembly of this State, passed away in Sutter Hospital after an illness of five months, and

WHEREAS, Mrs. Gannon was a lifelong resident of the City of Sacramento, with the exception of a period spent in Benicia, was a graduate of the old Sacramento School at 16th and J Streets, a member of many women's organizations, and is survived by two daughters and her son; and

WHEREAS, Mrs Gannon held a high place in the regard of her numerous friends and acquaintances and by her passing leaves them with a sense of irreparable loss; now, therefore, be it

Resolved by the Assembly of the State of California, That this body expresses its sorrow and regret at the untimely decease of Mrs Gannon and sympathy with the surviving members of her family; and be it further

Resolved, That when the Assembly adjourns this day, it do so out of respect to the memory of Mrs. Mary Jane Gannon; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to forward a suitably prepared copy of this resolution to the children of the deceased, Honorable Chester F. Gannon, Mrs. Marie I Roberts, and Mrs Georgia McLachlan

Request for Unanimous Consent

Mr. Cain asked for, and was granted, unanimous consent to take up House Resolution No. 209, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Middough, Allen, Evans, Tenney, Hastain, Field, Weber, Garland, Kepple, Robertson and Pfaff:

House Resolution No. 210

WHEREAS, The members of the Assembly are grieved to learn of the death of Frank W. Howser on Friday, May 16, 1941, at David City, Nebraska, father of Honorable Fred N Howser, Member of the Assembly from the Seventy-first District; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend to Fred N Howser and to the members of the family of Mr. Frank W. Howser their condolences and sympathy in this hour of sorrow, and be it further

Resolved, That the Chief Clerk of the Assembly shall forward a suitably prepared copy of this resolution to the Honorable Fred N Howser.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 210, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Phillips:

House Resolution No. 211

Resolved by the Assembly of the State of California, That the Senate be requested to furnish the Assembly a duplicate engrossed copy of Senate Bill No. 895 relating to making the State of California a party to quiet title actions; the original having been lost or misplaced

Request for Unanimous Consent

Mr. Phillips asked for, and was granted, unanimous consent to take up House Resolution No. 211, at this time, without reference to committee.

Resolution read and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 785
Senate Bill No. 1337

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No 1338

J. A. BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 785—An act to add a new section to the School Code to be numbered 5.775, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 1337—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for support, construction and equipment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1338—An act making an appropriation for the contingent expenses of the Senate, the act to take effect immediately.

Ordered to unfinished business without reference to committee.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 63: By Messrs. Sawallisch and Burns, Hugh M.—Proposed amendment to Article IX, Section 3, of the Constitution, relating to county superintendents of schools.

Referred to Committee on Constitutional Amendments.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1122—An act to add Chapter 7 to Part 3 of Division 13 of the Health and Safety Code, including the addition of Section 19800 to said code, relating to refrigerants and refrigerating plants and regulations governing the same.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "and", insert ", if the refrigerator has a refrigerating unit which contains more than 20 pounds of refrigerant and is of a type which can not readily be transported without disconnecting the piping or other part thereof containing refrigerant,".

Amendment read and adopted.

Bill ordered printed, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sheridan:

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10, to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code

Respectfully submitted.

BERNARD A. SHERIDAN, Chairman

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Sheridan:

An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10 to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—64

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2635: By Mr. Sheridan—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931,

and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435 7, 1435.8, 1435 9, 1435 10 to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Referred to Committee on Judiciary Codes.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 731 re-referred to Committee on Judiciary General.

Assembly Bill No. 732 re-referred to Committee on Judiciary General.

Assembly Bill No. 1841 re-referred to Committee on Insurance.

Assembly Bill No. 2623 re-referred to Committee on Motor Vehicles

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 128—An act to add Section 96 5 to the State Civil Service Act, relating to State civil service employees, declaring the urgency of this act and that it shall take effect immediately;

Assembly Bill No. 150—An act to amend Sections 4005c, 4006 4234, 4235, 4238, 4240, 4241, 4242, 4243, 4244, 4245, 4246, 4247, 4248, 4249, 4250, 4251, 4252, 4253, 4254, 4255, 4257, 4258, 4259, 4260, 4261, 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276, 4277, 4278, 4279, 4280, 4281, 4282 and 4283 and to repeal Sections 4234a, 4242.1, 4242.2, 4242 3, 4242a, 4246a, 4248a 4248b, 4248c, 4248d, 4248e, 4248f, 4248g, 4248h, 4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248p, 4248p2, 4248q, 4248r, 4248s, 4248t, 4248u, 4248v, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254*l*, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, 4254t, 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263j, 4263k, 4263*l*, 4263m, 4263n, 4263o, 4263p, 4263q, 4263r, 4263s, 4265a, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270*l*, 4270m, 4270n, 4270o, 4270p, 4270q, 4270r and 4272a of the Political Code, relating to the classification of the counties of California and providing for the compensation of public personnel in said counties as so classified;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p m

JOHN B KNIGHT, Chairman

Committee on Civil Service

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No 1415

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BASHORE, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No 812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred,

Assembly Bill No. 1518

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SAWALLISCH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred

Assembly Bill No. 124
Assembly Bill No. 1841
Assembly Bill No. 2254

Has had the same under consideration, and reports the same back with the recommendation. Do pass

SAWALLISCH, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 180—An act to add Section 5078 to the Welfare and Institutions Code, relating to the restoration to competency of persons committed to the care and custody of the psychopathic probation officer;

Assembly Bill No. 325—An act to add Section 996 to the Civil Code, relating to property and other rights in and to fur bearing animals;

Assembly Bill No. 369—An act to add Section 4024 to the Penal Code, relating to discharge of prisoners from the county jail;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2191—An act to amend Sections 692, 694, 699, 710 and 624 of the Vehicle Code, relating to the size, weight, and equipment upon vehicles;

Assembly Bill No. 2518—An act to add Section 2877 to the Penal Code, relating to prisons and prisoners;

Assembly Bill No. 2520—An act to add Article 4, comprising Section 2690, to Chapter 4, Title 1, Part 3, of the Penal Code, relating to prisons and prisoners;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2521—An act to add Section 3404 to the Penal Code, relating to prisons and prisoners;

Assembly Bill No. 2547—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, relating to the classification of municipal corporations and the applicability thereof;

Assembly Bill No. 2548—An act to amend Sections 103 and 103½ of, and to add Section 103n to, the Code of Civil Procedure, relating to justices' courts in townships and cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 41—Relative to memorializing Congress to investigate the feasibility of growing of guayule rubber in California and if found feasible to subsidize the same;

And reports that the same has been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1089—An act to amend Section 121 of the Agricultural Code, relating to moneys to be paid into the Department of Agriculture Fund;

Assembly Bill No. 1163—An act to amend School Code Sections 3.122 and 3.172, relating to the admission of pupils to public schools;

Assembly Bill No. 1250—An act to amend Sections 806, 828.4 and 829.2 of the Agricultural Code, relating to standard containers for fruits and the marking and use thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1282—An act to amend Section 24204 of the Health and Safety Code, relating to air pressure tanks;

Assembly Bill No. 1424—An act to amend Section 243 of the State Civil Service Act, relating to the State Personnel Board and the executive officer thereof;

Assembly Bill No. 1500—An act to amend Sections 781, 782, 784.2, 784.3 and 787 of, and to add Sections 782.3, 782.6 and 784.8 to the Agricultural Code, relating to fruit, nut and vegetable standards;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1543—An act to amend Section 16 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the terms of office and election of judges of such courts;

Assembly Bill No. 1552—An act to amend the Agricultural Code by amending Section 1043; and to provide exemption from the provisions of said section to nonprofit, cooperative, agricultural marketing associations;

Assembly Bill No. 2027—An act to amend Section 403d of the Civil Code, relating to unclaimed and disputed shares and debts;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 399—An act to amend Section 1991 of the Code of Civil Procedure, relating to disobedience of subpena;

Assembly Bill No. 431—An act to amend Section 73b of and to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same;

Assembly Bill No. 904—An act to add Sections 106.1 and 106.2 to Chapter 1 of Division 2 of the Agricultural Code, relating to plant quarantine inspection;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 377—An act to amend Sections 925 and 1008 of the Penal Code, relating to accusations against district, county, township or municipal officers;

Assembly Bill No. 379—An act to amend Sections 226 and 227a of the Civil Code, relating to adoption;

Assembly Bill No. 398—An act to add Section 1985.5 to the Code of Civil Procedure, relating to subpena;
And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 905—An act to amend Section 118 of the Agricultural Code, relating to the admissibility of the hosts of fruit flies;

Assembly Bill No. 956—An act to amend Sections 842 and 844 of the Civil Code, relating to joint use of conduits, wells and pumping plants;

Assembly Bill No. 1087—An act to amend Section 120 of the Agricultural Code, relating to nursery licenses;
And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1941, at 4 p m.

JOHN B KNIGHT, Chairman

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 979

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POTTER, Chairman

Above reported bill ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 245.
Assembly Bill No. 1469.
Assembly Bill No 1820.
Assembly Bill No. 2142.
Assembly Bill No. 1731.
Assembly Bill No. 2229.
Assembly Bill No. 1339.
Assembly Bill No. 1484.
Assembly Bill No. 2382.
Assembly Bill No. 770.
Senate Bill No 776.
Assembly Bill No 509.
Assembly Bill No. 220.
Assembly Bill No. 2605.
Assembly Bill No. 1162.
Assembly Bill No 2526.
Assembly Bill No. 368.
Senate Bill No. 713.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 2584.
Assembly Bill No. 62.
Assembly Bill No. 1812.
Assembly Bill No. 1813.
Assembly Bill No. 1814.
Assembly Bill No. 2583.
Assembly Bill No. 1035.
Assembly Bill No. 197.
Assembly Bill No. 264.
Assembly Bill No. 1724.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Gaffney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Thelma Brown of San Francisco.

On request of Messrs. Johnson and Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Sheyla M. Johnson of Berkeley.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Anthony T. Bettencourt and Raymond J. Lewis of Turlock.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. E. Welden, Mayor, City of Clovis, Arthur Frame, City Attorney, City of Clovis.

ADJOURNMENT

At 5.27 p.m., on motion of Mr. Garland, the Speaker declared the Assembly adjourned until 10.30 a.m., Tuesday, May 20, 1941, out of respect to the memory of the late Mrs. Mary Jane Gannon, mother of former Assemblyman Chester F. Gannon.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 20, 1941

The Assembly met at 10 30 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day further reading was dispensed with, on motion of Mr. Del Mutolo.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Cassidy, on motion of Mr. Meehan.
Mr. F. N. Howser, on motion of Mr. Robertson.
Mr. Gunlock, on motion of Mr. Cain

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2620

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 859
Assembly Bill No 1554
Assembly Bill No. 2606
Assembly Bill No. 2624

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2166

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 2625
Assembly Bill No 1173
Assembly Bill No. 2596

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

FIELD, Vice Chairman

Above reported bills ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 2036

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CARLSON, Chairman

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 124
Assembly Bill No. 2254
Assembly Bill No. 2620

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1271

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 2626

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THORP, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 2617

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THORP, Chairman

Above reported bill ordered to second reading

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1311

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means

WATSON, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1814

Assembly Bill No. 2583

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 61

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

CROWLEY, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 40
Assembly Constitutional Amendment No. 54

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolutions ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 2629
Senate Bill No. 682

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER. Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 712

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 124—An act to add Article 3, consisting of Section 3800, to Chapter 4 of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation insurance and applicants for construction, improvement, alteration, or demolition permits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1841—An act to amend Section 1043 of the Insurance Code, relating to reinsurance and rehabilitation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2254—An act to amend Section 3 of "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California, to adopt a system of group life, health and accident insurance, and health services for the benefit

of officers and employees, and to deduct from the compensation thereof the premium upon such insurance," approved May 25, 1939, relating to wage or salary deductions for public officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2620—An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Section 3 of the Retail Sales Tax Act of 1933, to amend Section 3 of the Use Tax Act of 1935, to add Section 5a to The Personal Income Tax Act, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to The Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1518—An act to add Article 5.5, comprising Section 10374, to Chapter 4, Part 2, Division 2, of the Insurance Code, relating to insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 986 of the Insurance Code, relating".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 986 of the Insurance Code is hereby amended to read as follows:

986. A life insurer issuing policies on a reserve basis is insolvent whenever its assets are exceeded by the amount necessary to provide for its liabilities and for reinsurance of all its outstanding risks at the following rates:

(a) In the case of contracts issued in a foreign country, upon the lives of residents thereof, by a domestic insurer authorized to and doing business in that foreign country, the rates shall be in accordance with the standard of mortality approved by the commissioner, as provided by law.

(b) In the case of group insurance, at the rates required by law for valuation thereof.

(c) In the case of all other outstanding risks written prior to January 1, 1892, at the rates based upon the American Experience Table of Mortality with interest at the rate of 4½ per cent per annum.

(d) In the case of all its other outstanding risks written from and after December 31, 1891, up to and including December 31, 1907, at rates based upon the Combined Experience or Actuaries' Table of Mortality with interest at the rate of 4 per cent per annum.

(e) In the case of all its other outstanding risks written from and after December 31, 1907, at rates based upon the American Experience Table of Mortality with interest at the rate of 3½ per cent per annum, *and, where applicable,* in accordance with Section 10486 9."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1415—An act to amend Sections 30 to 59, inclusive, of the State Civil Service Act, relating to the general organization and functions of the State Personnel Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 30 to 59, inclusive," and insert "Section 30".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "general organization and functions", and insert "compensation of the members".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1 Section 30 of the State Civil Service Act is hereby amended to read as follows:

SEC. 30 The members of the board shall each receive [the sum of fifteen dollars as compensation for each and every day devoted to the actual performance of their duties under the provisions of this act] *an annual salary of three thousand six hundred dollars ($3,600), payable monthly in the same manner as the salaries of other State officers are paid,* and all members of the board shall receive their actual and necessary traveling expenses incurred in the course of [such] *their* duties *under the provisions of this act.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 979—An act to add Section 5111 to the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on River Navigation, Reclamation, and Flood Control:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5111 to the Water Code", and insert "37b to the Reclamation Board Act"

Amendment No. 2

In line 2 of the title of the printed bill, after "control", insert "and the advancement to the United States of funds to be used therefor".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "5111 is hereby added to the Water Code", and insert "37b is hereby added to the Reclamation Board Act".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert

"Sec. 37b The Reclamation Board in its discretion may advance funds in amounts that it determines to be necessary or advisable from the Joint Navigation and Flood Control Project Fund to the United States for receipt and expenditure by the Secretary of War in accordance with an act of the Seventy-sixth Congress, Third Session, approved October 15, 1940, Chapter 884, Public Law No. 857, in the immediate prosecution of the work of the plan referred to in Section 37a of this act for controlling the flood waters of the Sacramento and San Joaquin Rivers and their tributaries and for the improvement and preservation of navigation and the

reclamation and protection of lands that are susceptible to overflow from the Sacramento and San Joaquin Rivers and their tributaries. Advances repaid pursuant to the act of Congress cited in this section shall be credited to the Joint Navigation and Flood Control Project Fund."

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 812—An act to amend Sections 18636, 18673, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of the Business and Professions Code, relating to the regulation of boxing and wrestling

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "18636, 18673, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of", and insert "18605, 18636, 18673, 18674, 18676, 18680, 18681, 18690, 18691, 18711, 18731, 18734, 18735, 18737, 18741, 18746, 18749, 18763, and 18781 of, and to add Sections 18738.5, 18752, and 18781.5 to,".

Amendment No. 1.5

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", insert "Section 18603 of the Business and Professions Code is hereby amended to read as follows:

18603. An amateur boxing contest *or sparring match* is one in which no contestant has received or will receive, directly or indirectly, any money, prize, reward or compensation either for the expenses of training for such contest or for taking part therein, except as provided in this chapter.

SEC. 2."

Amendment No. 2

On pages 1 and 2 of the printed bill, as amended, make the following changes:

Page	Line	Strike out	Insert
1	10	2	3
2	1	3	4
2	10	4	5
2	20	5	6

Amendment No. 3

On page 2 of the printed bill, as amended, between lines 37 and 38, insert

"SEC. 6.5. Section 18681 of said code is hereby amended to read as follows:

18681. Licenses issued under this chapter may be *suspended or* revoked by the commission upon such cause as it deems sufficient. *If any license is suspended or revoked said board shall publicly state its reasons for so doing and cause an entry of said reasons to be made on the Minute Book of the commission. Such action shall be final, except that the propriety of such action is subject to review, upon questions of law only, by the superior court of the county within which such license was to be exercised. The action of the commission shall stand unless and until reversed by the court.*

SEC. 7. Section 18690 of said code is hereby amended to read as follows:

18690. Before any license is granted to any club, to conduct, hold or give a boxing contest or a sparring or wrestling match, *other than an amateur boxing contest or sparring match*, the applicant therefor shall file a bond of two thousand dollars ($2,000) with good and sufficient surety with the commission, conditioned for the faithful performance by the club of the provisions of this chapter and the payment of the taxes herein imposed.

Before any license is granted to any club to conduct, hold or give an amateur boxing contest or sparring match the applicant therefor shall file a bond of not less than one thousand dollars ($1,000) with good and sufficient surety with the commission, conditioned for the faithful performance by the club of the provisions of this chapter and the payment of taxes herein imposed.

SEC. 7 5 Section 18691 of said code is hereby amended to read as follows:

18691. In case of default in a performance by any club licensed under this chapter, the commission may impose upon the delinquent club a penalty in the sum of not more than one thousand dollars ($1,000) for each offense, which may be recovered by the Attorney General in the name of the people of the State of California in the same manner as other penalties are recovered by law *and which shall be paid into the State Treasury to the credit of the appropriation for the Veterans' Home of California"*

Amendment No. 4

On pages 2 and 3 of the printed bill, as amended, make the following changes:

Page	Line	Strike out	Insert
2	38	6	8
3	12	7	9

Amendment No. 5

On page 3 of the printed bill, as amended, between lines 19 and 20, insert

"SEC. 10. Section 18734 of said code is hereby amended to read as follows:

18734. No person under the age of 18 years shall participate as a contestant in any boxing contest, or sparring or wrestling match.

Every contestant in an amateur boxing contest or sparring match shall be a registered amateur in the district in which he resides, and shall be examined by a physician immediately before the contest.

SEC. 11. Section 18735 of said code is hereby amended to read as follows:

18735. No person shall appear as contestant in any amateur boxing contest *or sparring match* who prior thereto has received any compensation or reward in any form for displaying, exercising or giving any example of his skill in or knowledge of athletic exercises, or for rendering services of any kind to any athletic organization or to any person or persons as trainer, coach, instructor or otherwise, or who shall have been employed in any manner professionally by reason of his athletic skill or knowledge."

Amendment No. 6

On page 3, line 20, of the printed bill, as amended, strike out "8", and insert "12".

Amendment No. 7

On page 3, line 22, of the printed bill, as amended, after "match," insert "other than an amateur boxing contest or sparring match,".

Amendment No. 8

On page 3 of the printed bill, as amended, between lines 26 and 27, insert

"During every amateur boxing contest or sparring match each contestant shall wear gloves weighing not less than eight ounces, if such contestant weighs in ring attire less than 160 pounds, or 10 ounces if such contestant weighs 160 pounds or more.

SEC. 13 Section 18738 5 is hereby added to said code, to read as follows:

18738 5. No contestant in an amateur boxing contest or sparring match shall use any bandage on his hand or arm except soft surgical bandages not over two inches wide and 10 yards in length for each hand or one winding of surgeon's adhesive tape not over one and one-half inches wide placed directly on the hand to protect that part of the hand near the wrist and this may cross the back of the hand twice, but not extend within one inch of the knuckles.

SEC. 14. Section 18741 of said code is hereby amended to read as follows:

18741 (a) No amateur boxing contest *or sparring match* shall be more than four rounds, of not more than [three] *two* minutes each, *or three rounds of three minutes each*, in length

(b) The interval between each round shall be one minute."

Amendment No. 9

On page 3, line 27, of the printed bill, as amended, strike out "9", and insert "15".

Amendment No. 10

On page 3 of the printed bill, as amended after line 33, insert

"SEC. 16. Section 18749 of said code is hereby amended to read as follows:

18749. A medal or trophy may be awarded to each contestant in any amateur boxing contest, *or sparring match* not to exceed in value the sum of thirty-five dollars ($35), which medal or trophy shall have engraved thereon the name of the winner and the date of the event. But no portion of any admission fee or fees charged or received for any amateur boxing contest *or sparring match* shall be paid or given to any contestant in such amateur boxing contest, *or sparring match* either directly or indirectly, nor shall any gift be given to or received by such contestant for participating in such boxing contest, *or sparring match*, except the medal or trophy.

SEC. 17. Section 18752 is hereby added to said code, to read as follows:

18752. No amateur boxing contest or sparring match shall be held in conjunction with vaudeville shows, dances, or entertainments of any sort.

SEC. 18. Section 18763 of said code is hereby amended to read as follows:

18763. At every amateur boxing contest *or sparring match* held in this State, any [sheriff, constable, marshal, policeman or other peace officer of the city, county or other political subdivision, where such exhibition is being held] *representative of the commission* shall stop such contest whenever it appears to him that the contestants are unevenly matched, that the contestants, or either of them, has been seriously injured, or that there is danger that the contestants, or either of them, will be seriously injured, if such contest continues. Such person may call to his assistance in enforcing his order to stop the contest, as many peace officers or male citizens of the State as may be necessary.

SEC. 19. Section 18781 of said code is hereby amended to read as follows:

18781. Any contestant who continues to participate in an amateur boxing contest *or sparring match* after an order to stop the contest is given by a [peace officer] *representative of the commission*, or who violates any of the regulations herein prescribed for governing amateur boxing contests *or sparring matches*, is guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) and be imprisoned in the county jail not less than 30 days nor exceeding one year.

SEC. 20. Section 18781.5 is hereby added to said code, to read as follows:

18781.5. Unless the written permission of the commission is first obtained, it is a misdemeanor for any person, firm, association, club or corporation staging or holding any amateur boxing contest or sparring match to pay or cause to be paid to any coach, trainer or manager of any amateur boxer participating in such boxing contest, or sparring match any sum of money other than the actual traveling expenses incurred by such coach, trainer or manager and amateur boxer in traveling from their respective places of residence to the place of such boxing contest, exhibition or sparring match and return thereto and a sum of money which shall not exceed five dollars ($5) per day for the actual time spent in traveling, as reimbursement for the other expenses actually incurred by such coach, trainer or manager in attending such amateur boxing contest or sparring match."

Amendments read and adopted.

Bill ordered printed and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1998	Assembly Bill No. 828
Assembly Bill No. 2579	Assembly Bill No. 2585

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FIELD, Vice Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "thirty-five thousand three dollars and twelve cents ($35,003.12)", and insert "five hundred fifty-eight thousand one hundred eighty-six dollars and forty-nine cents ($558,186.49)"

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 6 to 25, inclusive, and insert "SEC. 2. The sum of five hundred fifty-eight thousand one hundred eighty-six dollars and forty-nine cents ($558,186.49) shall be paid as follows: Five hundred eight thousand eight hundred twenty-one dollars and nine cents ($508,821.09) out of any money in the State Treasury not otherwise appropriated; one thousand four hundred ninety-two dollars and sixty-five cents ($1,492.65) out of any money in the Alcohol Beverage Control Fund in the State Treasury; nine hundred fifty dollars ($950) payable out of any money in the Corporation Commission Fund in the State Treasury; thirty dollars and eighty-three cents ($30.83) out of any money in the Board of Cosmetology Contingent Fund in the State Treasury; eighty-five dollars and thirty cents ($85.30) out of any money in the Department of Agriculture Fund in the State Treasury; two thousand dollars ($2,000) out of any money now or hereafter in the Fair and Exposition Fund in the State Treasury which otherwise would be allocated to the Twenty-second District Agricultural Association for payment of premiums and other expenses as defined by Section 92 of the Agricultural Code; nine hundred sixty-eight dollars and twenty-seven cents ($968.27) out of any money in the Fire Marshal's Fund in the State Treasury; six hundred forty-eight dollars and eighty-five cents ($648.85) out of any money in the Fish and Game Preservation Fund in the State Treasury; one hundred forty-three dollars and forty cents ($143.40) out of any money in the Motor Vehicle Fund in the State Treasury; one thousand three hundred sixty-three dollars and ninety-three cents ($1,363.93) out of any money in the Motor Vehicle Fuel Fund in the State Treasury; two thousand two hundred sixty-eight dollars and thirty-four cents ($2,268.34) out of any money in the Motor Vehicle Support Fund in the State Treasury; three thousand one hundred seventy-six dollars and twenty-nine cents ($3,176.29) out of any money in the Petroleum and Gas Fund in the State Treasury; one thousand three hundred twenty-one dollars and eighty-eight cents ($1,321.88) out of any money in the Retail Sales Tax Fund in the State Treasury; nine dollars and fifty cents ($9.50) out of any money in the State Agricultural Society Contingent Fund in the State Treasury; twenty-five dollars ($25) out of any money in the State Athletic Commission Fund in the State Treasury; eleven thousand seven hundred fifty dollars and ninety-seven cents ($11,750.97) out of any money in the State Highway Fund in the State Treasury; ten dollars ($10) out of any money in the State Park Maintenance and Acquisition Fund in the State Treasury, three hundred thirty-three dollars and twenty-three cents ($333.23) out of any money in the Compensation Insurance Fund in the State Treasury; one hundred thirty-nine dollars and thirty-two cents ($139.32) out of any money in the Napa State Farm Revolving Fund in the State Treasury; sixteen thousand nine hundred ninety-three dollars and thirty-three cents ($16,993.33) out of any money in the San Francisco Harbor Improvement Fund in the State Treasury; one hundred fifty-two dollars and sixty cents ($152.60) out of any money in the Printing Fund in the State Treasury; and five thousand five hundred one dollars and seventy-one cents ($5,501.71) out of any money in the Unemployment Administration Fund in the State Treasury."

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 1 to 12, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2585—An act making an appropriation to the State Park Commission for the acquisition of land in Marin County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "State Park Commission", and insert "Department of Natural Resources, Division of Parks".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "for the use of the State Park Commission".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "commission", and insert "Department of Natural Resources, Division of Parks".

Amendment No. 4

On page 1, line 7, of the printed bill, after "acquisition", insert "during the Ninety-third and Ninety-fourth Fiscal Years".

Amendment No. 5

On page 1, lines 4 and 5, of the printed bill, strike out "forty thousand dollars ($40,000)", and insert "twenty-five thousand dollars ($25,000)".

Amendment No. 6

On page 2 of the printed bill, after line 6, insert

"Any additional money needed for the purchase or acquisition of the lands described herein shall be raised by public subscription, and the Board of Supervisors of the County of Marin is hereby authorized to appoint a committee of responsible citizens of the County of Marin for that purpose."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 828—An act creating the California Art and History Commission, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the comma; and strike out line 2 and insert a period.

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "10", and insert "7".

Amendment No. 3

On page 1 of the printed bill, strike out lines 4 to 27, inclusive; and on page 2, strike out lines 1 to 28, inclusive, and insert

"The State Librarian, the Secretary of the California State Fair and a member nominated by the California State Junior Chamber of Commerce shall be ex officio members of said commission. Four members shall be appointed by the Governor, subject to confirmation of the Senate, two for one year, one for two years, and one for three years. Successors of those first appointed by the Governor shall be appointed by him to serve for four years.

The members appointed by the Governor shall be selected from directors of fine arts and historical museums and galleries; members of fine arts or history departments of colleges or universities in the State; research students of art or history whose contributions to the subject have been outstanding; organizations or individuals whose active interest has substantially advanced the cause of art or history.

SEC. 2. It shall be the duty and within the authority of said commission

(a) To act in an advisory capacity relative to the construction of a building at the California State Fair Grounds to house the California State Cultural and Historical Gallery and Museum;

(b) To organize and conduct an annual exhibit of art at the California State Fair, through and with its management;

(c) If desirable to place this annual exhibit of art on circuit for exhibition throughout the State of California;

(d) To acquire works of art by outstanding California artists, either by gift, loan, or by purchase as funds are available, with the view of establishing a permanent collection of State-produced art;

(e) To accept or reject, proffered gifts of fine arts works to the State or its institutions (save as to those institutions hereinafter exempted from this act);

(f) To sponsor a National campaign for the acquisition of gifts relating to the history and art of California;

But the commission shall not interfere with established State institutions and their activities, such as the State Library, University of California and State-owned historical museums.

SEC. 3. Any building that may be constructed as herein contemplated, may contain, besides the gallery, historical displays, period rooms, mission and religious art, educational exhibits, and exhibits illustrative of agricultural and industrial development."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2579—An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "5.860, 5.861,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out ", and to add Section", and in line 3, strike out "5.870.1 to".

Amendment No. 2a

On page 1, line 14, of the printed bill, as amended, strike out "5850", and insert "5.850".

Amendment No. 3

On page 1, line 16, of the printed bill, as amended, after "person", insert "as".

Amendment No. 4

On page 1, line 19, of the printed bill, as amended, strike out "sixty dollars ($60)", and insert "ninety dollars ($90)".

Amendment No. 5

On page 2, line 5, of the printed bill, as amended, strike out "sixty dollars ($60)", and insert "ninety dollars ($90)".

Amendment No. 5a

On page 2 of the printed bill, as amended, between lines 12 and 13, insert

"Because of payment of salary installments during the school year beginning July 1, 1941, before the effective date hereof, adjustments shall be made as necessary to complete the contributions required for that year.

Any person to whom service is rendered outside of the State after January 1, 1914, shall be credited and any person who has claimed exemption from the provisions of the retirement system or its predecessor or who was a member of the State Employees' Retirement System while serving in a status requisite for membership in this retirement system or its predecessor, and who later becomes subject to its provisions, shall be required to pay, in addition to the contributions in the amounts per year required by this section, for each year of credited service rendered outside the State or while so exempt or while a member of said other system, interest at the rate of 5 per cent per annum on the amount which would have been contributed had such person been a member of the retirement system when such service was rendered, said interest to begin on the first day of July next following the end of the school year in which said service was rendered, and to end upon the date of retirement."

Amendment No. 6

On page 3 of the printed bill, as amended, strike out lines 26 to 52, inclusive; and on page 4, strike out lines 1 to 51, inclusive, and insert

"5.851. Each member may at his option elect to contribute to the Annuity Deposit Fund, not less than 2 per cent of each salary payment received by him, and from time to time, but not more frequently than once during any school year, such member may at his option elect to cease contributing to said fund.

Any member who heretofore has made contributions to the Annuity Deposit Fund, may elect to cease such contributions, and accumulated annuity deposits standing to the credit of his individual account, shall be refunded to him upon his request filed with the retirement board within two years after September 1, 1941, but, otherwise, accumulated annuity deposits standing to the credit of an individual account shall remain so credited and shall not be refunded except as provided elsewhere herein.

Any election under this section shall be by written notice to the retirement board, consenting and agreeing to the deduction if the election be to contribute, and stating the month with which said deduction shall commence, or cease, as the case may be. Said month shall be any month from September, 1935, to June, 1937, inclusive, with which the deduction began, but otherwise it shall not be earlier than the month next following the month in which the written notice is executed, and if

no month be entered in said notice, or if the month entered be earlier than the month next following said month of execution, the member shall be considered as having stated that the deduction shall commence with the month next following said execution.

Contributions required of a person to the Annuity Deposit Fund shall be deducted from each salary payment in the manner prescribed in Section 5.852 hereof. Notwithstanding the provisions of the two paragraphs immediately preceding, annuity deposit contributions shall not be deducted from salary payments to any member employed as a part time or substitute employee, from which permanent fund contributions are not deducted by provisions of this chapter or by rule of the board. Every person accepting employment who is required to contribute under this section, shall be deemed to consent and agree to the deduction of the annuity deposits from his salary payments as provided herein.

Notwithstanding any other law, rule or regulation affecting the salary, pay, compensation, other prerequisites or tenure of any person to whom this chapter applies or shall apply and notwithstanding that the minimum salary, pay, compensation or other prerequisites, provided by law for such person shall be reduced thereby, payment less the contributions required by this section and by Section 5.850 shall be in full and complete discharge and acquittance of all claims and demands whatsoever for service rendered by such teacher during the period covered by such payment, except his claim to benefits to which he may be entitled under the provisions hereof."

Amendment No. 7

On page 5 of the printed bill, as amended, strike out lines 3 to 32, inclusive; and on page 6, strike out lines 1 to 28, inclusive, and insert

"5.853. The State shall contribute semiannually to the permanent fund, the sum of one million five hundred thousand dollars ($1,500,000).

The State Controller, at the beginning of each fiscal year, including the fiscal year beginning July 1, 1941, shall transfer from the General Fund to the Permanent Fund the amount of one million five hundred thousand dollars ($1,500,000).

SEC. 4. Section 5.870 of the School Code is amended to read as follows:

5.870. Any member may retire at his option upon written application to the Retirement Board, stating what time not more than 90 days subsequent to the date of execution thereof, he desires to retire; *provided he shall have attained the age of 60 years, and*, shall be credited with at least 30 years of service computed as provided in Section 5.822 hereof, at least 15 of which shall have been served in this State, including the last 10 years of service immediately preceding retirement. Failure of a member to complete the documents required for retirement, within 90 days after receipt of the application for retirement, in the office of the Retirement Board in Sacramento, California, shall make said application null and void.

Any person who had been out of the public school service of this State on August 10, 1913, for two years or more, not being on leave of absence and was therefore not eligible to apply for retirement without further service, shall if he returns to the service in this State and seeks to qualify for retirement, be required to serve at least two years in order to qualify for retirement under the provisions of this section.

The last 10 years of service in this State immediately preceding service retirement, may be broken by periods of absence from service, or by periods of service in universities, colleges, or private schools within this State, or by service outside of this State during a year in which the person has served the minimum time required for a year of service in this State, or by a year of service outside of this State when 10 of the 11 final years of service have been in this State.

Application for retirement must be made within two years after the last day of service, or at any time during a leave of absence or renewal thereof if the person left service on such leave of absence duly granted by a governing board of a school district or other authority employing such person, or within six months after the appointment of a guardian of a member whose right to apply for retirement has otherwise lapsed under this paragraph, or who is determined to the satisfaction of the retirement board to have been mentally incompetent at the time of such lapsing.

After the right to apply for retirement has lapsed as provided in this paragraph, said right may be reestablished only by service in a status requisite for membership herein, of not less than two months."

Amendment No. 8

On page 6, line 29, of the printed bill, as amended, after "Sec.", strike out "7", and insert "5".

Amendment No. 9

On page 6, line 34, of the printed bill, as amended, strike out "one hundred dollars ($100)", and insert "seventy-five dollars ($75)".

Amendment No. 10

On page 6 of the printed bill, as amended, strike out line 43, and insert "required of each member by Section 5.850 hereof."

Amendment No. 11

On page 7, line 6, of the printed bill, as amended, after "Sec.", strike out "8", and insert "6".

Amendment No. 12

On page 7, line 12, of the printed bill, as amended, strike out "one hundred dollars"; and in line 13, strike out "($100)", and insert "seventy-five dollars ($75)".

Amendment No. 13

On page 7, line 27, of the printed bill, as amended, strike out "The payment of", and strike out lines 28 to 30, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Gordon, Brown and Mayo as a Committee on Conference concerning:

Assembly Bill No. 1229—An act to amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 47

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 126
Assembly Bill No. 360
Assembly Bill No. 385
Assembly Bill No. 780
Assembly Bill No. 1109
Assembly Bill No. 1210
Assembly Bill No. 1832
Assembly Bill No. 1833
Assembly Bill No. 2204
Assembly Bill No. 2272
Assembly Bill No. 1490
Assembly Bill No. 1995
Assembly Bill No. 1996
Assembly Bill No. 2426

J. A. BEEK, Secretary of the Senate

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 367
Assembly Bill No. 432
Assembly Bill No. 727
Assembly Bill No. 1305
Assembly Bill No. 1629
Assembly Bill No. 1893
Assembly Bill No. 1944

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 386
Senate Bill No. 564
Senate Bill No. 658

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

RESOLUTIONS

The following resolution was offered:

By Mr. Middough:

House Resolution No. 212

WHEREAS, It is important that future legislation relating to children be based upon an intensive study of past experience in the administration of such laws and the opinions of persons acquainted with the problems involved; and

WHEREAS, Such a study can best be made by a competent Legislative Committee; now, therefore, be it

Resolved, by the Assembly of the State of California, That an Assembly Investigating Committee on California Child Legislation is hereby created, which committee shall make a complete investigation, analysis and appraisal of the operation and effect of the Juvenile Court Law and of all other laws of this State which relate to children, and shall prepare and submit to the Legislature on or before the twentieth day of January, 1943, a full and complete report of the results of its investigation, together with such legislative proposals as it may deem necessary or desirable in order to reduce juvenile delinquency, improve the methods of care and treatment of children in public and private institutions and to promote the general welfare of the children of this State.

The committee shall consist of five members of the Assembly, appointed by the Speaker of the Assembly. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members the committee may organize, appoint a secretary and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee, limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-fifth Legislature.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel Bureau, the Attorney General, and any employee of either, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.055) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals.

The sum of seven thousand five hundred dollars ($7,500) is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee

hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 509 WAIVED

Mr. Waters waived his notice of motion to reconsider the vote whereby Assembly Bill No. 509 was passed.

Assembly Bill No. 509 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 2229

In compliance with a notice given on a previous day, Mr. Dilworth moved that the vote whereby Assembly Bill No. 2229 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Evans, Collins, Sam L., Turner, Thurman and Poole demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 2229.

The roll was called, and Assembly Bill No. 2229 reconsidered by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Heisinger, Houser, Frederick F, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—Call, Carlson, Hawkins, Kilpatrick, and Richie—5.

Assembly Bill No. 2229 ordered to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 220 WAIVED

Mr. Dickey waived his notice of motion to reconsider the vote whereby Assembly Bill No 220 was refused passage.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 36—An act to amend Section 4238 of the Political Code, relating to county officers in counties of the ninth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 36?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4238", and insert "4240".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "to compensation for public services in counties of the eleventh class."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4238", and insert "4240".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3, and insert "4240. In counties of the eleventh class the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, strike out "salaries to wit", and insert "sums".

Amendment No. 6

On page 3, line 47, of the printed bill, strike out "Auditor."

Amendment No. 7

On page 5, line 31, of the printed bill, strike out "District Attorney."

Amendment No. 8

On page 9, line 1, of the printed bill, strike out "Supervisors."

Amendment No. 9

On page 9, line 21, of the printed bill, strike out "Jurors."

Amendment No. 10

On page 10 of the printed bill, strike out all of lines 1 to 8, inclusive, and insert "SEC. 2. The changes made by this act in the compensation of each of those officers whose compensation is subject to the provisions of Section 4240 of the Political Code shall not apply to his compensation until the expiration of his present term of office and, from the effective date of this act to the time that his term expires, the provisions of law applicable to his compensation prior to the enactment of this act shall, notwithstanding this act, continue to apply to his compensation."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 36 by the following vote:

AYES—Allen, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 36 ordered enrolled.

Assembly Bill No. 1090—An act to add a new section to the Agricultural Code, to be numbered 120.5, relating to plant registrations and certifications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1090?

Amendment No. 1

On page 1 of the printed bill, between lines 24 and 25, insert "The services authorized in this section shall not be duplicative of those being rendered by commissioners."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1090 by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1090 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1648—An act to repeal Section 48.2 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1648 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Burkhalter, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

SECOND READING OF SENATE BILL NO. 1338

Senate Bill No. 1338—An act on appropriation for the contingent expenses of the Senate, the act to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 1338 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Cain, Call, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1338

Senate Bill No. 1338—An act on appropriation for the contingent expenses of the Senate, the act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Cain, Call, Carlson, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW SENATE BILL NO. 1035 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Del Mutolo moved that Senate Bill No. 1035 be withdrawn from the Committee on Social Service and Welfare, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Del Mutolo moved a call of the Assembly.

Motion carried. Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Crowley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 264.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 264 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Crowley moved that Assembly Bill No. 264 be withdrawn from the Committee on Education, and be placed upon the file

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crowley moved a call of the Assembly.

Motion carried. Time, 10.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1740—An act to add Sections 73.5, 73.6 and 73.7 to the Penal Code, relating to the giving of legal or financial assistance in the prosecution of any criminal case.

Bill read third time.

Motion to Amend

Mr. Richie moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, and insert "An act to amend Sections 1181 and 1451 of, and to add Section 73 5 to, the Penal Code, relating to giving financial assistance in the prosecution of criminal cases."

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 28, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

"73.5. It shall be unlawful for any private person or corporation to give financial or legal assistance, other than as a friend of the court, in any criminal prosecution to any city, county or city and county or any official thereof.

SEC. 2. Section 1181 of the Penal Code is hereby amended to read as follows:

1181. When a verdict has been rendered against the defendant, the court may, upon his application, grant a new trial, in the following cases only:

1. When the trial has been had in his absence, if the indictment is for a felony;

2. When the jury has received any evidence out of court, other than that resulting from a view of the premises;

3. When the jury has separated without leave of the court after retiring to deliberate upon their verdict, or been guilty of any misconduct by which a fair and due consideration of the case has been prevented;

4. When the verdict has been decided by lot, or by any means other than a fair expression of opinion on the part of all the jurors;

5. When the court has misdirected the jury in a matter of law, or has erred in the decision of any question of law arising during the course of the trial, and when the district attorney or other counsel prosecuting the case has been guilty of prejudicial misconduct during the trial thereof before a jury;

6. When the verdict is contrary to law or evidence, but if the evidence shows the defendant to be not guilty of the degree of the crime of which he was convicted, but guilty of a lesser degree thereof, or of a lesser crime included therein, the court may modify the judgment accordingly without granting or ordering a new trial, and this power shall extend to any court to which the cause may be appealed;

7. When new evidence is discovered material to the defendant, and which he could not, with reasonable diligence, have discovered and produced at the trial. When a motion for a new trial is made upon the ground of newly discovered evidence, the defendant must produce at the hearing, in support thereof, the affidavits of the witnesses by whom such evidence is expected to be given, and if time is required by the defendant to procure such affidavits, the court may postpone the hearing of the motion for such length of time as, under all the circumstances of the case, may seem reasonable.

8. When financial assistance in the prosecution has been given the city, county or city and county or any official thereof by any private person or corporation.

SEC. 3. Section 1451 of the Penal Code is hereby amended, to read as follows:

1451. A new trial may be granted in the following cases:

1. When the trial has been had in the absence of the defendant, unless he voluntarily absent himself, with full knowledge that a trial is being had;

2. When the jury has received any evidence out of court;

3. When the jury has separated without leave of the court, after having retired to deliberate upon their verdict, or been guilty of any misconduct tending to prevent a fair and due consideration of the case;

4. When the verdict has been decided by lot, or by any means other than a fair expression of opinion on the part of all the jurors;

5. When there has been error in the decision of the court, given on any question of law arising during the course of the trial;

6. When the verdict is contrary to law or evidence;

7. When new evidence is discovered material to the defendant, and which he could not, with reasonable diligence, have discovered and produced at the trial; but when a motion for a new trial is made upon this ground, the defendant must produce at the hearing the affidavits of the witnesses by whom such newly discovered evidence is expected to be given.

8. When financial assistance in the prosecution has been given the city, county or city and county or any official thereof by any private person or corporation."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Salsman, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 1346.

Assembly Bill No. 1346—An act to amend Sections 1.01, 8.01 and 12.10 of, and to add Sections 3.06, 8.12 and 12.08 to the Building and Loan Association Act, relating to building and loan associations,

articles, investments, certificates, voting rights and membership therein, and notices thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—57.

NOES—T. Fenton Knight—1.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBERS FROM PREVIOUS ROLL CALLS

The following members of the Committee on Motor Vehicles were excused from voting on previous roll calls because of a committee meeting: Messrs. Burns, Michael J., Chairman; Waters, Voigt, Doyle, Dickey, Bashore, Welch, Clarke and Bennett.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1342—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mrs. Daley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 2386.

Assembly Bill No. 2386—An act to add Section 15.5 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, relating to the establishment of systems for the retirement and pension of certain county and county fire protection district officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del

Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 830—An act to add a new section to the Bank Act to be numbered 16g, relating to the examination of statements and canceled checks by depositors.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "thirty-five (35)", and insert "forty-five (45)".

Amendment No. 2

On page 1 of the printed bill, as amended, commencing in line 16, strike out "thirty-five (35)", and insert "forty-five (45)".

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, strike out "thirty-five (35)", and insert "forty-five (45)".

Amendment No. 4

On page 2, line 2, of the printed bill, as amended, strike out "thirty-five (35)", and insert "forty-five (45)".

Amendment No. 5

On page 2, line 2, of the printed bill, as amended, strike out "depositor".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out all of lines 3, 4, 5 and 6

Amendment No. 7

On page 2, line 7, of the printed bill, as amended, strike out "depositor; and said"

Amendment No. 8

On page 2, line 7, of the printed bill, as amended, strike out "also".

Amendment No. 9

On page 2 of the printed bill, as amended, commencing in line 24, strike out "thirty-five (35)", and insert "forty-five (45)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 652—An act to add Section 334.5 to the Agricultural Code, relating to the branding of live stock.

Bill read third time.

Motion to Amend

Mr. Hastain moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, strike out "may consist of any numeral or", and insert "shall consist of a numeral or combination of".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain,

Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 1, of the printed bill, strike out "Chino Prison", and insert "California Correctional Institution, Chino".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 47: By Messrs. Burns, Michael J., and Dickey—Relative to the creation of a Joint Legislative Committee to study, investigate and report on the subject of motor vehicles and laws and needed legislation pertaining thereto.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 48: By Messrs. Tenney, Kellems, Phillips and Burns, Hugh M.—Making additional funds available to the Joint Fact-Finding Committee on Un-American Activities in California, created by Assembly Concurrent Resolution No. 13.

Referred to Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW SENATE BILL NO. 1035

At 12 m., on motion of Mr. Del Mutolo, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Senate Bill No. 1035 be withdrawn from the Committee on Social Service and Welfare and placed upon the file carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle,

Gaffney, Gallagher, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Masston, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thurman, Turner, Waters, and Welch—47.

NOES—Allen, Call, Collins, Sam L., Daley, Dilworth, Evans, Field, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Lyon, Stream, Tenney, Thorp, Watson, Weybret, Wollenberg, and Mr. Speaker—20.

Senate Bill No. 1035 ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 264

At 12.04 p.m., on motion of Mr. Crowley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Assembly Bill No. 264 be withdrawn from the Committee on Education, and placed upon the file, passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Lowrey, Maloney, Masston, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Welch, and Weybret—51.

NOES—Allen, Collins, Sam L., Evans, Field, Knight, T. Fenton; Lyon, Salsman, Watson, Wollenberg, and Mr. Speaker—10.

Assembly Bill No. 264 ordered to second reading.

RECESS

At 12.06 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Pursuant to House Resolution No. 211—requesting that the Senate furnish your honorable body with a duplicate copy of Senate Bill No. 895, relating to making the State of California a party to quiet title actions—I am transmitting an engrossed copy herewith.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1905—An act to amend Sections 1995 and 1997 of the Code of Civil Procedure, and to repeal Sections 2620, 2621, 2622, 2623 and 2624 of, and to add Sections 2620, 2621, 2621.5, 2622 and 2623 to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burkhalter, Burns, Michael J., Carlson, Clarke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Leonard, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1875—An act to amend Sections 1, 2 and 3 of an act entitled "An act authorizing any incorporated city within this State to adopt by ordinance a retirement or pension system for the retirement of officers and employees; providing for the creation of a retirement board and for the delegation of certain powers to such board; authorizing the creation of a pension and retirement fund and the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contributions to said fund by officers and employees and the city; and authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act," approved May 19, 1937, relating to municipal retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam. L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2384—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Hawkins, Heisinger, Houser, Frederick F., Leonard, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—43

NOES—Carlson, Collins, Sam L., Dickey, Donnelly, Johnson, Knight, T. Fenton; Robertson, Salsman, Sheridan, and Waters—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1930—An act to amend Section 3802 of, and to add Section 3810.5 to, the Elections Code, relating to the order of names of candidates on ballots at elections, including elections in municipal corporations of the first class

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Heisinger, Johnson, Kilpatrick, Leonard, Maloney, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—51.

NOES—Frederick F. Houser—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 73—An act to repeal Sections 190 and 191 of the Fish and Game Code and to add Section 170.1 to the Fish and Game Code, relating to the San Francisco Game Refuge

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L., Burkhalter, Kellems and Evans demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 73.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Burkhalter, Call, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Hastain, Kellems, Kilpatrick, Leonard, Lowrey, Phillips, Potter, Sheridan, Stream, Thurman, Voigt, Watson, and Weybret—26.

NOES—Andreas, Basbore, Bennett, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Del Mutolo, Dills, Dilworth, Doyle, Evans, Hawkins, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Russell, Salsman, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—36.

Hon. Rodney L. Turner Presiding

At 2.20 p.m., Hon. Rodney L. Turner, member of the Assembly from the Forty-first District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No 1956

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

FIELD, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1956—An act making an additional appropriation for construction, improvements, and equipment at the State Fair Grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended, strike out "two hundred thousand dollars ($200,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment read and adopted.

Bill ordered printed and engrossed.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO 62 FROM COMMITTEE WAIVED

Mr Evans waived his notice of motion to withdraw Assembly Bill No. 62 from the Committee on Public Utilities

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bills Nos. 1654, 1655, 1657, 1658, 1659 and 1660 were taken up.

Assembly Bill No. 1654—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Maloney moved that the Assembly resolve itself into a Committee of the Whole for the purpose of discussing Assembly Bills Nos. 1654, 1655, 1657, 1658, 1659 and 1660, and that the proponents and opponents be allotted 20 minutes each for argument.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Richie, Russell, Sheridan, Tenney, Voigt, and Welch—34.

NOES—Allen, Carlson, Collins, Sam L., Daley, Dilworth, Field, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Middough, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—28.

IN COMMITTEE OF THE WHOLE

Hon. Rodney L. Turner presiding.

On motion of Mr. T. Fenton Knight, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Hon. Rodney L. Turner presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Presiding

At 2.37 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1654—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Demand for Previous Question

Messrs. Pfaff, Hastain, Knight, John B. Kellems and Watson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1654.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

Motion carried. Time, 3.56 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. T. Fenton Knight, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bills Nos. 1655, 1657, 1658, 1659 and 1660.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1658—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Collins, George D, Crowley, and Evans—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1660—An act to amend Section 11 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Cain, Call, Carlson, Clarke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Bennett, Burkhalter, Collins, George D., Del Mutolo, Dills, Hawkins, King, Massion, O'Day, Pelletier, and Tenney—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1655—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Salsman, Leonard, Waters and Turner demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1655.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. T. Fenton Knight moved a call of the Assembly.

Motion carried. Time, 4.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1657—An act to repeal and add Section 56 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Sheridan, Voigt, and Welch—30.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1659—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Mr Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly, strike out lines 34 to 41, inclusive.

Amendment read and refused adoption.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Field, Gallagher, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Del Mutolo, Dills, Donnelly, Gaffney, Hawkins, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Sheridan, Tenney, and Voigt—23.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the consideration of Assembly Bill No. 13 as a special order was waived.

MOTION TO SET SPECIAL ORDER

Mr. Middough moved that Assembly Bill No. 13 be made a special order of business for Thursday, May 22, 1941, at 2.15 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller,

O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63.

NOES—None.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Gaffney, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 368.

RECONSIDERATION OF ASSEMBLY BILL NO. 368

In compliance with a notice given on a previous day, Mr. Gaffney moved that the vote whereby Assembly Bill No. 368 was passed be reconsidered.

Demand for Previous Question

Messrs. Robertson, Evans, Dills, Collins, Sam L., and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 368.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cronin, Daley, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lowrey, Masston, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Poulson, Robertson, Russell, Tenney, Thorp, Thurman, Voigt, Watson, Welch, Wollenberg, and Mr Speaker—42

NOES—Carlson, Collins, Sam L., Crowley, Del Mutolo, Dickey, Dills, Doyle, Field, Hastain, Hawkins, Kellems, Knight, T. Fenton; Pelletier, Pfaft, Poole, Salsman, Stream, and Waters—18

Time, 5.12 p. m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1654

At 5.14 p.m., on motion of Mr. T. Fenton Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1654 passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Evans, Field, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins,

Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sheridan, Tenney, and Voigt—30.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 274 WAIVED

Mr. Lowrey waived his notice of motion to reconsider the vote whereby Assembly Bill No 274 was passed.

Assembly Bill No. 274 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2149—An act to amend the School Code by adding Part 6 to Division 5 thereof, consisting of Sections 5.1500 to 5.1519, inclusive, to provide for and to regulate the certification of librarians.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 51, of the printed bill, as amended in the Assembly on March 27, 1941, after "body", insert "or officer".

Amendment No. 2

On page 3, line 52, of the printed bill, as amended in the Assembly on March 27, 1941, after "resolution", insert "or order".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 366

Mr. Evans moved that Senate Bill No. 366 be withdrawn from the inactive file.

Motion carried.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 366—An act to add Section 4300 1c to the Political Code, relating to municipal court fees and costs.

Bill read third time.

Motion to Amend

Mr. Evans moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4300 1c to", and insert "amend Section 4300*l* of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 4300*l* of the Political Code is hereby amended to read as follows:

4300*l* Municipal Court Fees The clerk of each municipal court, except as otherwise provided by law, shall charge for all services to be performed, the following fees

For filing the complaint, or other first paper, four dollars ($4), to include all proceedings before trial and all services to be performed in a judgment by default

or for the trial of either a question of law or fact, including all affidavits, swearing witnesses and jury, and entry of judgment

For filing the first paper on behalf of any party (other than plaintiff) one dollar ($1) for each such party.

For filing the papers transmitted from another court, on the transfer of a civil action or proceeding, and all proceedings before trial and all services, five dollars ($5).

When the venue in a case in a municipal court shall be changed, for making up and transmission of transcript and papers, one dollar ($1), and a further sum equal to the fee for filing in the court to which the case is to be transferred. The clerk shall transmit such filing fee, with the papers in the case, to the clerk or justice of the court to which the case is transferred.

For receiving and filing an abstract of judgment rendered by a justice or judge of another court and for subsequent services based thereon, five dollars ($5).

For certificate and transmitting transcript and papers on appeal, one dollar ($1).

For issuing a transcript of the register of actions, one dollar ($1).

For issuing an abstract of judgment, fifty cents ($0.50).

For taking an acknowledgment of any instrument, for each signature, fifty cents ($0.50).

For administering an oath and certifying thereto, fifty cents ($0.50).

For issuing a writ of execution, a writ of restitution, a writ of possession, or any writ for the enforcement of any order or judgment, one dollar ($1).

For issuing an order of sale, one dollar ($1).

For exemplification of record or other paper on file, besides the charges allowed for copying or comparing, one dollar ($1).

For filing any notice of intention to move for a new trial of any cause, two dollars ($2).

For preparing a first copy, other than a carbon copy, of any record, proceeding, or paper on file in his office, per folio, twelve cents ($0.12).

For preparing a carbon copy of any record, proceeding or paper on file in his office, made at the time of preparing a first copy thereof, per folio, five cents ($0.05).

For certifying a copy of any paper, record or proceeding on file in his office, fifty cents ($0.50)

For comparing with the original on file in his office, the copy of any paper, record or proceeding by another and presented for his certificate, two cents ($0.02) per folio

No fees shall be charged by the clerk for services rendered in any criminal action except for making or certifying to a copy of any filed paper, record or proceeding when not otherwise specified by law; nor shall any charge be made for any service to the United States of America or any officer thereof acting in his official capacity.

[On the commencement in or removal to the municipal court of any municipality, of any civil action or proceeding, the clerk shall collect the sum of one dollar for the law library fund, and shall pay the same to the treasurer of his county, who shall keep the same in the law library fund designated in Section 4190 of this code.]

Marshals of municipal courts, except as otherwise provided by law, shall charge and collect the fees provided in Section 4300b, Political Code, except that for keeping property taken under legal process they shall collect the actual amount charged by any reputable warehouse or storage house for safely keeping and storing such property; but if such property shall be placed in the care of a keeper, the fee for such keeper shall be five dollars ($5) per day.

Sections 4292 to 4297, inclusive, and Section 4305 of this code shall apply to officers of municipal courts and to the disposition of fees collected by such officers.

Witnesses in municipal courts except as otherwise provided by law, shall be paid the fees provided to be paid to witnesses in the superior court in the county or city and county in which any such municipal court is situated

Jurors in municipal courts, except as otherwise provided by law, shall be paid the fees provided to be paid to trial jurors in the superior court in the county or city and county in which any such municipal court is situated.

Witnesses and jurors in criminal cases shall be paid by the county in the manner provided for the payment of such fees in the county or city and county in which any such municipal court is situated."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cromin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson,

Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered reprinted and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 368

At 5.20 p m, on motion of Mr. Gaffney further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 368 refused reconsideration by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Collins, George D., Cronin, Daley, Dilworth, Gaffney, Gallagher, King, Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Potter, Poulson, Richie, Robertson, Stream, Tenney, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—31.
NOES—Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Massion, Meehan, Millington, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Voigt, and Weybret—39.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2273 FROM COMMITTEE

Mr. Bashore gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2273 from the Committee on Revenue and Taxation, and have it placed upon the file.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2382 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2382 was passed.

Assembly Bill No. 2382 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, and in connection therewith to amend Section 11860 of the Insurance Code, and to repeal Sections 658 and 660 of the Political Code.

Bill read third time.

Motion to Amend

Mr Poulson moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended, strike out "Auditing", and insert "Audit".

Amendment No. 2

On page 5 of the printed bill, as amended, strike out lines 40 to 45, inclusive, and insert "Auditor shall determine and certify to the Controller what amount appropriated by the Budget Act of 1941 is available for the performance of the post auditing functions which are by this act transferred to the Legislative Audit Bureau."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 820—An act to repeal Sections 203, 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 of, and to add Sections 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and 215 to, the Code of Civil Procedure, relating to jurors and jury commissioners.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended, strike out "each", and insert "one at a salary of one thousand two hundred dollars ($1,200) per annum, and the other".

Amendment read.

The roll was called, and the amendment adopted by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered reprinted and to third reading.

Hon. C. Don Field Presiding

At 5.25 p.m., Hon. C. Don Field, member of the Assembly from the Forty-third District, presiding.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2584 FROM COMMITTEE WAIVED

Mr. Crowley waived his notice of motion to withdraw Assembly Bill No. 2584 from the Committee on Governmental Efficiency and Economy.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1655

At 5.30 p.m., on motion of Mr. T. Fenton Knight, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1655 passed by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Russell, Sheridan, Tenney, Voigt, and Welch—31.

Assembly Bill No. 1655 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 653—An act to amend Section 336 of the Agricultural Code, relating to live stock brands.

Bill read third time.

Motion to Amend

Mr. Hastain moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 28, of the printed bill, as amended, after "($1.50)", insert "; provided that the owner may, at his option, pay the sum of six dollars ($6) which payment shall entitle him to use the brand or brand and mark for a period of four years".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Bill ordered reprinted, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2515

Mr. Phillips moved that Assembly Bill No. 2515 be withdrawn from the third reading file, and re-referred to the Committee on Prisons and Reformatories.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1279

Mr. Sawallisch moved that Assembly Bill No. 1279 be withdrawn from the third reading file, and re-referred to the Committee on Motor Vehicles.

Motion carried.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2526 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2526 was passed.

Assembly Bill No. 2526 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 776 WAIVED

Mr. Field waived his notice of motion to reconsider the vote whereby Senate Bill No. 776 was passed.

Senate Bill No. 776 ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1683—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1683?

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 18, inclusive, and insert

"3066. Every person, partnership, association, corporation, trust or institution, maintaining and operating a private hospital in this State, which shall furnish hospitalization, care and maintenance to an injured person, if such injured person asserts and maintains a claim against another person, firm or corporation for damages on account of such injury, shall be entitled to a lien for its reasonable charges for hospital care, treatment and maintenance of said person, including drugs, supplies, X-ray and laboratory services, upon any recovery of any sum had or collected by said person or by his heirs or personal representatives in case of his death, whether by judgment or by settlement or compromise, not, however, to exceed 50 per cent of such recovery."

Amendment No. 2

On page 1 of the printed bill, strike out lines 19 and 20, and on page 2, strike out lines 1 to 27, inclusive, and insert

"3066a. No lien provided for in Section 3066 shall be effective, however, unless on or before the time of the discharge of said person or within five days thereafter, a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, the general nature of and the total amount claimed for such hospital care, treatment and maintenance and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed in the office of the county recorder of the county in which such hospital is located, prior to the payment of any moneys to such injured person, his attorneys, or legal representatives as compensation for such injuries; nor unless the hospital shall also mail, postage prepaid, a copy of such notice with a statement of the date of filing thereof to the person or persons, firm or firms, corporation or corporations, believed to be liable to the injured person for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries. Such hospital shall mail a copy of such notice to any insurance carrier known by it to have insured such person, firm or corporation against such liability."

Amendment No. 3

On page 2 of the printed bill, strike out lines 31 to 37, inclusive.

Amendment No. 4

On page 2 of the printed bill, strike out lines 38 to 48, inclusive, and insert

"3066c. Any person or persons, firm or firms, corporation or corporations, including any insurance carrier, or carriers, making any payment to such person or to his attorneys or heirs or legal representatives as compensation for the injury sustained, after the filing and mailing of the notice provided in Section 3066a, without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the moneys due under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, shall for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid, up to the amount of the lien of said hospital as provided in Section 3066; and any such person, partnership, association, corporation or other institution maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment. Any person or persons, firm or firms, corporation or corporations, against whom a claim shall be asserted for damages for such injuries, shall be permitted to examine the record of the hospital in reference to such treatment, care and maintenance of such injured person."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1683 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1683 ordered enrolled.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 298 FROM COMMITTEE

Mrs. Daley gave notice that on the second legislative day, she would move to withdraw Senate Bill No. 298 from the Committee on Social Service and Welfare, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 54 FROM COMMITTEE

Miss Miller gave notice that on the second legislative day, she would move to withdraw Assembly Constitutional Amendment No. 54 from the Committee on Constitutional Amendments, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1608 FROM COMMITTEE

Mr. Hugh M. Burns gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 1608 from the Committee on Social Service and Welfare, and have it placed upon the file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2501—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19065, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19012.5, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture.

Bill read third time.

Motion to Amend

Mr Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "19065,".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, after "19049,", insert "19065,".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 19 and 20, and insert "SEC. 5. Section 19012.5 is hereby added to the Business and Professions Code, to read as follows:".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Speaker Presiding

At 5.41 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1276

The Speaker announced the appointment of Messrs. Burns, Michael J., McCollister and Turner as a Committee on Conference concerning Senate Bill No. 1276.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Bashore:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the acquisition of a suitable plot of land for, and the erection thereupon of, a monument to the spirit of freedom and the pioneers of the United States and of the State of California by the Department of Public Works.

Respectfully submitted.

LEE T. BASHORE

Request referred to Committee on Introduction of Bills.

By Mr. Poole:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 2540.5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

Respectfully submitted.

WM. H. POOLE

Request referred to Committee on Introduction of Bills.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Constitutional Amendment No. 64: By Mr. Kilpatrick—Proposed amendment to Article XIII of the Constitution by adding Section 1¾, relating to the taxation of real property improvements.

Referred to Committee on Governmental Efficiency and Economy:

Assembly Concurrent Resolution No. 49: By Mr. Tenney—Relative to Cabrillo Day.

Referred to Committee on Rules.

Assembly Joint Resolution No. 54: By Mr. Thorp—Memorializing Congress not to pass Senate Bill No. 1199, relative to the purchase of live stock for slaughter and processing.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1291—An act to amend Sections 623.5, 625 and 627 of the Vehicle Code, relating to lights, other equipment, and loading of vehicles;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of May, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2585
Assembly Constitutional Amendment No. 61

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1813

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

TURNER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 110
Assembly Bill No. 1703

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 2623

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 810

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred.

Assembly Bill No. 972
Assembly Bill No. 2478
Senate Bill No 393

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1956
Assembly Bill No. 2579

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 979
Assembly Bill No. 1415
Assembly Bill No. 1518
Assembly Bill No. 1998

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2608

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 895

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2633

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1887

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 53
Assembly Bill No. 209
Assembly Bill No. 934
Assembly Bill No. 1164
Assembly Bill No. 1452
Assembly Bill No 1453
Assembly Bill No. 1497
Assembly Bill No. 1963

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 168
Assembly Bill No 778
Assembly Bill No. 1033
Assembly Bill No. 1292
Assembly Bill No. 1306
Assembly Bill No. 1335
Assembly Bill No. 1544
Assembly Bill No. 1686
Assembly Bill No. 1708
Assembly Bill No. 1942

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 155
Assembly Bill No 2219

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 29

J A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 336
Senate Bill No. 518

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 39

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 40

J A. BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 41

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 336—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 518—An act to repeal Chapter 5 of Part 1 of Division 2, and Chapter 3 of Part 2 of Division 2, of the School Code, relating to consolidated school districts.

Referred to Committee on Education.

Senate Concurrent Resolution No. 39—Relative to appointment of a Labor Mediation Board.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 40—Relative to adjournment sine die of the Fifty-fourth Session of the Legislature of the State of California.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 41—Relative to approving 12 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at the general municipal election held therein on the sixth day of May, 1941.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

Senate Concurrent Resolution No. 41—Relative to approving 12 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at the general municipal election held therein on the sixth day of May, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 2142.
Assembly Bill No. 1731.
Assembly Bill No. 1339.
Assembly Bill No. 1484.
Assembly Bill No. 770.
Assembly Bill No 2605.
Assembly Bill No. 1162.
Assembly Bill No. 1598.
Assembly Bill No. 1595.
Assembly Bill No. 2494
Senate Bill No 713.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 717.
Assembly Bill No. 1078.
Assembly Bill No. 1812.
Assembly Bill No. 1813.
Assembly Bill No. 1814.
Assembly Bill No. 2583.
Assembly Bill No. 197.
Assembly Bill No. 1724.
Assembly Joint Resolution No. 43.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Poole, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Wm. Bannon and Mrs. Geo H. Brown of Huntington Park.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major Kay Kallmeyer, Women's Ambulance Transport Corps of California, Captain Bunny, Jean Russell and Lieutenant Marcia Travers, Sacramento State officers.

On request of Mr. Potter and the Los Angeles City Assemblymen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor Fletcher Bowron of Los Angeles.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss

Ruth G. Hoffman, Miss Julia A. Marshall, and Burdette Briggs of Long Beach.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. L. L. Kieny, Mrs. John Zboyousky and Mrs. B. Peralta of Alameda.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nathan T. Porter of Los Angeles.

ADJOURNMENT

At 5 47 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 10.30 a.m., Wednesday, May 21, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 21, 1941

The Assembly met at 10 30 a m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Burkhalter, Burns, Hugh M , Burns, Michael J , Cain, Carlson, Clarke, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Muller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—56

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Hawkins.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Cassidy, on motion of Mr. Carlson.
Mr. F. N. Howser, on motion of Mr Sam L Collins.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 828
And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 1594
Senate Bill No. 1326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No 801

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 2631
Senate Bill No. 642

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

HEISINGER, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2619

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

Above reported bill ordered to second reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Unemployment, to which were referred:

Assembly Bill No. 1193
Assembly Bill No. 1222
Assembly Bill No. 1192

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DESMOND, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Unemployment, to which were referred.

Assembly Bill No. 1191
Senate Bill No. 92

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DESMOND, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred.

Senate Bill No 876

Has had the same under consideration, and respectfully reports the same back without recommendation.

DESMOND, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 536

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 63

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 830
Assembly Bill No. 1740
Assembly Bill No. 2149

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2501

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1129

And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 1216

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DESMOND, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2249

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 2498
Assembly Bill No. 1898
Assembly Bill No. 272
Assembly Bill No. 1327
Assembly Bill No. 1000
Assembly Bill No. 191

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 828

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2579

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER. Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 1264
Assembly Bill No. 2177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 1078
Assembly Bill No. 1846

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1249

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 143

House Resolution No. 200

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolutions ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 264—An act to add Section 2264 to the Political Code, relative to field work in connection with the school for the blind at Berkeley, and making an appropriation therefor.

Bill read second time, and to third reading.

Assembly Bill No. 2625—An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1173—An act making an appropriation for the purchase of water stock at Pacific Colony-State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and to third reading.

Assembly Bill No. 2596—An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

Bill read second time, and to third reading.

Assembly Bill No. 2626—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

Bill read second time, and to third reading.

Assembly Bill No. 972—An act to amend Sections 7455 and 7677 of the Revenue and Taxation Code and Sections 2 and 4 of the Motor Vehicle Fuel License Tax Act, relating to delinquency of the motor vehicle fuel license tax, including recoveries on bonds of delinquent distributors.

Bill read second time, and to third reading.

Assembly Bill No. 2478—An act to add Sections 3655.2, 3655.4, 3655.6, 3655.7 and 3655.8 to the Revenue and Taxation Code, relating to property taxation and tax-deeded property, including the subleasing of tax-deeded property leased to counties, and the distribution of proceeds of such subleases.

Bill read second time, and to third reading.

Assembly Bill No. 2608—An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insurance Code, relating to the administration of taxes imposed on insurance companies and associations.

Bill read second time, and ordered engrossed.

Assembly Constitutional Amendment No. 28—Proposed amendment to Article XX, Section 22 of the Constitution, relative to the legal rate of interest on loans.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In the title of the printed measure, strike out line 3, and insert "ment to the first paragraph of Section 22 of".

Amendment No. 2

On page 1, line 6, of the printed measure, strike out "and second paragraphs", and insert "paragraph".

Amendment No. 3

On page 1 of the printed measure, strike out lines 10 to 20, inclusive, and insert "SEC. 22 The rate of interest upon the loan or forbearance of any money, goods or things in action or on accounts after demand shall be 7 per cent per annum, and upon any judgment rendered in any court of this State shall be 5 per cent per annum, but it shall be competent for the parties to any loan or forbearance of any money, goods or things in action to contract in writing for a rate of interest not exceeding 10 per cent per annum"

Amendments read and adopted.

Resolution ordered printed and engrossed.

Assembly Bill No. 110—An act to amend Section 4986 of the Revenue and Taxation Code, relating to the cancellation of taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 15, of the printed bill, after "by", insert "the United States of America,"

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1703—An act to amend Section 5138 of, and to add Section 5139.5 to, the Revenue and Taxation Code, relating to property taxation and suits to recover taxes paid under protest.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "three", and insert "four".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "three", and insert "four".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1813—An act to amend Section 9651 of the Revenue and Taxation Code, and Section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, relating to the rate of tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "9651", and insert "10452".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "4", and insert "20".

Amendment No. 3

In lines 7 and 8 of the title of the printed bill, strike out "the rate of", and insert "the disposition of proceeds from the".

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 10452 of the Revenue and Taxation Code is hereby amended to read as follows:

10452 All moneys in the Motor Vehicle Transportation Tax Fund, unless otherwise appropriated, shall, upon order of the Controller, be drawn therefrom for the purpose of making refunds under this part or be transferred to the [General Fund of the State] *State Highway Fund for expenditure by the Department of Public Works for the construction, improvement, and maintenance of State highway bridges, and for the separation of grades at crossings of railroads by State highways.*

SEC. 2. Section 20 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 20. All taxes, interest and penalties due hereunder shall be paid in the form of remittances payable to the State Controller and shall be deposited by the Controller in the State Treasury to the credit of the "Motor Vehicle Transportation Tax Fund," which fund is hereby created.

All moneys in said Motor Vehicle Transportation Tax Fund, unless otherwise appropriated, shall, upon order of the State Controller, be drawn therefrom for the purpose of making refunds hereunder or be transferred to the [General Fund of the State] *State Highway Fund for expenditure by the Department of Public Works for the construction, improvement, and maintenance of State highway bridges, and*

for the separation of grades at crossings of railroads by State highways. All sums paid to the Department of Motor Vehicles hereunder shall be deposited in the State Treasury to the credit of the Motor Vehicle Fund and are hereby appropriated out of said fund for the support of said department.

All remittances for taxes, together with interest and penalties thereon, received by the board hereunder shall be transmitted daily to the Controller with the appropriate advices as to the operators by whom such remittances have been sent. The State Controller shall keep an appropriate record of such payments.

SEC. 3 The provisions of this act amending the Revenue and Taxation Code take effect only if Part 4 of".

Amendment No. 5

On page 1, lines 16 and 17, of the printed bill, strike out "Section 4", and insert "the provisions".

Amendment No. 6

On page 1, line 18, of the printed bill, strike out "is", and insert "are".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2036—An act to amend Sections 2604 and 2617 of the Elections Code, relating to the nomination of candidates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2604 and 2617 of", and insert "2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 3871, 3878, 3879, and 3880 of, to add Section 3873 to, and to repeal Sections 2109, 2151, 2154, 2202, 2257, 2302, 2303, 3873, 3874, 3875, 3876, and 3877 of,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "the nomination of candidates", and insert "presidential primaries".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 27, inclusive; and strike out pages 2 and 3, and insert

"SECTION 1. Section 2101 of the Elections Code is hereby amended to read as follows:

2101. [The names of persons to be voted upon as delegates to the respective National conventions of the several political parties shall be printed upon the ballots of their respective parties upon the filing of nomination papers pursuant to this chapter.] Nomination papers properly prepared, circulated, signed and verified shall be left with the county clerk of the county in which they are circulated for examination, at least 40 days prior to the presidential primary. *Upon the filing of nomination papers pursuant to this chapter, the persons named in such papers shall be voted upon as delegates to the respective National conventions of the several political parties, but their names shall not be printed upon the ballots of their respective parties.*

SEC. 2. Section 2103 of the Elections Code is hereby amended to read as follows:

2103 When a nomination paper or sections thereof have been received which contain a number of signatures equal to 2 per cent of the vote constituting the basis of percentage, the Secretary of State shall not receive or file further sections of the nomination paper for the [candidate] *group of candidates* named therein.

SEC 3. Section 2104 of the Elections Code is hereby amended to read as follows:

2104 No more signatures shall be secured for any [candidate] *group of candidates* than a number equal to 3 per cent of the vote constituting the basis of percentage. If through miscalculation or otherwise more signatures are secured than the 3 per cent, all sections of the nomination paper containing signatures in excess of 3 per cent shall be sent to the [candidate] *group of candidates.* Before any

nomination paper is filed, the [candidate] *candidates* shall notify each person who has signed the excess sections that his name has not been used.

SEC. 4. Section 2105 of the Elections Code is hereby amended to read as follows.

2105. Each signer of a nomination paper may sign only one paper [for the same office]. He shall declare his intention to support the [candidate] *group of candidates* for nomination, and shall add his place of residence, and give his street and number if any. His election precinct shall also appear on the paper just preceding his name, and he shall write the date of his signature at the end of the line just after his residence.

SEC. 5. Section 2106 of the Elections Code is hereby amended to read as follows:

2106. Any nomination paper may be presented in sections. Each section shall contain the [name of the candidate] *names of the candidates comprising the group* and state that [he is a candidate] *they are candidates* for [delegate] *delegates*. Each section shall bear the name of the city, if any, and also the name of the county in which it is circulated. Only voters of the county registered as intending to affiliate with the political party by which the [nomination is] *nominations are* to be made are competent to sign. Any section circulated within an incorporated city may be signed only by voters of that city.

SEC. 6. Section 2109 of the Elections Code is hereby repealed.

SEC. 7. Section 2110 of the Elections Code is hereby amended to read as follows:

2110. [Whenever a] A candidate for delegate [files] *shall file* a statement [with the Secretary of State pursuant to Sections 2302 and 2304] in which he enrolls himself with other delegates in expressing his preference for the same person as candidate for presidential nominee [, there may be nominated by the same nomination paper all candidates for delegates who are included in such statement as have individually filed similar statements with the Secretary of State.]

SEC. 8. Section 2150 of the Elections Code is hereby amended to read as follows:

2150. A [candidate or] group of candidates for delegate may appoint verification deputies to serve within the county in which the deputies reside in securing signatures to the nomination paper of the [candidate or] group of candidates. The verification deputies thus appointed are the duly authorized verification deputies to secure signatures to the nomination paper of the [candidate or] group of candidates in that county. The form on which the verification deputies are appointed shall be filed with the county clerk of the county in which the verification deputies reside, at or before the time the nomination paper of the [candidate or] group of candidates is left with the county clerk for examination. Additional verification deputies may be appointed in the same manner as the original verification deputies were appointed.

SEC. 9. Section 2151 of the Elections Code is hereby repealed.

SEC. 10. Section 2153 of the Elections Code is hereby amended to read as follows:

2153. Any five voters of any county who are registered as intending to affiliate with the same political party may join as a committee in proposing the nomination of a [candidate or] group of candidates for delegate, and in appointing verification deputies to serve within the county in securing signatures to the nomination paper of the [candidate or] group of candidates. The signatures of the members of the committee shall be verified free of charge before any officer authorized to administer oaths. The form containing their signatures shall be filed with the county clerk of the county in which the members reside, at or before the time the nomination paper of the [candidate or] group of candidates is left with the county clerk for examination. In the form, the members shall make affidavit that the [candidate or] group of candidates therein named have given consent to be thus proposed for nomination to the office of delegate. The form shall also state that the verification deputies therein appointed are voters of the county. The verification deputies therein appointed are the duly authorized verification deputies to secure signatures to the nomination paper of the [candidate or] group of candidates in the county. Additional verification deputies may be appointed in the same manner as the original verification deputies were appointed.

SEC. 11. Section 2154 of the Elections Code is hereby repealed.

SEC. 12. Section 2156 of the Elections Code is hereby amended to read as follows:

2156. Verification deputies may obtain signatures to the nomination paper of the [candidate or] group of candidates by whom or for whom they were appointed, at any time not more than 65 nor less than 40 days prior to the presidential primary.

SEC. 13. Section 2201 of the Elections Code is hereby amended to read as follows:

2201. The names of the grouped candidates shall be so selected that the smallest number of candidates who reside in any one Congressional district shall not be less than the integer of the quotient obtained by dividing the number of the names of candidates appearing upon the same nomination paper by the total number of Congressional districts of the State, and that the largest number of candidates who reside in any one Congressional district shall not be greater than twice that integer. If the names are not so selected, the names shall not be [grouped on the ballot, but shall appear as individuals] *certified by the county clerk to the Secretary of State.*

SEC. 14. Section 2202 of the Elections Code is hereby repealed.

SEC. 15. Section 2205 of the Elections Code is hereby amended to read as follows:

2205. No candidates for delegate not indorsed by the candidate for presidential nominee or by his State campaign committee shall [have their names printed upon the ballot in a group, but shall appear as individuals] *be represented on the ballot by a group-heading favoring a candidate for presidential nominee*

SEC. 16. Section 2206 of the Elections Code is hereby amended to read as follows:

2206. [The name of no candidate for delegate shall appear more than once on the ballot.] Any candidate whose nomination paper is filed in more than one group[, or in the same group differently arranged,] shall [have his name printed on the ballot] *be considered* as a part of that group which has had the indorsement first filed

SEC 17. Section 2250 of the Elections Code is hereby amended to read as follows:

2250. Each section of a nomination paper, after being verified, shall be returned by the verification deputy who circulated it to one of the five voters by whom the verification deputy was appointed. All the sections circulated in any county shall be collected by those five voters and shall be by them arranged and left with the county clerk for examination. If the verification deputy was appointed directly by the [candidate] *group of candidates*, the collecting, arranging, and leaving for examination shall be done by the [candidate or on his] *group of candidates or on their* behalf, instead of by the five voters.

SEC. 18. Section 2251 of the Elections Code is hereby amended to read as follows:

2251. Prior to filing, the sections of a nomination paper for any [candidate] *group of candidates*[,] shall be numbered in order and fastened together by cities or portions of the county not included in cities, substantially in the manner required for the binding of affidavits of registration.

SEC. 19. Section 2253 of the Elections Code is hereby amended to read as follows:

2253. The index to the nomination papers of candidates for delegate shall be in substantially the following form:

INDEX TO NOMINATION PAPERS OF CANDIDATES FOR DELEGATE.

[Name of candidate_____]
Names of Candidates
1. _____
2. _____
Etc. _____
Party _____
Sections 1 to ___, inclusive, containing _____signatures, circulated as follows:
Sections 1 to ___, inclusive, in_____
(Designate city or town or outside territory)
Sections ___ to ___, inclusive, in_____
(Designate city or town or outside territory)
Etc.

_____
(Designate city or town)

Name or Number of Precinct	Numbers of Sections Containing Voters of Precincts
1_____	Sec. 1 (_____ times); Sec. 2 (_____ times); Etc.
2_____	Sec. 1 (_____ times); Sec. 2 (_____ times); Etc.
Etc.	Etc. Etc. Etc.

_____
(Designate Outside Territory)

Name or Number of Precinct	Numbers of Sections Containing Voters of Precincts
1_____	Sec. __ (_____ times); Sec. __ (_____ times); Etc.
2_____	Sec. __ (_____ times); Sec. __ (_____ times); Etc.
Etc.	Etc Etc. Etc.

SEC. 20. Section 2257 of the Elections Code is hereby repealed.

SEC. 21. Sections 2302 and 2303 of the Elections Code are hereby repealed.

SEC. 22. Section 2304 of the Elections Code is hereby amended to read as follows:

2304. Each candidate for delegate [whose name is filed upon a nomination paper together with the names of other candidates, in order to have his name printed upon the ballot in a group with other names,] shall file the [delegate's statement of preference, pursuant to Section 2302 and shall add to it the] following.

DELEGATE'S STATEMENT

"*I personally prefer _____ as nominee of my political party for President of the United States, and hereby declare to the voters of my party in the State of California that if elected as Delegate to their National Party Convention, I shall, to the best of my judgment and ability, support _____ as nominee of my party for President of the United States.*

And I hereby enroll myself in the expression of preference for _____ for presidential nominee, as one of the group of the following named candidates for delegate:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Etc.

(the blanks immediately following the word "delegate" being filled in by the printed or typewritten names of all the candidates for delegate, including the signer, whose names appear upon the same nomination paper, pursuant to this article).

Signed_____."

SEC. 23. Section 2350 of the Elections Code is hereby amended to read as follows:

2350. At least 30 days before a presidential primary the Secretary of State shall transmit to each county clerk a certified list containing the names and addresses of the candidates for delegate for whom nomination papers have been filed and who are entitled to be voted for at the presidential primary. The certified list shall be in substantially the following form.

CERTIFIED LIST OF CANDIDATES FOR DELEGATE
DEPARTMENT OF STATE

To the County Clerk of _____ County:

I, _____, Secretary of State, do hereby certify that the following list contains the name and post-office address of each person for whom nomination papers have been filed in my office and who is entitled to be voted for at the presidential primary to be held on Tuesday, the _____ day of May, 19___, as Delegate to the next National Convention of that party under which his name hereinafter appears; I further certify that in the list under the name of each party, and under the name of the person for whom a preference as nominee of the party for President has been expressed, there is stated the name of each candidate for delegate who has filed a statement of preference for that person and who has been indorsed as required by law, and who may be voted for as one of a group[; and also the name of each candidate for delegate who has filed a statement of preference, and who has been indorsed as required by law, and who may be voted for but not as one of a group; and under each party there is also stated under the words "No preference" the name of each candidate for delegate (other than a group candidate), who has filed no statement of preference but who may be voted for and the name of each candidate who has filed a statement of preference and has not been indorsed as required by law, or who is deemed unindorsed by reason of the State campaign committee indorsing him having been repudiated, but who may be voted for at the presidential primary; and I further certify that the names of these candidates

will appear upon their respective party ballots in groups or individually as hereinafter set forth.]

LIST OF CANDIDATES

_____Party

Candidates Preferring	Candidates Preferring	Candidates Preferring	[No Preference]
Name Address	Name Address	Name Address	[Name Address]
Top of Group	Top of Group	Top of Group	
1_____	1_____	1_____	
2_____	2_____	2_____	
3_____	3_____	3_____	
etc._____	etc._____	etc._____	
End of Group	End of Group	End of Group	

_____ Party.

(etc., as above with each political party)

Dated at Sacramento, California, this _____ day of _____, 19___.

(Seal)

_____
Secretary of State

SEC. 24. Section 2353 of the Elections Code is hereby amended to read as follows:

2353. The notice of the list of candidates published by the county clerk shall be in substantially the following form:

NOTICE BY COUNTY CLERK OF TIME AND PLACE OF PRESIDENTIAL PRIMARY ELECTION, POLITICAL PARTIES ENTITLED TO PARTICIPATE THEREIN, AND NAMES AND ADDRESSES OF CANDIDATES FOR DELEGATE

Notice is hereby given that a presidential primary election is to be held in the County of_____on Tuesday, the_____day of May, 19____, and that hereinafter under the designation of each of the political parties entitled to participate therein there is stated the name and address of each person for whom nomination papers have been filed in the Office of the Secretary of State and who is entitled to be voted for, at the election, as Delegate to the next National Convention of that party under which his name appears; and that under the name of each party, and under the name of the person for whom a preference as nominee of that party for President has been expressed, there is stated the name of each of those candidates for delegate who has filed a statement of preference for that person and has been indorsed as required by law, and who may be voted for as one of a group [.] : [and also the name of each candidate for delegate who has filed a statement of preference and who has been indorsed as required by law, and who may be voted for but not as one of a group; and under each party there is also stated under the words "No preference" the name of each candidate (other than a group candidate), who has filed no statement of preference but who may be voted for, and the name of each candidate who has filed a statement of preference and who has not been indorsed as required by law, or who is deemed unindorsed by reason of the State campaign committee indorsing him having been repudiated, but who may be voted

for at the election; and the names of candidates will appear upon their respective party ballots at the election in groups or individually as hereinafter set forth.]

LIST OF CANDIDATES

_____Party

Candidates Preferring	Candidates Preferring	Candidates Preferring	[No Preference]
Name, Address Top of Group	Name, Address Top of Group	Name, Address Top of Group	[Name, Address]
1 _____	1. _____	1. _____	
2 _____	2. _____	2 _____	
3 _____	3 _____	3. _____	
etc. _____	etc. _____	etc. _____	
End of Group	End of Group	End of Group	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	

_____Party.

_____(etc., as above with each political party.)

Notice is also hereby given that at the presidential primary the polls will be open from the hour of 6 o'clock a.m. to the hour of 7 o'clock p.m. on the day thereof, and that during those hours the election will be held at the legally designated polling places in each precinct in the county, which are as follows.

City of_____

(Name or Number of Precinct) (Location of Polling Place)

Precinct _____

Precinct _____

Town of_____

Precinct _____

_____Township (outside of city)

Precinct _____

Dated this_____day of_____, 19____

_____, County Clerk.

SEC. 25. Section 2400 of the Elections Code is hereby amended to read as follows:

2400. The Secretary of State shall, not later than the twenty-first day after the election, compile and file in his office a statement of the canvassed returns filed with him by the county clerks.

The compiled statement shall show [,] for each [candidate,] *group* both the total of the votes received and the votes received in each Congressional district [.], *and the names of the candidates comprising that group.*

SEC. 26. Section 2401 of the Elections Code is hereby amended to read as follows:

2401. Immediately after he has compiled the returns of the votes for delegates, the Secretary of State shall issue a certificate of election *as to each party* to each person *who is a member of the group which received the largest vote cast for any group of that party, such person thereby being* elected as Delegate to his National Party Convention.

SEC. 27. Section 3871 of the Elections Code is hereby amended to read as follows:

3871. The names of the candidates for delegate of any political party shall *not appear upon the ballot. In lieu thereof the names of the persons preferred for President by each group of candidates shall* be arranged upon the ballot of the party in parallel columns [under their preference for President]. *The person preferred by* that group of candidates which first files its nomination paper with the Secretary of State shall be entitled to the first or left hand column; the *person preferred by the* group which next files its nomination paper shall be entitled to the second column; and similarly for all other *persons preferred by other* groups.

SEC. 28. Sections 3873, 3874, 3875, 3876 and 3877 of the Elections Code are hereby repealed.

SEC. 29. A new Section 3873 is hereby added to the Elections Code, to read as follows:

3873. In the center of each column so headed and not less than one inch or more than two inches below the line separating the heading from the rest of the column, there shall be a voting square one-half of an inch square. Immediately under the square there shall be printed across the width of the column in heavy

face, 12-point, gothic type, these instructions, "A cross (X) stamped in this square shall be counted as a vote for all candidates preferring_____" (The blank being filled in with the name of the candidate for presidential nominee heading the column.).

SEC. 30. Section 3878 of the Elections Code is hereby amended to read as follows:

3878. At the top of the ballot shall be printed "Official Presidential Primary Election Ballot." and the instructions to voters shall be as follows. "To vote for *the group of candidates preferring* a person whose name appears on the ballot, stamp a cross (x) in the square [at the right of] *in the column headed by* the name of the person *preferred.* [for whom you desire to vote; or if you wish to vote for all of a group of persons, stamp a cross (x) in the square opposite the group which cross shall be counted for each name of the group. A group consists of candidates for delegates nominated on the same nomination paper. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose; and it is optional, but not necessary, to stamp a cross after that name.]"

SEC. 31. Section 3879 of the Elections Code is hereby amended to read as follows:

3879. There shall be printed in heavy face, 12-point, gothic type, across the page above the columns of *groups of* candidates for delegates, the words, "For Delegates to National Convention. Vote for *one group only.* [_____, either as individuals or by group, but do not vote for more than_____" (the blanks being filled in by the number of delegates to be elected by the political party concerned).]

SEC. 32. Section 3880 of the Elections Code is hereby amended to read as follows:

3880. The ballot shall be printed substantially in the following form:

OFFICIAL PRESIDENTIAL PRIMARY ELECTION BALLOT

REPUBLICAN PARTY

THIRD ASSEMBLY DISTRICT, MAY___, 19___

To vote for the group of candidates preferring a person whose name appears on the ballot, stamp a cross (+) in the square in the column headed by the name of the person preferred.

For Delegates to National Convention. Vote for one group only.			
Candidates Preferring JOHN P. MONROE	Candidates Preferring WILLIAM ADAMS	Candidates Preferring HENRY JACKSON	Candidates Preferring JOE BLACK
☐	☐	☐	☐
A cross (+) stamped in this square shall be counted as a vote for all candidates preferring John P Monroe	A cross (+) stamped in this square shall be counted as a vote for all candidates preferring William Adams	A cross (+) stamped in this square shall be counted as a vote for all candidates preferring Henry Jackson	A cross (+) stamped in this square shall be counted as a vote for all candidates preferring Joe Black

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2629—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 19, inclusive, and insert "shall be used exclusively for the purchase of equipment and supplies and payment of nonofficer or civil personnel, to be used and devoted exclusively in connection with the enforcement of the provisions of this code."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2617—An act to add Section 215.16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Live Stock and Dairies:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 215.16 to", and insert "amend Sections 215.8 and 215.10 of, and to add Sections 215.14 and 215.16 to,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "inspection of swine sold at", and insert "licensing of swine sales yards and inspection of swine at such".

Amendment No. 3

On page 1, line 1, of the printed bill, immediately following the period, strike out the balance of said line 1, and insert "Section 215.8 of the Agricultural Code is hereby amended to read as follows:

215.8. No person shall operate a sales yard unless licensed as provided in this article. Application for such license shall be made to the director and shall be accompanied by an application fee of [fifteen] *five* dollars *($5)*.

SEC. 2. Section 215.10 of the Agricultural Code is hereby amended to read as follows:

215.10. All such licenses shall be renewable annually upon the payment of a renewal fee of [five] *two dollars and fifty cents ($2.50)*, payable on or before January first of each year.

SEC. 3. A new section to be numbered 215.14 is hereby added to the Agricultural Code, to read as follows:

215.14. Operators of sales yards shall select a veterinarian, acceptable to the department, who shall make all necessary inspections and apply such treatments as may be necessary under the provisions of this article. The fees for such inspections and treatments shall be paid by the operator of said sales yard and any certificates of inspection and treatment shall be issued by said veterinarian in triplicate, one copy of which shall be forwarded to the department immediately, one copy given to the purchaser, and one copy placed on file at such sales yard. The form of such certificate shall be as prescribed by the department.

SEC. 4. A new section to be numbered 215.16 is hereby added to the Agricultural Code, to read as follows:

215.16. All swine sold at a sales yard, for any purpose other than immediate slaughter, shall be inspected by a licensed veterinarian who shall deliver to the purchaser a certificate showing apparent freedom from disease. All swine leaving such sales yards, other than for immediate slaughter or return to owner, shall be

treated with a proper dosage of "anti-hog cholera serum-alone" by the veterinarian for the yard, except as hereinafter provided

(a) Swine that have entered California from without the State when immunized as provided in this article, except that swine which have entered California immunized with "anti-hog cholera serum-alone" shall not be exempt from treatment when more than 15 days have elapsed since such animals have been subjected to such immunization treatment certified to as provided in Section 2151

(b) Swine which have entered such sales yards from within the State accompanied by a veterinarian's certificate or owner's affidavit showing said animals have been treated with a proper dosage of "anti-hog cholera serum and hog cholera virus" at least 21 days before entering such sales yards, or have been treated by other hog cholera immunizing methods and materials acceptable to the director.

(c) Swine from within the State which have entered such sales yards accompanied by a veterinarian's certificate or owner's affidavit showing such animals to have been treated with a proper dosage of "anti-hog cholera serum-alone" within 15 days before date of departure from such sales yards

(d) Swine leaving such sales yards for immediate slaughter which have as their destination a public stock yard or recognized slaughtering establishment and which shall not be diverted for any other purpose.

Nothing in this clause shall be construed to prohibit or exclude an individual from purchasing swine for home slaughter provided they are slaughtered within 10 days of the date of purchase."

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 2 to 7, inclusive

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1814—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the license fee on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "10752", and insert "11005".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "2", and insert "11".

Amendment No. 3

In line 10 of the title of the printed bill, strike out "amount of the"; and strike out line 11, and insert "disposition of proceeds from the license fee imposed thereunder."

Amendment No. 4

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 11005 of the Revenue and Taxation Code is hereby amended to read as follows:

11005. The balance of the money in the Motor Vehicle License Fee Fund shall, on order of the Controller, be disbursed as follows:

(a) Twenty per cent thereof shall be paid to the [General Fund of the State] *State Highway Fund for expenditure by the Department of Public Works for the*

construction, improvement, and maintenance of State highway bridges, and for the separation of grades and crossings of railroads by State highways.

(b) Forty per cent thereof shall be paid quarterly during each fiscal year to the cities and cities and counties of this State in the proportion that the total population of each city or city and county bears to the total population of all cities and cities and counties in this State, as certified by the department. For the purpose of this subdivision the population of each city or city and county is that determined by the last Federal Census. In the case of a city incorporated subsequent to the last census, or in the case of an unincorporated territory being annexed to a city subsequent to the last census, the department shall ascertain the population of the city or the annexed territory by multiplying the number of registered electors therein by three. In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subdivision is the aggregate population of the respective cities as determined by the last Federal Census.

The money so paid shall be expended by the cities and cities and counties for law enforcement and the regulation and control and fire protection of highway traffic.

(c) Forty per cent thereof shall be paid quarterly during each fiscal year to the counties and cities and counties of the State in the proportion that the population of each county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department. For the purpose of this subdivision the population of each county or city and county is that determined by the last Federal Census.

SEC. 2. Section 11 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 11. On and after July 1, 1939, the moneys in the Motor Vehicle License Fee Fund are hereby appropriated as follows:

(a) There shall be first appropriated from such fund for the use of the Department of Motor Vehicles such amount as the Department of Finance shall determine, and shall so certify to the State Controller, is necessary for the enforcement of the provisions of this act, the total of which amount shall in no event exceed 3 per cent of the moneys paid into said fund.

(b) On order of the State Controller there shall be transferred to the General Fund and set apart sufficient moneys in the amount of the principal and interest paid or necessarily to be paid during each fiscal year on bonds of the State issued under:

(1) The "State Highways Act," approved by the Governor March 22, 1909, and by a majority of the electors at the general election held November 8, 1910;

(2) The "State Highways Act of 1915," approved by the Governor May 20, 1915, and by a majority of the electors at the general election held November 7, 1916;

(3) Section 2 of Article XVI of the Constitution as approved by a majority of the electors at a special election held July 1, 1919; and

(4) Section 3 of Article XVI of the Constitution, as approved by a majority of the electors at the general election held November 2, 1920.

(c) The balance of the moneys in said fund shall, on order of the Controller, be disbursed as follows:

(1) Twenty per cent thereof to the [General Fund of the State of California] *State Highway Fund for expenditure by the Department of Public Works for the construction, improvement, and maintenance of State highway bridges, and for the separation of grades and crossings of railroads by State highways.*

(2) Forty per cent thereof shall be paid quarterly during each fiscal year to the cities and cities and counties of this State in the proportion that the total population of each such city or city and county bears to the total population of all cities and cities and counties in this State, as certified by the department. For the purpose of this subsection, the population of each city or city and county is that determined by the last Federal Census. In the case of a city incorporated subseqent to the last census, or in the case of an unincorporated territory being annexed to a city subsequent to the last census, the department shall ascertain the population of the city or the annexed territory by multiplying the number of registered electors therein by three. In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subsection is the aggregate population of the respective cities as determined by the last Federal Census. The moneys so paid shall be expended by the cities and cities and counties for law enforcement and the regulation and control and fire protection of highway traffic.

(3) Forty per cent thereof shall be paid quarterly during each fiscal year to the counties and cities and counties of the State in the proportion that the population of each such county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department. For the purpose of this subsection, the population of each county or city and county is that determined by the last Federal Census.

SEC. 3. The provisions of this act amending the Revenue and Taxation Code take effect only if Part 5 of Division 2 of the Revenue and Taxation Code is enacted by the Legislature at its Fifty-fourth Session and, in such event, at the same time as said Part 5 takes effect; at which time the provisions of the act cited in the title hereof amended by this act are hereby repealed."

Amendment No. 5

On page 1 of the printed bill, strike out lines 2 to 19, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2583—An act, to be known as the California Highway Safety Act of 1941, to add Section 18.5 to the Motor Vehicle Fuel License Tax Act, relating to the distribution of motor vehicle fuel, increasing the rate of tax thereon, and making an appropriation of the revenue derived from such increase; to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2 of the printed bill, between lines 15 and 16, insert
"(1) Two million dollars ($2,000,000) annually shall be paid in quarterly payments to the State Department of Public Works for the construction, improvement and maintenance of State highway bridges, and for the separation of grades at crossings of railroads by State highways."

Amendment No. 2

On page 2 of the printed bill, strike out line 16, and insert
"(2) Sixty per cent shall be paid quarterly to counties and".

Amendment No. 3

On page 2 of the printed bill, strike out line 36, and insert
"(3) Forty per cent shall be paid quarterly to the".

Amendment No. 4

On page 2 of the printed bill, strike out lines 51 and 52; and on page 3, strike out lines 1 to 3, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Constitutional Amendment No. 54—Proposed amendment to Article XX of the Constitution by repealing Section 22 of Article XX and adding Section 30 to said article, relating to the regulation of the sale of alcoholic beverages by any city, township or county.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In the title of the printed measure, strike out line 6, and insert a period.

Amendment No. 1a

On page 1 of the printed measure, strike out lines 6 to 10, inclusive, and insert "proposes to the people of the State of California that the Constitution of said State be amended as follows.

First—That Section 22 of Article XX of the Constitution of the State of California, relating to intoxicating liquor is hereby repealed.

Second—That a new section to be numbered 30 is hereby added to Article XX of the Constitution of the State of California to read as follows:".

Amendment No. 2

On page 1, line 11, of the printed measure, strike out "town, township,".

Amendment No. 3

On page 1, line 16, of the printed measure, strike out "town, township,".

Amendment No. 4

On page 1 of the printed measure, strike out lines 25 and 26; and on page 2, strike out lines 1 and 2.

Amendment No. 5

On page 2, line 3, of the printed measure, strike out "(c)", and insert "(b)".

Amendment No. 6

On page 2, line 5, of the printed measure, strike out "(d)", and insert "(c)".

Amendments read and adopted.

Resolution ordered printed and engrossed.

Assembly Constitutional Amendment No. 40—Proposed amendment by adding a new section, numbered 18¼, to Article XI of the Constitution, relative to limitations on county taxes.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 9, of the printed measure, after "under", insert "a".

Amendment No. 2

On page 1, line 14, of the printed measure, strike out "requesting the"; and strike out lines 15 to 19, inclusive, and insert "a proposed county tax limiting ordinance may be submitted to the board of supervisors of the county. Upon receipt of the petition, the board of supervisors shall either:

(a) Pass the ordinance, or".

Amendment No. 3

On page 2 of the printed measure, strike out lines 4 to 37, inclusive, and insert "sented to the voters shall provide a limit or a method of determining a limit upon the total amount to be raised by tax levy in each fiscal year for all county purposes, other than to pay interest and redemption charges on bonds, commencing after the adoption of the ordinance

The ordinance may provide that at every general election the board of supervisors may either submit the ordinance to the voters of the county for their further approval or rejection or may submit an amendment to the ordinance changing the tax limit or method of determining the tax limit for their approval or rejection. In the event that an amendment only is submitted to the voters and is rejected, the ordinance shall be deemed approved and shall continue in effect.

The ordinance".

Amendments read and adopted.

Resolution ordered printed and engrossed.

Assembly Bill No. 712—An act to amend Section 576 of the Vehicle Code, relating to stopping vehicles at railway crossings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "Every vehicle men-".

Amendment No. 2

On page 2 of the printed bill, strike out lines 11 to 20, inclusive, and insert "When any commercial vehicle, at any time mentioned in Section 618 is disabled on the highway so that it fouls any railroad track, the operator of the vehicle shall place a warning signal of the character indicated in Section 590 of the Vehicle Code, on the railroad track at a distance of approximately 200 feet in both directions of the track from the vehicle. These warning signals shall be displayed continuously during the times mentioned in Section 618 of the Vehicle Code, while such vehicle remains disabled on the track."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 810—An act to amend Section 8522 of, and to add Section 8531.5 to, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 8522 of, and to add Section 8531.5 to," and insert "Sections 8501, 8506, 8522, 8532, 8533, 8536, 8545, 8552, and 8560 of, to add Sections 8523.2, 8523.4, 8523.6, 8531.5, 8533.5, 8545.5, 8545.8, 8548.5, 8555.5, 8558.5, 8560.5 and 8567 to, and to repeal and add Section 8523 to,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 8501 of the Business and Professions Code is hereby amended to read as follows:

8501. "Structural pest control" and "pest control" [include] *mean* the use of insecticides, fumigants or allied chemicals for the purpose of eliminating, exterminating or preventing infestation of *ants, bedbugs, carpet beetles, woodboring insects, cockroaches, fleas, moths, mice, rats, silverfish, spiders, termites, infection of fungi, and other such* pests [other than those defined in Section 100 of the Agricultural Code] *which may invade households and other structures*

SEC. 2. Section 8506 of said code is hereby amended to read as follows:

8506. "Licensee" refers to any [structural pest control operator] *individual* holding a license *issued* under this chapter.

SEC. 2.5. Section 8522 of the Business and Professions Code is hereby amended to read as follows:

8522. The registrar, with the approval of the board *and the director*, and subject to the provisions of the State Civil Service Act, may appoint and fix the compensation of such other assistants as may be necessary.

SEC. 3. Section 8523 of said code is hereby repealed and a new Section 8523 is hereby added to said code to read as follows:

8523. The registrar shall keep a complete record of the board's actions, and shall maintain at the office of the board and open to public inspection during office hours a complete index record of all applications for licenses issued, licenses refused and all revocations, cancellations, and suspensions of licenses.

SEC. 4. Section 8523.2 is hereby added to said code to read as follows:

8523.2. Copies of all records and papers in the office of the board, certified by the registrar, under the seal of the board shall be received in evidence in all courts of this State in all cases equally and with like effect as the originals of such papers or records.

SEC. 5. Section 8523.4 is hereby added to said code to read as follows:

8523.4. Whenever funds are available for the purpose, the registrar, at the direction of the board, may publish, or cause to be published, a roster of the persons licensed under the provisions of this chapter. A copy of such roster may be furnished to operators and such State agencies as the registrar may select, at such intervals as he deems necessary. Copies of the roster may be sold at a price fixed by the board.

SEC. 6. Section 8523.6 is hereby added to said code, to read as follows:

8523.6. The registrar, and any member of the board, may administer oaths and take sworn statements of any individual for the purpose of administering this chapter.

SEC. 7. Section 8531.5 is hereby added to said code, to read as follows:

8531.5. No person engaged in the business or acting in the capacity of an operator may bring or maintain an action in any court of this State for the collection of compensation for the performance of any act or contract for which a license is required under this chapter without alleging and proving that he was a duly licensed operator at all times during the performance of such act or contract.

SEC. 8. Section 8532 of said code is hereby amended to read as follows:

8532. It is unlawful for any person to conduct an establishment unless the establishment has been licensed by the board.

When any operator opens any establishment he shall notify the registrar in writing on a form prescribed by the board, and shall transmit the fee required for an establishment license under this chapter. Every operator shall prominently display at each establishment the license issued for that establishment.

Every establishment shall be in charge of a pest control operator.

Notice in writing shall be given the registrar within 30 days after any change of location of an establishment.

SEC. 9. Section 8533 of said code is hereby amended to read as follows:

8533. This chapter does not apply to:

(a) Public utilities operating under the regulations of the State Railroad Commission.

(b) Persons engaged only in agricultural pest control work licensed by the State Department of Agriculture or county commissioner of agriculture.

(c) Pest control operations conducted by individuals upon property which they own.

(d) Governmental agencies, State or Federal officials or authorized representatives of any educational or State agency engaged in research or study of pest control.

(e) Certified architects or registered civil engineers, acting solely within their professional capacity, [including the eradication or the processing against infestation of pests structurally injurious to buildings or structures] *except that they shall be subject to the limitations imposed by Article 3 of this chapter.*

SEC. 10. Section 8533.5 is hereby added to said code, to read as follows:

8533.5. The board shall have power to adopt rules and regulations classifying pest control into branches. Under such rules and regulations, licenses issued to operators shall be limited to the branch or branches of pest control for which the applicant has qualified by application and examination.

SEC. 11. Section 8536 of said code is hereby amended to read as follows:

8536. Any person who violates any provision of this chapter, *or who conspires with another person to violate any provision of this chapter,* is guilty of a misdemeanor, punishable by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or by imprisonment in the county jail for not more than six months, or by both.

SEC. 12. Section 8545 of said code is hereby amended to read as follows:

8545. The board may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any [pest control operator] *licensee* within this State.

After hearing, the board may temporarily suspend or permanently revoke a license issued under the provisions of this chapter if the holder, while a licensee or applicant, is guilty of or commits any one or more of the acts or omissions constituting grounds for disciplinary action.

SEC. 13. Section 8545.5 is hereby added to said code, to read as follows:

8545.5. Whenever any hearing before the board is authorized by this chapter, such hearing may be held by the board, or by a referee designated by the board. A report of the proceedings held before a referee shall be prepared by the referee conducting such hearing and such report shall be submitted to the board for final decision. Only the board may make such final decision.

SEC. 14. Section 8545.8 is hereby added to said code, to read as follows:

8545.8. In any investigation, proceeding or hearing which the board is empowered to institute, conduct or hold, the board, or any subordinate authorized by it to conduct any such investigation proceeding, or hearing, may administer oaths, certify to official acts, and issue subpenas for the attendance of witnesses and for the production of books, papers, or records.

SEC. 15. Section 8548.5 is hereby added to said code, to read as follows:

8548.5. The lapsing or suspension of a license by operation of law or by order or decision of the board or a court of law or the voluntary suspension of a license by a licensee shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such licensee, or to render a decision suspending or revoking such license.

SEC. 16. Section 8552 of said code is hereby amended to read as follows:

8552. [Within twenty days] After conclusion of the hearing and submission of the matter, the board shall render its decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of its reasons.

It shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as notice of hearing is given.

SEC. 17. Section 8555.5 is hereby added to said code, to read as follows:

8555.5. Knowingly authorizing, directing, conniving at or aiding in the publication, advertisement, distribution, or circulation of any material containing false statements or representations concerning his pest control business is a ground for disciplinary action.

SEC. 18. Section 8558.5 is hereby added to said code, to read as follows:

8558.5. Acting in the capacity of a licensee under any of the licenses issued hereunder except:

(a) In the name of the licensee as set forth upon the license, or

(b) At the address and location or place of business as set forth in the establishment license or as later changed as provided in this chapter is a ground for disciplinary action.

SEC. 19. Section 8560 of said code is hereby amended to read as follows.

8560. Failure in any material respect to comply with the provisions of this chapter, or with any rule or regulation adopted by the board, is a ground for disciplinary action.

SEC. 20. Section 8560.5 is hereby added to the Business and Professions Code, to read as follows:

8560.5. The performing, soliciting or inspecting of structural pest control work in other branches of pest control than those for which the operator is licensed is a ground for disciplinary action.

SEC. 21. Section 8567 is hereby added to said code, to read as follows:

8567. The suspension or revocation of a license as provided in this chapter may also be ordered in any action otherwise proper in any court involving the licensee's performance of his legal obligations as a licensee under this chapter.

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1035—An act to add Section 158.5 to the Welfare and Institutions Code, relating to officers and employees at State Institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 393—An act to amend Section 5 of The Personal Income Tax Act of 1935, relating to rates of taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 682—An act to amend Section 465.6 of the Vehicle Code, relating to signs alongside highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "and Other Locations".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert "way. The boards of supervisors of the several counties may place and maintain, with respect to county highways or county roads under their respective jurisdictions, appropriate signs indicating that the territory traversed is open live stock range and warning against the danger of live stock on the highway or road."

Amendments read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 1162

In compliance with a notice given on a previous day, Mr. Green moved that the vote whereby Assembly Bill No. 1162 was refused passage be reconsidered.

Assembly Bill No. 1162 reconsidered by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Cooke, Cronin, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Waters, Watson, Welch, and Mr. Speaker—46.

NOES—None.

Further Consideration of Assembly Bill No. 1162

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Green moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 7 to 11, both inclusive.

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

Resolution No. 1286—A resolution of the city council of the City of Hawthorne, California, memorializing the Legislature of the State of California, to prepare and execute a suitable plan for proper observance of the four hundredth anniversary of the discovery of California

WHEREAS, The year 1942 will mark the four hundredth anniversary of the discovery of California by Juan Rodriquez Cabrillo; and

WHEREAS, The anniversary of so important an event should be marked by Californians in such manner as not only to recall its historical significance locally but to focus the attention of the Nation upon it as well; now, therefore, be it

Resolved by the City Council of the City of Hawthorne, That said council does hereby most respectfully memorialize the Legislature of the State of California, now in session in the City of Sacramento, that before adjournment it take such appropriate action as may be necessary in order to provide for the evolving, planning, financing and execution of a suitable plan for the proper observance and celebration of the said anniversary in such manner and by use of such funds and the appointment of such commission or body as may be necessary in order to insure that this Quadri-centennial shall not pass by without an adequate effort on the part of the people of this great State to mark its passing.

PASSED, APPROVED and ADOPTED this twelfth day of May, 1941

(Signed)
C. E. VAN DER OEF
Mayor of the City of Hawthorne, California

(Signed)
ATTEST HELEN M LEHNE, City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss
CITY OF HAWTHORNE }

I, HELEN M LEHNE, City Clerk of the City of Hawthorne, California, do hereby certify that the foregoing resolution, being Resolution No 1286, was duly passed and approved by the City Council of the City of Hawthorne, California, at a regular meeting of the said City Council, held on the twelfth day of May, 1941, and the same was adopted by the following vote:

AYES. Councilmen Fraser, Hauser, Anderson and Van Der Oef
NOES None
ABSENT: Councilman Chitry.
[SEAL]

HELEN M LEHNE
City Clerk of the City of Hawthorne, California

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 24—An act to add Section 21.5 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities of the first and one-half class, including judges and attaches thereof.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 24?

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2, 3 and 4, and insert "1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 3, and insert

"Sec. 21.5 In addition to the salaries in this act provided, the judges of the municipal court in any city or city and county of the first and one-half class shall be allowed their necessary traveling expenses, not exceeding seven cents ($0.07) per mile, when the business of the court shall require their attendance in any department of the court, situated at a greater distance than 12 miles from the principal office of the court, provided such mileage allowance shall in no case be computed upon a greater distance than that between the principal office and such department of the court."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 4 to 25, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 24 by the following vote:

AYES—Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Donnelly, Doyle, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Waters, Welch, Wollenberg, and Mr Speaker—43.
NOES—None

Assembly Bill No. 24 ordered enrolled.

Assembly Bill No. 727—An act to add Section 1.92 to the School Code, relating to school buses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 727?

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert ", or any other person, knowingly operating, or permitting or directing the operation of,".

Amendment No. 2

On page 1, line 6, of the printed bill, after "its", insert "seating".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 727 by the following vote.

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Sheridan, Stream, Tenney, Thomas, Thorp, Waters, Welch, Wollenberg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 727 ordered enrolled.

Assembly Bill No. 1944—An act to amend Sections 3.422, 3.460 and 3.480 of, and to repeal Section 3.482 of the School Code, all relating to evening schools and special day and evening classes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1944?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Section 3.482", and insert "Sections 3.482 and 3.807".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1944 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dills, Doyle, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Waters, Welch, Wollenberg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1944 ordered enrolled.

Assembly Bill No. 1305—An act to add Section 3.93 to the School Code, relating to the maintenance of public school classes on Saturday.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1305?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3.93", and insert "3.94".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "3.93", and insert "3.94".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "3.93", and insert "3.94".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1305 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger,

Houser, Frederick F., Kepple, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1305 ordered enrolled.

Assembly Bill No. 1629—An act to provide for the sale and conveyance of certain lands lying within the abandoned river channel of the American River lying in the County of Sacramento, State of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1629?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "he", and insert "it".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "California," insert "and".

Amendment No. 3

On page 2, line 5, of the printed bill, as amended, strike out "lines", and insert "center lines".

Amendment No. 4

On page 2, line 8, of the printed bill, as amended, strike out "and", and insert "or".

Amendment No. 5

On page 2, line 15, of the printed bill, as amended, after "made", insert "for".

Amendment No. 6

On page 2, line 17, of the printed bill, as amended, strike out "six months", and insert "two year".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1629 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Hawkins, Heisinger, Kepple, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1629 ordered enrolled.

Assembly Bill No. 1845—An act to amend Section 12422 of the Insurance Code, relating to mortgage insurers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1845?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 12422", and insert "Sections 12422 and 12423".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 14, insert

"SEC. 2. Section 12423 of the Insurance Code is hereby amended to read as follows:

12423 "First mortgage" means a mortgage constituting a lien or charge on the title in fee to real estate, such lien or charge being prior and superior to all other liens or charges on the real estate except:

(a) The lien of any public bond, assessment or tax, when no installment, call or payment of or under such bond, assessment or tax is delinquent.

(b) Outstanding mineral, oil or timber rights, rights of way, easements or rights of wall or support, *sewer rights*, building restrictions or other restrictions or cove-

nants or conditions or regulations of use, or outstanding leases upon such real property under which rents or profits are reserved to the owner thereof

For the purposes of this section, delinquent taxes funded on any deferred payment plan shall be deemed delinquent."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1845 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1845 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 1339

In compliance with a notice given on a previous day, Mr. Thomas moved that the vote whereby Assembly Bill No. 1339 was refused passage be reconsidered.

POINT OF ORDER

Mr. McCollister arose to the following point of order: That according to Assembly Rule No. 84, a motion to reconsider a vote must be given by a member voting on the bill, and that Mr. Thomas did not vote on Assembly Bill No 1339; therefore he was out of order on his motion to reconsider.

The Speaker ruled the point of order well taken.

Assembly Bill No. 1339 ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 367—An act to amend Sections 2, 13 and 15 of, and to add Sections 12.5 and 16.1 to, the Subdivision Map Act, relating to subdivisions and to the examination of maps by public officers and charging fees therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 367?

Amendment No. 1

On page 3 of the printed bill, as amended April 17, 1941, strike out all of lines 3 to 13, inclusive, and insert "ing the following types of interests, may be omitted if the names of such persons and the nature of their respective interests are indorsed on the map:

(1) Rights of way, easements or other interests, none of which can ripen into a fee and which signatures are not required by the governing body.

(2) Rights of way, easements or reversions, which by reason of changed conditions, long disuse or laches appear to be no longer of practical use or value and which signatures it is impossible or impractical to obtain In this case a reasonable statement of the circumstances preventing the procurement of such signatures, shall also be indorsed on the map."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 367 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day,

Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 367 ordered enrolled.

Assembly Bill No. 155—An act to add Article 3, comprising Section 1980, to Chapter 2 of Part 7 of Division 2 of the Labor Code, relating to the employment of persons who are members of the Communist Party or of any organization or group which advocates the overthrow of the Government by force and violence.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 155?

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended, strike out "of the Communist Party or".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 155 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—59.
NOES—None.

Assembly Bill No 155 ordered enrolled.

Assembly Bill No. 1893—An act to amend Sections 6 and 14 of the California Agricultural Products Marketing Act of 1937, relating to terms and conditions of agreements and orders issued under such act, enforcement of such agreements and orders, and declaring this act to be an urgency measure, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1893?

Amendment No. 1

Correct the title of the printed bill, as amended in the Assembly on April 3, 1941, to read as follows.

"An act to amend Sections 6 and 14 of the California Agricultural Products Marketing Act of 1937, relating to terms and conditions of agreements and orders issued under such act, enforcement of such agreements and orders, and declaring this act to be an urgency measure, to take effect immediately."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1893 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59
NOES—None.

Assembly Bill No. 1893 ordered enrolled.

Assembly Bill No. 168—An act to amend Section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 168?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4252", and insert "4251".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "of county officers and employees", and insert "for public services"

Amendment No. 3

In line 3 of the title of the printed bill, as amended, strike out "third", and insert "second".

Amendment No. 4

On page 1, line 1, of the printed bill, as amended, strike out "4252", and insert "4251".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out all of line 3, and in line 4, strike out "officers", and insert

"4251 In counties of the twenty-second class the following".

Amendment No. 6

In lines 5 and 6 of the printed bill, as amended, strike out "salaries, to wit", and insert "sums".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 168 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 168 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 1731

In compliance with a notice given on a previous day, Mr. Field moved that the vote whereby Assembly Bill No. 1731 was passed be reconsidered.

Demand for Previous Question

Messrs. Robertson, Knight, John B., Evans, Waters and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 1731.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

Motion carried. Time, 11.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 778—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act, approved May 15, 1933, relating to motor carrier transportation agents."

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 778?

Amendment No. 1

On page 3, line 24, of the printed bill, as amended, strike out "In the event that".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 25 to 43, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 778 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gafiney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 778 ordered enrolled.

Assembly Bill No. 1033—An act to add Article 11, consisting of Sections 5450 to 5459, inclusive, to Chapter 1 of Division 5 of, to add Chapter 5, consisting of Sections 5300 to 5302, inclusive, to Division 7 of, and to amend Sections 2831, 2832, 2840, 2841, 2842 and 2843 of, the Elections Code, relating to county central committees and campaign funds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1033?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "5450 to 5459," and insert "2450 to 2459,"

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "of," insert "to add Section 6310 to,".

Amendment No. 3

On page 5 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert "mittee shall meet".

Amendment No. 4

On page 5 of the printed bill, as amended, between lines 25 and 26, insert

"SEC. 10. Section 6310 is hereby added to the Elections Code, to read as follows:

6310 At the presidential primary, if the voting machine will accommodate it, the county central committee election ballot shall be placed upon the voting machine together with the presidential primary ballot

SEC 11 Sections 1 to 10, inclusive, of this act shall take effect on January 1, 1943."

Amendment No. 5

On page 5, line 26, of the printed bill, as amended, strike out "10", and insert "12".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1033 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 1033 ordered enrolled.

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 432?

Amendment No. 1

On page 1 of the printed bill, as amended, after line 23, insert

"The provisions of this section shall not apply to any county having less than three superior court judges"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 432 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 432 ordered enrolled

Assembly Bill No. 1306—An act to amend Section 602 of the Penal Code, relating to trespass.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1306?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 36 to 39, inclusive, and insert "the person in lawful possession; or"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1306 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Mid-

dough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None

Assembly Bill No. 1306 ordered enrolled.

Assembly Bill No. 1335—An act to add Section 38.1 to the State Civil Service Act, relating to the orders and decisions of the State Personnel Board and the enforcement of the provisions thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1335?

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 19 to 24, inclusive

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1335 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1335 ordered enrolled.

Assembly Bill No. 1686—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1686?

Amendment No. 1

On page 1, line 6, of the printed bill, after "store", strike out "for", and all of line 7.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1686 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1686 ordered enrolled.

Assembly Bill No. 1292—An act to add a new section, to be numbered 604.2, to the Vehicle Code, prohibiting the throwing of substances at vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1292?

Amendment No. 1

On page 1, line 6, of the printed bill, after "who", insert "with intent to do great bodily injury".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1292 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1292 ordered enrolled.

Assembly Bill No. 1708—An act to amend Section 20763 of the Business and Professions Code, relating to renewal of licenses to sell petroleum products at retail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1708?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "renewal", and insert "annual".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "made", insert "on or".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1708 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1708 ordered enrolled.

Assembly Bill No. 1942—An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing, and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1942?

Amendment No. 1

On page 40, line 22, of the printed bill, as amended, strike out "1923 155:317".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1942 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Assembly Bill No. 1942 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 1731

At 12.04 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1731 reconsidered by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Miller, Millington, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—41.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Crowley, Desmond, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Kilpatrick, Lowrey, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Sawallisch, Thomas, Thurman, Weber, Welch, and Mr. Speaker—35.

Assembly Bill No. 1731 ordered to third reading.

RECESS

At 12.05 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 43 FROM COMMITTEE WAIVED

Mr. Frederick F. Houser waived his notice of motion to withdraw Assembly Joint Resolution No. 43 from the Committee on Federal Relations.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4062, 4063, 4064, 4064.5, 4080, 4082, 4084, 4085, 5000 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4,

Part 1, Division 2 of the Insurance Code and to add Section 4065 thereto, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Watson, Weber, and Mr. Speaker—44

NOES—Kepple, and Meehan—2.

Bill ordered transmitted to the Senate.

Hon. Thomas J. Doyle Presiding

At 2.08 p.m., Hon. Thomas J. Doyle, Member of the Assembly from the Forty-fifth District, presiding.

EXPLANATION OF ABSENCE

The following members were absent from the Chamber from 1.30 p.m. to 2.25 p.m., for the purpose of attending a Senate committee meeting for which they were subpenaed: Mrs. Daley, and Messrs. Stream and Richie.

Assembly Bill No. 2166—An act to amend Section 5537 of, and to add Section 5537.5 to, the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Robertson, Houser, Frederick F., Waters and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2166.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Collins, George D., Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Russell, Sheridan, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch, and Wollenberg—43.

NOES—Allen, Carlson, Collins, Sam L., Del Mutolo, Dickey, Green, Houser, Frederick F., Johnson, Knight, T. Fenton; Leonard, Millington, Phillips, Potter, Richie, Robertson, Thurman, and Weybret—17.

Time, 2.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

CITY CLERK, CITY OF LOS ANGELES
CALIFORNIA, May 19, 1941

Mr. Arthur A. Ohnimus, Clerk
California State Assembly, Sacramento, California

DEAR MR. OHNIMUS: Transmitted herewith is certified copy of resolution adopted by the Council of the City of Los Angeles at its meeting held May 19, 1941.

Respectfully, WALTER C. PETERSON, City Clerk
By J. E. HOPPER, Deputy

Resolution

WHEREAS, Assembly Bill No. 1387 proposing that bids shall be invited for all public work and rejected if a governmental body intends to do the work by day labor, is before the State Assembly for action, and

WHEREAS, Assembly Bill No. 1387, if adopted, will create considerable useless expense and great inconvenience to the various city departments; and

WHEREAS, The proposed procedure under said Assembly Bill No. 1387 will cause additional delays in getting public work under way when such work is proposed to be done by day labor; now, therefore, be it

Resolved, That the City Council of the City of Los Angeles disapprove Assembly Bill No. 1387; and be it further

Resolved, That a copy of this action be transmitted to the Clerk of the California State Assembly, the Clerk of the California State Senate, and to His Excellency, Governor Culbert L. Olson, and that a copy hereof be sent to Wm. Neal.

I hereby certify that the foregoing resolution was adopted by the Council of the City of Los Angeles at its meeting held May 19, 1941.

WALTER C. PETERSON, City Clerk
By J. E. HOPPER, Deputy

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Kepple, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 717.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 717 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr Kepple moved that Assembly Bill No. 717 be withdrawn from the Committee on County Government, and be placed upon the file.

Demand for Previous Question

Messrs. Robertson, Waters, Allen, Evans and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 717 be withdrawn from the Committee on County Government and placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Dills, Donnelly, Gunlock, Hastain, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Miller, Pfaff, Potter, Poulson, Richie, Robertson, Tenney, Thomas, Voigt, Watson, and Weber—29.

NOES—Burkhalter, Call, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Gaffney, Green, Hawkins, Johnson, Kellems, Leonard, Lyon, Maloney, Massion, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—36.

RESOLUTIONS

The following resolution was offered:

By Mrs. Daley and Miss Miller:

House Resolution No. 213

WHEREAS, It would add to the comfort of the Members, attaches, and all whose business takes them into the Assembly Chamber, if permitted to remove their coats and vests during the very warm weather that Sacramento will enjoy for the balance of the legislative session; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members, attaches and all whose business takes them into the Assembly Chamber may, if they so choose, remove their coats and vests, or either of them, while within the Assembly Chamber.

Request for Unanimous Consent

Mrs Daley asked for, and was granted, unanimous consent to take up House Resolution No. 213, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Gaffney, Green, Gunlock, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, Meehan, Muddough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—50

NOES—Bennett, Call, Collins, Sam L., Cooke, Del Mutolo, Hawkins, Lowrey, Millington, Pfaff, Robertson, and Waters—11

Notice of Motion to Reconsider House Resolution No. 213

Mr Sam L. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 213 was this day adopted.

Speaker Presiding

At 3.08 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Miss Miller, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 930.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 930—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts.

Bill read third time.

Motion to Amend

Mr. T. Fenton Knight moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended, strike out the period, and insert a semicolon and "provided further, that no territory shall be annexed under the provisions hereof unless it has an area of at least 10 acres and a contiguous territory of at least 300 feet continuous frontage along the boundary of the annexing municipality, nor unless it is suitable and convenient for subdivision and improvement in accordance with The Planning Act of 1929, as amended, and the planning regulations of the annexing municipality made pursuant to such act."

Amendment read and adopted.

Motion to Expunge Record and Rescind Action

Miss Miller moved to expunge the record and rescind the action whereby the amendment by Mr. T. Fenton Knight to Assembly Bill No. 930 was adopted.

The roll was called, and the motion lost by the following vote:

AYES—Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Field, Hastain, Hawkins, Heisinger, Johnson, Kellems, Lyon, Maloney, Meehan, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thomas, and Waters—28.

NOES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, Sam L., Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Middough, Millington, O'Day, Pfaff, Richie, Russell, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—40.

Notice of Motion to Reconsider Amendment to Assembly Bill No. 930

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby the amendment to Assembly Bill No. 930 was this day adopted.

Motion to Take up Reconsideration

Mr. T. Fenton Knight moved that the reconsideration of the amendment to Assembly Bill No. 930 be taken up at this time.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Cain, Call, Collins, Sam L., Cronin, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poulson, Richie, Sawallisch, Sheridan, Stream, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Carlson, Collins, George D., Cooke, Crowley, Del Mutolo, Dilworth, Field, Gaffney, Johnson, Lyon, Pelletier, Poole, Potter, Salsman, and Tenney—15.

Reconsideration of Amendment to Assembly Bill No. 930

In compliance with a notice given, Mr. T. Fenton Knight moved that the vote whereby the amendment to Assembly Bill No. 930 was adopted be reconsidered.

Demand for Previous Question

Messrs. Lowrey, Leonard, Green, Call and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the amendment to Assembly Bill No. 930.

The roll was called, and the amendment to Assembly Bill No. 930 refused reconsideration by the following vote:

AYES—Carlson, Clarke, Cooke, Daley, Dilworth, Evans, Field, Gaffney, Gallagher, Hastain, Heisinger, Lyon, Maloney, McCollister, Miller, Pelletier, Poole, Potter, Poulson, Stream, Tenney, Thomas, Turner, Voigt, and Mr. Speaker—25

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D, Collins, Sam L., Del Mutolo, Dickey, Dills, Donnelly, Doyle, Green, Gunlock, Hawkins, Houser, Frederick F, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Millington, O'Day, Pfaff, Richie, Russell, Sheridan, Thurman, Waters, Watson, Welch, Weybret, and Wollenberg—40

Assembly Bill No. 930 ordered reprinted and re-engrossed.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

BALBOA BUILDING, SAN FRANCISCO, May 19, 1941

To the Honorable Speaker of the House of Representatives
of the State of California
Capitol, Sacramento, California

DEAR SIR: I beg leave to submit herewith an analysis of the facts bearing upon the passage by Congress of Senate Bill No 860, and by the House of Representatives of a companion bill.

It is just a pretense for prohibition

This Senate Bill No 860 is another entering wedge of the "Drys" to again put over prohibition, from the effects of which this State as well as all the rest of our country has been suffering for more than 20 years.

California voted 76 per cent against prohibition.

The State of California should not favor a provision to share its sovereign powers with the Federal Government.

When our liberty is centralized at Washington there will be none left.

We trust your Honorable Body will receive and file this analysis and resolve to inform our representatives at Washington that California is against these bills.

Yours very respectfully,

W. H. METSON

To the Speaker of the House of Representatives
The Legislature of California, Sacramento, California

Within recent weeks the Legislatures of certain States have seen fit to memorialize Congress, urging passage of Senate Bill No. 860 which, if enacted, would extend a measure of Federal control over civilian citizens of such States living in certain areas, with corresponding curtailment of legislative and executive power of the respective States.

Because Senate Bill No 860, as drawn, proposes to impair the sovereign powers of the several States, thus violating the constitutional rights of citizens, the following statement is respectfully addressed to you and your legislative body, in the hope that the facts presented will be given serious consideration.

For more than a decade great numbers of responsible American citizens were engaged in helping to bring about the legal and orderly repeal of an amendment to the Constitution of the United States, knowing that the principle involved in that amendment was wrong and that it established an unwise and dangerous precedent for yielding up by the several States those powers which pertain to local self-government.

It is well known that while that amendment (the Eighteenth Amendment) was in effect, many evil conditions developed throughout the country, including an unprecedented growth of lawlessness, crime, and official corruption; and that these evils have remained to harass and menace us to this day. This malignant growth was rooted in the violation of the right of the people to be governed in local affairs by representatives chosen by them for that purpose, and in the delegation to the National legislature and a Federal bureaucracy, functioning remotely from the people they sought to rule, of power and responsibility which of right belonged to the States.

The intense interest aroused by the effort to remedy this disastrous condition awakened the American public to the realization that the evils collateral to the failure of National prohibition were caused by the upsetting of the judicious balancing of power between the Federal and State Governments—the dual system of government upon which our Republic is based.

With this public awakening came the repeal of the offending amendment, coupled with an unmistakable mandate from the people of the United States directing the States to reassume the responsibility for making local government forceful and efficient—the responsibility that they had reserved to themselves when forming the United States, or had assumed when changing their status from Territories to States.

Since the issuance of that mandate, the people of our Country have taken no action to relieve the States of their due responsibility for maintaining local self-government, nor have they authorized the subordination of local self-government to centralized authority.

Nevertheless, in this time of National emergency, when the chief concern of the Federal Government is, and ought to be, the defense of the Nation as a whole, the Legislators of certain States are seeking to divert to the Federal Government responsibility for solving troublesome and diversified local problems.

Specifically, reference is made to the Legislators of those States—Colorado, Iowa, Maine and Minnesota—which have memorialized Congress, urging the passage of

Senate Bill No. 860 (with enlarged scope) which would authorize Federal control, in certain respects, over residents living in territory not belonging to the United States or being used for Federal purposes.

The Constitution definitely reserves to the respective States the power to legislate for all territory within their borders except those places purchased (for the use of the United States) with the consent of the Legislature of the State in which the same shall be. This reservation includes legislative power over all matters applying to the health, morals, safety, peace, comfort and convenience of the public residing within the limits of the respective States. The fact that territory within a State is contiguous to a Federal establishment and accessible to persons in the Military or other service of the United States does not give to Congress the power to regulate intrastate business or social behavior of civilian residents situated therein. Nor does the fact that the Federal legislation under discussion pertains to the highly controversial question of the control or prohibition of alcoholic beverages change the constitutional principle involved

Efforts on the part of officials of any State to evade the duty, with which they are charged, to formulate and administer control laws for the suppression of vice in localities under their jurisdiction is indication of a readiness to surrender the sovereign powers of their State, when the exercise of those powers threatens to become inconvenient or troublesome Unwillingness to meet responsibility reflects a dire lack of ability to uphold the dignity and sovereignty of their State and to preserve the rights of the people they were chosen (and sworn) to represent.

In petitioning for the passage of Senate Bill No. 860 or bills similar in character, the petitioners, in effect, ask Congress to assume responsibility for giving to a Federal bureau the unprecedented power to enforce Federal Martial Law in nonmilitary areas, where neither enemy invasion nor domestic violence threatens.

Of equal concern to citizens desirous of upholding American traditions is the fact that such petitioners are—unwittingly, it is assumed—striving to undermine a vital factor in the defense of the Nation against totalitarian governments.

Professor Felix Morley, president of Haverford College, has explained in the following paragraph the essential need for preserving efficient, forceful and dynamic local government:

> "Both Nazi-Fascism and Communism are dependent for success on the complete subordination of local government to centralized authority. It follows that a most effective check to the growth of any form of dictatorship in the United States lies in the preservation of States' rights They form an insurmountable barrier to the insidious growth of the totalitarian idea which has made headway among many Americans. And this bulwark of our democracy should be supported by all who believe in American traditions. * * * It is not in Washington; it is not by military preparedness; it is not through anti-Fascist mass meetings that the fight to preserve American democracy will be lost or won. Nothing can save democracy if local self-government breaks down on any extensive scale" (State Government magazine, February, 1939)

It is probable that certain organized political minorities—impatient to gain their own ends, and ignorant of, or indifferent to, the vital function of local government—will seek to influence State Legislators to join in petitioning Congress to enact legislation which would establish prohibition of the sale of alcoholic beverages in the vicinity of Military Training Posts and projects now or hereafter erected and maintained by the Federal Government in the development of National defense.

Because of this probability, Repeal Associates, speaking in behalf of its membership in California and of the millions of Americans who are concerned in the preservation of local government as the fundamental basis of our Federal system, addresses the foregoing statement to the Legislators and other public officials of the State of California, and urges them to refrain from abdicating proper power in controlling alcoholic beverages in all sections of California now under their jurisdiction; and to be vigilant in upholding the dignity and sovereignty of the State whose people they have been chosen to represent.

REPEAL ASSOCIATES, Washington, D C
W. H STAYTON, Executive Director.
E LIVINGSTON, President.

May 20, 1941

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 975.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 975 was taken up.

Senate Bill No. 975—An act to add Chapter 7.5, comprising Sections 1126, 1127, 1128, 1129 and 1130, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof.

Bill read third time.

Motion to Amend

Messrs. Tenney and Maloney moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert "An act to add Chapter 7.5, comprising Section 1126, to Part 3, Division 2, of the Labor".

Amendment No. 2

Strike out lines 4 and 5 of the title of the printed bill, as amended, and insert "contracts"

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 8 to 20, inclusive; and on page 2, strike out lines 1 to 29, inclusive, and insert "law or in equity, including injunctive relief, in the courts of this State"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Mr. Speaker—56.

NOES—Call, Carlson, Clarke, Collins, Sam L., Daley, Dilworth, Field, Hastain, Kellems, Knight, T. Fenton; Lyon, Miller, Millington, Phillips, Potter, Stream, Thorp, Watson, and Wollenberg—19

Senate Bill No. 975 ordered reprinted, and to third reading.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, May 12, 1941; Tuesday, May 13, 1941; Wednesday, May 14, 1941; Thursday, May 15, 1941; Friday, May 16, 1941, and Saturday, May 17, 1941, were approved as corrected by the Minute Clerk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 25—Relative to proposed merit system for county welfare activities.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 25, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 25

Senate Joint Resolution No. 25—Relative to proposed merit system for county welfare activities

Resolution read

Motion to Refer Senate Joint Resolution No. 25 to Committee

Mr. Field moved that Senate Joint Resolution No. 25 be referred to the Committee on Social Service and Welfare.

Mr. Kilpatrick seconded the motion.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 50: By Messrs. Johnson and Phillips—Approving an amendment to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fifth day of May, 1941.

Request for Unanimous Consent

Mr Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 50

Assembly Concurrent Resolution No. 50—Approving an amendment to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fifth day of May, 1941.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, and in connection therewith to amend Section 11860 of the Insurance Code, and to repeal Sections 658 and 660 of the Political Code.

Bill read third time.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Poulson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1129.

Motion to Temporarily Suspend the Rules

Mr. Poulson moved that the Rules be temporarily suspended for the purpose of allowing additional time for discussion during the consideration of Assembly Bill No. 1129.

Motion carried, and the Rules temporarily suspended.

Motion to Amend

Mr. George D Collins moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended, after the comma, insert "two of whom shall be of the minority group in the Senate, and".

Amendment No. 2

On page 2, line 18, of the printed bill, as amended, after "Assembly", insert a comma and "two of whom shall be of the minority group in the Assembly,".

Amendment No. 3

On page 5 of the printed bill, as amended, strike out all of lines 23 to 33, inclusive, and insert

"SEC. 19. Out of any moneys in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of fifty thousand dollars ($50,000) to be expended in accordance with law for the purposes of this act during the Ninety-third and Ninety-fourth Fiscal Years The Director of Finance and the Legislative"

Amendment No. 4

In line 5 of the title of the printed bill, as amended, after "Code", insert a comma and "and making an appropriation".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bennett, Burkhalter, Cain, Collins, George D, Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Lowrey, Maloney, Masson, O'Day, Pelletier, Poole, Robertson, Russell, and Thomas—25.

NOES—Bashore, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Evans, Hastain, Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Richie, Salsman, Sawyllisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—39.

Motion to Expunge Record and Rescind Action

Mr. O'Day moved to expunge the record, and rescind the action whereby the amendments submitted by Mr George D Collins to Assembly Bill No. 1129 were refused adoption.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Cain, Clarke, Collins, George D, Cooke, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock,

Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Tenney, Thomas, and Thorp—38

NOES—Bashore, Call, Carlson, Collins, Sam L., Dickey, Hastain, Kellems, Knight, T. Fenton; Millington, Phillips, Potter, Sheridan, Stream, Thurman, Waters, Watson, Weybret, and Mr. Speaker—18.

Demand for Previous Question

Messrs. Field, Dickey, Waters, Green and Call demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1129.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—53.

NOES—Bennett, Burkhalter, Collins, George D., Cooke, Donnelly, Kilpatrick, Massion, Meehan, Pelletier, and Thomas—10

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2166

At 5:41 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2166 refused passage by the following vote:

AYES—Bashore, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dills, Dilworth, Evans, Gaffney, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Massion, Middough, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Sawallisch, Thomas, Turner, Watson, Weber, and Mr. Speaker—29.

NOES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Daley, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Potter, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Welch, Weybret, and Wollenberg—46.

Notice of Motion to Reconsider Assembly Bill No. 2166

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2166 was this day refused passage.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1229—An act to amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following. That the amendments of the Senate be concurred in.

GORDON	THURMAN
BROWN	CALL
Senate Committee on Conference	DICKEY
	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1276—An act to amend Section 4254 of the Political Code, relating to the compensation for public services in counties of the twenty-fifth class, consisting of the undersigned members, has met, and reports that it has agreed to recommend the following That the amendments of the Assembly be concurred in and that the bill, as amended on May 8, 1941, be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 33, insert

"6 Jurors on coroner's juries, one dollar ($1) for each day's attendance, said fees to be paid out of the general fund of said county upon the presentation and filing with the board of supervisors of said county a duly verified claim therefor on proper allowance of said claim by said board of supervisors and the approval of the coroner of said county.

The board of supervisors of said county is hereby directed to make suitable appropriations for the payment of the fees herein provided for."

QUINN	BURNS, MICHAEL J.
KEATING	McCOLLISTER
FOLEY	TURNER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—60.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Bashore:

An act to provide for the acquisition of a suitable plot of land for, and the erection thereupon of, a monument to the spirit of freedom and the pioneers of the United States and of the State of California by the Department of Public Works.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kel-

lems, Kepple, Kilpatrick, Knight, John B., Knight T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2636: By Mr. Bashore—An act to provide for the acquisition of a suitable plot of land for, and the erection thereupon of, a monument to the spirit of freedom and the pioneers of the United States and of the State of California by the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Poole:

An act to add Section 2540 5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2637: By Mr. Poole—An act to add Section 2540 5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

Referred to Committee on Elections.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Lowrey.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1, 3 and 4 of, and to add Sections 1 5, 2 3 and 2 6 to "An act declaring the conditions upon which an irrigation district may be dissolved,

prescribing the procedure therefor, and the winding up of the affairs of the district when dissolved," approved May 18, 1919, relating to the dissolution of irrigation districts.

Respectfully submitted.

LLOYD W. LOWREY

Request referred to Committee on Introduction of Bills.

By Mr. Thurman:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

Respectfully submitted.

ALLEN G. THURMAN

Request referred to Committee on Introduction of Bills.

By Mr. Salsman:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 737qq of the Political Code, relating to salaries of the superior court judges of Santa Clara County.

Respectfully submitted.

BYRL R. SALSMAN

Request referred to Committee on Introduction of Bills.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 214

WHEREAS, Honorable Edward E. Spence, Mayor of the City of Beverly Hills, passed away upon Sunday the eighteenth day of May, 1941, at his home in Beverly Hills; and

WHEREAS, Mayor Spence had served the city in that capacity for eight years, had been a member of the City Council for 18 years, and had resided in Beverly Hills since 1912; now, therefore, be it

Resolved by the Assembly of the State of California, That this body extends to his widow, his children, and his brother and sister their sincere sympathy in this hour of grief and expresses its sorrow at the loss of an able and faithful public servant, who by his gratuitous services to his city constituted an example of the best in American public life; and be it further

Resolved, That when the Assembly adjourns this day, it do so in memory of Mayor Spence; and be it further

Resolved, That the Chief Clerk of this Assembly is hereby directed to forward a copy of this resolution to his widow, Mrs. Lorena Young Spence, and to the members of his family.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 214, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Committee on Rules:

House Resolution No. 215

Resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect upon the completion of work Tuesday, May 20, 1941

	Per day
Frances Hogin, Stenographer	$5 00
Randal Dickey, Jr., Page	2 50
Paul Silva, Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

By Committee on Rules:

House Resolution No. 216

Resolved, by the Assembly of the State of California, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, upon a seven-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same

Commencing Wednesday, May 21, 1941

	Per day
Frances Hogin, Assistant Clerk	$7 00
Jane Merritt, Stenographer	5 00
Paul Silva, Assistant Sergeant-at-Arms	5 00
Steve Rooney, Page	2 50
Roy Crocker, Page	2 50
Lyman Archimede, Page	2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None

By Mr. Weber:

House Resolution No. 217

Relative to the creation of an Assembly Committee on Planning to study the development of the natural and economic resources of the State.

WHEREAS, It is necessary that the Legislature of the State of California have further available adequate information to enable its members to consider proper legislation looking to the development of the natural and economic resources of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Planning of three members, composed of the Speaker of the Assembly, and two other members of the Assembly designated by the Speaker

to study the problem of planning the development of the economic and natural resources of the State and procedures and systems, including mapping, to facilitate the same The Speaker of the Assembly shall serve as chairman of the committee.

For the purposes of this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they exist at the time of the adoption of this resolution, and the provisions of said rules as they now exist, particularly those of Joint Rule No. 35, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were specifically set forth in this resolution.

In addition, the committee shall have the following powers and duties:

(1) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature.

(2) To report the results of its study, together with its recommendations, to any session of the Fifty-fourth Legislature and to the Fifty-fifth Legislature.

(3) To meet, confer and cooperate with the State Planning Board; and be it further

Resolved, That the sum of two hundred fifty dollars ($250), or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed under certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 217, at this time, without reference to committee.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Ptaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

By Mr. Garland:

House Resolution No. 218

WHEREAS, Robert Finnie is making application for acceptance into the Cadet Flying Corps of the United States Army, and

WHEREAS, Robert Finnie has faithfully and diligently served the Legislature of the State of California at the Regular Session of 1939, during the Extraordinary Sessions of 1940, and is now serving this Assembly as an Assistant Clerk; now, therefore, be it

Resolved by the Assembly of the State of California, That this House and each Member thereof with great pleasure and from personal knowledge recommend Robert Finnie as a loyal and patriotic young citizen of high moral character and integrity; and be it further

Resolved, That this House and each of its Members knows that Robert Finnie will serve the United States as dutifully and well as he has served the State of California; and be it further

Resolved, That the Chief Clerk send a properly prepared copy of this resolution to the Commanding General, Ninth Corps Area, Presidio of San Francisco

Request for Unanimous Consent

Mr. Millington asked for, and was granted, unanimous consent to take up House Resolution No. 218, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mrs Daley:

House Resolution No. 219

WHEREAS, There appears to be a growing practice of parking motor vehicles around the State Capitol without authority or permit which practice, when combined with the number of permits already issued, deprives members of the Legislature of necessary parking space intended to be reserved for them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Finance is requested to prevent the unauthorized use of parking facilities around the State Capitol and to limit the number of parking permits to such extent that the parking facilities needed by members of the Legislature will be available for their use; and be it further

Resolved, That the Chief Clerk of the Assembly deliver a copy of this resolution without delay to the Director of Finance.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up House Resolution No. 219, at this time, without reference to committee.

Resolution read and adopted.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 770 WAIVED

Mr. Bashore waived his notice of motion to reconsider the vote whereby Assembly Bill No. 770 was passed.

Assembly Bill No. 770 ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE

Mr. Hugh M. Burns gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 2249 from the Committee on Ways and Means, and have it placed upon the file.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, May 19, 1941

Honorable Norris Poulson, Assembly Chamber
State Capitol, Sacramento, California

SUBJECT: Assembly Bill No. 1129, creating a Legislative Audit Bureau

DEAR MR. POULSON: We have prepared and are delivering to you amendments to this bill (as amended May 17th) to make certain that it contains no item of appropriation.

This is done by further amending the text of Section 19 of the bill to read as follows:

> "Sec. 19. The Director of Finance and the Legislative Auditor shall determine and certify to the Controller what amount appropriated by the Budget Act of 1941 is available for the performance of the post-auditing functions which are by this act transferred to the Legislative Audit Bureau."

If this amendment is adopted, the bill will not appropriate any money at all. The amended text of Section 19 will merely cast a duty upon two State officers to ascertain the amount of money by *other* provisions of law (not by Assembly Bill No. 1129) appropriated and made available for the performance of the post-auditing functions of the Legislative Audit Bureau, a finding that will be of aid and guidance to the State Controller in making the proper entry upon the books of account which he keeps.

The "appropriation," it is contemplated, would be made by the Budget Bill. At the present time the Budget Bill, Assembly Bill No. 1800, contains an item which includes moneys intended for use in the performance of the post-auditing function by the Department of Finance. That bill also provides that when functions are by law transferred from one State agency to another, the money appropriated in

the Budget Bill for the performance of those functions shall be transferred to and become a part of the support appropriation of the State agency to which the functions are transferred. In such a case, therefore, the appropriation is made by the Budget Bill.

This is well within the principle enunciated by the Supreme Court in *Vandegrift* vs. *Riley* (1934), 220 Cal. 340. The court had before it the "Emergency Fund" item of the 1933 Budget Act. There was some question whether or not an appropriation of a lump sum (as in the case of the Emergency Fund), coupled with an authority in the Director of Finance to allocate it for expenditure for this, that or the other purpose as and when he might decide and declare an "emergency" to exist, was tantamount to an unwarranted delegation of legislative power, was an attempted delegation to him of the legislative function of making the appropriation.

The court held this was not a delegation of legislative power, saying:

> "That the amount set aside 'for emergency fund' during the successive sessions * * * is an appropriation * * * can not be doubted. When so appropriated it becomes part of the funds set aside for the proper functioning of the State Government and its several State departments * * *.
>
> "* * * the executive officer of that department (Finance) appears to be the sole State official to whom the Legislature has delegated the power to administer the fund." (P. 349.)

Accordingly, when the Director of Finance finds and declares that an emergency has arisen in that no appropriation or an insufficient specific appropriation has been made for a particular State purpose, he is merely ascertaining the existence of a particular state of facts. He is not legislating.

Similarly, when the Director of Finance and the Legislative Auditor make the inquiry called for by the proposed amendment to Assembly Bill No. 1129 they will merely be finding and recording as a fact the amount of money which the Budget act has appropriated and made available to the Legislative Audit Bureau, in view of the further fact that Assembly Bill No. 1129 has transferred the post-auditing function from the Department of Finance to the Legislative Audit Bureau.

Accordingly, if the above described amendment to Assembly Bill No. 1129 is adopted and this bill becomes law in that form, no appropriation will be effected thereby.

Very truly yours,

FRED B. WOOD, Legislative Counsel

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 409—An act to add a new section to the Agricultural Code to be numbered Section 735.3-1, relating to market milk and cooperative marketing associations.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, strike out "(5) of this chapter".

Amendment No. 2

On page 2, lines 19 and 20, of the printed bill, as amended, strike out "471(a) of this code", and insert "466".

Amendment No. 3

On page 2, line 37, of the printed bill, as amended, strike out "471(a) of this code", and insert "466".

Amendment No. 4

On page 3, line 12, of the printed bill, as amended, strike out "to", and insert "shall".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1073—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs

and devices, and to the powers of the State Department of Public Health in relation thereto

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 14 and 15, of the printed bill, as amended, strike out "iodides, phenol, ephedrine, epinephrine, benzedrine,".

Amendment No. 2

On page 2, line 21, of the printed bill, as amended, strike out "or thyroid,".

Amendment No. 3

On page 2, line 28, of the printed bill, as amended, strike out ", other"; and strike out line 29; and in line 30, strike out "tions, compounds or derivatives," and insert "containing preparations of thyroid".

Amendment No. 4

On page 2, line 32, of the printed bill, as amended, strike out "Prescrip-"; and strike out lines 33, 34 and 35 thereof.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1841—An act to add Article 13, comprising Section 12650, to Chapter 2 of Part 6 of Division 2 of the Insurance Code, relating to mortgage insurers.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "to", insert "mutualization,".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "rehabilitation", insert "of persons in the possession of the Insurance Commissioner".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 1230
Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

POULSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 47—Relative to memorializing the President, Secretary of Agriculture, and the Congress of the United States to aid in furthering the development of Highway 20.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4.30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2272—An act to add Section 48.2 to the State Lands Act of 1938, and to add Section 6900 to the Public Resources Code, relating to leases of tide and submerged lands for extraction of minerals other than oil and gas;

Assembly Bill No. 2426—An act to amend Section 19a of the Penal Code, relating to punishment for crime;

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4 30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 36—An act to amend Section 4240 of the Political Code, relating to compensation for public services in counties of the eleventh class;

Assembly Bill No. 126—An act to amend Section 596 of the Penal Code, relating to the use of poisons;

Assembly Bill No. 360—An act to amend School Code Sections 2.870, 2.871, 2 879 and 2.879½, all relating to the election of members of governing boards of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4 30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1832—An act to amend Section 9918 of the Elections Code, and Sections 852 and 858 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the time of canvassing of votes in municipal elections, and providing for the meeting of municipal legislative bodies for that purpose;

Assembly Bill No. 1833—An act to amend Sections 1771, 9700, 11060, 11103 and 11121 of, and to add Section 9482 to, the Elections Code, relating to municipal elections, including procedure in the referendum and recall;

Assembly Bill No. 1887—An act making an appropriation in augmentation of the Revolving Fund of the Bureau of Printing, Department of Finance, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4 30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1995—An act to amend Section 4 910 of the School Code, relating to high school courses;

Assembly Bill No. 1996—An act to add Article 3 to Chapter 11 of Part 1 of Division 2 of the School Code, relating to junior college districts;

Assembly Bill No. 2204—An act to amend Section 504 of the Public Resources Code, relating to the Department of Natural Resources and changing the name of the Division of Parks;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4 30 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1109—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, as amended, by adding a new section thereto to be numbered Section 5, relating to the reconversion of registered bonds into coupon bonds;

Assembly Bill No. 1210—An act to add Section 5567 to the Elections Code, relating to the conduct of elections;

Assembly Bill No. 1490—An act to amend Section 19 of the "Assessment Bond Refunding Act of 1933," relating to certification of delinquencies to tax collector;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 385—An act to add Section 2671.5 to the Elections Code, relating to fees for filing declaration of candidacy;

Assembly Bill No. 780—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products;

Assembly Bill No. 1090—An act to add a new section to the Agricultural Code to be numbered 120.5, relating to plant registrations and certifications;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1941, at 4:30 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2608
Assembly Bill No. 2625
Assembly Bill No. 2626

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1276—An act to amend Section 4254 of the Political Code, relating to the compensation for public services in counties of the twenty-fifth class.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 2142.
Assembly Bill No. 1484.
Assembly Bill No. 2605.
Assembly Bill No. 1598.
Assembly Bill No. 1595.
Assembly Bill No. 2494.
Senate Bill No. 713.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 1078.
Assembly Bill No. 1812.
Assembly Bill No. 1813.
Assembly Bill No. 1814.
Assembly Bill No. 2583.
Assembly Bill No. 197.
Assembly Bill No. 1724.
Assembly Constitutional Amendment No. 54.
Assembly Bill No. 1608.
Senate Bill No. 298.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Joseph McCarthy of San Francisco, attending the Knights of Columbus Convention at Sacramento.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dorothy Douglas of Los Angeles.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Laurison, teacher; Mr. and Mrs. Rinaldo Marracini, parents, and the following students of Jefferson School, near Tracy: Richard Bromell, Billy Callis, Louie Costa, Marie Cardoza, Angie Dutra, Kathryn Hansen, Earl Rhodes, John Lowes, John Ormsby, Anna May Terrill, Stella Miatovich, Adeline Avila, Bethel Laurison, Annie Dutra, Stanford Kibbie, Melvin Knight, Hilda Kurth, Gerry Pereira, Lawrence Pereira, James McLeod, Rose Terrill, Dorothy Theall, Jerry Simas and Jessie Villanueva.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gerald Riley and Jack Coleman, both of Los Angeles.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clifford Wixson of Oakland.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. M. H. Thomas, teacher, and Mrs. Gust Frey, Mrs. A. D. Mettler and L. W. Thomas, chaperones, and the following students of the Alpine School of San Joaquin County: Seventh Grade—Violet Littke, Lillian Reinche, Norman Gerber, Leland Ehrhardt, Ruth Schmidt, La Verne Frey and Ethel Nies; Eighth Grade—Jean Frey, Dorothy Mettler, Elaine Handel, Muriel Kammerer, Rachel Frey, Amy Mosuda, Emanuel Rermada and Masay Kinoshita.

On request of Messrs. Green and McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lee Sefton of Sausalito, and Mrs. Lillian Frantz of Waynesboro, Pennsylvania.

On request of Mr. Welch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Joseph Guardino of San Francisco

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. O. E. Dinnis of Riverside.

On request of Mr. Michael J Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Michael McHugh, Andran Early, Mrs. Adrian Early and Mr. Anthony Gasselin.

On request of Messrs. Cronin and McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ernest Collin, Past Grand Knight, San Rafael Council, Knights of Columbus, and Mrs Armita Collin.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas F. Duffy, San Francisco, Past District Deputy of Knights of Columbus, and Mrs. May Duffy, his wife; Dr Joseph A Mayerle, present San Francisco District Deputy of Knights of Columbus, and Mrs. Ruth Mayerle, his wife; and Edward J. Varni, Grand Knight West of Twin Peaks Council, Knights of Columbus, all of San Francisco, attending State Convention of Knights of Columbus here at Sacramento.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett and the following students of Stanford Junior High School: Kenneth Dugger, Raymond Escott, Dante Giorgi, Pearl Haynes, Beverly Hunter, Russell Hendrick, Billy Johnston, Gloria Lee, Edward Martin, Vincent Matranga, Bernard Nelson, Paul Schulthies, Betty Taylor, Josie Vaccaro, Minnie Vaccaro, Ralph Walker, Charles Holden, Gloria Wood, Charles Birt, Walter Bisig, Dorothy Buck, Jack Burman, Jean Carleton, Richard Cook, Joan Dickerson, Patricia Dormody, La Verne Grubbs, Billy Haworth, Ralph Jackson, Concetti Licursi, Jelen Mikulich, Mildred Nugent, Stanley Palmer, Raymond Pine, Donald Pinkham, Ruth Reich, George Russell, Robert Thayer, Elmore Travis, Gertrude Whitfield, Linore Weber, Dorothy Wilson, Anna Puma and Joe Merritt.

On request of Mr Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Charles F. Fastlaben of Alhambra.

On request of Mr. Frederick F. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Joseph Strople of Alhambra.

On request of Mr. Frederick F Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Wolf and Ralph Wm. Nicholson, both of Alhambra.

ADJOURNMENT

At 6.10 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a.m., Thursday, May 22, 1941, out of respect to the memory of the late Hon. Edward E. Spence, of Beverly Hills.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 22, 1941

The Assembly met at 10 30 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—61.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mrs. Daley.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Fred N. Howser, on motion of Mr. Sam L. Collins.

EXPLANATION OF ABSENCE

The following members of the Committee on Education were attending a meeting of their committee from 8.30 to 11.30 a m., and, on motion of Miss Miller, their names were ordered placed upon the morning roll call: Miss Miller, chairman; and Messrs. Burns, Michael J., Cronin, Dills, Dilworth, Doyle, Gallagher, Johnson and Leonard.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2631—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the managements, maintenance and control thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1191—An act to repeal Sections 22.5 and 24.5 of, and to add Sections 22.5 and 24.5 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2498—An act making an appropriation for the improvement and rehabilitation of Sea Cliff State Park in Santa Cruz County.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1898—An act appropriating money for the acquisition of Hinckley Basin by the State.

Bill read second time, and ordered to third reading.

Assembly Bill No. 272—An act to provide for the control of certain live stock diseases, to prevent their spread and transmission by requiring processing of garbage and controlling live stock movements and to make an appropriation relative thereto.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2579—An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1000—An act making an appropriation for purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements, and equipment thereat.

Bill read second time, and ordered to third reading.

Assembly Bill No. 191—An act making an appropriation for acquisition of real property and construction of improvements for the California National Guard Coast Artillery Training Camp in Santa Cruz County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2619—An act to amend Sections 56 and 57 of the Labor Code, to amend Sections 13100 and 13250 of, and to repeal Section 13101 of the Health and Safety Code, and to add Article 1.5, comprising Sections 12935 to 12937, inclusive, to Chapter 2, Division 3 of the Insurance Code, relating to the abolishing of the office of State Fire Marshal and the abolishing of the Division of Fire Safety in the Department of Industrial Relations, and transferring to the Insurance Commissioner the authority, duties, jurisdiction and property of and appropriations made available to the State Fire Marshal and the Division of Fire Safety.

Bill read second time, and ordered engrossed.

Assembly Constitutional Amendment No. 63—Proposed amendment to Article IX, Section 3 of the Constitution, relating to county superintendents of schools.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, after "election", insert "; provided, that the Legislature may authorize two or more counties to unite and elect one superintendent for the counties so uniting".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1594—An act to amend Sections 13 and 14 and to add Section 13b to the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to waiver of report, limitation of sections, and costs on abandonment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "2905", and "2954, 2955, 2956,".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "act", and insert "code".

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "act", and insert "code"

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "80", and insert "85".

Amendment No. 5

On page 2 of the printed bill, strike out lines 18 and 19, and insert "SEC. 3 Section 2809 is hereby added to said code, to read as follows:".

Amendment No. 6

On page 2, line 24, of the printed bill, strike out "act", and insert "code".

Amendment No. 7

On page 2 of the printed bill, strike out lines 26, 27 and 28, and insert "2820. Before any ordinance or resolution of intention may be adopted, or other initial action prescribed by any law of this State taken by the legislative body of any county,".

Amendment No. 8

On page 2, line 35, of the printed bill, strike out "the Streets and Highways Code," and insert "said code".

Amendment No. 9

On page 3 of the printed bill, strike out lines 4 to 30, inclusive, and insert "SEC. 6. Section 2951 of said code".

Amendment No. 10

On page 4 of the printed bill, strike out lines 27 to 52, inclusive

Amendment No. 11

On page 5 of the printed bill, strike out lines 1 and 2, and insert "SEC. 7. Section 2996 is hereby added to said code, to read as follows:".

Amendment No. 12

On page 5 of the printed bill, strike out line 10, and insert "SEC. 8. Section 3012 of said code".

Amendment No. 13

On page 5, line 14, of the printed bill, after "division", insert ", up to and including the action on the investigation report,".

Amendment No. 14

On page 5, line 22, of the printed bill, strike out "under this act", and insert "up to and including the action on said investigation report".

Amendments read and adopted.

Bill ordered reprinted and re-re-engrossed.

Assembly Bill No. 1192—An act to amend Section 20, and repeal Section 24 of, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Unemployment:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "or the benefit account", and insert "or from the benefit account with respect to any moneys erroneously deposited therein".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1193—An act to amend Section 27 of, repeal Section 23 of, and add Section 23 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Unemployment:

Amendment No. 1

On page 2, line 48, of the printed bill, strike out "be", and insert "by".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1222—An act to add Section 28 to the Unemployment Insurance Act, relating to the obligations of this State for funds received from the United States, and to provide that this act take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In line 1 of the title of the printed bill, after "28", insert "and 28.1".

Amendment No. 2

On page 2 of the printed bill, between lines 4 and 5, insert

"SEC. 1.5. Section 28.1 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 28.1. All moneys received from the Social Security Board pursuant to Section 302 of the Social Security Act shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this act".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2177—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 13 and 14, and insert "the Audit Committee of the Legislature if such a committee be created by statute, otherwise by the Joint Committee known and called the Legislative Budget Committee created by concurrent resolution adopted at the regular session next preceding the occurrence of the vacancy, the appointee to hold the".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1078—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of line 4, and insert "of one million two hundred fifty thousand dollars ($1,250,000) or".

Amendment read and adopted.

Bill ordered reprinted and re-re-re-engrossed.

Assembly Bill No. 1846—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 6 of the printed bill, as amended, between lines 11 and 12, insert "(e) Second hand oil well supply and equipment dealers not conducting or carrying on their business in connection with a junk yard"

Amendment read and adopted.

Bill ordered reprinted and re-re-re-engrossed.

Assembly Bill No. 1264—An act to add Section 758b to the Political Code, and to amend Section 758 of the Political Code, relating to the officers of the district courts of appeal and to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 23, of the printed bill, before "deputy", strike out "three", and insert "two"

Amendment No. 2

On page 1, line 24, of the printed bill, strike out "three", and insert "two".

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "three bailiffs", and insert "one bailiff".

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 2, 3 and 4, and insert "four hundred dollars ($2,400) per annum."

Amendment No. 5

On page 2, line 13, of the printed bill, strike out "_____ dollars", and insert "Seventy-one thousand two hundred twenty-six dollars ($71,226 00)".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 14, and insert "six thousand dollars ($6,000) per year."

Amendment No. 2

On page 2, line 35, of the printed bill, as amended, strike out "fifty thousand dollars ($50,000)", and insert "thirty thousand dollars ($30,000)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 828—An act creating the California Art and History Commission, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended, strike out "7".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 22 to 52, inclusive; and strike out all of page 3.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1216—An act to add a new section to the Unemployment Insurance Act to be numbered 57.1, relating to the qualifications for eligibility for unemployment insurance benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Unemployment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 22, inclusive, and insert "Section 57.1. An individual shall be presumed to be unable to work and unavailable for work for any week with respect to which, or any part of which, he is claiming or has received payment of workmen's compensation insurance. This presumption may be rebutted by clear and convincing proof to the commission that irrespective of the disability for which such workmen's compensation insurance is claimed or paid such individual was able to work and was available for work during the period for which unemployment benefits are claimed."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2249—An act to provide a unified and coordinated program of construction, repair, and improvement of State colleges, including buildings, and making an appropriation for the purposes of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on State Colleges:

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 2, inclusive, and insert "SEC. 3. The sum of two million one hundred ninety-five thousand five hundred dollars ($2,195,500) is hereby appro-".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1230—An act to amend Sections 7331, 7332, 7333, 7342 of the Business and Professions Code, relating to educational requirements and training for the practice of cosmetology and electrology, and disciplinary action for violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and repealing an act entitled "An act relating to persons receiving training in cosmetology through the Public School System, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 7, 1941,"

Amendment No. 2

On page 2, line 5, of the printed bill, strike out "two thousand", and insert "one thousand seven hundred".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "12", and insert "nine".

Amendment No. 4

On page 3 of the printed bill, after line 30, insert

"SEC. 6 An act entitled "An act relating to persons receiving training in cosmetology through the Public School System, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 7, 1941, is hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1570—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 8.5 to "An act pro-"; and strike out the remainder of said title, and insert "require cooks, bus boys, waiters, waitresses, dish washers, dish dryers and domestic servants to obtain certificates that they are free from communicable diseases."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 14 to 40, inclusive; on page 3, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. No person employed or engaged as a cook, bus boy, waiter, waitress, dish washer, dish dryer, or domestic servant shall act in such capacity unless within one year from the date of such employment or engagement he or she has obtained a certificate from the State Board of Public Health stating that he or she is not infected with any communicable disease.

SEC. 2. Any person who is employed or engaged as a cook, bus boy, waiter, waitress, dish washer, dish dryer, or domestic servant in violation of Section 1 of this act is guilty of a misdemeanor.

Any person, partnership or corporation employing any person as a cook, bus boy, waiter, waitress, dish washer, dish dryer, or domestic servant, which employee is violating Section 1 of this act, is guilty of a misdemeanor"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 876—An act to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 642—An act authorizing municipalities as herein defined to acquire, construct, improve and extend within and without their limits sanitation, sewer, and water revenue-producing enterprises as herein defined, and providing an additional and alternative method of financing such enterprises through the issuance of revenue bonds payable solely from the revenues of such enterprises, and in no respect secured by the taxing power; limiting the issuance of revenue bonds to the enterprises defined herein and excluding therefrom systems for the generation or distribution of electricity; authorizing such municipalities to maintain and operate such enterprises and to prescribe, revise and collect fees, tolls, rates, rentals and other charges for the services, facilities and commodities furnished thereby; regulating the issuance of such revenue bonds; providing for their payment and the rights and remedies of the holders thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 536—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural commodities, and providing for production adjustment payments.

Bill read second time, and ordered to third reading.

Senate Bill No. 92—An act to add Section 45.12 to the California Unemployment Insurance Act, relating to refunds to workers.

Bill read second time, and ordered to third reading.

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural proration programs, including definitions, proration program committees, equalization pools and the deposit of moneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 5 of the title of the printed bill, strike out the period, and insert "; and to declare the urgency of this act and that this act shall take effect immediately."

Amendment No. 2

On page 7 of the printed bill, between lines 29 and 30, insert

"(f) For the purpose of providing for the adjustment of production of any agricultural commodity by means of tree or vine pulling, the program committee may receive applications from growers for acreage adjustment payments. The program committee shall, upon proper review and certification, make such acreage adjustment payments on an equitable basis from funds collected for such purpose on a uniform basis from all commercial growers of such agricultural commodity in this State, or from funds received from Federal, State or other agencies for such purpose.

No program of production adjustment adopted hereunder shall authorize payments for the removal of acreages of trees or vines of the species, variety or varieties specified in the program which have, during the three years immediately preceding the date of application, produced an annual yield per acre in excess of the comparably computed average yield from bearing trees or vines of the same species, variety or varieties for the State as a whole, such yields and averages to be determined by the director from statistical data compiled by State or Federal agencies or such other data as the director deems to be representative and reliable."

Amendment No. 3

On page 9 of the printed bill, after line 20, insert

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of

Section 1 of Article IV of the Constitution of this State and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The economic conditions confronting many of the producers throughout the State are such as to require immediate assistance if their purchasing power and tax paying ability are to be improved and maintained and their standards of living and of citizenship are to be kept at a reasonable standard Legislative remedies affecting the marketing of agricultural commodities must take effect immediately if they are to be of benefit during the current marketing season."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1326—An act to amend Section 12 and Section 19 of the Municipal Water District Act of 1911, relating to the government and powers of municipal water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 3 of the printed bill, as amended, at the end of line 14, after the period, insert "Any use, under this section, of a public highway now or hereafter constituted a State highway shall be subject to the provisions of Chapter 3 of Division 1 of the Streets and Highways Code."

Amendment read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Assembly Bill No. 979

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 915

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Concurrent Resolution No. 50 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 314
Assembly Bill No. 359
Assembly Bill No. 690
Assembly Bill No. 692
Assembly Bill No. 841
Assembly Bill No. 1331
Assembly Bill No. 1358
Assembly Bill No. 1508
Assembly Bill No. 1547
Assembly Bill No. 1754
Assembly Bill No. 2078
Assembly Bill No. 2256
Assembly Bill No. 2490
Assembly Bill No. 2492

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 236
Assembly Bill No. 619
Assembly Bill No. 1320
Assembly Bill No. 1377
Assembly Bill No. 1491

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered to unfinished business file.

COMMUNICATIONS

The following petition from California State Employees Union, Local 14, Sonoma Chapter 1, opposing passage of Assembly Bill No. 1915, was presented, and on motion of Mr. McCollister, ordered printed in the Journal:

CALIFORNIA STATE EMPLOYEES UNION, LOCAL 14
SONOMA CHAPTER 1, ELDRIDGE, CALIFORNIA, May 7, 1941

Honorable Richard McCollister
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN MCCOLLISTER: We the undersigned employees of the Sonoma State Home believe Assembly Bill No 1915 is unjust to the State employees of the Department of Institutions, many of whom have been in the State service for years, and earnestly beg you as our Legislative Representative to vote *no* on this bill if it reaches the Assembly.

Thanking you for guarding our interests in Sacramento, we are
Sincerely yours,

T. H. THORP and 276 others

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 874

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 874—An act to amend School Code Section 2.1428, relating to the courses of study and projects in the Public School System.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 813—An act to amend Section 4057 of, and to add Section 4058 to, the Political Code, relating to county ordinances and to validate county ordinances wherein publication was defective.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Gaffney, Green, Hawkins, Heisinger, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Pelletier, Pfaff, Poulson, Richie, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1598 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1598 was passed.

Assembly Bill No. 1598 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 713 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Senate Bill No. 713 was passed.

Senate Bill No. 713 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 213 WAIVED

Mr. Sam L. Collins waived his notice of motion to reconsider the vote whereby House Resolution No. 213 was adopted.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1595 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1595 was passed.

Assembly Bill No. 1595 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2494 WAIVED

Mr. Bennett waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2494 was passed.

Assembly Bill No. 2494 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 43—Relative to memorializing the President and Congress to enact legislation prohibiting sale of alcoholic beverages on Military property and in zones around Army camps.

Resolution read.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed measure, after "beverages", insert "and prostitution".

Amendment No. 2

On page 1, line 6, of the printed measure, after "sold", insert "and that prostitution should not be permitted".

Amendment No. 3

On page 1, line 9, of the printed measure, after "sale", insert "and such prostitution".

Amendment No. 4

On page 1, line 15, of the printed measure, after "sale", insert "and such prostitution".

Amendments read and adopted.

Resolution ordered reprinted and re-engrossed.

Assembly Bill No. 1571—An act to amend Section 658 of the Fish and Game Code, relating to the taking of salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1511—An act to add Section 32.5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance analysts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Donnelly, Evans, Field, Gaffney, Green, Gunlock, Heisinger, Johnson, Kepple, Kilpatrick, King, Leonard, Maloney, Massion, McCollister, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Hawkins, Houser, Frederick F., Lyon, Middough, and Pelletier—5.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 192—An act to amend Section 790 of the Fish and Game Code, relating to crab meat

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 192?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert "790. It is unlawful to pickle, can, or otherwise preserve any crab; provided, that fresh crab meat may be preserved in not less than one pound net weight con-

tainers by means of refrigeration, under regulations which the commission is hereby authorized to prescribe. Crab meat from outside the State".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 192 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 192 ordered enrolled.

Assembly Bill No. 2219—An act to amend the title of Chapter 8 of Part 1 of Division 2 of the School Code and to amend Section 2.510 of said code.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2219?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "code", insert ", relating to high school districts".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2219 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 2219 ordered enrolled

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1152—An act to repeal Chapter 166 of the Statutes of 1939, relating to summary probate proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1027—An act to add Section 832.5 to the Civil Code, relating to entry upon adjoining lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Wm. H. Poole Presiding

At 11.40 a.m., Hon. Wm. H. Poole, Member of the Assembly from the Fifty-second District, presiding.

Assembly Bill No. 1765—An act to add a new section to the State Civil Service Act, to be numbered 57 1, relating to the officers and employees of the Railroad Commission of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Field, Green, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, and Watson—43.
NOES—Bennett, Collins, George D., Collins, Sam L., Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Knight, T. Fenton; Massion, O'Day, Pelletier, Pfaff, Russell, Thomas, Voigt, and Welch—18.

Notice of Motion to Reconsider Assembly Bill No. 1765

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1765 was this day passed.

Assembly Bill No. 1463—An act to amend Section 92 of the Agricultural Code, relating to district agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael, J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, and Welch—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1189—An act to amend Section 8, and to repeal Section 9, of the Community Recreation Enabling Act of 1939, relating to the qualifications of employees.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment.

Amendment No. 1

On page 1, line 8, of the printed bill, after "act", insert "provided, however, that only persons employed in positions requiring certification qualifications shall be paid out of funds set aside for the payment of teachers' salaries".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2629—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Fifty per cent of all", and insert "All".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 12 to 20, inclusive, and insert " provided, however, not more than 50 per cent thereof, during any fiscal year, may be used for the purchase of equipment and supplies and".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 51: By Mr. Lyon—Relative to amending Rule No. 35 of the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

RECESS

At 12.10 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p m.

REASSEMBLED

At 1 30 p m., the Assembly reconvened

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 660—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Johnson, Kilpatrick, Knight, John B, Leonard, Maloney, Massion, McCollister, Meehan, Miller, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Welch—46.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2208—An act to amend Section 1207 of the Penal Code, relating to entry of judgment of conviction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Welch—48.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 355—An act to amend Section 256 of the Probate Code, relating to estates of illegitimate children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, and Welch—48.

NOES—Collins, George D., and Dilworth—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1481—An act to amend Section 9.18 of the Building and Loan Association Act, relating to building and loan associations and the making of loans by such associations, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, and Wollenberg—57.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2596—An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to

create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2596:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 21, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 2596

"An act to add Section 696 to the Political Code and to repeal an act entitled 'An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled "An act appropriating money to create a Revolving Fund for the State Purchasing Department," approved May 15, 1917,' approved May 22, 1919, relating to the Revolving Fund for State Purchases and the purposes for which it may be expended, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 2596 as an emergency measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1173—An act making an appropriation for the purchase of water stock at Pacific Colony-State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1173:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 20, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 1173

"An act making an appropriation for the purchase of water stock at Pacific Colony-State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1173 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Wollenberg—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1937—An act to add Section 6215 to the Public Resources Code, relating to State lands and to the powers and duties of the State Lands Commission in connection therewith, declaring the scope, purpose and intent of the Legislature in enacting the State Lands Act of 1938 and acts amendatory thereof, and validating and confirming the acts of the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2611—An act to add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2625—An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immedately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2625:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 22, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 2625

"An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 2625 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley,

Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Masston, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 13 was taken up.

Assembly Bill No. 13—An act to repeal Section 902, to amend Sections 904, 906, 915 and 925 of, and to add Section 942 to, the Penal Code and to amend Section 241 of the Code of Civil Procedure, all relating to grand juries.

Bill read third time.

Motions to Temporarily Suspend the Rules

Mr. Donnelly moved that Rule No 23 be temporarily suspended for the purpose of allowing additional time for Mr. Middough's presentation of Assembly Bill No. 13.

Mr. Field seconded the motion.

Motion carried, and the Rules temporarily suspended.

Mr. Donnelly moved that Rule No. 23 be temporarily suspended for the purpose of allowing Mr. Dickey additional time for arguments against passage of Assembly Bill No. 13.

Mr. Field seconded the motion.

Motion carried, and the Rules temporarily suspended.

Demand for Previous Question

Messrs. Collins, Sam L., Green, Thurman, Doyle and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 13.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Evans moved a call of the Assembly.

Motion carried. Time, 3.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 2142.

Speaker Presiding

At 3.35 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2142

In compliance with a notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 2142 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L., Waters, Stream and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 2142.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 4.00 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2615 FROM COMMITTEE

Mr. Millington gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 2615 from the Committee on Education, and have it placed upon the file.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 975—An act to add Chapter 7.5, comprising Sections 1126, 1127, 1128, 1129 and 1130, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Voigt—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: I am directed to request your honorable body to return Assembly Bill No. 1544 to the Senate for further action, and that you rescind your action of May 21st whereby you concurred in Senate Amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1544 FROM ENROLLMENT

Mr Sawallisch moved that Assembly Bill No 1544 be recalled from enrollment.

Motion carried unanimously.

Motion to Expunge Record and Rescind Action

Mr. Sawallisch moved to expunge the record and rescind the action whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1544.

Motion carried unanimously.

Motion to Return Assembly Bill No. 1544 to Senate

Mr. Sawallisch moved that Assembly Bill No. 1544 be returned to the Senate for further consideration.

Motion carried unanimously.

Assembly Bill No. 1544 ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mrs. Daley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 1876

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1876—An act to amend Sections 8 and 9 of, to repeal Section 8½ of, and to add Sections 8½ and 9¼ to, the Retail Sales Tax Act of 1933, relating to the tax imposed thereby, and providing for the collection of the amount of the tax by the retailer from the purchaser.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock Hastam, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Call, Heisinger, Houser, Frederick F., Leonard, and Richie—5.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 52: By Mr. Leonard—Relative to improvement of road from State Highway 119, at Paicines to New Idria Mine, in San Benito County.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 52, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 52

Assembly Concurrent Resolution No. 52—Relative to improvement of road from State Highway 119, at Paicines to New Idria Mine, in San Benito County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Sulsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—63

NOES—None.

Resolution ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

At 4.10 p.m., on motion of Mr. Johnson further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thurman moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Millington, O'Day, Phillips, Robertson, Sheridan, Tenney, Thorp, Thurman, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—37.

NOES—Allen, Burkhalter, Cooke, Del Mutolo, Dills, Evans, Field, Hastain, Hawkins, Houser, Frederick F., Kellems, Kepple, King, Pelletier, Pfaff, Poole, Potter, and Richie—18.

Time, 4.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. John B. Knight, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 334.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 334—An act to amend Section 4300b of the Political Code, relating to fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King,

Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—54.

NOES—Allen, Burns, Michael J., Call, Dickey, Houser, Frederick F., Kepple, Millington, O'Day, and Watson—9.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 13

At 4.17 p m., on motion of Mr Middough, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 13 refused passage by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Collins, George D., Dills, Donnelly, Doyle, Evans, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Massion, Middough, Miller, O'Day, Pelletier, Pfaff, Poole Potter, Poulson, Richie, Russell, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—36.

NOES—Burns, Hugh M, Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Kellems, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Millington, Phillips, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Watson, Weybret, and Mr. Speaker—39.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Lyon, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on withdrawal from file of Senate Bill No 1272.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1272

Mr Lyon moved that Senate Bill No 1272 be withdrawn from the file, and re-referred to the Committee on Building and Loan Associations

The roll was called, and the motion lost by the following vote.

AYES—Allen, Call, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Green, Knight, John B., Leonard, Lyon, McCollister, Millington, Pelletier, Stream, Tenney, Thorp, Thurman, Voigt, and Mr. Speaker—20

NOES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Lowrey, Maloney, Massion, Meehan, O'Day, Pfaff, Phillips, Potter, Richie, Russell, Sheridan, Turner, Waters, Welch, Weybret, and Wollenberg—41.

MOTION TO SET SPECIAL ORDER

Mr. Dills moved that Senate Bill No. 409 be made a special order of business for Wednesday, May 28, 1941, at 2 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Crowley—1.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 24—Relative to memorializing the President, the Congress and the Solicitor General with respect to the assertion of any pretended Federal claim to the submerged lands of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M. Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1554—An act to amend Section 2 of the Retail Sales Tax Act of 1933; to amend Sections 2 and 21 of the Use Tax Act of 1935; to add Section 6009.1 to, and to amend Sections 6015 and 7054 of, the Revenue and Taxation Code, relating to the definition of retailer, storage and use, and to the administration of the tax, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potrer, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on reconsideration of Assembly Bill No. 1484.

UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 1484

In compliance with a notice given on a previous day, Mr. Carlson moved that the vote whereby Assembly Bill No. 1484 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Carlson moved a call of the Assembly.

Motion carried. Time, 4:57 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1769—An act to add a new section to the State Civil Service Act, to be numbered 57.5, relating to the officers and employees of the State engaged in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons.

Bill read third time.

Motion to Amend

Mr. Gallagher moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, after "employees", insert ", except the State Parole Officer."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 21 to 23, inclusive.

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "tion 2059", and insert "tions 2059 and 2060"

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 6 and 7, insert

"SEC. 2.3 Section 2060 is hereby added to said code, to read as follows:

2060 For the purposes of Political Code Section 352, the following constitute, among other proper purposes, State business for directors on the board, wardens, clerks, officers and employees of the board for which such directors, wardens, clerks, officers and employees shall be allowed actual and necessary traveling expenses when the State travel and expense have been approved by the Governor and the Director of Finance as provided in said section:

Attending meetings of any National association or organization, having as its principal purpose the study of matters relating to penology, including prison management and paroles, or to a particular field thereof; conferring with officers or employees of the United States relative to problems relating to penology, including prison management and paroles, in California; conferring with officers or employees of other States engaged in the performance of similar duties; and obtaining information useful to the board in the conduct of its work."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream,

Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1126—An act to amend Sections 799 and 800, and to add Section 802.8 to the Fish and Game Code, relating to abalones.

Bill read third time.

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "16," insert "17,".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out "17,".

Amendment No. 3

On page 1, line 12, of the printed bill, as amended, after the period, insert "In District 17 not more than 10 abalones per day, nor more than 20 abalones per week, may be taken."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1330—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, by amending Sections 1, 2, 3, 4, 6, 9, 10, 11, 12, 13 and 15 thereof, and by adding thereto three new sections to be Sections 4.5, 10.5 and 11.5 thereof, relating to county peace officers' retirement system.

Bill read third time

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 40, of the printed bill, as amended May 16, 1941, between "with" and "all", insert "one-half of".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Has-

tain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

At 5.06 p.m., on motion of Mr. Thurman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2142 reconsidered by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cassidy, Collins, George D., Cooke, Crowley, Dills, Dilworth, Doyle, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John, B., Lowrey, Lyon, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Waters, and Watson—41.

NOES—Bashore, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Hastain, Knight, T. Fenton; Leonard, Maloney, Meehan, Millington, O'Day, Phillips, Sawallisch, Sheridan, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—34.

Assembly Bill No 2142 ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1484

At 5.08 p.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1484 reconsidered by the following vote:

AYES—Allen, Call, Carlson, Cassidy, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Sheridan, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Del Mutolo, Dilworth, Gaffney, Houser, Frederick F., Kilpatrick, King, Knight, John B., Lowrey, Maloney, Middough, O'Day, Poole, Russell, Sawallish, Stream, Tenney, Thorp, and Turner—26.

Assembly Bill No. 1484 ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 179
Senate Bill No. 360

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1162—An act to amend Sections 4 and 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to loans by and between credit unions.

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 36, of the printed bill, as amended, after the comma, insert "or in accounts with any building and loan association, which accounts are guaranteed or insured by the United States Government or instrumentality thereof created for such purpose,".

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR SPEAKER: I have the honor to inform your Honorable Body that the Senate on this day adopted Senate Resolution No. 119, which reads as follows:

Senate Resolution No. 119

By Senators Deuel and Kenny:

WHEREAS, The Legislature has passed Senate Concurrent Resolution No. 16, providing for a committee of two Senators and two Assemblymen to go to Washington, D. C., to negotiate with the Federal Government in connection with the controversy over conformity of California's Aged Aid Law with the Federal Statute, and

WHEREAS, The situation is one of great urgency because action must be taken before July 1, 1941, and

WHEREAS, The presence in Washington of the Speaker of the Assembly would lend prestige to any committee sent by the California Legislature to Washington, and

WHEREAS, The Speaker of the Assembly would naturally be reluctant to appoint himself to such a committee; now, therefore, be it

Resolved, That the Senate requests the Speaker of the Assembly, Gordon Garland, be named as one of the two Assemblymen who will be designated to perform this negotiation.

J. A. BEEK, Secretary of the Senate

Hon. Rodney L. Turner Presiding

At 5.12 p.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs Field and Lyon:

House Resolution No. 220

Relative to the Joint Committee to secure changes in the Federal Social Security regulations

WHEREAS, Pursuant to Senate Concurrent Resolution No. 16, the Senate and Assembly have created a Joint Committee to secure changes in the regulations of the Federal Social Security Board appertaining to the aid under the administration of the California Old Age Security Law and the Aid to the Needy Blind Law, and

WHEREAS, Gordon Garland, the Speaker of the Assembly, has always actively worked for the welfare of the needy aged and the needy blind in California, and

WHEREAS, The designation of the Speaker of the Assembly, as a member of the said committee, would add prestige to the committee and increase its effectiveness; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker be, and he is hereby requested to designate himself as one of the two Members of the Assembly constituting in part the personnel of the said committee to consult with the President and the Federal Social Security Board and to ask for more liberal legislation by Congress in respect to the needy aged and the needy blind

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 220, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Kilpatrick, ordered printed in the Journal:

May 22, 1941

Honorable Gordon Garland, Assembly Chamber
State Capitol, Sacramento, California

DEAR MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: There is herewith submitted to you the following statement concerning the situation in regard to old aged assistance in this State:

IF NO ACTION BY LEGISLATURE

22 per cent of recipients to be dropped from rolls.
$35 will be top payments.
$15,000,000 annual increase cost to the State.

UNDER ASSEMBLY BILL NO 2630 PROVIDING AN OLD AGE GRANT OF $45 PER MONTH

Will cost $9,000,000 annual increase.
One hundred twenty thousand recipients will gain $5 each month.
Forty thousand, comprising those with earnings, will be affected in varying degree.
Need beyond $45 will be recognized and may be supplied by earnings of the recipient.
Merit rating is provided to apply to counties and State employees and will give State complete supervisorial powers and authority.
Federal requirements are believed to have been met in full.

There is herewith also submitted to you a statement addressed to me by Miss Martha A. Chickering, Director, State Department of Social Welfare, concerning the department's estimate as to aged aid and needy blind aid.

Very truly yours,

VERNON KILPATRICK

SACRAMENTO, May 14, 1941

Mr. Vernon Kilpatrick, Member of the Assembly
State Capitol, Sacramento, California

MY DEAR MR. KILPATRICK: This department has received a request to answer the following questions for you concerning old age security and aid to the needy blind.

1. What sum of Federal money would be lost to the State if Federal participation were withdrawn?

Following are the estimated amounts of Federal funds which would be lost to the State during the next two years if Federal participation were withdrawn for aid to the aged and blind.

Aid to the Needy Aged	
For assistance	$75,884,000
For administration, to be divided among the State and the counties	3,794,000
Total	$79,678,000
Aid to the Needy Blind	
For assistance	$3,873,000
For administration, State and county	297,000
Total	$4,170,000
Grand total, aged and blind	$83,848,000

2 What would be the increase in cost if the programs for assistance to the aged and blind were to continue under their present scope, but if Federal participation were withdrawn?

Program	*Increase to the State*	*Increase to the Counties*	*Total Increase*
Aid to the Needy Aged			
For assistance	$37,942,000	$37,942,000	$75,884,000
For administration	1,198,000	2,596,000	3,794,000
Total	$39,140,000	$40,538,000	$79,678,000
Aid to the Needy Blind			
For assistance	$1,936,500	$1,936,500	$3,873,000
For administration	109,000	188,000	297,000
Total	$2,045,500	$2,124,500	$4,170,000
Grand total	$41,185,500	$42,662,500	$83,848,000

3. What would be the increased cost if the programs for assistance to the aged and blind were to remain subject to the present legal provisions under the condition of no Federal participation?

Aid to the needy Aged

No good estimates are yet available upon this point. Withdrawal of Federal participation under the present law would raise the residence requirement to 15 years and reduce the maximum grant to $35, resulting in an average monthly payment of about $32 80. The minimum reduction in case load because of the reverting to the 15 years residence clause is estimated at about 22 per cent, or about 36,000 of the average 167,000 cases estimated for the next two years.

Item	*Comparative Estimated Costs for Assistance for the Next Two Years*		*Change in Cost*
	Present condition with Federal participation	*Federal participation withdrawn; 22% decrease in case load and average grant at $32 80*	
Total cost	$151,767,000	$105,215,000	—$46,552,000
Federal	$75,884,000		—$75,884,000
State	38,042,000	52,746,000	+ 14,704,000
County	37,841,000	52,469,000	+ 14,628,000

Since these hypothetical costs are based upon a *minimum* decrease in case load because of the application of the 15 years residence rule, the increases noted under State and county are the *maximum* increase in cost to the State and county governments for assistance. No estimate can be made for the increases to the State and county governments for administration under the conditions of a reduced old age security case load and the loss of Federal participation The amounts of such increases in administrative cost would probably be slightly less than the increases for administration noted under question 2; i e., $1,198,000 for the State and $2,596,000 for the counties.

Aid to the Needy Blind

Data are not available to answer this question for aid to the needy blind.

There is enclosed a copy of a radio address which should provide additional information for you.

Very sincerely yours,

MARTHA A. CHICKERING, Director
State Department of Social Welfare

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 404
Assembly Bill No 405
Assembly Bill No. 406
Assembly Bill No 976
Assembly Bill No 1024
Assembly Bill No. 1174
Assembly Bill No 1308
Assembly Bill No. 1393
Assembly Bill No. 1420
Assembly Bill No 1713
Assembly Bill No 1900
Assembly Bill No 2055
Assembly Bill No. 2059

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No 416

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 416—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER. I am directed to request your honorable body to return Assembly Bill No. 841 for further action, which passed the Senate May 21st

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Motion to Return Assembly Bill No. 841 to Senate

Mr. Dickey moved that Assembly Bill No. 841 be returned to the Senate for further consideration.

Motion carried unanimously.

Assembly Bill No. 841 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Lowrey:

An act to amend Sections 1, 3 and 4 of, and to add Sections 1.5, 2 3 and 2.6 to "An act declaring the conditions upon which an irrigation district may be dissolved, prescribing the procedure therefor, and the winding up of the affairs of the district when dissolved," approved May 18, 1919, relating to the dissolution of irrigation districts.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley,

Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sheridan, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2638: By Mr. Lowrey—An act to amend Sections 1, 3, and 4 of, and to add Sections 1.5, 2.3 and 2.6 to "An act declaring the conditions upon which an irrigation district may be dissolved, prescribing the procedure therefor, and the winding up of the affairs of the district when dissolved," approved May 18, 1919, relating to the dissolution of irrigation districts.

Referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thurman:

An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2639: By Mr. Thurman—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Thurman:

Resolved, That Assembly Bill No. 2639 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Salsman, Sawallisch, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Allen, Bashore, Burkhalter, Collins, Sam L., Evans, Kilpatrick, Middough, Poole, and Waters—9.

Article IV, Section 15, of the Constitution was declared suspended

CONSIDERATION OF ASSEMBLY BILL NO. 2639

Assembly Bill No. 2639—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

Bill read second time.

Assembly Bill No. 2639—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61

NOES—Allen, Bashore, Burkhalter, Evans, Middough, and Sheridan—6.

Notice of Motion to Reconsider Assembly Bill No. 2639

Mr. Allen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2639 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Salsman.

An act to amend Section 737qq of the Political Code, relating to salaries of superior court judges in Santa Clara County.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—65

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2640: By Mr. Salsman (By request)—An act to amend Section 737qq of the Political Code, relating to salaries of superior court judges in Santa Clara County.

Referred to Committee on County Government.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 221

Resolved, by the Assembly of the State of California, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, and the Controller is hereby directed to draw his warrant in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

Commencing Saturday, May 24, 1941, for one day only: *Per Day*

Leal Norton, Page----------$2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Lyon moved that the following remarks by Mr. Garland be ordered printed in the Journal:

Motion carried.

Remarks by Mr. Garland

Mr. Speaker and Members of the Assembly

I fully and sincerely appreciate the honor conferred upon me by the Members of the Assembly as expressed in the resolution which you have just adopted; and may I say here publicly, that a like honor which has been conferred upon me by a similar resolution just adopted in the Senate and read over the desk, is sincerely appreciated.

I fully realize the importance of the mission which is to be performed by the committee to be selected pursuant to Senate Concurrent Resolution No. 16 by Senator Kenny. It is unnecessary for me to point out to the members of the Assembly that we have in California the best old age pension and the most liberal program of aid to the needy blind and orphans, not only in the United States, but in the whole world. The people of California can well be proud of the progressive steps they have taken in providing this program of social welfare, and the Legislature of this State can point with great pride to its legislative accomplishments in this field. California must not—and will not—move backward in the field of social legislation, and it is to this end that this committee is to work in Washington.

I am mindful, however, that in my present position, I am obligated to fulfill the duties of my office to the best of my ability for all of the people of the State—and not for any one group. With this in mind, and with the realization that much of the most important legislation of this session—particularly the Budget, which will shortly be before us for consideration—is yet to be considered and acted upon, I feel that I can not, at this time, leave the Legislature to go to Washington as has been so kindly suggested by both the Senate and the Assembly. I further feel that we

have many other Members who are just as well qualified to perform the important task in Washington as I am, and I feel that for the good of all of the people in the State that I should remain here at my desk to perform my duties, and send someone else in my stead.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

House Resolution No. 222

Resolved, That the following named person be stricken from the list of Assembly attaches and her name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Thursday, May 22, 1941:

	Per day
Gertrude Marton, Stenographer	$5 00

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

By Messrs. Burns, Michael J., Bashore and Dickey:

House Resolution No. 223

WHEREAS, Experience has shown that proper and effective motor vehicle legislation can best be based on a thorough and intensive study and investigation of the subject by a competent and active Legislative Committee; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly investigating committee, to be known as the Assembly Committee on Motor Vehicle Legislation, is hereby created, to consist of five members appointed by the Speaker of the Assembly, which committee shall study, investigate and survey, accurately and in detail, either independently or in cooperation with interested persons or organizations, all matters within the scope of legislative control relating to motor vehicles and the safe operation thereof upon the public highways, with a view to discovering and recommending to the Legislature such legislation as may appear necessary and desirable at the Fifty-fifth Regular Session of the Legislature.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. PRESIDENT: The Committee on Conference concerning.

Assembly Bill No. 563—An act to amend Sections 593 and 604 of and add Section 330.25 to the Civil Code, relating to the formation and purposes of nonprofit corporations;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following: That the amendments of the Senate be concurred in and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 593 and", and insert "Section".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 593a and".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and insert

"SECTION 1. Section 593a is hereby added to the Civil Code, to read as follows:

593a. A nonprofit corporation may be formed under this article for the purposes of defraying or assuming the cost of professional services of licentiates under any chapter of Division 2 of the Business and Professions Code or of rendering any such services but it may not engage directly or indirectly in the performance of the corporate purposes or objects unless:

(1) At least one-fourth of all licentiates of the particular profession become members;

(2) Membership in the corporation and an opportunity to render professional services upon a uniform basis is available to all licensed members of the particular profession;

(3) Voting by proxy and cumulative voting are prohibited; and

(4) A certificate has been issued to the corporation by the particular professional board, whose licentiates have become members, finding compliance with the foregoing requirements.

Any such nonprofit corporation shall be subject to supervision by the particular professional board under which its members are licensed and shall also be subject to the provisions of Section 605c of this code. This section, except as expressly permitted herein, does not authorize the formation of any corporation for the purpose of rendering the professional services regulated by Division 2 of the Business and Professions Code."

SWING	CRONIN
LUCKEY	GALLAGHER
SWAN	POULSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1484—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

Motion to Amend

Mr Carlson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "four", and insert "six".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out "four", and insert "six".

Amendment No. 3

On page 1 of the printed bill, as amended, between lines 13 and 14, insert

"If an applicant for an operator's license has any physical or mental infirmity which in the opinion of the department may, within six years of the issuance of a license to such person, result in his inability to exercise reasonable and ordinary control in the operation of a motor vehicle, the department may issue a license to such person to expire on any date less than six years from the date of issuance as it may consider advisable."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Assembly Bill No. 2099—An act to add a new section to the Health and Safety Code, to be numbered 116, relating to pro rata charges of administrative expense in the Department of Public Health.

Bill read third time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "a new section to the Political Code, to be num-"; and strike out all of lines 2, 3 and 4, and insert "Section 446 to the Political Code, relating to financial adjustments within departments, defining the methods whereby such adjustments may be made, declar-".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Section 446 is hereby added to the Political Code, to read as follows:

446. The Controller may approve any general plan whereby any division, bureau, agency, or office, (1) which is within a department and (11) which is either supported by a special fund or by a separate appropriation from the General Fund, may make financial adjustments with the department of which it is a part and with any other division, bureau, agency, or office of the same department for services rendered, supplies used, or for a proper proportion of other expenses. Copy of the approved plan shall be furnished to the Department of Finance. Such adjustments, when made in accordance with the plan previously approved by the Controller, shall be made by filing a financial statement, approved by the Department of Finance, with the Controller and requesting the Controller to make the necessary transfers upon his books. Upon receipt of such requests, the Controller shall make the transfers upon his books."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 2 to 17, inclusive.

Amendment No. 4

On page 2, line 4, of the printed bill, as amended, strike out "made against agencies", and strike out all of lines 5 and 6, and in line 7, strike out "expenses of the State", and insert "and adjustments within one department."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 5.50 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

GOVERNOR'S COMMITTEE FOR INVESTIGATION OF PENAL INSTITUTIONS
SAN FRANCISCO, CALIFORNIA

Mr. Speaker and Members of the Assembly
Sacramento, California

GENTLEMEN: We hand you herewith the letter of transmittal and report of the above committee. On March 19th, last, a copy was presented to the Governor and has now been requested by certain members of the Legislature.

This report is signed by a minority of the committee for the following reasons: First, only three of the members carried the work of the committee through to a conclusion. Second, the third member, Dr. W. Earle Smith, is now serving as a Prison Director and does not feel that he should sign a report that in any way criticises the present prison management.

Very truly yours,

HENRY E. TWEED, Chairman
H. G. COFFEE, Member

Hon. Jack B. Tenney Presiding

At 8.26 p.m., Hon. Jack B. Tenney, Member of the Assembly from the Forty-sixth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2538—An act to amend Sections 7301, 7303 and 7315 of the Business and Professions Code, relating to members of the board.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crowley moved a call of the Assembly.

Motion carried. Time, 8.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1596—An act to amend Section 6541.5 of, and to add Sections 4774 and 6544 to, the Health and Safety Code, relating to special assessment proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—46

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1579—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Munici-

pal Improvement Act of 1913, and to add Sections 1e and 14a thereto, relating to the construction of public improvements, the levy of assessments and the limitation thereof and the issuance of bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—46

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2212—An act to amend Section 555 of the Insurance Code, relating to proof by a third party under a policy of insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—44

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2245—An act to add Section 10369 to the Insurance Code, relating to approval of policy forms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—46

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to add Section 2468.5 to the Civil Code, relating to licenses and permits, and the suspension of privileges exercised thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Dickey, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—45.

NOES—Bashore, Collins, George D., Crowley, Donnelly, and Heisinger—6

Bill ordered transmitted to the Senate

Assembly Bill No. 2254—An act to amend Section 3 of "An act authorizing the governing bodies of counties, school districts, municipal

corporations, political subdivisions, public corporations and other public agencies of the State of California, to adopt a system of group life, health and accident insurance, and health services for the benefit of officers and employees, and to deduct from the compensation thereof the premium upon such insurance," approved May 25, 1939, relating to wages or salary deductions for public officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—51.

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1415.

Assembly Bill No. 1415—An act to amend Sections 30 to 59, inclusive, of the State Civil Service Act, relating to the general organization and functions of the State Personnel Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Doyle, Evans, Gaffney, Gunlock, Hawkins, Johnson, Kepple, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—41.

NOES—Burkhalter, Burns, Michael J., Clarke, Donnelly, Heisinger and Houser, Frederick F.—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1518—An act to add Article 5.5, comprising Section 10374, to Chapter 4, Part 2, Division 2, of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—49.

NOES—Frederick F. Houser—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1841—An act to add Article 13, comprising Section 12650, to Chapter 2 of Part 6 of Division 2 of the Insurance Code, relating to mortgage insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 110—An act to amend Section 4986 of the Revenue and Taxation Code, relating to the cancellation of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—56.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1703—An act to amend Section 5138 of, and to add Section 5139.5 to, the Revenue and Taxation Code, relating to property taxation and suits to recover taxes paid under protest.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Cassidy, Pelletier, Thorp, Thurman, and Weber—5.
NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Voigt, Weybret, and Wollenberg—51.

Assembly Bill No. 972—An act to amend Sections 7455 and 7677 of the Revenue and Taxation Code and Sections 2 and 4 of the Motor Vehicle Fuel License Tax Act, relating to delinquency of the motor vehicle fuel license tax, including recoveries on bonds of delinquent distributors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins Sam L., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser Frederick F., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Weybret, and Wollenberg—59
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2538

At 9.40 p.m., on motion of Mr. Crowley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2538 passed by the following vote:

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—52

NOES—Allen, Burkhalter, Carlson, Collins, Sam L., Houser, Frederick F., Kellems, Knight, John B., Middough, Phillips, Potter, and Stream—11.

Notice of Motion to Reconsider Assembly Bill No. 2538

Mr. Kellems gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2538 was this day passed.

House Resolution No. 143—Relative to State traffic conditions. Resolution read, and adopted.

Speaker Presiding

At 9.58 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

EXPLANATIONS OF ABSENCE

The following Members were present at a meeting of the Senate Committee on Business and Professions from 8 to 9.45 p.m., today: Messrs. Waters and Poulson.

The following Members were present at the Joint Fact-Finding Committee on Relief from 8 to 9.30 p.m., today: Messrs. Wollenberg, Watson, Kilpatrick, Desmond, and Mrs. Daley.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1122—An act to amend Section 1 of, and to add Sections 2e, 2f and 2g, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of the persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of same; providing for the licensing of premises upon which walnuts are shelled or otherwise prepared and for the inspection of such premises and prohibiting the purchase, acquisition or receiving of walnuts shelled or prepared other than on licensed premises; providing for license fees; providing for producer exemption and empowering the California State Board of Public Health to make rules and regulations, and providing for the keeping of records; making violations of this

act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to food sanitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Desmond, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, John R., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Stream, Thurman, Turner, Waters, Weber, Welch, Wevbret, Wollenberg, and Mr. Speaker—53

NOES—Bashore, Burkhalter, Clarke, Donnelly, and Knight, T. Fenton—5.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1800

Assembly Constitutional Amendment No. 2

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1800?

Amendment No. 1

On page 2, line 25, of the printed bill, as amended, following "Senate", insert "for the Fifty-fifth Session".

Amendment No. 2

On page 2, line 26, of the printed bill, as amended, following "committees", insert "thereof".

Amendment No. 3

On page 2, line 40, of the printed bill, as amended, following "Assembly", insert "for the Fifty-fifth Session"

Amendment No. 4

On page 2, line 40, of the printed bill, as amended, following "committees", insert "thereof".

Amendment No. 5

On page 2 of the printed bill, as amended, between lines 31 and 32, insert

"Item 4.5—For secretaries for members of the Senate in San Francisco, Los Angeles, and Alameda counties ..... $10,800 00".

Amendment No. 6

On page 3 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive, and insert

"Item 11—For support of Legislative Counsel Bureau, in accordance with the following schedule $99,905.00

and in addition thereto any amounts collected for services to other agencies which by law are available for support of said office.

Schedule:

(a) Salaries and Wages	$120,000.00
(b) Operating Expenses	14,055.00
(c) Equipment	550.00
Total of Schedule	$134,605 00
Less. Estimated abatements. For services to Code Commission	28,800 00
For services to other agencies	5,900,00
Net Appropriation	$99,905.00".

Amendment No. 7

On page 3 of the printed bill, as amended, strike out all of lines 13 to 26, inclusive, and insert

"Item 14—For support of Supreme Court ..... $418,480 00".

Amendment No. 8

On page 3 of the printed bill, as amended, strike out all of lines 27 to 51, inclusive, and insert

"Item 15—For support of Judicial Council and for extra compensation and traveling expenses of judges assigned by the Judicial Council ..... $53,950 00".

Amendment No. 9

On page 4 of the printed bill, as amended, strike out all of lines 1 to 16, inclusive, and insert

"Item 16—For support of the First District Court of Appeal ..... $216,100.00".

Amendment No. 10

On page 4 of the printed bill, as amended, strike out all of lines 17 to 30, inclusive, and insert

"Item 17—For support of the Second District Court of Appeal ..... $209,300 00".

Amendment No. 11

On page 4 of the printed bill, as amended, strike out all of lines 31 to 44, inclusive, and insert

"Item 18—For support of the Third District Court of Appeal ..... $113,190.00".

Amendment No. 12

On page 4 of the printed bill, as amended, strike out all of lines 45 to 51, inclusive, and insert

"Item 19—For support of the Fourth District Court of Appeal ..... $149,170.00".

Amendment No. 13

On page 5 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 13a

On page 5 of the printed bill, as amended, strike out all of line 30, and insert

"ical Code) ..... $5,000 00"

Amendment No. 14

On page 5 of the printed bill, as amended, strike out all of lines 46 to 48, inclusive, and insert

"Item 24—For salary and support of Lieutenant Governor, in accordance with the following schedule $13,140 00

Schedule:

(a) Salaries and Wages	$12,140.00
(b) Operating Expenses	1,000.00
(c) Equipment	Nothing"

Amendment No. 15

On page 5 of the printed bill, as amended, strike out all of lines 49 to 51, inclusive.

Amendment No. 16

On page 6 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive

Amendment No. 17

On page 6 of the printed bill, as amended, strike out all of lines 11 to 13, inclusive, and insert

"Item 25—For support of Attorney General, in accordance with the following schedule $541,235.00
and in addition thereto any amounts collected for services to other agencies which by law are available for support of said officer.

Schedule:

(a) Salaries and Wages	$601,430 00	
(b) Operating Expenses	136,340.00	
(c) Equipment	26,565.00	
Total of Schedule	$764,335 00	
Less: Estimated abatements from special fund agencies for legal services	223,100.00	
Net Appropriation	$541,235.00".	

Amendment No. 18

On page 6 of the printed bill, as amended, between lines 13 and 14, insert

"Item 25.5—For expenses of the Attorney General in the case brought by the Attorney General in the Court of Claims of the United States on behalf of certain Indians of the State of California, pursuant to Chapter 643, Statutes of 1927 ..... $9,018.00".

Amendment No. 19

On page 6 of the printed bill, as amended, strike out all of lines 14 to 24, inclusive.

Amendment No. 20

On page 6 of the printed bill, as amended, strike out all of lines 25 to 27, inclusive, and insert

"Item 26—For support of State Controller, in accordance with the following schedule $885,534 00

Schedule:

(a) Salaries and Wages	$734,140 00	
(b) Operating Expenses	141,200 00	
(c) Equipment	10,194 00".	

Amendment No. 21

On page 6 of the printed bill, as amended, strike out all of lines 28 to 44, inclusive.

Amendment No. 22

On page 6 of the printed bill, as amended, strike out all of lines 48 to 50, inclusive.

Amendment No. 23

On page 7 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive.

Amendment No. 24

On page 7 of the printed bill, as amended, strike out all of lines 4 to 9, inclusive, and insert

"Item 28– For support of Motor Vehicle Fuel Tax Refund Division, State Controller, in accordance with the following schedule, payable from the Motor Vehicle Fuel Fund $136,573 00

Schedule:

(a) Salaries and Wages	$112,700.00	
(b) Operating Expenses	21,408.00	
(c) Equipment	2,465.00".	

Amendment No. 25

On page 7 of the printed bill, as amended, strike out all of lines 10 to 22, inclusive

Amendment No. 26

On page 7 of the printed bill, as amended, strike out all of lines 23 to 27, inclusive, and insert

"Item 29—For support of Redemption Tax Division, State Controller, in accordance with the following schedule, payable from the Tax-deeded Land Rental Fund $258,014.00

Schedule:

(a) Salaries and Wages	$188,200 00	
(b) Operating Expenses	66,039 00	
(c) Equipment	3,775.00"	

Amendment No. 27

On page 7, of the printed bill, as amended, strike out all of lines 28 to 42, inclusive.

Amendment No. 28

On page 7 of the printed bill, as amended, strike out all of lines 43 to 46, inclusive, and insert

"Item 30—For support of Board of Administration of the State Employees' Retirement System, in accordance with the following schedule ---------- $75,796 00

Schedule:

(a) Salaries and Wages	$66,954.00	
(b) Operating Expenses	6,800.00	
(c) Equipment	2,042 00".	

Amendment No. 29

On page 7 of the printed bill, as amended, strike out all of lines 47 to 51, inclusive.

Amendment No. 30

On page 8 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive

Amendment No. 31

On page 8 of the printed bill, as amended, strike out all of lines 6 to 12, inclusive, and insert

"Item 31—For support of State Board of Equalization, in accordance with the following schedule---------- $1,086,778.00 and in addition thereto any amounts collected for services to activities supported out of other funds, which by law are available for support of said board.

Schedule:

(a) Salaries and Wages	$1,039,845 00	
(b) Operating Expenses	308,601 00	
(c) Equipment	17,875.00	
Total of Schedule	$1,336,321 00	
Less Estimated abatement for services to activities supported out of other funds	279,543.00	
Net Appropriation	$1,086,778 00".	

Amendment No. 32

On page 8 of the printed bill, as amended, strike out all of lines 13 to 49, inclusive.

Amendment No. 33

On page 8 of the printed bill, as amended, strike out all of lines 50 to 52, inclusive; and on page 9, strike out all of lines 1 to 13, inclusive, and insert

"Item 32—For support of Retail Sales Tax Division of the State Board of Equalization, in accordance with the following schedule, payable from the Retail Sales Tax Fund---------- $5,941,756 00 (which amount may be augmented as provided by Section 661 of the Political Code if the amount thus made available under said section does not increase the total amount available for the purpose of this item during any fiscal year to an amount which exceeds 3 per cent of the amounts deposited during such year in said fund) and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said board.

Schedule:

(a) Salaries and Wages	$5,076,398.00	
(b) Operating Expenses	1,050,273 00	
(c) Equipment	48,481.00	
Total of Schedule	$6,175,152.00	
Less Estimated abatements for services to activities supported out of other funds	233,396.00	
Net Appropriation	$5,941,756.00".	

Amendment No. 34

On page 9 of the printed bill, as amended, strike out all of lines 14 to 29, inclusive

Amendment No. 35

On page 9 of the printed bill, as amended, strike out all of lines 30 to 38, inclusive, and insert

"Item 33—For support of Alcoholic Beverage Control Division of the State Board of Equalization, in accordance with the following schedule, payable from the Alcohol Beverage Control Fund ---------- $2,722,445 00

Schedule:

(a) Salaries and Wages	$2,030,414 00	
(b) Operating Expenses	654,598.00	
(c) Equipment	37,433 00".	

Amendment No. 36

On page 9 of the printed bill, as amended, strike out all of lines 39 to 52, inclusive, and on page 10, strike out all of lines 1 to 7, inclusive.

Amendment No. 37

On page 10 of the printed bill, as amended, strike out all of lines 8 to 13, inclusive, and insert

"Item 34—For support of Motor Vehicle Fuel Tax Division, State Board of Equalization, in accordance with the following schedule, payable from the Motor Vehicle Fuel Fund---------- $300,805 00

Schedule:

(a) Salaries and Wages	$219,666 00	
(b) Operating Expenses	77,753 00	
(c) Equipment	3,386.00".	

Amendment No. 38

On page 10 of the printed bill, as amended, strike out all of lines 14 to 31, inclusive.

Amendment No. 39

On page 10 of the printed bill, as amended, strike out all of lines 32 to 34, inclusive, and insert

"Item 35—For support of Franchise Tax Commission, in accordance with the following schedule---------- $336,704 00
and in addition thereto any amounts collected for services to other agencies supported out of other funds, which by law are available for support of said officer

Schedule:

(a) Salaries and Wages	$512,605 00	
(b) Operating Expenses	39,940.00	
(c) Equipment	4,979 00	
Total of Schedule	$557,524.00	
Less. Estimated pro rata general administration from Personal Income Tax Fund	220,820 00	
Net Appropriation	$336,704.00".	

Amendment No. 40

On page 10 of the printed bill, as amended, strike out all of lines 35 to 52, inclusive.

Amendment No. 41

On page 11 of the printed bill, as amended, strike out all of lines 1 to 2, inclusive.

Amendment No. 42

On page 11 of the printed bill, as amended, strike out all of lines 3 to 11, inclusive, and insert

"Item 36—For support of Franchise Tax Commissioner, in accordance with the following schedule, payable from the Personal Income Tax Fund---------- $1,614,770.00
(which amount may be augmented as provided by Section 661 of the Political Code subject to the provisions of the Personal Income Tax Act of 1935).

Schedule:

(a) Salaries and Wages	$1,139,615.00	
(b) Operating Expenses	464,497.00	
(c) Equipment	10,658 00".	

Amendment No. 43

On page 11 of the printed bill, as amended, strike out all of lines 12 to 27, inclusive.

Amendment No. 44

On page 11 of the printed bill, as amended, strike out all of lines 28 to 32, inclusive, and insert

"Item 37—For support of California Horse Racing Board, in accordance with the following schedule, payable from the Fair and Exposition Fund $59,994 00

Schedule:

(a) Salaries and Wages	$31,030 00	
(b) Operating Expenses	28,364 00	
(c) Equipment	600 00	
Total of Schedule		$59,994 00".

Amendment No. 45

On page 11 of the printed bill, as amended, strike out all of lines 33 to 42, inclusive.

Amendment No. 46

On page 11 of the printed bill, as amended, strike out all of lines 43 to 46, inclusive, and insert

"Item 38—For support of State Personnel Board, in accordance with the following schedule $630,469 00
and in addition thereto any amounts collected for services to other agencies which are by law available for support of said office.

Schedule:

(a) Salaries and Wages	$543,432 00	
(b) Operating Expenses	93,880.00	
(c) Equipment	8,157.00	
Total of Schedule	$645,469 00	
Less: Estimated abatements from other agencies	15,000.00	
Net Appropriation		$630,469.00".

Amendment No. 47

On page 11 of the printed bill, as amended, strike out all of lines 47 to 52, inclusive.

Amendment No. 48

On page 12 of the printed bill, as amended, strike out all of lines 1 to 21, inclusive.

Amendment No. 49

On page 12 of the printed bill, as amended, strike out all of lines 22 to 26, inclusive, and insert

"Item 39—For support of Railroad Commission of the State of California, in accordance with the following schedule $1,293,543 00

Schedule:

(a) Salaries and Wages	$1,067,715 00	
(b) Operating Expenses	210,566.00	
(c) Equipment	15,262.00".	

Amendment No. 50

On page 12 of the printed bill, as amended, strike out all of lines 27 to 46, inclusive.

Amendment No. 51

On page 12 of the printed bill, as amended, strike out all of lines 47 to 52, inclusive, and insert

"Item 40—For support of Transportation Rate Division, Railroad Commission of the State of California, in accordance with the following schedule, payable from the Transportation Rate Fund $798,022.00

Schedule:

(a) Salaries and Wages	$619,500.00	
(b) Operating Expenses	171,810.00	
(c) Equipment	6,712,00".	

Amendment No. 52

On page 13 of the printed bill, as amended, strike out all of lines 1 to 17, inclusive.

Amendment No. 53

On page 13 of the printed bill, as amended, strike out all of lines 18 to 20, inclusive, and insert

"Item 41—For support of Secretary of State, in accordance with the following schedule $154,010 00
and in addition thereto any amounts collected for services to other agencies which by law are available for support of said officer.

Schedule:

(a)	Salaries and Wages	$114,180.00
(b)	Operating Expenses	46,200.00
(c)	Equipment	3,630.00
	Total of Schedule	$164,010 00
Less	Estimated abatements for services to other agencies	10,000.00
	Net Appropriation	$154,010 00".

Amendment No. 54

On page 13 of the printed list, as amended, strike out all of lines 25 to 30, inclusive, and insert

"Item 43—For support of Collection Agency License Division, Secretary of State's Office, in accordance with the following schedule, payable from the Collection Agency License Fund $29,459.00

Schedule:

(a)	Salaries and Wages	$19,440 00
(b)	Operating Expenses	9,419 00
(c)	Equipment	600.00".

Amendment No. 55

On page 13 of the printed bill, as amended, strike out all of lines 31 to 40, inclusive.

Amendment No. 56

On page 13 of the printed bill, as amended, strike out all of lines 41 to 43, inclusive, and insert

"Item 44—For support of the State Treasurer, in accordance with the following schedule $148,790 00

Schedule

(a)	Salaries and Wages	$128,280 00
(b)	Operating Expenses	19,800.00
(c)	Equipment	710.00"

Amendment No. 56a

On page 13 of the printed bill, as amended, strike out all of lines 44 to 52, inclusive.

Amendment No. 57

On page 14 of the printed bill, as amended, strike out all of lines 3 to 6, inclusive, and insert

"Item 45—For support of Department of Agriculture, in accordance with the following schedule $2,890,000 00
and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department

Schedule:

(a)	Salaries and Wages	$2,332,762.00
(b)	Operating Expenses	628,590 00
(c)	Equipment	60,058 00
	Total of Schedule	$3,021,410 00
Less	Estimated pro rata cost of administration chargeable to special fund and trust fund activities	131,410.00
	Net Appropriation	$2,890,000.00"

Amendment No. 57a

On page 14 of the printed bill, as amended, strike out all of lines 7 to 51, inclusive.

Amendment No. 58

On page 15 of the printed bill, as amended, strike out all of lines 1 to 52, inclusive.

Amendment No. 59

On page 16 of the printed bill, as amended, strike out all of lines 1 to 24, inclusive.

Amendment No. 60

On page 16 of the printed bill, as amended, strike out all of lines 29 to 33, inclusive, and insert

"Item 47—For support of Department of Agriculture, in accordance with the following schedule, payable from the Department of Agriculture Fund $4,162,706 00

Schedule:

(a) Salaries and Wages	$2,920,494.00	
(b) Operating Expenses	1,129,476.00	
(c) Equipment	112,736 00".	

Amendment No. 61

On page 16 of the printed bill, as amended, strike out all of lines 34 to 51, inclusive; strike out all of page 17; and on page 18, strike out all of lines 1 to 36, inclusive.

Amendment No. 62

On page 18 of the printed bill, as amended, strike out all of lines 37 to 39, inclusive, and insert

"Item 48—For support of Farm Debt Adjustment Commission..... $1,000 00".

Amendment No. 63

On page 18 of the printed bill, as amended, strike out all of lines 40 to 44, inclusive, and insert

"Item 49—For support of Poultry Improvement Commission, payable from the Poultry Testing Project Fund ..... $8,981 00 and in addition thereto any amounts collected for services to employees which by law are available for support of said commission. Said appropriation, together with the amount appropriated by Item 50, hereof, shall be expended in accordance with the following schedule:

Schedule:

(a) Salaries and Wages	$7,400.00	
(b) Operating Expenses	7,281.00	
(c) Equipment	500 00	
Total of Schedule	$15,181.00	
Less: Estimated refunds for maintenance furnished employees	1,200.00	
Amount payable from appropriation for additional support, (Item 50)	5,000.00	
Net Appropriation	$8,981 00".	

Amendment No. 64

On page 18 of the printed bill, as amended, strike out all of lines 45 to 50, inclusive.

Amendment No. 65

On page 19 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive

Amendment No. 66

On page 19 of the printed bill, as amended, strike out all of lines 8 and 9, and insert

"Improvement Commission ..... $5,000 00".

Amendment No. 67

On page 19 of the printed bill, as amended, strike out all of lines 22 to 25, inclusive, and insert

"Item 53—For support of Department of Education, exclusive of the members of the State Board of Education, in accordance with the following schedule ..... $457,978.00 and in addition thereto any amounts collected for services to activities supported out of other funds and for sale of bulletins, which by law are available for support of said department.

Schedule:

(a) Salaries and Wages	$384,405.00	
(b) Operating Expenses	93,162.00	
(c) Equipment	4,311.00	
Total of Schedule	$481,878.00	

Less: Estimated abatements for services to activities supported out of other funds and for sale of bulletins ---------- 23,900 00

Net Appropriation ---------- $457,978.00".

Amendment No. 68

On page 19 of the printed bill, as amended, between lines 25 and 26, insert

"Item 53 5—For support of the members of the State Board of Education ---------- $2,500 00".

Amendment No. 69

On page 19 of the printed bill, as amended, strike out all of lines 26 to 51, inclusive.

Amendment No. 70

On page 20 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

Amendment No. 71

On page 20 of the printed bill, as amended, strike out all of lines 8 to 12, inclusive, and insert

"Item 54—For support of California State Library in the Department of Education, in accordance with the following schedule------- $333,632 00

Schedule:

(a) Salaries and Wages----------	$251,265.00	
(b) Operating Expenses ----------	31,912.00	
(c) Equipment ----------	50,455.00".	

Amendment No. 72

On page 20 of the printed bill, as amended, strike out all of lines 13 to 25, inclusive.

Amendment No. 73

On page 20 of the printed bill, as amended, strike out all of lines 26 to 29, inclusive, and insert

"Item 55—For publishing, purchasing, and shipping free textbooks, Department of Education---------- $1,250,000 00".

Amendment No. 74

On page 20 of the printed bill, as amended, strike out all of lines 30 to 37, inclusive.

Amendment No. 75

On page 20 of the printed bill, as amended, strike out all of lines 44 to 50, inclusive, and insert

"Item 58—For support of Chico State College, in accordance with the following schedule---------- $457,625 00
and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.

Schedule:

(a) Salaries and Wages----------	$429,935.00	
(b) Operating Expenses----------	50,665.00	
(c) Equipment ----------	19,882 00	
Total of Schedule----------	$500,482.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933----------	42,857.00	
Net Appropriation ----------	$457,625.00".	

Amendment No. 76

On page 20 of the printed bill, as amended, strike out all of lines 51 to 52, inclusive.

Amendment No. 77

On page 21 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive.

Amendment No. 78

On page 21 of the printed bill, as amended, strike out all of lines 15 to 21, inclusive, and insert

"Item 60—For support of Fresno State College, in accordance with the following schedule $798,374 00
and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.
Schedule.

(a) Salaries and Wages	$787,557.00	
(b) Operating Expenses	102,060 00	
(c) Equipment	29,907 00	
Total of Schedule	$919,524.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	121,150 00	
Net Appropriation	$798,374 00".	

Amendment No. 79

On page 21 of the printed bill, as amended, strike out all of lines 22 to 39, inclusive.

Amendment No. 80

On page 21 of the printed bill, as amended, strike out all of lines 43 to 49, inclusive, and insert

"Item 62—For support of Humboldt State College, in accordance with the following schedule $280,354.00
and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.
Schedule:

(a) Salaries and Wages	$260,776.00	
(b) Operating Expenses	33,796 00	
(c) Equipment	8,867.00	
Total of Schedule	$303,439.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	23,085.00	
Net Appropriation	$280,354.00".	

Amendment No. 81

On page 21 of the printed bill, as amended, strike out all of lines 50 to 52, inclusive.

Amendment No. 82

On page 22 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 83

On page 22 of the printed bill, as amended, strike out all of lines 12 to 18, inclusive, and insert

"Item 64—For support of San Diego State College, in accordance with the following schedule $834,503 00
and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.
Schedule:

(a) Salaries and Wages	$829,210.00	
(b) Operating Expenses	90,395.00	
(c) Equipment	35,298.00	
Total of Schedule	$954,903.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	120,400 00	
Net Appropriation	$834,503.00".	

Amendment No. 84

On page 22 of the printed bill, as amended, strike out all of lines 19 to 29, inclusive.

Amendment No. 85

On page 22 of the printed bill, as amended, strike out all of lines 34 to 40, inclusive, and insert

"Item 66—For support of San Francisco State College, in accordance with the following schedule $814,192 00

and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.

Schedule.		
(a) Salaries and Wages	$797,192.00	
(b) Operating Expenses	91,995.00	
(c) Equipment	36,800 00	
Total of Schedule	$925,987.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	111,795.00	
Net Appropriation	$814,192.00".	

Amendment No. 86

On page 22 of the printed bill, as amended, strike out all of lines 41 to 52, inclusive

Amendment No. 87

On page 23 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive.

Amendment No. 88

On page 23 of the printed bill, as amended, strike out all of lines 9 to 15, inclusive, and insert

"Item 68—For support of San Jose State College, in accordance with the following schedule $1,049,761.00

and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.

Schedule:		
(a) Salaries and Wages	$979,947.00	
(b) Operating Expenses	158,929.00	
(c) Equipment	59.005 00	
Total of Schedule	$1,197,881.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	148,120 00	
Net Appropriation	$1,049,761.00".	

Amendment No. 89

On page 23 of the printed bill, as amended, strike out all of lines 16 to 33, inclusive.

Amendment No. 90

On page 23 of the printed bill, as amended, strike out all of lines 38 to 44, inclusive, and insert

"Item 70—For support of Santa Barbara State College, in accordance with the following schedule $738,255.00

and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said college.

Schedule:		
(a) Salaries and Wages	$758,161.00	
(b) Operating Expenses	79,099 00	
(c) Equipment	42,097.00	
Total of Schedule	$879,357.00	
Less: Estimated student fees appropriated by Chapter 819, Statutes of 1933	141,102.00	
Net Appropriation	$738,255.00".	

Amendment No. 91

On page 23 of the printed bill, as amended, strike out all of lines 45 to 50, inclusive.

Amendment No. 92

On page 24 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive.

Amendment No. 93

On page 24 of the printed bill, as amended, strike out all of lines 15 to 18, inclusive, and insert

"Item 72—For support of California School for Blind at Berkeley, in accordance with the following schedule $247,499.00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said school.

Schedule:		
(a) Salaries and Wages	$184,229.00	
(b) Operating Expenses	69,320.00	
(c) Equipment	5,950.00	
Total of Schedule	$259,499.00	
Less: Estimated abatements for services to employees and for sales of surplus products	12,000 00	
Net Appropriations	$247,499.00".	

Amendment No. 94

On page 24 of the printed bill, as amended, strike out all of lines 19 to 30, inclusive.

Amendment No. 95

On page 24 of the printed bill, as amended, strike out all of lines 39 to 42, inclusive, and insert

"Item 75—For support of California School for Deaf at Berkeley, in accordance with the following schedule $513,719 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said school.

Schedule:		
(a) Salaries and Wages	$398,364.00	
(b) Operating Expenses	127,410.00	
(c) Equipment	4,945 00	
Total of Schedule	$530,719 00	
Less: Estimated abatements for services to employees and for sales of surplus products	17,000.00	
Net Appropriation	$513,719.00".	

Amendment No. 96

On page 24 of the printed bill, as amended, strike out all of lines 43 to 52, inclusive.

Amendment No. 97

On page 25 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive.

Amendment No. 98

On page 25 of the printed bill, as amended, strike out all of lines 13 to 19, inclusive, and insert

"Item 78—For support of California Maritime Academy in accordance with the following schedule $106,990 00
and in addition thereto the amount of such fees as may otherwise be made available by law for the support of said academy.

Schedule:		
(a) Salaries and Wages	$122,905 00	
(b) Operating Expenses	102,680.00	
(c) Equipment	2,205.00	
Total of Schedule	$227,790.00	
Less: Maintenance deductions	13,200.00	
Federal contributions	50,000.00	
Estimated student fees appropriated by Chapter 619, Statutes of 1937	57,600 00	
Net Appropriation	$106,990.00".	

Amendment No. 99

On page 25 of the printed bill, as amended, strike out all of lines 20 to 29, inclusive.

Amendment No. 100

On page 25 of the printed bill, as amended, strike out all of lines 30 to 39, inclusive, and insert

"Item 79—For support of University of California; provided, that not more than one-twentieth of such amount shall be expended during any one month and not more than one-half of such amount shall be expended during the Ninety-third Fiscal Year $16,841,368.00"

Amendment No. 101

On page 26 of the printed bill, as amended, strike out all of lines 6 to 12, inclusive, and insert

"Item 82—For support of Department of Finance, exclusive of Bureau of Buildings and Grounds ..... $1,203,338.00, and in addition thereto any amounts collected for services to other agencies which by law are available for support of said department. The amount appropriated by this item, together with any sum appropriated by law out of the Fair and Exposition Fund for the use of the Department of Finance in supervising and auditing district agricultural fairs and associations, shall be expended in accordance with the following schedule:

Schedule:

(a) Salaries and Wages		$1,086,090 00
(b) Operating Expenses		157,070 00
(c) Equipment		9,300 00
Total of Schedule		$1,252,460 00
Less: Estimated abatements for services to other agencies		29,122 00
Less. Amount payable from Fair and Exposition Fund		20,000 00
Net Appropriation		$1,203,338 00".

Amendment No. 102

On page 26 of the printed bill, as amended, strike out all of lines 13 to 52, inclusive

Amendment No. 103

On page 27 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 104

On page 27 of the printed bill, as amended, strike out all of lines 9 to 13, inclusive, and insert

"Item 83—For support of Bureau of Buildings and Grounds, Division of Service and Supply, Department of Finance, in accordance with the following schedule ..... $1,106,204.00 and in addition thereto any amounts collected for services to other agencies which by law are available for support of said bureau and/or department.

Schedule:

(a) Salaries and Wages		$1,365,034 00
(b) Operating Expenses		753,400 00
(c) Equipment		1,350 00
Total of Schedule		$2,119,784 00
Less Estimated abatements for pro rata building maintenance, rent, and for other services to other agencies		1,013,580 00
Net Appropriation		$1,106,204 00".

Amendment No. 105

On page 27 of the printed bill, as amended, strike out all of lines 14 to 28, inclusive.

Amendment No. 106

On page 28 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive, and insert

"Item 89—For support, Division of State Lands, State Lands Commission, Department of Finance, in accordance with the following schedule, payable from the State Lands Act Fund..... $140,518 00

Schedule:

(a) Salaries and Wages		$106,620 00
(b) Operating Expenses		32,798.00
(c) Equipment		1,100 00".

Amendment No. 107

On page 28 of the printed bill, as amended, strike out all of lines 7 to 21, inclusive

Amendment No. 108

On page 28 of the printed bill, as amended, strike out all of lines 28 to 34, inclusive, and insert

"Item 91—For support of State Agricultural Society, Division of Exhibits, Department of Finance, in accordance with the following schedule, payable from the State Agricultural Society Contingent Fund $966,765 09

Schedule:

(a) Salaries and Wages	$322,520.00	
(b) Operating Expenses	636,370.00	
(c) Equipment	7,875 00".	

Amendment No. 109

On page 28 of the printed bill, as amended, strike out all of lines 35 to 46, inclusive.

Amendment No. 110

On page 28 of the printed bill, as amended, strike out all of lines 47 to 51, inclusive.

Amendment No. 111

On page 29 of the printed bill, as amended, strike out all of lines 1 to 2, inclusive, and insert

"Item 92—For support of Sixth District Agricultural Association, Division of Exhibits, Department of Finance, in accordance with the following schedule, payable from the Sixth District Agricultural Association Fund $98,420 00

Schedule:

(a) Salaries and Wages	$78,060.00	
(b) Operating Expenses	17,410.00	
(c) Equipment	2,950.00".	

Amendment No. 112

On page 29 of the printed bill, as amended, strike out all of lines 6 to 9, inclusive, and insert

"Item 93—For support, Departmental Administration, Department of Industrial Relations, in accordance with the following schedule $71,975 00

Schedule:

(a) Salaries and Wages	$62,130 00	
(b) Operating Expenses	8,850 00	
(c) Equipment	995.00".	

Amendment No. 113

On page 29 of the printed bill, as amended, strike out all of lines 10 to 22, inclusive.

Amendment No. 114

On page 29 of the printed bill, as amended, strike out all of lines 23 to 26, inclusive, and insert

"Item 94—For Apprentice Training, Department of Industrial Relations, in accordance with the following schedule $33,895 00

Schedule:

(a) Salaries and Wages	$25,320 00	
(b) Operating Expenses	8,300 00	
(c) Equipment	275 00".	

Amendment No. 115

On page 29 of the printed bill, as amended, strike out all of lines 27 to 37, inclusive.

Amendment No. 116

On page 29 of the printed bill, as amended, strike out all of lines 38 to 43, inclusive, and insert

"Item 95—For support of Division of Industrial Accidents and Safety, Department of Industrial Relations, in accordance with the following schedule $1,272,330 00

Schedule:

(a) Salaries and Wages	$1,104,200 00	
(b) Operating Expenses	144,390.00	
(c) Equipment	23,740 00".	

Amendment No. 117

On page 29 of the printed bill, as amended, strike out all of lines 44 to 48, inclusive.

Amendment No. 118

On page 30 of the printed bill, as amended, strike out all of lines 1 to 14, inclusive

Amendment No. 119

On page 30 of the printed bill, as amended, strike out all of lines 15 to 19, inclusive, and insert

"Item 96—For support of Division of Labor Statistics and Law Enforcement, Department of Industrial Relations, in accordance with the following schedule $571,330 00

Schedule:

(a) Salaries and Wages	$466,470.00	
(b) Operating Expenses	96,025.00	
(c) Equipment	8,835 00".	

Amendment No. 120

On page 30 of the printed bill, as amended, strike out all of lines 20 to 32, inclusive

Amendment No. 121

On page 30 of the printed bill, as amended, strike out all of lines 39 to 43, inclusive, and insert

"Item 97—For support of Division of Immigration and Housing, Department of Industrial Relations, in accordance with the following schedule $150,035 00

Schedule

(a) Salaries and Wages	$110,210 00	
(b) Operating Expenses	39,125 00	
(c) Equipment	700.00".	

Amendment No. 122

On page 30 of the printed bill, as amended, strike out all of lines 44 to 48, inclusive.

Amendment No. 123

On page 31 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

Amendment No. 123a

On page 31, lines 11 and 12, of the printed bill, as amended, strike out "Department of Industrial Relations,".

Amendment No. 124

On page 31 of the printed bill, as amended, strike out all of lines 16 to 20, inclusive, and insert

"Item 98—For support of Division of Industrial Welfare, Department of Industrial Relations, in accordance with the following schedule $133,305.00

Schedule:

(a) Salaries and Wages	$107,430.00	
(b) Operating Expenses	25,190 00	
(c) Equipment	685.00"	

Amendment No. 125

On page 31 of the printed bill, as amended, strike out all of lines 21 to 33, inclusive

Amendment No. 126

On page 31 of the printed bill, as amended, strike out all of lines 39 to 44, inclusive, and insert

"Item 99—For support of Division of Fire Safety, Department of Industrial Relations, in accordance with the following schedule, payable from the Fire Marshal's Fund $204,395 00

Schedule.

(a) Salaries and Wages	$121,130.00	
(b) Operating Expenses	81,105 00	
(c) Equipment	2,160 00"	

Amendment No. 127

On page 31 of the printed bill, as amended, strike out all of lines 45 to 49, inclusive.

Amendment No. 128

On page 32 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

Amendment No. 129

On page 32 of the printed bill, as amended, strike out all of line 15, and insert "ment of Industrial Relations during the Ninety-third and Ninety-fourth Fiscal Years"

Amendment No. 130

On page 32 of the printed bill, as amended, strike out all of lines 19 to 22, inclusive, and insert

"Item 101—For support of Department of Institutions, in accordance with the following schedule $303,765 00
and in addition thereto any amounts collected for services to guardianship estates which by law are available for support of said department.

Schedule:

(a) Salaries and Wages	$192,060.00	
(b) Operating Expenses	113,900.00	
(c) Equipment	3,805 00	
Total of Schedule	$309,765.00	
Less: Estimated abatements from guardianship estates	6,000.00	
Net Appropriation	$303,765.00".	

Amendment No. 131

On page 32 of the printed bill, as amended, strike out all of lines 23 to 41, inclusive.

Amendment No. 132

On page 32, line 45, of the printed bill, as amended, following the comma after "Institutions", insert "Department of Institutions,".

Amendment No. 133

On page 33 of the printed bill, as amended, strike out all of lines 5 to 8, inclusive, and insert

"Item 105—For support of Agnews State Hospital, in accordance with the following schedule $2,234,175.00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution.

Schedule:

(a) Salaries and Wages	$1,588,350 00	
(b) Operating Expenses	729,160.00	
(c) Equipment	18,665.00	
Total of Schedule	$2,336,175.00	
Less: Estimated abatements for services to employees and for sales of surplus products	102,000.00	
Net Appropriation	$2,234,175.00".	

Amendment No. 134

On page 33 of the printed bill, as amended, strike out all of lines 9 to 29, inclusive.

Amendment No. 135

On page 33 of the printed bill, as amended, strike out all of lines 34 to 37, inclusive, and insert

"Item 107—For support of Camarillo State Hospital, in accordance with the following schedule $2,208,105 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said institution.

Schedule:

(a) Salaries and Wages	$1,589,055 00	
(b) Operating Expenses	796,100.00	
(c) Equipment	22,950 00	
Total of Schedule	$2,408,105.00	
Less: Estimated abatements for services to employees and for sales of surplus products	110,000 00	
Net Appropriation	$2,208,105.00".	

Amendment No. 136

On page 33 of the printed bill, as amended, strike out all of lines 38 to 51, inclusive

Amendment No. 137

On page 34 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive.

Amendment No. 138

On page 34 of the printed bill, as amended, strike out all of lines 16 to 19, inclusive, and insert

"Item 109—For support of Mendocino State Hospital in accordance with the following schedule $1,836,285.00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said institution

Schedule

(a) Salaries and Wages	$1,284,715 00	
(b) Operating Expenses	596,050 00	
(c) Equipment	15,520 00	
Total of Schedule	$1,896,285.00	
Less: Estimated abatements for services to employees and for sales of surplus products	60,000 00	
Net Appropriation	$1,836,285 00".	

Amendment No. 139

On page 34 of the printed bill, as amended, strike out all of lines 20 to 36, inclusive.

Amendment No. 140

On page 34 of the printed bill, as amended, strike out all of lines 41 to 44, inclusive, and insert

"Item 111—For support of Napa State Hospital, in accordance with the following schedule $2,386,866.00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said institution.

Schedule:

(a) Salaries and Wages	$1,753,970.00	
(b) Operating Expenses	702,760 00	
(c) Equipment	16,136.00	
Total of Schedule	$2,472,866 00	
Less: Estimated abatements for services to employees and for sales of surplus products	86,000.00	
Net Appropriation	$2,386,866.00".	

Amendment No. 141

On page 34 of the printed bill, as amended, strike out all of lines 45 to 50, inclusive.

Amendment No. 142

On page 35 of the printed bill, as amended, strike out all of lines 1 to 15, inclusive

Amendment No. 143

On page 35 of the printed bill, as amended, strike out all of lines 16 to 19, inclusive, and insert

"Item 112—For support of Norwalk State Hospital, in accordance with the following schedule $1,710,236.00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution.

Schedule:

(a) Salaries and Wages	$1,266,729.00	
(b) Operating Expenses	477,630.00	
(c) Equipment	16,877.00	
Total of Schedule	$1,761,236 00	
Less: Estimated abatements for services to employees and for sales of surplus products	51,000 00	
Net Appropriation	$1,710,236 00".	

Amendment No. 144

On page 35 of the printed bill, as amended, strike out all of lines 20 to 42, inclusive.

Amendment No. 145

On page 35 of the printed bill, as amended, strike out all of lines 47 to 52, inclusive, and insert

"Item 114—For support of Patton State Hospital, in accordance with the following schedule $2,421,926 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution

Schedule.

(a) Salaries and Wages	$1,797,850 00	
(b) Operating Expenses	679,648 00	
(c) Equipment	19,228 00	
Total of Schedule	$2,496,726.00	
Less: Estimated abatements for services to employees and for sales of surplus products	74,800 00	
Net Appropriation		$2,421,926.00".

Amendment No. 146

On page 36 of the printed bill, as amended, strike out all of lines 1 to 19, inclusive.

Amendment No. 147

On page 36 of the printed bill, as amended, strike out all of lines 24 to 27, inclusive, and insert

"Item 116—For support of Stockton State Hospital, in accordance with the following schedule $2,722,523 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution

Schedule:

(a) Salaries and Wages	$1,963,420.00	
(b) Operating Expenses	825,489 00	
(c) Equipment	34,414.00	
Total of Schedule	$2,823,323 00	
Less: Estimated abatements for services to employees and for sales of surplus products	100,800 00	
Net Appropriation		$2,722,523 00".

Amendment No. 148

On page 36 of the printed bill, as amended, strike out all of lines 28 to 50, inclusive.

Amendment No. 149

On page 37 of the printed bill, as amended, strike out all of lines 4 to 7, inclusive, and insert

"Item 118—For support of Pacific Colony and State Narcotic Hospital, in accordance with the following schedule $1,258,677 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution

Schedule.

(a) Salaries and Wages	$814,180.00	
(b) Operating Expenses	487,628 00	
(c) Equipment	8,869 00	
Total of Schedule	$1,310,677 00	
Less: Estimated abatements for services to employees and for sales of surplus products	52,000 00	
Net Appropriation		$1,258,677.00"

Amendment No. 150

On page 37 of the printed bill, as amended, strike out all of lines 8 to 25, inclusive.

Amendment No. 151

On page 37 of the printed bill, as amended, strike out all of lines 31 to 34, inclusive, and insert

"Item 120—For support of Sonoma State Home, in accordance with the following schedule $2,214,486 00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said institution.

Schedule.

(a) Salaries and Wages		$1,553,013 00
(b) Operating Expenses		687,040 00
(c) Equipment		24,833 00
Total of Schedule		$2,264,886 00
Less Estimated abatements for services to employees and for sales of surplus products		50,400.00
Net Appropriation		$2,214,486 00".

Amendment No. 152

On page 37 of the printed bill, as amended, strike out all of lines 35 to 50, inclusive.

Amendment No. 153

On page 38 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive

Amendment No. 154

On page 38 of the printed bill, as amended, strike out all of lines 5 to 8, inclusive, and insert

"Item 121—For support of Preston School of Industry, in accordance with the following schedule $1,130,410 00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said school

Schedule:

(a) Salaries and Wages		$815,485 00
(b) Operating Expenses		339,070 00
(c) Equipment		20,055 00
Total of Schedule		$1,174,610.00
Less: Estimated abatements for services to employees and for sales of surplus products		44,200 00
Net Appropriation		$1,130,410 00"

Amendment No. 155

On page 38 of the printed bill, as amended, strike out all of lines 9 to 26, inclusive.

Amendment No. 156

On page 38 of the printed bill, as amended, strike out all of lines 30 to 33, inclusive, and insert

"Item 123—For support of Whittier State School, in accordance with the following schedule $596,364 00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which are by law available for support of said school.

Schedule:

(a) Salaries and Wages		$454,224 00
(b) Operating Expenses		172,650 00
(c) Equipment		9,490 00
Total of Schedule		$636,364 00
Less: Estimated abatements for services to employees and for sales of surplus products		40,000 00
Net Appropriation		$596,364.00"

Amendment No. 157

On page 38 of the printed bill, as amended, strike out all of lines 34 to 50, inclusive.

Amendment No. 158

On page 39 of the printed bill, as amended, strike out all of lines 5 to 8, inclusive, and insert

"Item 125—For support of Ventura School for Girls, in accordance with the following schedule $337,625 00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for said school.

Schedule:		
(a) Salaries and Wages		$263,656.00
(b) Operating Expenses		97,340.00
(c) Equipment		5,529 00
Total of Schedule		$366,525 00
Less: Estimated abatements for services to employees and for sales of surplus products		28,900 00
Net Appropriation		$337,625.00".

Amendment No. 159

On page 39 of the printed bill, as amended, strike out all of lines 9 to 24, inclusive.

Amendment No. 160

On page 39 of the printed bill, as amended, strike out all of lines 29 to 31, inclusive, and insert

"Item 127—For support of Industrial Homes for Adult Blind, in accordance with the following schedule $247,854 00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution.

Schedule:		
(a) Salaries and Wages		$172,500.00
(b) Operating Expenses		80,980 00
(c) Equipment		2,574 00
Total of Schedule		$256,054.00
Less: Estimated abatements for services to employees and for sales of surplus products		8,200.00
Net Appropriation		$247,854.00".

Amendment No. 161

On page 39 of the printed bill, as amended, strike out all of lines 32 to 43, inclusive.

Amendment No. 162

On page 39 of the printed bill, as amended, strike out all of lines 48 to 51, inclusive, and insert

"Item 129—For support of Industrial Workshop for Adult Blind, in accordance with the following schedule $58,794.00

Schedule:		
(a) Salaries and Wages		$44,700.00
(b) Operating Expenses		12,910 00
(c) Equipment		1,184.00
Total of Schedule		$58.794 00".

Amendment No. 163

On page 40 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive.

Amendment No. 164

On page 40 of the printed bill, as amended, strike out all of lines 12 to 15, inclusive, and insert

"Item 130—For support of State Blind Shop, in accordance with the following schedule $27,610.00

Schedule:		
(a) Salaries and Wages		$17,850.00
(b) Operating Expenses		9,060.00
(c) Equipment		700.00
Total of Schedule		$27,610.00".

Amendment No. 165

On page 40 of the printed bill, as amended, strike out all of lines 16 to 27, inclusive.

Amendment No. 166

On page 40 of the printed bill, as amended, strike out all of lines 37 to 41, inclusive, and insert

"Item 132—For support of Division of Banking, Department of Investment, in accordance with the following schedule, payable from the Banking Fund $262,800.00

Schedule:

(a) Salaries and Wages	$206,750.00
(b) Operating Expenses	55,050.00
(c) Equipment	1,000.00".

Amendment No. 167

On page 40 of the printed bill, as amended, strike out all of lines 42 to 46, inclusive.

Amendment No. 168

On page 41 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive.

Amendment No. 169

On page 41 of the printed bill, as amended, strike out all of lines 6 to 11, inclusive, and insert

"Item 133—For support of Division of Building and Loan, Department of Investment, in accordance with the following schedule, payable from the Building and Loan Inspection Fund $149,607.00

Schedule:

(a) Salaries and Wages	$118,207.00
(b) Operating Expenses	30,000.00
(c) Equipment	1,400.00".

Amendment No. 170

On page 41 of the printed bill, as amended, strike out all of lines 12 to 25, inclusive.

Amendment No. 171

On page 41 of the printed bill, as amended, strike out all of lines 26 to 31, inclusive, and insert

"Item 134—For support of Division of Corporations, Department of Investment, in accordance with the following schedule, payable from the Corporation Commission Fund $783,521 00

Schedule:

(a) Salaries and Wages	$626,303.00
(b) Operating Expenses	149,218 00
(c) Equipment	8,000 00".

Amendment No. 172

On page 41 of the printed bill, as amended, strike out all of lines 32 to 51, inclusive.

Amendment No. 173

On page 42 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive, and insert

"Item 135—For support of the Division of Insurance, Department of Investment, in accordance with the following schedule, payable from the Insurance Fund $764,347.00

Schedule:

(a) Salaries and Wages	$525,900.00
(b) Operating Expenses	235,306.00
(c) Equipment	3,141 00".

Amendment No. 174

On page 42 of the printed bill, as amended, strike out all of lines 6 to 20, inclusive.

Amendment No. 175

On page 42 of the printed bill, as amended, strike out all of lines 21 to 25, inclusive, and insert

"Item 136—For support of the Division of Real Estate, Department of Investment, in accordance with the following schedule, payable from the Real Estate Fund $366,962 00

Schedule:

(a) Salaries and Wages	$251,670 00
(b) Operating Expenses	112,092 00
(c) Equipment	3,200 00".

Amendment No. 176

On page 42 of the printed bill, as amended, strike out all of lines 26 to 40, inclusive.

Amendment No. 177

On page 42 of the printed bill, as amended, strike out all of lines 41 to 44, inclusive, and insert

"Item 137—For support of California Districts Securities Commission, in accordance with the following schedule $26,850 00

Schedule:

(a) Salaries and Wages $22,440 00
(b) Operating Expenses 4,310 00
(c) Equipment ..... 100.00".

Amendment No. 178

On page 42 of the printed bill, as amended, strike out all of lines 45 to 50, inclusive.

Amendment No. 179

On page 43 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive.

Amendment No. 180

On page 43 of the printed bill, as amended, strike out all of lines 10 to 17, inclusive, and insert

"Item 138—For support of The Adjutant General and the California National Guard, including rental of Armories, and maintenance of High School Cadets, in accordance with the following schedule $338,258 00

Schedule:

(a) Salaries and Wages $219,373.00
(b) Operating Expenses 97,955 00
(c) Equipment ..... 20,930 00".

Amendment No. 181

On page 43 of the printed bill, as amended, strike out all of lines 18 to 51, inclusive.

Amendment No. 182

On page 44 of the printed bill, as amended, strike out all of lines 1 to 34, inclusive.

Amendment No. 183

On page 44 of the printed bill, as amended, after line 34, insert

"Item 138.5—For allowances to organizations of the California National Guard, The Adjutant General $421,765 00

The moneys appropriated under this item are available only for the purposes specified in Sections 330 to 332, inclusive, of the Military and Veterans Code. Any amounts remaining unexpended at the end of the biennium shall revert to the General Fund."

Amendment No. 184

On page 44 of the printed bill, as amended, strike out all of lines 35 to 40, inclusive, and insert

"Item 139—For construction, improvements, and equipment of armories, arsenals, stables, rifle ranges, and camp sites, The Adjutant General and the California National Guard ..... $31,400.00".

Amendment No. 185

On page 44 of the printed bill, as amended, strike out all of lines 41 to 52, inclusive.

Amendment No. 186

On page 45 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive, and insert

"Item 140—For support of Veterans' Home of California $843,584.00

and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said home. The appropriation made by this item, together with any funds made available for support of the Veterans' Home of California by the Federal Government, or any agency thereof, shall be expended in accordance with the following schedule:

Schedule:

(a) Salaries and Wages $976,684.00
(b) Operating Expenses 595,900 00
(c) Equipment 9,600.00

Total of Schedule $1,582,184 00

Less: Estimated amount payable from funds by the Federal Government or any agency thereof	648,000 00	
Less Estimated abatements for services to employees and for sales of surplus products	90,600 00	
Net Appropriation		$843,584 00".

Amendment No. 187

On page 45 of the printed bill, as amended, strike out all of lines 5 to 23, inclusive

There is no Amendment No. 188

Amendment No. 189

On page 45 of the printed bill, as amended, strike out all of lines 33 to 35, inclusive, and insert

"Item 143—For support of Women's Relief Corps Home, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said institution. $77,740 00

Schedule:		
(a) Salaries and Wages	$57,882.00	
(b) Operating Expenses	24,265.00	
(c) Equipment	1,093 00	
Total of Schedule	$83,240.00	
Less: Estimated abatements for services to employees and for sales of surplus products	5,500.00	
Net Appropriation	$77,740.00".	

Amendment No. 190

On page 45 of the printed bill, as amended, strike out all of lines 36 to 45, inclusive.

Amendment No. 191

On page 45 of the printed bill, as amended, strike out all of lines 49 to 52, inclusive.

Amendment No. 192

On page 46 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive, and insert

"Item 145—For support of State Athletic Commission in accordance with the following schedule, payable from the Athletic Commission Fund which amount shall not be augmented under the provisions of Section 661 of the Political Code. $124,978 00

Schedule:		
(a) Salaries and Wages	$92,650.00	
(b) Operating Expenses	31,128 00	
(c) Equipment	1,200.00".	

Amendment No. 193

On page 46 of the printed bill, as amended, strike out all of lines 5 to 22, inclusive.

Amendment No. 194

On page 46 of the printed bill, as amended, strike out all of lines 26 to 31, inclusive.

Amendment No. 195

On page 46 of the printed bill, as amended, strike out all of lines 32 to 41, inclusive, and insert

"Item 146—For support of Department of Motor Vehicles, payable from the Motor Vehicle Support Fund $12,601,205 00
The appropriation made by this item, together with any amounts appropriated for support of Motor Vehicle License Fee Administration out of the Motor Vehicle License Fee Fund, shall be expended in accordance with the following schedule

Schedule:	
(a) Salaries and Wages	$9,908,427 00
(b) Operating Expenses	3,171,555.00
(c) Equipment	523,043.00
Total of Schedule	$13,603,025.00

Less: Estimated amount payable from Motor Vehicle License Fee Fund	1,001,820.00	
Net Appropriation		$12,601,205 00".

Amendment No. 196

On page 46 of the printed bill, as amended, strike out all of lines 42 to 52, inclusive; and on page 47, strike out all of lines 1 to 31, inclusive.

Amendment No. 197

On page 47 of the printed bill, as amended, strike out all of lines 32 to 48, inclusive, and insert

"Item 147—For support of Motor Vehicle License Fee Administration, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund $1,001,820.00
(which amount may be augmented as provided by Section 661 of the Political Code if the amount thus made available under said section does not increase the total amount available for the purpose of this item during any fiscal year to an amount which exceeds 5 per cent of the amounts deposited during such year in said Motor Vehicle License Fee Fund)."

Amendment No. 198

On page 48 of the printed bill, as amended, strike out all of lines 3 to 6, inclusive, and insert

"Item 148—For support of Departmental Administration, Department of Natural Resources, in accordance with the following schedule $96,110 00
and in addition thereto any amounts collected for services to activities supported out of other funds, which by law are available for support of said division.

Schedule:

(a) Salaries and Wages	$170,690.00	
(b) Operating Expenses	31,690.00	
(c) Equipment	1,490 00	
Total of Schedule	$203,870.00	
Less: Estimated abatements for services to activities supported out of other funds	107,760 00	
Net Appropriation		$96,110 00".

Amendment No. 199

On page 48 of the printed bill, as amended, strike out all of lines 7 to 16, inclusive.

Amendment No. 200

On page 48 of the printed bill, as amended, strike out all of lines 17 to 21, inclusive, and insert

"Item 149—For support of Division of Forestry, Department of Natural Resources $1,908,626.00
and in addition thereto any amounts collected for services to other agencies and to employees, which by law are available for support of said division. The appropriation made by this item, together with any amounts available for support of the Division of Forestry out of appropriations from the Fire Prevention Fund and for funds made available by the Federal Government, or any agency thereof, shall be expended in accordance with the following schedule:

Schedule:

(a) Salaries and Wages	$1,790,417.00	
(b) Operating Expenses	1,122,154.00	
(c) Equipment	177,721.00	
Total of Schedule	$3,090,292 00	
Less: Estimated abatements:		
For maintenance furnished to employees	16,000.00	
For services to counties under cooperative agreements	412,300.00	
Less: Amount payable from Fire Prevention Fund	140,000 00	
Less: Estimated amount payable from funds made available by the Federal Government	613,366.00	
Net Appropriation		$1,908,626.00".

Amendment No. 201

On page 48 of the printed bill, as amended, strike out all of lines 22 to 43, inclusive.

Amendment No. 202

On page 48 of the printed bill, as amended, strike out all of lines 49 and 50; and on page 49, strike out all of lines 1 to 4, inclusive, and insert

"Item 150—For support of Division of Mines, Department of Natural Resources, in accordance with the following schedule and in addition thereto any amounts collected for services to activities supported out of other funds, which by law are available for support of said division. $175,876.00

Schedule:

(a) Salaries and Wages	$134,346.00
(b) Operating Expenses	49,070.00
(c) Equipment	2,560.00
Total of Schedule	$185,976.00
Less: Amounts payable for services to activities supported out of other funds	10,100 00
Net Appropriation	$175,876 00".

Amendment No. 203

On page 49 of the printed bill, as amended, strike out all of lines 5 to 18, inclusive.

Amendment No. 204

On page 49 of the printed bill, as amended, strike out all of lines 30 to 35, inclusive, and insert

"Item 152—For support of Division of Parks, Department of Natural Resources, in accordance with the following schedule, payable from the State Park Maintenance and Acquisition Fund and in addition thereto any amounts collected for services to employees which are by law available for the support of said division. The appropriation made by this item, together with any amount appropriated from the State Park Maintenance Fund, shall be expended in accordance with the following schedule: $276,310.00

Schedule:

(a) Salaries and Wages	$294,997.00
(b) Operating Expenses	157,980 00
(c) Equipment	19,788 00
Total of Schedule	$472,765.00
Less: Estimated abatements for maintenance furnished to employees	11,700 00
Amount payable from State Park Maintenance Fund	184,755.00
Net appropriations	$276,310 00".

Amendment No. 205

On page 49 of the printed bill, as amended, strike out all of lines 36 to 51, inclusive.

Amendment No. 206

On page 50 of the printed bill, as amended, strike out all of lines 12 to 18, inclusive, and insert

"Item 155—For construction, improvements and equipment of State Parks, Division of Parks, Department of Natural Resources, payable from the State Park Maintenance and Acquisition Fund $48,450.00

Item 155.1—For construction, improvements and repairs to California's First Capitol, First Theater, and Custom House in Monterey County, Division of Parks, Department of Natural Resources $5,000.00

Item 155.2—For repairs and restoration of the Arrowhead in San Bernardino County, Division of Parks, Department of Natural Resources, provided that any sum expended from this appropriation shall be matched by like amounts received from private or other sources $1,000.00

Item 155.3—For acquisition and maintenance as an historical monument, property known as El Alisel in Los Angeles County, Division of Parks, Department of Natural Resources, provided that any sum expended from this appropriation shall be matched by like amounts in money, property or lands received from private or other sources $5,000.00

Item 155.4—For acquisition of additional redwood park areas in Humboldt and Del Norte Counties, Division of Parks, Department of Natural Resources, provided that any sum expended from this appropriation shall be matched by like amounts in money, property or lands received from private or other sources $102,222 00".

Amendment No. 207

On page 50 of the printed bill, as amended, strike out all of lines 19 to 34, inclusive.

Amendment No. 208

On page 50 of the printed bill, as amended, strike out all of lines 35 to 45, inclusive, and insert

"Item 156—For support of Division of Fish and Game, Department of Natural Resources, including license commissions, State Fair and other exhibits, and for the maintenance and construction of fish screens and other stream improvements, in accordance with the following schedule, payable from the Fish and Game Preservation Fund ---------- $4,150,739 00
and in addition thereto any amounts collected for services to employees which by law are available for support of said division.

Schedule:

(a) Salaries and Wages	$2,250,670.00	
(b) Operating Expenses	1,711,667.00	
(c) Equipment	201,998 00	
Total of Schedule		$4,164,335 00
Less: Estimated refunds for maintenance furnished employees	13,596 00	
Net Appropriation		$4,150,739 00".

Amendment No. 209

On page 50 of the printed bill, as amended, strike out all of lines 46 to 51, inclusive.

Amendment No. 210

On page 51 of the printed bill, as amended, strike out all of lines 1 to 27, inclusive

Amendment No. 211

On page 51 of the printed bill, as amended, strike out all of lines 47 to 52, inclusive, and insert

"Item 159—For support of Division of Oil and Gas, Department of Natural Resources, in accordance with the following schedule, payable from the Petroleum and Gas Fund ---------- $440,455 00

Schedule:

(a) Salaries and Wages	$318,594 00
(b) Operating Expenses	115,167 00
(c) Equipment	6,694 00".

Amendment No. 212

On page 52 of the printed bill, as amended, strike out all of lines 1 to 12, inclusive

Amendment No. 213

On page 52 of the printed bill, as amended, strike out all of lines 22 to 26, inclusive, and insert

"Item 161—For support of Division of Criminal Identification and Investigation ---------- $395,688.00
and in addition thereto any amounts collected for services to other agencies which by law are available for support of said division. The amount appropriated by this item, together with any amount appropriated from the Motor Vehicle Fund for support of the Division of Criminal Identification and Investigation, shall be expended in accordance with the following schedule.

Schedule:

(a) Salaries and Wages	$260,880 00	
(b) Operating Expenses	229,208 00	
(c) Equipment	7,600.00	
Total of Schedule		$497,688.00
Less: Estimated abatements for services to other agencies	32,000.00	
Amount payable from Motor Vehicle Fund	70.000 00	
Net Total Appropriation		$395,688 00".

Amendment No. 214

On page 52 of the printed bill, as amended, strike out all of lines 27 to 42, inclusive.

Amendment No. 215

On page 52 of the printed bill, as amended, strike out all of lines 48 to 51, inclusive, and insert

"Item 163—For support of Division of Narcotic Enforcement, in accordance with the following schedule $181,940 00

Schedule.

(a) Salaries and Wages	$126,600.00	
(b) Operating Expenses	53,840.00	
(c) Equipment	1,500.00".	

Amendment No. 216

On page 53 of the printed bill, as amended, strike out all of lines 1 to 13, inclusive.

Amendment No. 217

On page 53 of the printed bill, as amended, strike out all of lines 14 to 16, inclusive, and insert

"Item 164—For support of Advisory Pardon Board, in accordance with the following schedule $13,970 00

Schedule:

(a) Salaries and Wages	$9,120 00	
(b) Operating Expenses	4,650 00	
(c) Equipment	200.00".	

Amendment No. 218

On page 53 of the printed bill, as amended, strike out all of lines 17 to 26, inclusive.

Amendment No. 219

On page 53 of the printed bill, as amended, strike out all of lines 27 to 31, inclusive, and insert

"Item 165—For support of Detective License Bureau, Board of Prison Directors, in accordance with the following schedule, payable from the Detective Agency Contingent Fund $18,490.00

Schedule:

(a) Salaries and Wages	$10,800.00	
(b) Operating Expenses	7,590.00	
(c) Equipment	100.00	
Total of Schedule	$18,490.00".	

Amendment No. 220

On page 53 of the printed bill, as amended, strike out all of lines 32 to 42, inclusive.

Amendment No. 221

On page 53 of the printed bill, as amended, strike out all of lines 43 to 49, inclusive, and insert

"Item 166—For support of Folsom State Prison, in accordance with the following schedule $1,520,002.00
and in addition thereto any amounts collected for services to employees and for sales of surplus products, which by law are available for support of said prison

Schedule.

(a) Salaries and Wages	$873,440 00	
(b) Operating Expenses	691,082 00	
(c) Equipment	17,480.00	
Total of Schedule	$1,582,002.00	
Less: Estimated abatements for services to employees and sale of surplus products	62,000 00	
Net Appropriation	$1,520,002.00"	

Amendment No. 222

On page 54 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 223

On page 54 of the printed bill, as amended, strike out all of lines 12 to 15, inclusive, and insert

"Item 168—For support of San Quentin Prison in accordance with the following schedule $2,191,184.00

and in addition thereto any amounts collected for services to employees and for sales for surplus products which by law are available for support of said prison.

Schedule:	
(a) Salaries and Wages	$1,161,020.00
(b) Operating Expenses	1,184,491.00
(c) Equipment	26,193.00
Total of Schedule	$2,371,704.00
Less: Estimated abatements for services to employees and sales of surplus products	180,520.00
Net Appropriation	$2,191,184.00".

Amendment No. 224

On page 54 of the printed bill, as amended, strike out all of lines 16 to 27, inclusive.

Amendment No. 225

On page 54 of the printed bill, as amended, strike out all of lines 37 to 39, inclusive, and insert

"Item 171—For support of Southern California Prison, in accordance with the following schedule $648,370 00

and in addition thereto any amounts collected for services to employees and for sales of surplus products which by law are made available for support of said prison.

Schedule:	
(a) Salaries and Wages	$351,860.00
(b) Operating Expenses	317,110.00
(c) Equipment	3,400 00
Total of Schedule	$672,370 00
Less: Estimated abatements for services to employees and for sales of surplus products	24,000.00
Net Appropriation	$648,370.00".

Amendment No. 226

On page 54 of the printed bill, as amended, strike out all of lines 40 to 49, inclusive.

Amendment No. 227

On page 55 of the printed bill, as amended, strike out all of lines 3 to 6, inclusive, and insert

"Item 173—For support of California Institution for Women, in accordance with the following schedule $217,693 00

and in addition thereto any amounts collected for services to employees and sales of surplus products which by law are available for support of said institution.

Schedule:	
(a) Salaries and Wages	$155,696.00
(b) Operating Expenses	82,720.00
(c) Equipment	4,277.00
Total of Schedule	$242,693 00
Less: Estimated abatements for services to employees and sales of surplus products	25,000 00
Net Appropriation	$217,693.00".

Amendment No. 228

On page 55 of the printed bill, as amended, strike out all of lines 7 to 19, inclusive.

Amendment No. 229

On page 55 of the printed bill, as amended, strike out all of lines 20 to 25, inclusive, and insert

"Item 174—For support of Board of Prison Terms and Paroles, in accordance with the following schedule $50,870 00

Schedule:	
(a) Salaries and Wages	$38,540 00
(b) Operating Expenses	12,100 00
(c) Equipment	230.00".

Amendment No. 230

On page 55 of the printed bill, as amended, strike out all of lines 26 to 33, inclusive, and insert

"Item 1745—For support of Parole Department, State Board of Prison Directors, in accordance with the following schedule---- $227,390.00

Schedule.

(a) Salaries and Wages	$162,480.00	
(b) Operating Expenses	59,840 00	
(c) Equipment	5,070.00".	

Amendment No. 231

On page 55 of the printed bill, as amended, strike out all of lines 51 to 52, inclusive

Amendment No. 232

On page 56 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive, and insert

"Item 178—For support of State Board of Accountancy, in accordance with the following schedule, payable from the Board of Accountancy Fund ---- $21,991 00

Schedule.

(a) Salaries and Wages	$12,438 00	
(b) Operating Expenses	9,453.00	
(c) Equipment	100.00".	

Amendment No. 233

On page 56 of the printed bill, as amended, strike out all of lines 4 to 13, inclusive.

Amendment No. 234

On page 56 of the printed bill, as amended, strike out all of lines 14 to 18, inclusive, and insert

"Item 179—For support of State Board of Architecture, Northern District, in accordance with the following schedule, payable from the Board of Architecture, Northern District, Fund---- $8,416 00

Schedule:

(a) Salaries and Wages	$3,910 00	
(b) Operating Expenses	4,486 00	
(c) Equipment	20 00"	

Amendment No. 235

On page 56 of the printed bill, as amended, strike out all of lines 19 to 29, inclusive.

Amendment No. 236

On page 56 of the printed bill, as amended, strike out all of lines 30 to 35, inclusive, and insert

"Item 180—For support of State Board of Architecture, Southern District, in accordance with the following schedule, payable from the Board of Architecture, Southern District, Fund---- $15,957 00

Schedule:

(a) Salaries and Wages	$9,315.00	
(b) Operating Expenses	6,592.00	
(c) Equipment	50.00".	

Amendment No. 237

On page 56 of the printed bill, as amended, strike out all of lines 36 to 46, inclusive.

Amendment No. 238

On page 56 of the printed bill, as amended, strike out all of lines 47 to 51, inclusive, and insert

"Item 181—For support of State Board of Barber Examiners, in accordance with the following schedule, payable from the State Board of Barber Examiners' Fund---- $108,304.00

Schedule:

(a) Salaries and Wages	$72,360 00	
(b) Operating Expenses	34,474.00	
(c) Equipment	1,470.00".	

Amendment No. 239

On page 57 of the printed bill, as amended, strike out all of lines 1 to 17, inclusive.

Amendment No. 240

On page 57 of the printed bill, as amended, strike out all of lines 27 to 31, inclusive, and insert

"Item 182—For support of Board of Registration for Civil Engineers, in accordance with the following schedule, payable from the Civil Engineers Fund $60,332.00

Schedule.

(a) Salaries and Wages	$37,160.00	
(b) Operating Expenses	22,992.00	
(c) Equipment	180.00".	

Amendment No. 241

On page 57 of the printed bill, as amended, strike out all of lines 32 to 45, inclusive.

Amendment No. 242

On page 57 of the printed bill, as amended, strike out all of lines 46 to 50, inclusive, and insert

"Item 183—For support of Contractors' License Bureau, in accordance with the following schedule, payable from the Contractors' License Fund $467,606.00

Schedule.

(a) Salaries and Wages	$293,410 00	
(b) Operating Expenses	168,866.00	
(c) Equipment	5,330 00"	

Amendment No. 243

On page 57 of the printed bill, as amended, strike out all of lines 51 to 52, inclusive.

Amendment No. 244

On page 58 of the printed bill, as amended, strike out lines 1 to 12, inclusive

Amendment No. 245

On page 58 of the printed bill, as amended, strike out all of lines 13 to 17, inclusive, and insert

"Item 184—For support of State Board of Cosmetology, in accordance with the following schedule, payable from the Board of Cosmetology Contingent Fund $193,534 00

Schedule:

(a) Salaries and Wages	$118,290.00	
(b) Operating Expenses	74,354 00	
(c) Equipment	890 00".	

Amendment No. 246

On page 58 of the printed bill, as amended, strike out all of lines 18 to 30, inclusive.

Amendment No. 247

On page 58 of the printed bill, as amended, strike out all of lines 31 to 34, inclusive, and insert

"Item 185—For support of Board of Dental Examiners, in accordance with the following schedule, payable from the Dentistry Fund $68,151 00

Schedule:

(a) Salaries and Wages	$40,740.00	
(b) Operating Expenses	27,411 00	
(c) Equipment	Nothing".	

Amendment No. 248

On page 58 of the printed bill, as amended, strike out all of lines 35 to 47, inclusive

Amendment No. 249

On page 58 of the printed bill, as amended, strike out all of lines 48 to 50, inclusive, and on page 59, strike out all of lines 1 and 2, and insert

"Item 186—For support of Funeral Directors and Embalmers, in accordance with the following schedule, payable from the Funeral Directors and Embalmers' Fund $43,563.00

Schedule:

(a) Salaries and Wages	$25,720.00	
(b) Operating Expenses	17,123 00	
(c) Equipment	720.00".	

Amendment No. 250

On page 59 of the printed bill, as amended, strike out all of lines 3 to 15, inclusive.

Amendment No. 251

On page 59 of the printed bill, as amended, strike out all of lines 16 to 23, inclusive, and insert

"Item 187—For support of Bureau of Furniture and Bedding Inspection, Department of Professional and Vocational Standards, in accordance with the following schedule, payable from the Bureau of Furniture and Bedding Inspection Fund $153,239 00

Schedule:

(a) Salaries and Wages	$95,990 00	
(b) Operating Expenses	55,509 00	
(c) Equipment	1,740.00".	

Amendment No. 252

On page 59 of the printed bill, as amended, strike out all of lines 24 to 39, inclusive.

Amendment No. 253

On page 59 of the printed bill, as amended, strike out all of lines 40 to 44, inclusive, and insert

"Item 188—For support of State Board of Medical Examiners, in accordance with the following schedule, payable from Medical Examiners' Contingent Fund $154,384.00

Schedule:

(a) Salaries and Wages	$84,790.00	
(b) Operating Expenses	69,364.00	
(c) Equipment	230.00".	

Amendment No. 254

On page 59 of the printed bill, as amended, strike out all of lines 45 to 50, inclusive.

Amendment No. 255

On page 60 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive.

Amendment No. 256

On page 60 of the printed bill, as amended, strike out all of lines 7 to 11, inclusive, and insert

"Item 189—For support of Board of Nurse Examiners, in accordance with the following schedule, payable from the Board of Nurse Examiners' Fund $93,714 00

Schedule:

(a) Salaries and Wages	$55,990 00	
(b) Operating Expenses	37,414 00	
(c) Equipment	310 00"	

Amendment No. 257

On page 60 of the printed bill, as amended, strike out all of lines 12 to 24, inclusive.

Amendment No. 258

On page 60 of the printed bill, as amended, strike out all of lines 25 to 28, inclusive, and insert

"Item 190—For support of State Board of Optometry, in accordance with the following schedule, payable from the Board of Optometry Fund $18,178 00

Schedule:

(a) Salaries and Wages	$10,150 00	
(b) Operating Expenses	7,968 00	
(c) Equipment	60 00".	

Amendment No. 259

On page 60 of the printed bill, as amended, strike out all of lines 29 to 41, inclusive

Amendment No. 260

On page 60 of the printed bill, as amended, strike out all of lines 42 to 46, inclusive, and insert

"Item 191—For support of State Board of Pharmacy, in accordance with the following schedule, payable from the Pharmacy Board Contingent Fund $123,371 00

Schedule:

(a) Salaries and Wages	$77,974 00	
(b) Operating Expenses	43,457 00	
(c) Equipment	1,940.00".	

Amendment No. 261

On page 60 of the printed bill, as amended, strike out all of lines 47 to 50, inclusive.

Amendment No. 262

On page 61 of the printed bill, as amended, strike out all of lines 1 to 10, inclusive.

Amendment No. 263

On page 61 of the printed bill, as amended, strike out all of lines 11 to 16, inclusive, and insert

"Item 192—For support of Structural Pest Control Board, in accordance with the following schedule, payable from the Structural Pest Control Board Fund $19,600 00

Schedule:

(a) Salaries and Wages	$10,608 00	
(b) Operating Expenses	8,892.00	
(c) Equipment	100.00".	

Amendment No. 264

On page 61 of the printed bill, as amended, strike out all of lines 17 to 21, inclusive, and insert

"Item 193—For support of Board of Examiners in Veterinary Medicine, in accordance with the following schedule, payable from the Veterinary Medicine Examiners' Contingent Fund $11,141.00

Schedule:

(a) Salaries and Wages	$5,880.00	
(b) Operating Expenses	5,246.00	
(c) Equipment	15 00".	

Amendment No. 265

On page 61 of the printed bill, as amended, strike out all of lines 22 to 35, inclusive.

Amendment No. 266

On page 61 of the printed bill, as amended, strike out all of lines 36 to 37, inclusive, and insert

"Item 194—For support of Yacht and Ship Brokers Commission, in accordance with the following schedule, payable from the Yacht and Ship Brokers Fund $8,892 00

Schedule:

(a) Salaries and Wages	$4,792.00	
(b) Operating Expenses	4,080.00	
(c) Equipment	20.00".	

Amendment No. 267

On page 61 of the printed bill, as amended, strike out all of lines 38 to 41, inclusive.

Amendment No. 268

On page 61 of the printed bill, as amended, strike out all of lines 42 to 46, inclusive, and insert

"Item 195—For support of Board of Chiropractic Examiners, in accordance with the following schedule, payable from the Chiropractic Examiners' Fund $26,355.00

Schedule:

(a) Salaries and Wages	$15,780.00	
(b) Operating Expenses	10,350.00	
(c) Equipment	225.00".	

Amendment No. 269

On page 61 of the printed bill, as amended, strike out all of lines 47 to 52, inclusive.

Amendment No. 270

On page 62 of the printed bill, as amended, strike out all of lines 1 to 8, inclusive.

Amendment No. 271

On page 62 of the printed bill, as amended, strike out all of lines 9 to 13, inclusive, and insert

"Item 196—For support of State Board of Osteopathic Examiners, in accordance with the following schedule, payable from the Osteopathic Examiners' Contingent Fund $25,094.00

Schedule:

(a) Salaries and Wages	$17,480.00	
(b) Operating Expenses	7,214.00	
(c) Equipment	400.00".	

Amendment No. 272

On page 62 of the printed bill, as amended, strike out all of lines 14 to 28, inclusive.

Amendment No. 273

On page 62 of the printed bill, as amended, strike out all of lines 32 to 36, inclusive, and insert

"Item 197—For support of Department of Public Health, exclusive of Bureau of Cannery Inspection, in accordance with the following schedule $815,948.00
and in addition thereto any amounts collected for sales of antigens and for services performed for activities supported from other funds, which by law are available for support of said department.

Schedule:

(a) Salaries and Wages	$657,462.00
(b) Operating Expenses	160,291.00
(c) Equipment	12,695.00
Total of Schedule	$830,448.00
Less: Estimated abatements from sales of antigens	14,500.00
Net Appropriation	$815,948.00".

Amendment No. 274

On page 62 of the printed bill, as amended, strike out all of lines 37 to 50, inclusive.

Amendment No. 275

On page 63 of the printed bill, as amended, strike out the period in line 4; and strike out all of lines 5 to 45, inclusive, and insert "or for the salary of Public Relation Officer, Bureau of Venereal Diseases, Department of Public Health."

Amendment No. 276

On page 64 of the printed bill, as amended, strike out all of lines 5 to 10, inclusive, and insert

"Item 200—For support of Bureau of Cannery Inspection, Department of Public Health, in accordance with the following schedule, payable from the Cannery Inspection Fund $493,137.00

Schedule:

(a) Salaries and Wages	$361,510.00
(b) Operating Expenses	129,517.00
(c) Equipment	2,110.00".

Amendment No. 277

On page 64 of the printed bill, as amended, strike out all of lines 21 to 24, inclusive.

Amendment No. 278

On page 64 of the printed bill, as amended, strike out all of lines 21 to 24, inclusive, and insert

"Item 201—For support of Department of Public Health, in accordance with the following schedule, payable from Aviary Inspection Fund $2,000.00

Schedule:

(a) Salaries and Wages	$1,200.00
(b) Operating Expenses	800.00".

Amendment No. 279

On page 64 of the printed bill, as amended, strike out all of lines 25 to 28, inclusive, and insert

"Item 202—For support of Department of Public Health, in accordance with the following schedule, payable from the Clinic and Dispensary Fund $3,000.00

Schedule:

(a) Salaries and Wages	$2,000.00
(b) Operating Expenses	1,000.00".

Amendment No. 280

On page 64 of the printed bill, as amended, strike out all of lines 29 to 32, inclusive, and insert

"Item 203—For support of Department of Public Health, in accordance with the following schedule, payable from the Clinical Laboratory Fund $5,495.00

Schedule:

(a) Salaries and Wages	$3,390.00
(b) Operating Expenses	2,010.00
(c) Equipment	95.00".

Amendment No. 281

On page 64 of the printed bill, as amended, strike out all of lines 33 to 42, inclusive.

Amendment No. 282

On page 64 of the printed bill, as amended, strike out all of lines 43 to 47, inclusive, and insert

"Item 204—For support of Department of Public Health, in accordance with the following schedule, payable from the State Board of Public Health Fund $5,658.00

Schedule:

(a) Salaries and Wages	$3,510.00
(b) Operating Expenses	2,148.00".

Amendment No. 283

On page 64 of the printed bill, as amended, strike out all of lines 48 to 52, inclusive.

Amendment No. 284

On page 65 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive.

Amendment No. 285

On page 65 of the printed bill, as amended, strike out all of lines 13 to 15, inclusive, and insert

"and Rights of Way, in accordance with the following schedule $43,837.00

Schedule.

(a) Salaries and Wages	$40,160.00
(b) Operating Expenses	3,200.00
(c) Equipment	477 00".

Amendment No. 286

On page 65 of the printed bill, as amended, strike out all of lines 16 to 19, inclusive, and insert

"Item 206—For support of Division of Architecture, Department of Public Works, in accordance with the following schedule ..... $208,973 00 and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said division.

Schedule:

(a) Salaries and Wages	$176,609.00	
(b) Operating Expenses	39,524 00	
(c) Equipment	2,840.00	
Total of Schedule	$218,973.00	
Less: Estimated abatements for services to activities supported out of other funds	10,000.00	
Net Appropriation	$208,973 00".	

Amendment No. 287

On page 65 of the printed bill, as amended, strike out all of lines 20 to 33, inclusive.

Amendment No. 288

On page 65 of the printed bill, as amended, strike out all of lines 34 to 39, inclusive, and insert

"Item 207—For support of Division of Architecture, Department of Public Works, in accordance with the following schedule, payable from the Division of Architecture Public Building Fund $187,041 00

Schedule:

(a) Salaries and Wages	$159,801.00
(b) Operating Expenses	24,040.00
(c) Equipment	3,200 00".

Amendment No. 289

On page 65 of the printed bill, as amended, strike out all of lines 40 to 45, inclusive.

Amendment No. 290

On page 66 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

Amendment No. 291

On page 66 of the printed bill, as amended, strike out all of lines 8 to 12, inclusive, and insert

"Item 208—For support of Division of Water Resources, including cooperative work with other agencies, in accordance with the following schedule $956,661.00

and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said division.

Schedule:		
(a) Salaries and Wages		$687,175 00
(b) Operating Expenses		363,415.00
(c) Equipment		23,451 00
Total of Schedule		$1,074,041 00
Less Estimated abatements for services to activities supported out of other funds		117,380 00
Net Appropriation		$956,661 00"

Amendment No. 292

On page 66 of the printed bill, as amended, strike out all of lines 13 to 36, inclusive.

Amendment No. 293

On page 66 of the printed bill, as amended, strike out all of lines 48 and 49.

Amendment No. 294

On page 67, lines 8, 9 and 10, of the printed bill, as amended, strike out "(exempt from the provisions of Sections 13, 13.5 and 13.6 of this act)"

Amendment No. 294a

On page 67 of the printed bill, as amended, strike out lines 18 to 21, inclusive, and insert

"Public Works, in accordance with the following schedule, payable from Supervision of Outdoor Advertising Fund		$70,300.00
Schedule:		
(a) Salaries and Wages	$44,940.00	
(b) Operating Expenses	24,720 00	
(c) Equipment	640.00".	

Amendment No. 295

On page 67 of the printed bill, as amended, strike out all of lines 43 to 48, inclusive.

Amendment No. 296

On page 68 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive; and strike out lines 11 and 12.

Amendment No. 297

On page 68 of the printed bill, as amended, strike out all of lines 13 to 15, inclusive, and insert

"Item 211—For support of Colorado River Board, in accordance with the following schedule		$19,442.00
Schedule:		
(a) Salaries and Wages	$15,420 00	
(b) Operating Expenses	3,972.00	
(c) Equipment	50.00".	

Amendment No. 298

On page 68 of the printed bill, as amended, strike out all of lines 16 to 24, inclusive.

Amendment No. 299

On page 68 of the printed bill, as amended, strike out all of lines 28 to 31, inclusive, and insert

"Item 212—For support of Department of Social Welfare, in accordance with the following schedule to be transferred to the Social Welfare Fund under the provisions of Section 124 of the Welfare and Institutions Code Such appropriation shall be in addition to any grants made available by the Federal Government for support of the Department of Social Welfare during the Ninety-third and Ninety-fourth Fiscal Years.		$789,264 00
Schedule:		
(a) Salaries and Wages	$1,791,877.00	
(b) Operating Expenses	606,900.00	
(c) Equipment	30,949.00	
Total of Schedule	$2,429,726.00	
Add: Estimated contributions to State Employees' Retirement Fund	67,196 00	

Less: Estimated amounts payable from Federal grants ---------- 1,707,658.00

Net Appropriation ---------- $789,264.00".

Amendment No. 300

On page 68 of the printed bill, as amended, strike out all of lines 32 to 48, inclusive.

Amendment No. 301

On page 69 of the printed bill, as amended, strike out lines 21 and 22, and insert "Item 216—For Emergency Fund, exempt".

Amendment No. 302

On page 69 of the printed bill, as amended, strike out line 33, and insert "State Department of Finance----------$1,000,000.00".

Amendment No. 303

On page 70, line 49, of the printed bill, as amended in the Assembly on May 8, 1941, after "($2,000)", strike out the period, and insert ", except in the case of the Attorney General's Office, whose expenditures for such confidential purposes shall be governed by Section 476 of the Political Code."

Amendment No. 304

On page 72, line 50, of the printed bill, as amended, strike out the period, and insert a comma and "and in connection therewith may authorize appropriate adjustments in the respective schedules set forth for each such appropriation in Section 2 hereof."

Amendment No. 305

On page 73, line 5, of the printed bill, as amended, strike out the period, and insert a comma and "and in connection therewith may authorize appropriate adjustments in the respective schedules set forth for each such appropriation in Section 2 hereof"

Amendment No. 306

On page 73, line 11 of the printed bill, as amended, strike out the period, and insert a comma and "and in connection therewith may authorize appropriate adjustments in the respective schedules set forth for each such appropriation in Section 2 hereof"

Amendment No. 307

On page 73 of the printed bill, as amended, strike out all of lines 12 to 51, inclusive; and on page 74, strike out all of lines 1 to 47, inclusive, and insert

"SEC. 13. In providing that certain appropriations in Section 2 of this act are to be expended in accordance with a schedule set forth after each such appropriation item, it is the intent of the Legislature to limit thereby the amount of money to be expended from each such appropriation item for certain specified purposes, such as, "Salaries and Wages", "Operating Expenses", or "Equipment", using in that connection the same terms as used in the detailed budget of the officer, department, division, bureau or other agency to whom the appropriation is made, as contained in that document entitled "State of California Budget for the Biennium July 1, 1941 to June 30, 1943, Ninety-third and Ninety-fourth Fiscal Years", submitted by the Governor to the Legislature at the Fifty-fourth Session; except, however, that the terms "Materials and Supplies", and "Service and Expense", as used in that document, are combined under the designation "Operating Expenses" for the purposes of this act Each such schedule in this act is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money and is not itself an item of appropriation.

As used in such schedules:

"Salaries and Wages" shall include all expenditures for pay of officers and employees of the State but does not include compensation of independent contractors rendering personal services to the State under contract. "Operating Expenses" shall include all expenditures for purchase of materials, supplies (including expendable equipment), services (other than personal services of State officers and employees), and all other proper expenses (other than the acquisition and replacement of nonexpendable tangible property).

"Equipment" shall include all expenditures for the acquisition or replacement of non-expendable tangible property.

For the purpose of further interpreting the meaning of the words, terms and phrases used in such schedules, reference is hereby made to the aforementioned budget document and the appropriate portions thereof.

SEC. 13.5. The State Board of Control may, upon recommendation of the Director of Finance pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made

herein, authorize the augmentation of the amount available for expenditure for a purpose designated in any schedule set forth for such appropriation in Section 2 by transfer from any of the other designated purposes within the same schedule."

Amendment No. 308

On page 74 of the printed bill, as amended, strike out all of lines 48 to 51, inclusive; and on page 75, strike out all of lines 1 to 17, inclusive, and insert

"SEC. 13.6 The Director of Finance may, upon request of the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for a purpose designated in any schedule set forth for such appropriation in Section 2 hereof in the amount of any funds which he estimates will be received by said officer, department, division, bureau, board, commission, or other agency during the Ninety-third and Ninety-fourth Fiscal Years from any other officer, department, division, bureau, or other agency of this State, from any county, city and county or city, or any agency thereof, from the Federal Government, or any agency thereof, from any appropriation made by the Legislature at the Fifty-fourth Session, or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration."

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

My absence from the Assembly Chambers during part of this afternoon and evening was occasioned by the preparation for and attendance upon the meeting with the Assembly-Senate Joint Fact-Finding Committee and members of the Santa Clara County Board of Supervisors. The purpose of the meeting was to inquire into the threatened withholding of old age assistance and other relief funds from Santa Clara County.

BYRL R. SALSMAN

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1124—An act to regulate the sale of olive oil and to prohibit the sale of imitation olive oil, establishing standards for olive oil, prescribing methods of packaging, labeling, and branding olive oil, licensing packers, manufacturers and distributors, providing rules and regulations for the proper sanitation of such establishments, imposing penalties for violations of this act, defining the powers of the State Board of Public Health in relation thereto, and to repeal an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Allen, Collins, Sam L., Tenney and Poulson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1124.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—Burkhalter, Hawkins, Heisinger, Leonard, Pelletier, Salsman, Thurman, Voigt, and Mr. Speaker—9.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Knight, T Fenton; Lowrey, Maloney, Massion, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Burkhalter, Heisinger, Leonard, Pelletier, Salsman, Thurman, Voigt, and Mr. Speaker—8

Notice of Motion to Reconsider Assembly Bill No. 1124

Mr. Thurman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1124 was this day passed

Assembly Bill No. 2501—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19065, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19010.5, 19012.5, 19049, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1962—An act to add Sections 1.51, 1.52 and 1.53 to the School Code, relating to student body funds and organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1545—An act to add Division 2a, comprising Sections 3100 to 3124, to the Labor Code, relating to labor organizations and the procedure to be followed in fining, suspending, and expelling members thereof.

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried. Time, 11.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1545

At 11.21 p.m., on motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried. Time, 11.23 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on expunging the record on concurrence in Senate amendments to Assembly Bill No. 1800.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Turner moved to expunge the record and rescind the action whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 1800.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Dills, Donnelly, Hawkins, Heisinger, Lowrey, Massion, Middough, and Richie—13.

Motion to Concur in Senate Amendments

Mr. Lyon moved that the Assembly concur in the Senate amendments to Assembly Bill No. 1800.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the concurrence in Senate amendments to Assembly Bill No. 1800.

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 1800?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

Motion carried. Time, 11.36 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mrs. Daley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 246.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 246—An act to amend Sections 2500, 2555 and 2556 of, and to add Section 2557 and Article 2.5, comprising Sections 2560 to 2570, inclusive, Article 6, comprising Sections 2625 to 2632, inclusive, and Article 7, comprising Sections 2650 to 2654, inclusive, to Chapter 2 of Division 4 of, the Welfare and Institutions Code, relating to the relief of hardship and destitution, irrespective of cause; the administration and means of financing thereof; the conditions and terms upon which assistance may be granted; prohibiting political activities in connection therewith; penalizing violations; declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Daley moved a call of the Assembly.

Motion carried. Time, 5.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Pro Tempore Presiding

At 11.51 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Cronin, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 530.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 530—An act to add Sections 205, 206 and 207 to, and to amend Sections 251 and 301 of, the Streets and Highways Code, relating to State highways, including an addition to the primary

State highway on Route 1, and providing for the maintenance thereof and for the cost of such maintenance.

Bill read third time.

Demand for Previous Question

Messrs. Middough, Watson, Lyon, Knight, John B., and Stream demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 530.

The roll was called, and the bill refused passage by the following vote:

AYES—Cassidy, Collins, George D., Cooke, Cronin, Desmond, Dilworth, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, John B., Maloney, O'Day, Pfaff, Richie, Weber, Welch, Wollenberg, and Mr Speaker—23

NOES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Field, Gunlock, Hastain, Houser, Frederick F., Johnson, King, Knight, T Fenton; Leonard, Lowrey, Masston, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weybret—42.

Notice of Motion to Reconsider Assembly Bill No. 530

Mr Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 530 was this day refused passage.

Speaker Presiding

At 11.52 p m., Hon. Gordon H Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 691—An act to amend Section 5705 of the Labor Code, relating to workmen's compensation

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T Fenton, Leonard, Lowrey, Maloney, Masston, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr Speaker—63.

NOES—Middough, and Phillips—2

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No 43

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 43—Relative to obtaining a report on the acquisition of Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the State Highway System.

Ordered to unfinished business file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1545

At 11.54 p m., on motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1545 passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Call, Carlson, Collins, Sam L., Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Kellems, King, Knight, John B., Knight, T Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Stream, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—43.

NOES—Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Desmond, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Johnson, Lowrey, Maloney, Massion, O'Day, Pelletier, Poulson, Russell, Sawallisch, Sheridan, Thurman, Voigt, and Wollenberg—27

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS

At 11.55 p.m., on motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1800 by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Johnson, King, Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Potter, Richie, Russell, Sheridan, and Weybret—31.

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Dilworth, Doyle, Green, Houser, Frederick F., Kellems, Knight, John B. Knight, T Fenton; Leonard, Lyon, Maloney, Miller, Millington, Phillips, Poulson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—38.

Appointment of Committee on Conference Concerning Assembly Bill No. 1800

The Speaker announced the appointment of Messrs. Millington, Lyon and Allen as a Committee on Conference concerning Assembly Bill No. 1800.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 246

At 11.56 p.m., on motion of Mrs. Daley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 246 refused passage by the following vote:

AYES—Allen, Call, Carlson, Clarke, Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—38.

NOES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Sawallisch, Tenney, Voigt, and Welch—33.

Notice of Motion to Reconsider Assembly Bill No. 246

Mrs Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 246 was this day refused passage.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 684 FROM COMMITTEE

Mr. Hawkins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 684 from the Committee on Revenue and Taxation, and have it placed upon the file.

RESOLUTIONS

The following resolution was offered:

By Messrs Field and Johnson:

House Resolution No. 224

In respect to the memory of Harvey H Sanborn

WHEREAS, It is with sincere regret and a deep sense of loss that the Members of this Assembly have learned of the passing of Harvey H. Sanborn; and

WHEREAS, Mr Sanborn distinguished himself in his chosen profession of the law and was well known and respected by both present and past Members of this Assembly; now, therefore, be it

Resolved, That when the Assembly adjourns this day it do so out of respect to the memory of Harvey H. Sanborn; and be it further

Resolved, That suitably engrossed copies of this resolution properly signed by the Speaker and Chief Clerk be presented to Susan Sanborn his beloved widow and to the other members of his family as a token of this Assembly's sorrow and esteem.

Request for Unanimous Consent

Mr Field asked for, and was granted, unanimous consent to take up House Resolution No. 224, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2206—An act to provide for the formation of government of, issuance of bonds by and assessment in motor vehicle parking districts

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "in any proposed district", and insert ", owning taxable land equal in assessed value to twenty-five per cent (25%) of the assessed value of all the taxable land in a proposed motor vehicle parking district as described in the petition,".

Amendment No. 2

On page 4, line 31, of the printed bill, as amended, after "bond.", insert "The total amount of the principal of the indebtedness proposed to be incurred shall not exceed twenty per cent (20%) of the assessed value of the taxable land in the district as shown by the county assessment roll of all the lands of the district as last equalized, prior to the resolution of the board"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1765 WAIVED

Mr. Bashore waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1765 was passed.

Assembly Bill No. 1765 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 812—An act to amend Sections 18636, 18637, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of the Business and Professions Code, relating to the regulation of boxing and wrestling.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "18735," insert "18736,".

Amendment No. 2

On page 2, lines 38 and 39, of the printed bill, as amended, strike out "; corporation treasurers, ten dollars ($10)".

Amendment No. 3

On page 4 of the printed bill, as amended, between lines 30 and 31, insert

"SEC. 11.5. Section 18736 of said code is hereby amended to read as follows:

18736. No boxing contest or sparring match shall be allowed in which the difference in weight of the respective contestants exceeds 12 pounds. This provision shall not apply to boxers who weigh more than [170] *175* pounds"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered reprinted and to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 1516
Assembly Bill No. 1865

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 930
Assembly Bill No. 1073
Assembly Bill No. 1162

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 110
Assembly Bill No. 810
Assembly Bill No. 1703
Assembly Bill No. 1813
Assembly Bill No. 1814
Assembly Bill No. 2583
Assembly Bill No. 2617
Assembly Bill No. 2629
Assembly Constitutional Amendment No. 28
Assembly Constitutional Amendment No. 40
Assembly Constitutional Amendment No. 54

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 712
Assembly Bill No. 1841

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which were referred:

Assembly Bill No. 1696
Assembly Bill No. 1697

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR SPEAKER Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1524

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 93
Senate Bill No. 1048
Senate Bill No. 1047
Senate Bill No. 175

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2402
Assembly Bill No. 2635
Assembly Bill No. 1296
Senate Bill No. 461
Senate Bill No. 315
Senate Bill No. 285
Senate Bill No. 335

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PHILLIPS, Chairman

Above reported bills ordered to second reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Ways and Means to which was referred:

Assembly Bill No. 2215

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1951
Assembly Bill No. 2112
Assembly Bill No. 2294
Assembly Bill No. 2607
Assembly Bill No. 2621
Senate Bill No. 113
Senate Bill No. 314
Senate Bill No. 639

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1529
Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with the recommendation: Do pass as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1126
Senate Bill No. 964

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FIELD, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 122
Assembly Bill No. 870
Senate Bill No. 227
Senate Bill No. 292

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman

Above reported bills re-referred to Committee on Ways and Means.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1191
Assembly Bill No. 2036
Assembly Bill No. 2619
Assembly Bill No. 2631

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Constitutional Amendment No 8

Has had the same under consideration, and reports the same back with the recommendation: Amend, and be adopted as amended.

FIELD, Chairman

Above reported resolution ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1621
Assembly Bill No. 1620

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MILLER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 342
Senate Bill No 82
Senate Bill No. 131
Senate Bill No. 558
Senate Bill No. 742

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

FIELD, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 476
Assembly Bill No. 495
Assembly Bill No. 70
Assembly Bill No 2105

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No 2628

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

TENNEY, Chairman	MEEHAN
COLLINS, GEORGE D	ROBERTSON
DONNELLY	HOUSER, FREDERICK F.
DEL MUTOLO	DILLS
BENNETT	O'DAY

Above reported bill ordered to second reading

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No. 1867

Assembly Bill No 2421

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DALEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred.

Assembly Bill No. 2470

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DALEY, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 420

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

(Signed out)

KING, Chairman	COOKE
POOLE	WEYBRET
WELCH	KELLEMS

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 2632

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Mines and Mining

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:

Assembly Bill No. 2006

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

THURMAN, Chairman

Above reported bill ordered to second reading.

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 1149

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

LEONARD, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 24—An act to add Section 21.5 to the Municipal Court Act of 1925, relating to mileage of judges of the municipal court in any city or city and county of the first and one-half class;

Assembly Bill No. 53—An act to amend Section 7962 of the Elections Code, relating to the canvass and return of results at primary elections;

Assembly Bill No. 155—An act to add Article 3, comprising Section 1980, to Chapter 2 of Part 7 of Division 2 of the Labor Code, relating to the employment of persons who are members of any organization or group which advocates the overthrow of the Government by force and violence;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 168—An act to amend Section 4251 of the Political Code, relating to compensation for public services in counties of the twenty-second class;

Assembly Bill No. 209—An act to add Section 61.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof, upon demand, that persons to whom such beverages are served or sold are over the age of 21 years;

Assembly Bill No. 367—An act to amend Sections 2, 13 and 15 of, and to add Sections 12.5 and 16.1 to, the Subdivision Map Act, relating to subdivisions and to the examination of maps by public officers and charging fees therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge and the furnishing of secretarial and stenographic services to such assistants;

Assembly Bill No. 727—An act to add Section 1.92 to the School Code, relating to school buses;

Assembly Bill No. 778—An act to amend Sections 1, 2, 6, 7 and 8 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act, approved May 15, 1933, relating to motor carrier transportation agents";

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 934—An act to amend Section 690.7 of the Code of Civil Procedure, relating to property exempt from execution and attachment;

Assembly Bill No. 1033—An act to add Article 11, consisting of Sections 2450 to 2459, inclusive, to Chapter 1 of Division 5 of, to add Chapter 5, consisting of Sections 5300 to 5302, inclusive, to Division 7 of, to add Section 6310 to, and to

amend Sections 2831, 2832, 2840, 2841, 2842 and 2843 of, the Elections Code, relating to county central committees and campaign funds;

Assembly Bill No. 1164—An act to add Section 1.51 to the School Code, relating to the maintenance of activities by student organizations on property of a school district;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1292—An act to add a new section, to be numbered 604.2, to the Vehicle Code, prohibiting the throwing of substances at vehicles;

Assembly Bill No. 1305—An act to add Section 3.94 to the School Code, relating to the maintenance of public school classes on Saturday;

Assembly Bill No. 1306—An act to amend Section 602 of the Penal Code, relating to trespass;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1335—An act to add Section 38.1 to the State Civil Service Act, relating to the orders and decisions of the State Personnel Board and the enforcement of the provisions thereof;

Assembly Bill No. 1452—An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians;

Assembly Bill No. 1453—An act to amend Sections 2551 and 2553 of the Business and Professions Code, relating to registered dispensing opticians;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1497—An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine;

Assembly Bill No. 1629—An act to provide for the sale and conveyance of certain lands lying within the abandoned river channel of the American River lying in the County of Sacramento, State of California;

Assembly Bill No. 1683—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representative of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1686—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges;

Assembly Bill No. 1708—An act to amend Section 20763 of the Business and Professions Code, relating to renewal of licenses to sell petroleum products at retail;

Assembly Bill No. 1845—An act to amend Sections 12422 and 12423 of the Insurance Code, relating to mortgage insurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1893—An act to amend Sections 6 and 14 of the California Agricultural Products Marketing Act of 1937, relating to terms and conditions of agreements and orders issued under such act, enforcement of such agreements and orders, and declaring this act to be an urgency measure, to take effect immediately;

Assembly Bill No. 1942—An act to add Division 6 to the Public Resources Code, thereby consolidating and revising the law relating to the natural resources of the State, including the administration, management, leasing, and disposition of public lands and other lands, and the oil and gas and other mineral deposits within or upon such lands, owned by the State, by counties, or by cities, and to add Sections 10012 and 10013 to said code, repealing certain acts and parts of acts specified therein;

Assembly Bill No. 1944—An act to amend Sections 3.422, 3.460 and 3.480 of, and to repeal Sections 3.482 and 3.807 of the School Code, all relating to evening schools and special day and evening classes;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1963—An act to repeal Sections 3.331 to 3.339, both inclusive, of, and to add Sections 3.331 to 3.339a, both inclusive, to the School Code, and to add Chapter 8 to Part 1 of Division 3 of said code, all relating to the interstate attendance of public school pupils;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 278

Has had the same under consideration and reports the same back with amendments with the recommendation: Amend, and do pass as amended

TENNEY, Chairman	CROWLEY
WATERS	O'DAY
DEL MUTOLO	SALSMAN
DONNELLY	POULSON
DILLS	

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 2637

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR SPEAKER: Your Committee on Public Morals, to which were referred

Assembly Bill No. 1055
Assembly Bill No. 2213
Assembly Bill No. 2590

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1376
Assembly Bill No. 1378
Assembly Bill No. 1612
Senate Bill No. 824

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

HUGH M. BURNS, Chairman

Above reported bills ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 2605.
Assembly Bill No 2166.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531
Assembly Bill No 532.
Assembly Bill No. 1812
Assembly Bill No. 1813.
Assembly Bill No. 1814.
Assembly Bill No. 2583.
Assembly Bill No. 197.
Assembly Bill No. 1724.
Assembly Bill No. 1608.
Senate Bill No. 298.
Assembly Bill No. 2273.
Assembly Bill No. 2249.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1814 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 2583 re-referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 54 re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No 40 re-referred to Committee on Constitutional Amendments.

Assembly Bill No 712 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 810 re-referred to Committee on Public Health and Quarantine.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Dills, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Frank Williams and son Frankie of Dayton, Ohio; Mrs James Goodman and son Jimmie of Los Angeles, Earl Dills of Gardena, brother of Assemblyman Dills, and Kenneth Hannum of Gardena.

On request of Mr Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Don S. McCarty, City Councilman of Redondo Beach.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Patterson of Los Angeles

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. William Barnhart.

On request of Messrs. Stream and Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles E. Martin of Chula Vista, Dr. J. R. Scott of Chula Vista, Robert Mueller of Chula Vista.

On request of Messrs Pelletier and Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Faith Douglass and Dorothy Bouse of Los Angeles.

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayor Henry Weichhart, City Manager Charles Schwanenberg, Chesley Anderson and Elmer Upphaff, all of Alameda

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to his brother, Mr. V. J. Donnelly and wife, and their two children, Robert Donnelly and Beverly Donnelly of Fresno.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joe Roycroft, President of San Pedro Chamber of Commerce; Mr. C. P. Kellogg, Director of San Pedro Chamber of Commerce, Mr. Orvel Brown and Sam Martin; all attending the Optimist Convention in Sacramento.

ADJOURNMENT

At 11.59 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 30 a m , May 23, 1941, out of respect to memory of the late Harvey H. Sanborn.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 23, 1941

The Assembly met at 10.30 a.m
Hon. Gordon H. Garland, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names.

Andreas, Bennett, Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Gallagher, Hustain, Heisinger, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—48.

Quorum present

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Sawallisch.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. F. N. Howser, on motion of Mr. Sam L. Collins.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 979—An act to add Section 5111 to the Water Code, relating to flood control.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2402—An act to add Section 4157.5 to the Political Code, relating to the powers and duties of county sheriffs

Bill read second time, and ordered to third reading

Assembly Bill No. 2635—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10 to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1296—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read second time, and ordered to third reading.

Assembly Bill No. 93—An act to amend Sections 3.761 and 3.762 of, and to add Section 6.261a to, the School Code, all relating to the teaching of civics in elementary schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1951—An act to add Section 2.5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905." approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State.

Bill read second time, and ordered engrossed

Assembly Bill No. 2112—An act to add Sections 65.1 and 127 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service, prescribing the probationary period therefor and requiring the confirmation of appointments thereto by the Senate.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2294—An act to amend Section 5016.6 of the Business and Professions Code, relating to accountants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2607—An act providing for payment by the State for park property acquired for highway purposes.

Bill read second time, and ordered engrossed

Assembly Bill No. 2621—An act to add Section 4465.5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

Bill read second time, and ordered engrossed

Assembly Bill No. 2628—An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2470—An act to add Section 2190 to the Welfare and Institutions Code, relating to pensions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2632—An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery, Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol. 692, at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the Act of the Legislature of the State of California, approved May 20, 1861 (Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and following), as amended, and by the Act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following) and acts amendatory thereof or supplemental thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1149—An act to amend Section 92 of the Agricultural Code, relating to agricultural districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2637—An act to add Section 2540.5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1376—An act declaring all buildings and places nuisances wherein or upon which any unlicensed sale of alcoholic beverages in violation of the provisions of the Alcoholic Beverage Control Act is made or occurs or which are used for such sale, providing for the abatement and prevention of such nuisances, and providing for the repeal of the Unlawful Liquor Sales Abatement Law of 1915.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1378—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1612—An act to add Section 55.3 to the Alcoholic Beverage Control Act, relating to sales tax on sale of alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2634—An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2.600 to the School Code, all relating to the formation of high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, after line 20, insert

"This section shall not apply to any school district located in any county having a population of less than 280,000 or more than 290,000 as determined by the United States Census of 1940."

Amendment read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 342—An act to add Section 12108 to the Business and Professions Code, relating to specifications and standards for weighing devices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, after "shall", insert ", subject to the approval of the Division of Architecture in the Department of Public Works,".

Amendment No. 2

On page 1, line 10, of the printed bill, after the period, insert

"Provided, however, that nothing in this section shall prevent the continued use of such weighing devices which are installed and in use on the effective date hereof, or the removal of such weighing devices to some other location and their use at such new location."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 476—An act to amend Section 254 of the Fish and Game Code, relating to fish and game refuges and preserves.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 254", and insert "add Section 170.1".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 170.1 is hereby added to the Fish and Game Code, to read as follows:

170.1. The California Sea Otter Game Refuge shall consist of and include the following properties: All that portion of Monterey County lying between Malpaso Creek and the Swiss Canyon Arroyo, and west of the Monterey-San Simeon High-

way, and that property between Castro Canyon and Dolan Creek, west of the Monterey-San Simeon Highway."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 495—An act to amend Section 68 of the Fish and Game Code, relating to fish and game districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "68", and insert "64".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "68", and insert "64".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "64. District 1¾. The following shall constitute Fish and Game District 1¾: Those portions of the County of Modoc not included in other districts and that portion of the County of Siskiyou lying east of [the Weed-Klamath Falls Highway between the north line of the County of Siskiyou and the town of Weed and east of the Pacific Highway between the town of Weed and the junction of Pacific Highway and the McCloud-Fall River Mills highway and north and east of the McCloud-Fall River Mills Highway to the Siskiyou and Shasta County line and that part of Shasta County lying north and east of the McCloud-Fall River Mills Highway to its junction with the road to Lake Britton at Dickson Flat and east of that road through Burney Falls State Park to its junction with the Hat Creek-Lassen Highway at the Redding-Alturas Highway and east of the Hat Creek-Lassen Highway to Lassen Volcanic National Park and north and east to the north and east boundary of Lassen Volcanic National Park to its junction with the Lassen County line.] *Highways 99 and 99 East, and that portion of Shasta County north and east of the Skyline Road between Stouts Meadows and the junction of said Skyline Road with the Hat Creek-Lassen Highway at Four Corners, and east of the Hat Creek-Lassen Highway between said Four Corners and its junction with the Lassen County line.* That part of Lassen County north and east of the north and east boundary of the Lassen Volcanic National Park to its junction with the north line of District 25 and east of the east boundary of District 25 to its junction with the Lassen-Plumas County line approximately one mile southeast of Coyote Peak in Section 24, Township 28 north, Range 10 east and north and west of the Plumas-Lassen County line between the boundary of District 25 and the Susanville-Taylorsville Road."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 70—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert "of the following fish and mollusks only: Tuna, yellowtail, marlin swordfish, broadbill swordfish, jewfish or black sea bass, barracuda, white sea bass, albacore, bonito, rock bass, kelp bass, California whiting (also known as corbina and surf fish), yellowfin croaker, spotfin croaker, salmon, steelhead and other trout, charr,

whitefish (fresh water), striped bass, black bass, perch (fresh water), crappie, cabico bass, pismo clams, cockle clams, abalones, scallops, jack knife clams, catfish in District 22, and all varieties of sun fishes It is unlawful for the holder of a sporting fishing license to sell any fish, mollusk, or crustaceans taken by him under such license."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2105—An act to add Sections 39, 39.1, 39.2, 39.3 and 39.4 to the Fish and Game Code, relating to the powers of the commission to determine and fix the sizes, seasons and bag limits for the taking of game fish, animals, birds, mollusks and crustaceans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 39, 39.1, 39.2, 39.3 and 39.4", and insert "Section 39".

Amendment No. 2

In line 3 of the printed bill, as amended, strike out "sizes, seasons and".

Amendment No. 3

In the title of the printed bill, as amended, strike out lines 4 and 5, and insert "migratory birds."

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 3 to 27, inclusive; and strike out all of page 2, and insert

"39. The commission may determine and fix the bag limits for migratory birds in conformity with the limits prescribed pursuant to the Migratory Bird Treaty Act."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1867—An act to amend Section 2576 of the Welfare and Institutions Code, relating to aid and relief to indigents and providing for reimbursement to the county from responsible relatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, after "2576", insert ", to repeal Section 2577 and 2578 and to amend and renumber Section 2579".

Amendment No. 2

On page 1 of the printed bill, strike out lines 18 to 26, inclusive, and insert

"All aid rendered by the county under this chapter shall be a charge against the spouse, parent and adult child of the recipient thereof and the county rendering aid shall be entitled to reimbursement therefor.

The board of supervisors of the county rendering aid shall determine if the spouse, parent or adult child, or any of them have financial ability to support or contribute to the support of the recipient and were pecuniarily able to support or contribute to the support of the recipient during the time aid was rendered. If in the opinion of the board of supervisors pecuniary ability existed when the aid was given and exists when the matter comes before the board of supervisors, the board shall request the district attorney or other civil legal officer of the county granting aid to proceed against such responsible relative or relatives.

Upon such request the district attorney or other civil legal officer shall maintain an action on behalf of the county granting aid against said relative or relatives to recover for the county the aid rendered and to secure an order requiring the payment of any sums which may become due in the future.

The board of supervisors shall, in the case of aid granted by institutional care, fix a reasonable charge therefor, which shall be the measure of reimbursement to the county, and the existence of the order fixing the charge shall constitute prima facie evidence of its reasonableness.

SEC. 2. Sections 2577 and 2578 of said code are hereby repealed.

SEC. 3. Section 2579 of said code is hereby renumbered 2577 and amended to read as follows:

[2579.] 2577. In any case where a person so ordered to make such payments fails so to do, the court may by order require him to show cause for such failure and may otherwise enforce this order to make such payments by such order or orders as in its discretion it deems necessary from time to time and such order or orders may be modified, altered or revoked at the discretion of the court."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1524—An act to amend Section 1350 of the Labor Code to permit the employment of female accounting, stenographic and office clerical employees for overtime periods in excess of eight hours but not more than 12 hours during any one day of 24 hours and in excess of 48 hours but not more than 60 hours in one week; provided, any such employee receives compensation for such overtime at a rate of not less than one and one-half times the regular rate at which she is employed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 and 13, and insert "week, except that, during the period of the existing National emergency as proclaimed by the President, a female employed as a secretary or as a stenographic or clerical assistant to an executive in an industry engaged in the fulfillment of National defense contracts may be employed not more than 12".

Amendment No. 2

On page 1, line 21, of the printed bill, after the period, insert

"In addition to the exception herein, the Chief of the Division of Labor Statistics and Law Enforcement may, when in his judgment it is essential to expedite fulfillment of National defense contracts, exempt any employer or employees from the working hour limitations of this chapter, but this provision shall not authorize any deviation from the overtime payment provisions contained herein. This provision shall apply only for the duration of the existing National emergency as proclaimed by the President."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2421—An act to add Section 2163.5 to the Welfare and Institutions Code, relating to real property as defined for the purposes of aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "chattels real", and insert "estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years,".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2006—An act for the protection of the domestic water supplies of cities, districts, and unincorporated towns and communities from pollution by placer mining operations, providing for the regulation and control of such mining, and providing penalties for the violation of this act, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

In the title of the printed bill, strike out lines 2, 3, and 4, and insert "cities, towns or districts from pollution by placer mining operations, providing a method of recording information with respect to operators using such methods, and provid-".

Amendment No. 2

In lines 5 and 6 of the title of the printed bill, strike out ", and making an appropriation".

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Any person, firm or corporation, other than placer mine operators who hold permits from the California Debris Commission to operate, who has been engaged or who shall engage in the operation of a placer mine on any stream or on the watershed of any stream tributary directly or indirectly to the Sacramento or San Joaquin Rivers shall record in the office of the county recorder of the county in which its mine is situate, within 60 days from and after the effective date of this act, or, if operations are commenced after the effective date, then within 30 days after the commencement of such operations, a verified statement verified by the operator or by some one in behalf of the operator, showing:

(1) A description of the ground proposed to be mined by placer mining methods, described by United States Government subdivisions where possible.

(2) The names and addresses of the owners of the ground.

(3) The names and addresses of the operators of the mine.

(4) The proposed means or method of placer mining operation.

(5) The means which the operator proposes to use to prevent the pollution of any stream by the effluent from such operations.

In the event an owner or operator changes his address, or of a transfer of ownership or change of operator of any such mining property, then within 10 days after any such transfer or change, a notice setting forth the names and addresses of the new owners or operators shall be filed in the office of the county recorder.

SEC. 2. No placer mining operator who does not hold a permit to operate from the California Debris Commission shall mine by placer process on any stream or on the watershed of any stream tributary directly or indirectly to the Sacramento or San Joaquin Rivers without taking the following precautions to prevent pollution of the stream by the effluent from operations:

(1) Constructing a settling pond or ponds of sufficient size to permit the clarification of water used in the mining processes before the water is discharged into the stream.

(2) Mixing with the effluent from mining operations aluminum sulphate and lime, or an equivalent clarifying substance which will cause the solid material in the effluent to coagulate and thus avoid rendering the water in the stream unfit for domestic water supply purposes.

(3) Notwithstanding the provisions of Subdivision 2 of this section, any placer miner who is operating by dredging process and who desires to transport his dredger across a stream where the expense of constructing settling ponds in the stream itself would, in the opinion of the operator, be unduly heavy, shall have the right to conduct the dredger across the stream without constructing a settling pond under the following procedure. The operator shall give to the clerk or secretary, as the case may be, of each city or district owning or operating a domestic water supply the clarity of which is likely to be affected by the crossing operation, notice of the intent of the operator to cross the stream. Such notice shall be given at least seven days in advance of the date that the operator expects to cross the stream with his dredger. Upon the expiration of the notice the operator may during the following 48 hours conduct his dredger across the stream even though some turbidity may be caused by the crossing operation. Having crossed the stream the operator shall thereupon and thereafter in its further operations observe the provisions of Subdivision 2 of this section.

SEC. 3. Any person, firm or corporation who fails to record the notice provided for in Section 1, or to install the protective devices or to give the notice provided

for in Section 2, or both, shall be guilty of a misdemeanor. The operation of any placer mine on ground not covered by a permit to the operator from the California Debris Commission, without compliance with the provisions of both Sections 1 and 2 hereof, is hereby declared to be a public nuisance which may be enjoined upon suit brought by the district attorney of the county in which the operation has been conducted, or by any city or district whose domestic water supply is rendered unfit or dangerous for human consumption by the acts, or failure to act, of the operator. The superior court of the county in which the operation is conducted shall have jurisdiction to hear and determine the action and to award such relief as may be proper therein. Nothing in this act contained, however, shall be deemed or construed to deprive the State, any city, city and county, county, district, person, firm or corporation of any right to bring and maintain any action or proceeding, in any jurisdiction, which it was entitled to bring or maintain prior to the enactment of this act, or to receive or obtain in any such action any remedy accorded to it under existing law.

SEC. 4. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 23, inclusive; and strike out pages 2 to 6, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 278—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, after "revoked", insert "as a result of disciplinary action for violation of Sections 7108 or 7120".

Amendment No. 2

On page 1, line 18, of the printed bill, as amended, after "revoked", insert "as a result of disciplinary action for violation of Sections 7108, 7116 or 7120".

Amendment No. 3

On page 1, line 24, of the printed bill, as amended, after "board", insert "based upon the magnitude of the operations of the applicant".

Amendment No. 4

On page 2, line 5, of the printed bill, as amended, after "deposit", insert "in an amount based upon the magnitude of the operations of the applicant but".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1055—An act to add Section 4.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages in satisfaction of liens of warehousemen.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

In line 3 of the printed bill, after "4.2", strike out the balance of the line; and strike out lines 4 to 13, inclusive, and insert

"In accordance with rules and regulations to be prescribed by the board, a warehouseman may sell alcoholic beverages to enforce the lien provided for by the Warehouse Receipts Act. Such sale may be made only to a licensee or licensees authorized to sell such alcoholic beverages. Notice of the time and place of such sale shall be given to the board prior to the sale."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2213—An act to amend Section 13, and to add Sections 13a, 13b, 13c to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 3, line 21, of the printed bill, as amended, strike out "ten thousand dollars ($10,000)", and insert "seven thousand five hundred dollars ($7,500)".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2590—An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business and Professions Code, relating to horse racing and horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Sections 19843, 19530 and 19532 of, and to add Section 19532.5 to," and insert "Section 19532 of".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Section 19532 of the Business and Professions Code is hereby amended to read as follows:

19532. In the area embraced within each county of the second class and such territory as may be within 20 miles from the exterior boundary thereof, the board may allow not to exceed [100] *120* racing days per year for the entire area and county."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 2 to 25, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2215—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 23, and insert "if such a committee be created by statute, otherwise by the Joint Committee known and called the Legislative Budget Committee created by concurrent resolution adopted at the regular session next preceding the occurrence of the vacancy, the".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1696—An act to add Division 1a, comprising Sections 1001 to 1214, inclusive, to the Public Resources Code, relating to surveys and maps, creating a Division of Surveys and Maps and a State Board of Surveys and Maps in the Department of Natural Resources, and prescribing their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 2

In line 4 of the title of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "Surveying and Mapping", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 4

On page 1, line 15, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 5

On page 1, lines 17 and 18, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 6

On page 1, line 20, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 7

On page 1, line 22, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 8

On page 2 of the printed bill, strike out lines 2 to 20, inclusive, and insert "shall be determined by a State Board of Mapping and Surveys of Natural Resources. Base maps shall be under the direction of the chief of the division. Mapping and surveys of natural resources may be determined to include a comprehensive plan for development of the natural resources.

The members of the board shall be:

(a) Chief of the Division of Assessment Standards of the State Board of Equalization.

(b) The State Mineralogist.

(c) The State Forester.

(d) Director of Department of Agriculture.

(e) Executive officer of the State Lands Commission."

Amendment No. 9

On page 2 of the printed bill, strike out lines 32 to 40, inclusive.

Amendment No. 9a

On page 2 of the printed bill, strike out lines 44 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"1105. The division shall be administered through a chief who shall be a registered civil engineer of the State of California, who has had five or more years administrative and executive experience with an engineering organization using photogrammetric methods for mapping and inventory mapping within this State. The chief shall be appointed by the director upon nomination by the board.

1106. The chief of the division shall appoint, in accordance with civil service and other provisions of law, one assistant, a registered civil engineer of this State. All other employees of the division shall be employees of the Department of Natural Resources."

Amendment No. 10

On page 3, lines 4 and 5, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendment No. 11

On page 3 of the printed bill, strike out lines 7 to 51, inclusive; and on page 4, strike out lines 1 to 24, inclusive, and insert

"1200 The division shall encourage other State departments, as a part of their regular work, to make available copies of mapping data and surveys of natural resources now completed or to be completed in the future for use by the division. The division shall also acquire maps or mapping data and surveys of natural resources prepared by Federal, county, city, public or private agencies or organizations within the limits of this State.

1201. The division may cooperate with other persons and organizations in conducting essential mapping and surveying of the natural resources, not now the direct responsibility of existing State or Federal agencies.

The division is authorized to accept grants from the Federal Government or any of its agencies, or from any county or its agencies, and may accept gifts for the purpose of implementing mapping and surveys of natural resources of this State and for their ultimate development.

1202. The division may conduct essential mapping and surveys of natural resources not now the direct responsibility of existing State or Federal agencies. These shall include the acquiring of a base map, which shall show visually the topographic features, streets, roads, cultivated areas, number of trees, extent of timbered areas, land usage, buildings or structures, waste or marginal lands, and the areas thus covered. The methods used and procedure in acquiring the base map shall be the responsibility of the chief of the division. The base map shall be mosaic in form, constructed by radial control method in suitable quadrangular sizes, based upon a plane rectangular coordinate system.

1203. The division shall serve as a depository for and maintain a public file of all final maps and surveys of natural resources of the State of California which in the opinion of the board are of general public importance. It shall be the duty of each State department or agency and of each county of the State to transmit to the division a copy of each map or survey prepared by such department, agency or county which shows data requested by the board. It shall, with the approval of the board, purchase mosaic aerial photographic base maps and maps not otherwise available.

1204. The division shall collect and disseminate information relative to maps and surveys of natural resources of the State of California or parts thereof. It shall provide a public information service for public and private persons and agencies relative to maps and surveys of natural resources in the State. Such information service shall be maintained at Los Angeles, San Francisco and other branch offices of the Department of Natural Resources.

1205. With the approval of the board the division may reproduce and distribute copies of maps and survey data relative to natural resources of the State which are not otherwise available to the general public. Such copies shall be sold at the actual cost of printing and distribution.

1206. The division shall, in cooperation with appropriate State, Federal and local agencies, or Legislative Committees, draft and recommend to the Governor and the Legislature a comprehensive program for the development of the natural resources of the State.

1207 If directed to do so by the board, the division may from time to time recommend legislation designed to eliminate duplication of mapping and survey data or extend mapping and survey programs not covered by existing agencies or departments.

1208. The division shall prepare and distribute to public officials when directed by the board, uniform specifications and regulations for aerial photographic mapping and procedure.

1209. Any authorized employee or agent of the department or division shall have the right to go upon any land within the State for the purpose of conducting any authorized mapping or surveying activities of the division. Officers".

Amendment No. 12

On page 4 of the printed bill, strike out lines 33 to 43, inclusive.

Amendment No. 13

On page 4, line 44, of the printed bill, strike out "1214", and insert "1213".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1376—An act declaring all buildings and places nuisances wherein or upon which any unlicensed sale of alcoholic beverages in violation of the provisions of the Alcoholic Beverage Control Act is made or occurs or which are used for such sale, providing for the abatement and prevention of such nuisances, and providing for the repeal of the Unlawful Liquor Sales Abatement Law of 1915.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, strike out ", and providing for the repeal of the Unlawful Liquor Sales Abatement Law of 1915".

Amendment No. 2

On page 3 of the printed bill, strike out lines 45 and 46.

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 1697—An act making an appropriation to carry out the provisions of Division 1a of the Public Resources Code as enacted by the Legislature at its Fifty-fourth Session.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

In line 1 of the title of the printed bill, after "appropriation", insert "to the Division of Mapping and Surveys of Natural Resources in the Department of Natural Resources".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "Surveys and Maps", and insert "Mapping and Surveys of Natural Resources".

Amendments read and adopted.
Bill ordered printed and engrossed

Assembly Bill No. 1126—An act to regulate the manufacture, sale, distribution, use and possession of explosives, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended, strike out "Subdivision 1."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 20.

Amendment No. 3

On page 2, line 23, of the printed bill, as amended, strike out "Subdivision 2. (a)".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 39 to 51, inclusive; and on page 3, strike out lines 1 to 6, inclusive.

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 24 to 27, inclusive.

Amendment No. 6

On page 3 of the printed bill, as amended, strike out lines 48 and 49, and insert "Any license issued under this section may be revoked on any".

Amendment No. 7

On page 4 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and insert

"Every license issued under this section shall expire on the last day of the calendar year in which it is issued unless sooner revoked.

Each application for license under this section shall be accompanied by a fee of five dollars ($5).

The State Bureau of Criminal Identifica-".

Amendment No. 8

On page 4, line 15, of the printed bill, as amended, strike out "act", and insert "section".

Amendment No. 9

On page 4 of the printed bill, as amended, strike out line 21, and insert "The provisions of this section do".

Amendment No. 10

On page 4, line 22, of the printed bill, as amended, strike out the comma, and insert "or".

Amendment No. 11

On page 4, line 26, of the printed bill, as amended, strike out "ar", and insert "or".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1529—An act to appropriate funds to the State Department of Education for publications by the California State Historical Association.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "publications by", and insert "the support of".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "five thousand dollars ($5,000)", and insert "fifteen thousand one hundred eighty dollars ($15,180)".

Amendment No. 3

On page 1, line 5, of the printed bill, after "for", insert "the support of the California State Historical Association, not less than five thousand dollars ($5,000) of which shall be available for".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2217—An act to add Article 8a to the State Civil Service Act, relating to standards of conduct of employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "8a", insert ", comprising Sections 160 to 164, inclusive,".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "163", and insert "164, inclusive,".

Amendment No. 3

On page 1 of the printed bill, strike out line 4, and insert

"Article 8a. Standards of Conduct

Sec 160. Upon entering the employment of the State, the employee assumes certain obligations to his employer. Among these obligations is that of loyalty, not only in the faithful performance of his work, but in adherence to the principles upon which the State is founded. To this end, the board shall formulate, publish and cause".

Amendment No. 4

On page 1 of the printed bill, between lines 9 and 10, insert

"Sec 161. There shall be contained in the Handbook, a statement of the principles of the American Government which the employee is required to uphold. This statement of principles shall be based upon the Constitution of the United States, setting forth that the United States is an indissoluble Union of indestructible States, having three coordinate branches of Government, each entrusted with its respective executive, judicial and legislative functions; that the executive power is vested in the President; the judicial power, in the Supreme Court, and such inferior courts as the Congress may from time to time ordain and establish; and the legislative power is granted to the Congress of the United States, which shall consist of a Senate and House of Representatives chosen from the several States and charged with enacting laws for the protection and preservation of the Nation as a whole; that the Bill of Rights is declared to protect the individual against persecution and the abuse of this power, and that the individual owes a corresponding duty to obey and uphold the laws in those matters which have been surrendered to Congress; that this is the fundamental law of the Nation and can be lawfully altered only by the methods of amendment provided in the Constitution itself in accordance with the spirit and traditions of America; that the Government of the State of California and the several States is modeled upon that of the United States, with a corresponding division of powers and a corresponding protection of the rights of persons and property and a surrender of individual rights to the State to act for all the people; that these divisions and balances are provided to foster the freedom and liberties of the people and to preserve the American Democracy."

Amendment No. 5

On page 1, line 10, of the printed bill, strike out "Sec. 161", and insert "Sec. 162".

Amendment No. 6

On page 1, line 18, of the printed bill, strike out "Sec. 162", and insert "Sec. 163".

Amendment No. 4

On page 2, line 19, of the printed bill, strike out "Sec 163", and insert "Sec 164"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1620—An act to amend School Code Section 4.700, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4.700", and insert "6 465".

Amendment No. 2

In the title of the printed bill, strike out all of line 2, and insert "providing of textbooks to junior college students".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4.700", and insert "6.465".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "6.465. No provision of this chapter or of this code shall be construed as requiring the governing board of any district maintaining a junior college to provide textbooks free of charge, or otherwise, to any student enrolled in such junior college, nor shall any of the provisions of this chapter be construed as applicable to textbooks required or authorized to be used by students in such junior college. *The governing board of such a district may however, in its discretion, purchase textbooks for use, free of charge, by the students enrolled in the junior college, or junior colleges, of the district,*".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1621—An act to amend School Code Section 3.491, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after the first word "in", insert "February,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 15 to 21, inclusive, and insert

"In the event a superintendent of schools determines to hold, or does hold, an annual teachers' institute in the City and County of San Francisco, in February, 1942, as authorized by this section, he is not required to hold an annual teachers' institute during the calendar year 1941, nor is he required to hold another annual teachers' institute during the calendar year 1942."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 420—An act to add Chapter 3, comprising Sections 2700 to 2766, inclusive, to Division 4 of the Welfare and Institutions Code, relating to resettlement, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 4, line 17, of the printed bill, as amended, strike out "California war veterans", and insert "farm tenants and laborers etc."

Amendment No. 2

On page 4, line 24, of the printed bill, as amended, strike out "California war veterans", and insert "farm tenants and laborers etc."

Amendment No. 3

On page 4, line 25, of the printed bill, after "and", insert "opposite the words".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 461—An act to amend Section 442 of the Probate Code, relating to opposition to petition for letters of administration.

Bill read second time, and ordered to third reading.

Senate Bill No. 315—An act to amend Section 942 of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read second time, and ordered to third reading.

Senate Bill No. 285—An act to amend Section 6062 of the Business and Professions Code, relating to admissions to the practice of law.

Bill read second time, and ordered to third reading.

Senate Bill No. 1048—An act to amend School Code Section 5.820, relating to the Teachers Retirement Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 1047—An act to amend Section 5.546 of the School Code, relating to teachers' reports.

Bill read second time, and ordered to third reading.

Senate Bill No. 175—An act to amend Section 6.36 of the School Code, relating to the powers and duties of the governing boards of school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 113—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6, consisting of Sections 280 to 283, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code, relating to offices for the Senate and the members thereof, and to make an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 314—An act to add Section 6.231 to the School Code, relating to the sale of textbooks by governing boards of school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 639—An act to amend Section 1 of "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Bill read second time, and ordered to third reading.

Senate Bill No. 824—An act to amend Sections 51a, 51c, 51g and 52 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1b to Article IV thereof, relating

to the power of the Legislature or the people (1) to confer power on administrative officers, boards or commissions to make decisions, and (2) to provide for appropriate judicial review of such decisions.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed measure, as amended, at the end of line 6, insert "Nothing in this section shall be construed as limiting the power of any county, city, or city and county under this Constitution to make and enforce within its limits local, police, sanitary and other regulations and, when not in conflict with general law, to provide by ordinance that decisions of questions of fact made by any administrative officer, board, commission or agency shall be final."

Amendment read and adopted.

Resolution ordered printed, and to third reading.

Senate Bill No. 82—An act to amend Section 1 of, to add Section 8 to, and to repeal Section 6 of an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Section 5 of and to add Section 9 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Section 1 of, to add Section 8 to, and to repeal Section 6 of", and insert "Sections 1, 2, 4 and 6 of, and to add Section 8 to".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, strike out "Section 5", and insert "Sections 3, 4 and 5".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 2, and insert "for 20 years in the aggregate within the period of 24 years".

Amendment No. 4

On page 2, line 3, of the printed bill, as amended, after "preceding", insert "or (3) Who, regardless of age, has been a judge or justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts for 30 years continuously immediately preceding his retirement,".

Amendment No. 5

On page 2, line 19, of the printed bill, as amended, strike out "24", and insert "20".

Amendment No. 6

On page 2, line 20, of the printed bill, as amended, strike out "30", and insert "24".

Amendment No. 7

On page 2, line 23, of the printed bill, as amended, after "courts", insert ", or

(3) Who regardless of age has been a judge of a municipal court or a judge or justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts for 30 years continuously immediately preceding his retirement, having served over six years of that period as a judge or justice of the Supreme Court, or district court of appeal, or superior court, or any two or more of said courts,".

Amendment No. 8

On page 2 of the printed bill, as amended, between lines 44 and 45, insert

"SEC. 2. Section 2 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district court of appeal, and of judges of the superior courts", approved July 1, 1937, is hereby amended to read as follows.

Sec. 2. Every justice or judge retiring after attaining the age of 70 years, as provided in Section 1 of this act, shall, during the remainder of his life, receive an allowance equal to the salary which he last received as the incumbent of a judicial office to which he was elected by the people. Every justice or judge retiring *before attaining the age of 70 years, as provided in Section 1 of this act*, shall, during the remainder of his life, receive an allowance equal to one-half the salary which he last received as the incumbent of a judicial office to which he was elected by the people Said allowance shall be paid by the State at the times and in the manner provided for the payment of salaries of Justices of the Supreme Court.

SEC 3. Section 4 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, is hereby amended to read as follows

Sec 4 Every justice or judge retired for disability shall receive a retirement allowance payable in the same manner as the allowance above provided, which shall be computed as follows.

(a) If eligible to retire under the provisions of Section 1, he shall receive the allowance provided in Section 2.

(b) Except as provided in Section 5, if he is not eligible to retire under the provisions of Section 1, he shall receive an allowance equal to one-half of the salary which he last received as the incumbent of a judicial office to which he was elected by the people, which allowance shall be paid to him for five years from the date of his retirement, and thereafter for a period of time equal to [one-half] the period, if any, by which his aggregate service as a justice or judge of one or more of said courts exceeds five years

SEC. 4. Section 6 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts", approved July 1, 1937, is hereby amended to read as follows:

Sec. 6. Justices and judges retired under the provisions of this act, so long as they are entitled by its provisions to receive a retirement allowance, shall be judicial officers of the State, but shall not exercise any of the powers of a justice or judge except while under assignment to a court as hereinafter provided. Any such retired justice or judge may, with his own consent, *and upon stipulation of all the counsel in the case or cases to which he is assigned to sit*, be assigned by the chairman of the Judicial Council to sit in any court; and while so assigned shall have all the powers of a justice or judge thereof. If assigned to sit in a court [in a county other than that in which he resides], he shall be [allowed] *paid while sitting therein from funds provided for that purpose in addition to his retirement allowance the difference, if any, between the retirement allowance and the compensation of a judge of the position to which he is assigned. When assigned to sit in a county other than that in which he resides, he shall also be allowed* his necessary expenses for travel, board and lodging incurred in the discharge of the assignment, payable out of any funds available for similar expenses of judges assigned under the provisions of Section 1a of Article VI of the Constitution."

Amendment No. 9

On page 2, line 45, of the printed bill, as amended, strike out "2", and insert "5".

Amendment No. 10

On page 3, line 1, of the printed bill, as amended, strike out lines 1 to 5, inclusive.

Amendment No. 11

On page 3 of the printed bill, as amended, between lines 5 and 6, insert

"SEC. 6. Section 3 of an act entitled "An act creating a special fund, to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, is hereby amended to read as follows:

Sec. 3. From and after the effective date of this act the State Controller shall at the end of each month deduct [two and one-half] *five* per centum from the monthly salary of each Justice of the Supreme Court and of the district courts of appeal and of the portion paid by the State of the monthly salary of each judge of the superior court and shall cause the same to be paid into the Judges' Retirement Fund.

SEC. 7. Section 4 of an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, is hereby amended to read as follows:

Sec. 5. From and after the effective date of this act the auditor of each county shall deduct [two and one-half] *five* per centum from the portion paid by such county of the monthly salary of each judge of the superior court, and cause the same to be paid into the Judges' Retirement Fund."

Amendment No. 12

On page 3, line 6, of the printed bill, as amended, strike out "SEC. 4", and insert "SEC. 8".

Amendment No. 13

On page 3, line 15, of the printed bill, as amended, strike out "designated beneficiary", and insert "beneficiary nominated by written designation duly filed with the Secretary of State,".

Amendment No. 14

On page 3, line 17, of the printed bill, as amended, strike out "SEC. 5", and insert "SEC. 9".

Amendment No. 15

On page 1, line 11, of the printed bill, as amended, strike out "12", and insert "10".

Amendment No. 16

On page 2, line 11, of the printed bill, as amended, strike out "12", and insert "10".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 131—An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out the title, and insert "An act relating to tidelands and submerged lands granted to cities, counties, or cities and counties and providing a procedure for the sale or other disposition of portions thereof which have been or may become no longer available or useful or susceptible of being used for navigation, commerce, and fishery."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Whenever tidelands or submerged lands, or portions thereof, which have been granted by the State to any city, county, or city and county have been improved by adapting the same to use for purposes of commerce and navigation, and by reason thereof portions have been filled and reclaimed and, as so filled and reclaimed, are thereby excluded from the public channels and are no longer available or useful or susceptible of being used for navigation, commerce, and fishery, and are no longer in fact tidelands or submerged lands, such portions thereof shall be freed from the public use and trust for navigation, commerce and fishery and may be sold or otherwise disposed of upon compliance with the provisions of this act.

SEC. 2 The governing body of any city, county, or city and county to which such lands have been granted may apply to the State Lands Commission requesting it to determine the status of described portions of the land so granted and requesting authority to sell or otherwise dispose of the lands. The application shall be in writing and shall be in such form and contain such information as the State Lands Commission may by rule prescribe.

SEC. 3. Upon the receipt of an application under this act the commission shall set a time and place for hearing thereon and shall notify the applicant. The commission may conduct an independent investigation to determine the facts as to the status of such land either before or after the hearing.

After such hearing and investigation the commission shall either deny all or a portion of the request or shall make its order authorizing the sale of all or such portion of the lands described in the application as meet the conditions set forth in Section 1 of this act.

The commission may, in its discretion, require the applicant to reserve from sale the oil, gas, and mineral deposits in the lands. Such requirement, if made, shall be set forth in the order.

The costs and expenses necessarily incurred by the commission under this act shall be paid by the applicant.

SEC. 4. Any order made by the commission under this act shall be conclusive as to the findings of fact made by the commission and contained therein

SEC. 5. The order shall be delivered to the applicant who shall record it in the office of the county recorder of the county in which the lands are situated

SEC. 6. At any time after the recording of such order the lands described therein may be sold and conveyed free of the public uses and trusts contained in the legislative acts granting such lands on such terms as may be deemed by the legislative body of the city, county, or city and county to be for the public interest.

No such sale and conveyance shall be made under this section unless a notice of intention of the city council or other governing body of the city or the board of supervisors of the county or city and county, to make such sale and conveyance, describing the property to be sold and conveyed, the price to be paid therefor, to whom it is proposed to sell or convey, and fixing the time when the board, council, or other governing body, will meet to consummate such sale and conveyance has been published at least once each week for not less than three weeks in some newspaper of general circulation published in the city, county, city and county, a copy thereof has been posted for at least three weeks in a conspicuous place on the lands proposed to be sold and conveyed, and a copy thereof has been mailed to the owner or owners of land, if any, lying contiguous to the lands proposed to be sold and conveyed at the address or addresses of such owner or owners as shown on the county assessment rolls. At the time and place specified in said notice the lands may be sold and conveyed to the person named in the notice unless a higher bid accompanied by the full consideration offered for such lands is received, in which event the same shall be sold and conveyed to the highest bidder.

SEC 7. Any sums of money paid to a city, county, or city and county in connection with the sale and conveyance of lands under this act shall be deposited in the treasury of the county, city and county or city in a special harbor fund, and shall be used by it for the improvement, development, and conduct of its harbor exclusively and for no other purpose."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 2, 3 and 4; and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 558—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended, after "quays", insert "ships ways or other industrial uses"

Amendment No. 2

On page 2, line 35, of the printed bill, as amended, change the period to a semicolon, and insert "and may lease said lands for the purposes aforesaid, or any of them, for such period or periods not to exceed 50 years, and under such terms and conditions as may be prescribed by the governing body of the City of Oakland"

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 742—An act to add Article 21 to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the filing, codification, and publication of the rules and regulations of officers, boards, authorities and commissions, and creating a Codification Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended, between lines 20 and 21, insert "(5) Relates to the use of public works, including streets and highways, under the jurisdiction of any State agency when the effect of such order is indicated to the public by means of signs or signals."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 964—An act to amend Section 688 of the Political Code and to add two new sections, to be numbered 688.1 and 688.2, to the Political Code, relating to claims and actions against the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "add a new section, to be numbered 688.1,".

Amendment No. 2

On page 1, lines 4 and 5, of the printed bill, strike out the comma following "contract"; and strike out "except claims on express contract based on contracts awarded under the State Contract Act", and strike out the comma following "Act".

Amendment No. 3

On page 1, line 28, of the printed bill, strike out "one year", and insert "two years".

Amendment No. 4

On page 2, line 19, of the printed bill, strike out "one year", and insert "two years".

Amendment No. 5

On page 3 of the printed bill, strike out lines 26 to 52, both inclusive; and on page 4, strike out lines 1 to 14, both inclusive.

Amendment No. 6

On page 4, line 15, of the printed bill, strike out "688.2", and insert "688.1".

Amendment No. 7

On page 4 of the printed bill, strike out lines 41 to 48, both inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 335—An act to add Section 6102.5 to the Business and Professions Code, relating to attorneys convicted of crimes involving moral turpitude.

Bill read second time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by *being inclosed within brackets.*

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add Section 6102.5 to", and insert "amend Section 6102 of".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 6102 of the Business and Professions Code is hereby amended to read as follows

6102. Upon the receipt of the certified copy of the record of conviction of an attorney of a crime involving moral turpitude, the court shall suspend the attorney until [judgment in the case becomes final When a judgment of conviction becomes final, the court shall order the attorney disbarred] *the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal The court shall order the attorney disbarred when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such attorney to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation or information*

The other provisions of this article providing a procedure for the disbarment and suspension of an attorney do not apply to an attorney convicted of a crime involving *moral turpitude, unless expressly made applicable*"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bennett, Call, Clarke, Collins, Sam L., Cooke, Crowley, Desmond, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Heisinger, Houser, Frederick F., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poulson, Sawtelle, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—42.

NOES—None.

Bill ordered reprinted, and to third reading.

INTRODUCTION OF GUESTS

The following N. Y. A. assignees from three Northern California counties, en route to work on defense construction projects in San Diego, were introduced as guests of Messrs. Dills, Green, Cooper, Stream, Richie and Mrs. Daley:

Local N. Y. A. Supervisors: Charlotte Cooper, Medical Worker; Robert Oaks, Personnel Supervisor; John S. Burton, Senior Youth

Personnel Supervisor; Athal Delzell, Sacramento; Mello Salerno, Sacramento; David Matthews, Sacramento; Gordon Reed, Sacramento; Howard Burke, North Sacramento; Frank D. Ervin, Pilot Hill; Clem Vierra, Sacramento; Barney Glenn, Sacramento; Robert J. D. Gill, Sacramento; Charles Brown, Woodland; Robert Pierson, Sacramento; Sam Messina, Sacramento; Norman Edward Scofield, Sacramento; Cecil J. Tiner, Sacramento; Harold Kuntz, Woodland; George Bacich, Sacramento; Lonnie D. Brandon, Sacramento; John Lish, Sacramento; Robert J. Kerr, Auburn; Jack P. Moran, Sacramento, and Donald Korff, Roseville.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Cooke moved that the following remarks by Mr. Garland be ordered printed in the Journal:

Motion carried.

Remarks by Mr. Garland

I am very happy to have you young men with us today and I hope you will get something constructive from our deliberations.

Allow me to congratulate each and every one of you upon the action you have taken in going to San Diego to participate in the Preparedness Program for the defense of our Country. I am sure that every member here will agree with me that the future welfare of our Country is vouchsafed for so long as the defense of our Country is in the hands of such splendid young Americans as these young men we have with us today.

These young men, with thousands of others, who are participating in the National Youth Administration Program of Airplane Manufacture will play a most important part in preparing our Country to defend itself against the inroads of the dictators. We wish them every success in their new venture and I am certain that the people of San Diego will be proud of them and happy to have them in their midst as new citizens and residents of that lovely city.

MOTION TO POSTPONE ACTION TEMPORARILY

Mr. Bennett moved that further consideration of the unfinished business file be temporarily postponed.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1906—An act to amend Section 1 of an act entitled "An act making an appropriation for the establishment of a Permanent Fund for the Purchase of Jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the Revolving Fund from the Manufacture and Sale of Jute.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Desmond, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1285—An act to amend Sections 583 and 586 of the Vehicle Code, relating to the stopping, standing or parking of a vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—49.

NOES—Maloney, and Welch—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 678—An act to add a new section to the Civil Code, to be numbered 955, relating to the assignment of accounts receivable and conditional contracts of sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Field, Gallagher, Gunlock, Hawkins, Kellems, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—47.

NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2129—An act to repeal Section 55.8 of the Alcoholic Beverage Control Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 518—An act to amend Section 337 of the Code of Civil Procedure, relating to time of commencing actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An act to add Section 647.1 to the Code of Civil Procedure, relating to objection to comment on the evidence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—49

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 16—Proposed amendment to Article VI, Section 23, of the Constitution, relative to eligibility of justices and judges.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 11.12 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hastain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2595.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2595—An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately.

Bill read third time

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 2595:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS.

ASSEMBLY BILL No 2595

"An act to amend Section 1 of 'An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of

elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately', approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 2595 as an emergency measure.

Respectfully submitted.

CULBERT L OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Welch, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2624.

Assembly Bill No. 2624—An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—59.

NOES—Gaffney—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 124—An act to add Article 3, consisting of Section 3800, to Chapter 4 of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation insurance and applicants for construction, improvement, alteration, or demolition permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Robertson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, Assembly Constitutional Amendment No. 61.

Assembly Constitutional Amendment No. 61—Proposed amendment to Article V of the Constitution, by adding Section 22, relating to the compensation of State officers.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—55.

NOES—Carlson, Donnelly, Heisinger, Houser, Frederick F., Knight, T. Fenton; Massion, and Mr. Speaker—7.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2626—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Gaffney, Gallagher, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, Pfaff, Phillips, Poole, Poulson, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Weybret—42.

NOES—Bashore, Burkhalter, Clarke, Cooke, Dilworth, Donnelly, Evans, Gunlock, Heisinger, Lowrey, McCollister, Pelletier, Salsman, Welch, Wollenberg, and Mr. Speaker—16.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Phillips, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2608.

Assembly Bill No. 2608—An act to add Section 3666d to the Political Code and to amend Section 900.7 of the Insurance Code, relating to the administration of taxes imposed on insurance companies and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Michael J., Call, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Hastain, Houser, Frederick F., Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, Phillips, Robertson, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Burkhalter, Carlson, Cooke, Donnelly, Gaffney, Gunlock, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Lowrey, Massion, McCollister, Pelletier, Poole, Richie, Russell, Salsman, and Watson—20.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.50 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

At 11.51 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 16 refused adoption by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Hastain, Houser, Frederick F., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Thomas, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Bennett, Clarke, Collins, George D., Cooke, Crowley, Dills, Donnelly, Gaffney, Gunlock, Hawkins, Heisinger, Johnson, Kilpatrick, Lowrey, Massion, Pelletier, Richie, Russell, Salsman, Stream, Tenney, and Thorp—22.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 16

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 16 was this day refused adoption.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 225

Resolved, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly, to take effect upon the completion of work on Sunday, May 18, 1941.

	Per day
Domingo Correa, Page	$2 50

LYON, Chairman
Committee on Rules

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 225, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B.,

Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2631—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the managements, maintenance and control thereof.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 19, of the printed bill, strike out "inclusion of", and insert "inclusion or".

Amendment No. 2

On page 9 of the printed bill, between lines 29 and 30, insert

"5781.5. The provisions of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements, or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as now or hereafter amended, are hereby expressly made applicable to the improvement or development of a harbor by the governing board."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1898—An act appropriating money for the acquisition of Hinckley Basin by the State.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "Division of Forestry in", and insert "Department of Natural Resources for".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 12.01 p.m., on motion of Mr. Lyon the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 855—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other

charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, so as to define industrial loan companies, provide for their incorporation, powers and supervision; and regulate the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies.

Bill read third time

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 7 of the printed bill, as amended, strike out lines 31 and 32, inclusive, and insert

"SEC. 9. All corporations herein mentioned shall be taxed in the same manner and at the same rates as other corporations are taxed pursuant to Section 16 of Article XIII of the Constitution of this State".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Riehe, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—46

NOES—None.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1320—An act to amend Section 50¾ of the Public Utilities Act, authorizing the establishment of joint and through rates by highway common carriers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1320?

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 50¾ of the Public Utilities Act is hereby amended to read as follows

Sec. 50¾ (a) No highway common carrier shall hereafter".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1320 by the following vote:

AYES—Andreas, Bashore, Burns, Michael J., Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Field, Gallagher, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Salsman, Sheridan, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—42

NOES—None.

Assembly Bill No. 1320 ordered enrolled.

Assembly Bill No. 1377—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1377?

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in the Assembly, April 25, 1941, after "State", insert "or elsewhere".

Amendment No. 2

On page 2, line 25, of the printed bill, as amended in the Assembly, April 25, 1941, after "thereof", insert "but when such expenses are incurred with respect to travel outside of the State, they shall be subject to the approval of the Governor and Director of Finance".

Amendment No. 3

On page 2, line 46, of the printed bill, as amended in the Assembly, April 25, 1941, after "thereof", insert "or any representative designated by the board".

Amendment No. 4

On page 3, line 2, of the printed bill, as amended in the Assembly, April 25, 1941, after "pena", insert "or who shall refuse to answer any question touching upon the matter under investigation by the board put to him by any member of the board, its secretary or designated representative".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1377 by the following vote:

AYES—Andreas, Bashore, Burns, Michael J., Call, Carlson, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Middough, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 1377 ordered enrolled.

Assembly Bill No. 1865—An act to add Sections 5014 and 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund and providing the manner in which the moneys in said fund may be expended.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1865?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "Sections", insert "5003.5".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "moneys", and insert "powers of the State Park Commission, specifying the amount of money to be ".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Section 5003.5 is hereby added to the Public Resources Code, to read as follows:

5003.5 The State Park Commission is authorized to provide means of ingress to and egress from all State parks in order to provide ready access thereto by the public and for that purpose may enter into contracts or agreements with cities, counties and other political subdivisions of the State and with other State agencies for the construction and maintenance of suitable roads, trails and pathways

SEC. 2. Section 5014 is hereby added to the Public".

Amendment No. 4

On page 1, line 17, of the printed bill, as amended, strike out the period, and insert ", including the cost of construction and maintenance of roads, trails and pathways providing access to State parks."

Amendment No. 5

On page 1, line 22, of the printed bill, as amended, strike out "Sec 2", and insert "Sec. 3".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1865 by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1865 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 200

House Resolution No. 200

WHEREAS, A California Commission on Interstate Cooperation was created by the Legislature in 1939, to consist of Members of the Senate and Assembly Committees on Interstate Cooperation, and State officers appointed by the Governor; and

WHEREAS, A case is now pending in the Supreme Court of California, involving a petition by the chairman of the commission for a writ of mandate against the Controller, to compel that official to honor the claims of the commission; and

WHEREAS, The case involves the constitutionality of the statute creating the commission and no action can be taken by the commission until a decision therein is rendered; now, therefore, be it

Resolved by the Assembly of the State of California, That upon a decision in *Parker* vs. *Riley*, the case aforesaid, upholding the constitutionality of the statute creating the Commission on Interstate Cooperation the Speaker of the Assembly is hereby authorized and directed to reappoint the members of the Assembly Committee on Interstate Cooperation, whether such decision is rendered prior to or after final adjournment of this session, in order that such committee may proceed to participate in the work of the commission.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Call, Carlson, Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—None.

Call of the Assembly

Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 1.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TABLE BILLS

Mr. Bennett moved that all bills on third reading file, that have been passed on file more than twice, be laid on the table.

Mr. Pelletier seconded the motion.

Demand for Previous Question

Messrs. Turner, Andreas, Knight, T. Fenton; Kilpatrick and Call demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Bennett that all bills on third reading file that have been passed on file more than twice be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Collins, George D., Cooke, Donnelly, Evans, Hawkins, Pelletier, Russell, and Thomas—10.

NOES—Allen, Andreas, Burkhalter, Call, Carlson, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

Motion to Place Bills on Inactive File

Mr. Bennett moved that any bill passed on file twice be placed on the inactive file, to be withdrawn at any time by motion of the author.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bennett, Burkhalter, Collins, George D., Cooke, Donnelly, Evans, Kilpatrick, Knight, John B., Knight, T. Fenton; O'Day, Pelletier, Russell, Thomas, and Watson—15.

NOES—Andreas, Call, Carlson, Crowley, Dickey, Dilworth, Field, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—42.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Garland, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2620.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2620—An act to declare legislative policy with respect to economy and State tax reduction in the interests of National defense, to amend Section 3 of the Retail Sales Tax Act of 1933, to amend Section 3 of the Use Tax Act of 1935, to add Section 5a to The Personal Income Tax Act, to add Section 4b to the Bank and Corporation Franchise Tax Act, to add Section 3a to The Corporation Income Tax Act of 1937, to add Section 24.1 to the Alcoholic Beverage Control Act, and to add Section 4a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, relating to the rates of State taxes

Bill read third time.

Demand for Previous Question

Messrs Robertson, Collins, Sam L., Allen, Dills and Andreas demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2620.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Frederick F. Houser moved a call of the Assembly.

Motion carried. Time, 3.54 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Richie, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1740.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1740—An act to add Sections 73.5, 73.6 and 73.7 to the Penal Code, relating to the giving of legal or financial assistance in the prosecution of any criminal case.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Collins, Sam L., Turner, McCollister and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1740.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Richie moved a call of the Assembly.

Motion carried. Time, 4.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Charles W. Lyon Presiding

At 4.55 p.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 54 FROM COMMITTEE

In compliance with a notice given on a previous day, Miss Miller moved that Assembly Constitutional Amendment No. 54 be withdrawn from the Committee on Public Morals, and be placed upon the file.

Motion to Table

Mr. Call moved that Assembly Constitutional Amendment No. 54 be laid on the table.

Mr. Evans seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Poole, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Weber, Welch, Weybret, and Wollenberg—42.

NOES—Bashore, Bennett, Burkhalter, Clarke, Daley, Donnelly, Field, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Miller, Pfaff, Phillips, Potter, Robertson, Sheridan, Thomas, Turner, Voigt, and Watson—28.

Explanations of Vote

I am opposed to local option as impracticable, but voted against motion to table as I favored giving everyone a chance to be heard.

ERNEST O. VOIGT

My "No" vote on tabling Assembly Constitutional Amendment No. 54 was for the reason that the maker of the motion overstepped the bounds of good sportsmanship and parliamentary procedure, by speaking on the subject and then making the motion, thereby preventing others from speaking.

VINCENT THOMAS

Regardless of my personal views, on the question of local option, I voted "No" on Mr. Call's motion to table it. My reason for so doing was that I felt that the matter should have been debated thoroughly, and both the opponents and proponents should be given a fair and just hearing

EVERETT G. BURKHALTER

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 53: By Messrs. Allen and Crowley—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Request for Unanimous Consent

Mr. Allen asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 53, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 53

Assembly Concurrent Resolution No. 53—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Burkhalter, Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Weber, and Wollenberg—52.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2620

At 5.02 p m , on motion of Mr. Frederick F. Houser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2620 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Call, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Kellems, Knight, John B., Leonard, Lyon, Massion, McCollister, Middough Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Del Mutolo, Donnelly, Gaffney, Gunlock, Hawkins, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Meehan, Miller, Pfaff, Richie, Russell, and Thomas—26.

Notice of Motion to Reconsider Assembly Bill No. 2620

Mr. Bennett gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2620 was this day passed.

Explanations of Vote

In voting against Assembly Bill No. 2620, I opposed this measure because I think that if a surplus exists at the end of the next biennium, it should be placed in a reserve fund to take care of any emergency after the defense program ends. Balance the Budget first, reduce taxes after.

T. A. MALONEY, Twentieth District

Although we advocate a reduction in taxes, especially of the sales and use taxes, we voted "No" on Assembly Bill No. 2620 because we feel the colossal deficit should first be abolished.

EDWARD M. GAFFNEY
JOHN EDWARD CAIN
WM. I. GUNLOCK

I voted "No" on Assembly Bill No. 2620 because while I believe that the sales tax should be reduced, I feel that the $48,000,000 State deficit should be paid first.

Signed

EVERETT G. BURKHALTER

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Garland, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2620.

Motion to Temporarily Suspend the Rules

Mr. Garland moved that the Rules be temporarily suspended for the purpose of considering the motion to reconsider Assembly Bill No. 2620 at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Call, Carlson, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Evans, Field, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Mr. Speaker—46.

NOES—Bennett, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Donnelly, Gaffney, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Massion, Meehan, O'Day, Russell, and Thomas—18.

Reconsideration of Assembly Bill No. 2620

In compliance with a notice given, Mr. Garland moved that the vote whereby Assembly Bill No 2620 was passed be reconsidered.

Assembly Bill No. 2620 refused reconsideration by the following vote:

AYES—Bennett, Burns, Michael J. Cain, Cassidy, Collins, George D, Donnelly, Gaffney, Gunlock, Hawkins, Kilpatrick, King, Massion, Meehan, O'Day, Russell, and Thomas—16.

NOES—Allen, Bashore, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Hastain, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr Speaker—49.

Assembly Bill No. 2620 ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2639 WAIVED

Mr. Allen waived his notice to reconsider the vote whereby Assembly Bill No. 2639 was passed.

Assembly Bill No. 2639 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1740

At 5.12 p. m., on motion of Mr. Richie, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1740 passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Crowley, Dills, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Sheridan, Tenney, Thomas, Turner, Voigt, Weber, and Welch—41.

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Field, Gallagher, Houser, Frederick F., Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Poole, Potter, Salsman, Sawallisch, Stream, Thorp, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker—34.

Bill ordered transmitted to the Senate.

RECESS

At 5.15 p. m., on motion of Mr. Field the Assembly recessed until 8 p. m.

REASSEMBLED

At 8 p. m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Call of the Assembly

Mr. Turner moved a call of the Assembly.

Motion carried. Time, 8:17 p. m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO DISPENSE WITH SATURDAY SESSION

Mr. Bashore moved that the Assembly stay in session until 11.59 p.m., Friday evening, and dispense with the Saturday morning session.

Roll Call Demanded

Messrs. Bashore, Robertson and Stream demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Cain, Collins, George D., Cooke, Crowley, Evans, Kilpatrick, King, Leonard, Maloney, Massion, Middough, Millington, Poulson, Russell, Thomas, Thurman, Turner, Weber, and Weybret—20.

NOES—Bennett, Burkhalter, Burns, Michael J., Desmond, Dilworth, Donnelly, Doyle, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Meehan, Miller, Pelletier, Pfaff, Poole, Robertson, Salsman, Stream, Thorp, and Watson—21.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 25—An act to amend Section 4153 of the Political Code, relating to the duties of the district attorney.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 4153", and insert "Sections 4153 and 4308".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, after "attorney", insert "and the district attorney's special fund".

Amendment No. 3

On page 2 of the printed bill, as amended, after line 38, insert

"SEC. 2. Section 4308 of the Political Code is hereby amended to read as follows:

4308. There is hereby created in each county a fund to be known as the district attorney's special fund It shall be the duty of the board of supervisors, within 30 days after this act takes effect, and annually thereafter, at the beginning of the fiscal year, to transfer from the General Fund to the district attorney's special fund, such sum or sums as may be necessary from time to time so that there shall be in such fund at the beginning of each fiscal year available for use by the district attorney, the following amounts: In counties or cities and counties having a population of 90,000 or more the sum of five thousand dollars ($5,000); in all other counties such sums as the board of supervisors shall set aside, not to exceed two thousand five hundred dollars ($2,500).

On the presentation of his requisition therefor by the district attorney to the auditor, said auditor shall draw his warrant in favor of the district attorney on such fund for such amounts as the district attorney may require from time to time. On presentation the treasurer shall cash said warrant.

Discretion of Supervisors in Counties of 90,000 or more. In their discretion the board of supervisors in counties having a population of 90,000 or more, in addition to the amounts hereinbefore mentioned, may transfer to such fund such additional sums as they deem necessary to be used by the district attorney as provided in this section.

All such sums may be used by the district attorney for his expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested, and for such expenses necessarily incurred by him in the detection of crime, other than those crimes declared to be misdemeanors by the ["California Vehicle Act," approved May 30, 1923, and amendments thereto,] *Vehicle Code*, and in the prosecution of criminal cases and for expenses in any matters in which the county may be interested.

The district attorney shall file vouchers with the auditor at the end of each fiscal year, showing what disposition he has made of any moneys received from such fund and the particular purpose for which it was spent; provided, that if a criminal proceeding be pending or under investigation as to any moneys spent in such proceeding or investigation, such vouchers need not be filed until the trial of the criminal proceeding be ended or the investigation concluded.

Provided, further, that nothing in this section contained shall be construed as a limitation or affecting in any way the provisions of Section 4307 of this code or any provision of law relative to the expenses of the district attorney which may be incurred by him and paid as are other county claims, after allowance by the board of supervisors, but the fund herein shall be in addition to any funds at the disposal of the district attorney as now provided by law.

Provided, this section shall not apply to any county or city and county operating under a charter where provision for a similar fund is made by law. The population herein provided for to be fixed by the Federal Census taken in the year A. D. [1920] *1940*."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, and Weybret—45.

NOES—None.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 44

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 44—Relative to the intent of the Legislature in enacting Assembly Bill No. 2332.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 44

Senate Concurrent Resolution No. 44—Relative to the intent of the Legislature in enacting Assembly Bill No. 2332.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Heisinger, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, and Weybret—47.

NOES—Evans—1.

Resolution ordered transmitted to the Senate.

MOTION TO SEND FLOWERS

Mr. Tenney moved that the Chief Clerk be instructed to send flowers to Mrs. Frank Waters, who is ill in a hospital in the City of Los Angeles.

Motion carried unanimously.

MOTION TO RECALL ASSEMBLY BILL NO. 1686 FROM GOVERNOR

Mr. Robertson moved that Assembly Bill No. 1686 be recalled from the Governor's Office.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gaffney, Gunlock, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Weybret—50.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Robertson moved that Assembly Bill No. 1686 be recalled from the Committee on Engrossment and Enrollment, and that the record whereby this bill was reported correctly enrolled and presented to the Governor be expunged, and that the record whereby Senate amendments to Assembly Bill No. 1686 were concurred in be expunged, and that the Senate be requested to expunge their record, whereby the Assembly notified the Senate of the adoption of Senate amendments to Assembly Bill No. 1686

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 820—An act to repeal Sections 203, 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 of, and to add Sections 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and 215 to, the Code of Civil Procedure, relating to jurors and jury commissioners.

Bill read third time.

Motion to Amend

Mr Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 40, of the printed bill, as amended May 20, 1941, strike out "and expenses".

Amendment No. 2

On page 2, line 44, of the printed bill, as so amended, following the comma, insert "and expenses in this section provided for shall be paid in monthly installments out of the General Fund,".

Amendment No. 3

On page 2, line 44, of the printed bill, as so amended, between "and", and "shall", insert "both salaries and expenses".

Amendment No. 4

On page 2, line 45, of the printed bill, as so amended, strike out "salary".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 930—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts.

Bill read third time.

Motion to Amend

Mrs. Daley moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out ", declaring the", and strike out line 4, and insert a period.

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 5 to 19, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1328—An act to amend Sections 737xx, 4248d and 4248h, and to repeal Sections 4248a, 4248b, 4248c, 4248e, 4248f, 4248g, 4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248q, 4248t, 4248u and 4248v of the Political Code, relating to compensation of public officers.

Bill read third time.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended, after "attend.", insert "For attending as a member of a committee of the grand jury, for each day's attendance on such committees, three dollars ($3) and mileage at the rate of five cents ($0.05) per mile."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle,

Evans, Field, Gaffney, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1688—An act to amend School Code Sections 5.850, 5.853, 5.854, 5.871 and 5.873, relating to the California State Teachers' Retirement System.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 45, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "twenty-four dollars ($24)".

Amendment No. 2

On page 4, line 16, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "six dollars ($6)"

Amendment No. 3

On page 4, line 28, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "six dollars ($6)".

Amendment No. 4

On page 4, line 31, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "six dollars ($6)".

Amendment No. 5

On page 4, line 44, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "six dollars ($6)".

Amendment No. 6

On page 5, line 18, of the printed bill, as amended, strike out "fifteen dollars ($15)", and insert "six dollars ($6)".

Amendments read.

Motion to Re-refer Assembly Bill No. 1688 to Committee

Mr. Carlson moved that Assembly Bill No. 1688, together with the proposed amendments, be re-referred to the Committee on Ways and Means.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bashore, Burns, Michael, J., Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Dickey, Evans, Green, Hastain, Leonard, Maloney, Meehan, Millington, Pfaff, Phillips, Poole, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—26.

NOES—Bennett, Burkhalter, Cain, Call, Collins, George D., Cooke, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Lyon, Middough, Miller, Pelletier, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Voigt, and Watson—35.

The question being on the adoption of the amendments to Assembly Bill No. 1688.

The roll was called, and the amendments adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger,

Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Lyon, Massion, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Welch, Weybret, and Wollenberg—49.

NOES—Desmond, Dickey, Green, Maloney, Meehan, Millington, Turner, Weber, and Mr. Speaker—9.

Assembly Bill No. 1688 ordered reprinted, and re-engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Bill read third time.

Motion to Amend

Mr. Andreas moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in Assembly May 19, 1941, following "manufacture", insert ", the recommendation".

Amendment No. 2

On page 1 of the printed bill, as amended in Assembly May 19, 1941, strike out all of lines 16, 17, 18, 19 and 20.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 11, line 24, of the printed bill, as amended, strike out "seventy-five thousand dollars ($275,000)", and insert "thousand dollars ($200,000)".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1191—An act to repeal Sections 22.5 and 24.5 of, and to add Sections 22.5 and 24.5 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, Knight,

John B, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2605

In compliance with a notice given on a previous day, Mr. Turner moved that the vote whereby Assembly Bill No. 2605 was refused passage be reconsidered.

Assembly Bill No. 2605 reconsidered by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, Leonard, Lyon, Maloney, Massion, Meehan, Middough, Phillips, Poulson, Richie, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—43.

NOES—Cain, Carlson, Cassidy, Cooke, Del Mutolo, Dickey, Dilworth, Gunlock, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T Fenton; Miller, Millington, Pelletier, Pfaff, Poole, Potter, and Salsman—20.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Bill No. 2605, at this time, without reference to file.

Further Consideration of Assembly Bill No. 2605

Assembly Bill No. 2605—An act to amend Section 8½ of the Retail Sales Tax Act of 1933 and Section 6052 of the Revenue and Taxation Code, relating to credits against sales and use taxes and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Phillips, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—46.

NOES—Cain, Carlson, Cassidy, Cooke, Del Mutolo, Dilworth, Gunlock, Houser, Frederick F., Johnson, Knight, John B, Knight, T. Fenton; Miller, Millington, Pelletier, Pfaff, Poole, Potter, and Watson—18.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 23, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: At the request of the Assembly, as per resolution introduced by Assemblyman Alfred W Robertson, I am returning herewith Assembly Bill No 1686

Sincerely,

CULBERT L. OLSON, Governor of California

Hon. Richard H. McCollister Presiding

At 9.55 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

UNFINISHED BUSINESS (OUT OF ORDER)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 236—An act adding Section 956.8 to, and amending Section 958 of, the Streets and Highways Code, relating to the abandonment of county highways.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 236?

Amendment No. 1

In line 12 of the printed bill, strike out "some newspaper", and insert "a newspaper of general circulation".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 236 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Assembly Bill No. 236 ordered enrolled.

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Section 23 of Article IV of the Constitution of said State, relating to the compensation of members of the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 2?

Amendment No. 1

On page 1 of the printed measure, as amended, strike out lines 12 to 15, inclusive, and insert

"SEC. 23. The members of the Legislature shall receive for their services the sum of two hundred dollars ($200) each for each month of the term for which they are elected, to be paid monthly in the even-numbered years and to be".

Amendment No. 2

On page 1 of the printed measure, as amended, strike out lines 20 to 23, inclusive, and insert "provided by law and mileage to be fixed by law, all paid out of the State Treasury, such mileage not to exceed five cents ($0.05) per mile."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Constitutional Amendment No. 2 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Assembly Constitutional Amendment No. 2 ordered enrolled.

Assembly Bill No. 1516—An act to add Sections 10830.5, 10830.6, 10831.5, 10832 and 10861.5 to, to amend Sections 10831, 10870, 10875 10882, 10883, 10901 and 10928 of, and to repeal Sections 384, 10650

and 10811 of, the Insurance Code, and to add Article 4, comprising Sections 10490 to 10494, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1516?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after "associations", insert "of nonprofit, charitable or eleemosynary character"

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after "associations", insert "of nonprofit, charitable or eleemosynary character".

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, after "employer," insert "the privileges of which and the".

Amendment No. 3a

On page 1, line 14, of the printed bill, as amended, strike out "is", and insert "are".

Amendment No. 4

On page 2, line 6, of the printed bill, as amended, after "which", insert "insure only the lives or health of their members and".

Amendment No. 5

On page 2, line 17, of the printed bill, as amended, after the period, insert "Notwithstanding the provisions of Sections 10490, 10491 and 10493, a person who is otherwise subject to the provisions of such sections is not exempted from Chapters 6 to 13, inclusive, of this part if such person gives, allows, or promises to give or allow any compensation for procuring new members."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1516 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cam, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Assembly Bill No. 1516 ordered enrolled.

Assembly Bill No. 619—An act to amend Sections 650.5, 650.6, 657, 658.5, 659 and to add Sections 657.5 and 658.3 of the Fish and Game Code, relating to salmon.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 619?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended, strike out "October", and insert "December".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 619 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cam, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Assembly Bill No. 619 ordered enrolled.

Assembly Bill No. 1491—An act to amend Sections 5398 and 6590 of the Streets and Highways Code, relating to certification of delinquencies to tax collector under the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1491?

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended; and in line 2, strike out "of 1911," and", and insert "An act".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, after "collector", insert "under the Improvement Act of 1911".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 to 29, inclusive; strike out all of pages 2 and 3; on page 4, strike out lines 1 to 38, inclusive; and in line 39, strike out "SEC. 3.", and insert "SECTION 1."

Amendment No. 4

On page 5, line 1, of the printed bill, as amended, strike out "SEC. 4.", and insert "SEC. 2."

Amendment No. 5

On page 5 of the printed bill, as amended, strike out lines 16 to 19, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1491 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—64.

NOES—None

Assembly Bill No. 1491 ordered enrolled.

MOTION TO REFUSE TO CONCUR IN SENATE AMENDMENTS

Mr. Robertson moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 1686.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1686 by the following vote:

AYES—Daley, and Dills—2.

NOES—Allen, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1114—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or right of ways.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1114 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—60.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 679—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9 and 1435.10 to Division 4, Chapter 2 thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Governor's message stating his objections read previously

The question being: Shall Assembly Bill No. 679 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—61

AYES—None.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2583 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Heisinger moved that Assembly Bill No. 2583 be withdrawn from the Committee on Revenue and Taxation, and placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Donnelly, Field, Gaffney, Heisinger, King, Massion, McCollister, Middough, Miller, and Russell—16.

NOES—Allen, Call, Carlson, Cassidy, Clarke, Daley, Del Mutolo, Dills, Doyle, Gallagher, Hastain, Hawkins, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Millington, Pfaff, Poole, Potter, Richie, Robertson, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret and Wollenberg—36

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1814 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Heisinger moved that Assembly Bill No. 1814 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Gaff-

ney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Thomas, Thurman, Turner, Voigt, and Weber—45.

NOES—Call, Carlson, Daley, Dilworth, Field, Johnson, Lyon, Maloney, Millington, Potter, Stream, Watson, Weybret, and Wollenberg—14.

Assembly Bill No. 1814 ordered to second reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2273.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2273 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Bashore moved that Assembly Bill No. 2273 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Leonard, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, and Mr. Speaker—49.

NOES—Call, Carlson, Clarke, Dilworth, Hastain, Houser, Frederick F., Johnson, Knight, T. Fenton; Lyon, Maloney, Millington, Pfaff, Weybret, and Wollenberg—14.

Assembly Bill No. 2273 ordered to second reading.

Speaker Presiding

At 11 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 609 FROM COMMITTEE

Mr. Cain gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 609 from the Committee on Social Service and Welfare, and have it placed upon the file.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1724.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1724 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Desmond moved that Assembly Bill No. 1724 be withdrawn from the Committee on Municipal Corporations, and be placed upon the file.

Demand for Previous Question

Messrs. Robertson, Middough, Evans, Allen and Salsman demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 1724 be withdrawn from the Committee on Municipal Corporations, and placed on file.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Donnelly, Gaffney, Gunlock, Heisinger, Meehan, Miller, Pelletier, Richie, Voigt, and Welch—20.

NOES—Allen, Burkhalter, Call, Carlson, Daley, Del Mutolo, Dilworth, Doyle, Evans, Field, Gallagher, Green, Hastain, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Maddough, Millington, Pfaff, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—37.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1812 FROM COMMITTEE WAIVED

Mr. Heisinger waived his notice of motion to withdraw Assembly Bill No. 1812 from the Committee on Revenue and Taxation.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2206—An act to provide for the formation of government of, issuance of bonds by and assessment in motor vehicle parking districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Masston, Maddough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—Field—1.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1537—An act to amend Section 4153 of, and to add Section 4041.12a to, the Political Code, relating to the performance of legal services for the counties and the officers performing them.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1537?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "adding Section 4041.12a to the Political Code, author-", and strike out all of lines 2 and 3, and insert "to amend Section 4153 of, and to add Section 4041.12a to, the Political Code, relating to the performance of legal services for the counties and the officers performing them."

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, after "Section 1.", insert "Section 4153 of the Political Code is hereby amended to read as follows:

4153. The district attorney is the public prosecutor, and must:

1. Attend the courts, and conduct, on behalf of the people, all prosecutions for public offenses.

2. Institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of public offenses, when he has information that any such offenses have been committed; and for that purpose, when not engaged in criminal proceedings in the superior court, or in civil cases on behalf of the people, must attend upon the magistrates in cases of arrest, when required by them, and attend before and give advice to the grand jury, whenever cases are presented to them for their consideration.

3. Draw all indictments and informations, defend all suits brought in his county against the State or his county wherever brought, prosecute all recognizances forfeited in the courts of record, and all actions for the recovery of debts, fines, penalties, and forfeitures accruing to the State or his county.

4. Deliver receipts for money or property received in his official capacity, and file duplicates thereof with the county treasurer.

5. On the first Monday of each month file with the auditor an account, verified by his oath, of all moneys received by him in his official capacity during the preceding month, and at the same time pay them over to the county treasurer.

6. Give, when required, and without fee, his opinion in writing, to county, district, and township officers, on matters relating to the duties of their respective offices.

7. Prepare, without fee, upon request of any board of education, board of school trustees or high school board, all the legal papers and forms necessary for the voting of school bond issues within the county and advise such boards as may be necessary in relation to school bond issues.

8. When requested by the auditor or treasurer so to do, defend or prosecute, except as hereinafter provided, any action brought by or against the auditor or treasurer for the purpose of testing the validity or constitutionality of any act of the Legislature providing for the payment of county funds or funds held in trust by the county in those cases only where the interest of the county is not adverse; provided, that in counties having a [freeholders' charter creating the office of] county counsel, it shall be the duty of the county counsel to defend or prosecute any such action and any and all other civil actions or proceedings in which the county or any other officer thereof is concerned or is a party, to perform all the duties mentioned in Subdivisions 6 and 7 of this section and to defend all suits for damages instituted against officers or employees or former officers or employees for acts performed by them in furtherance of their duties while in the employ of the county or of any district therein, the legal services for which are required by law to be performed by such county counsel.

9. When requested by any judge of the superior or municipal court so to do, appear for and represent such court or judge if such court, or judge in his official capacity, is made a party defendant in any action; provided, that in counties having a [freeholders' charter creating the office of] county counsel, it shall be the duty of the county counsel, when requested by any judge of the superior or municipal court so to do, to appear for and represent such court or judge if such court, or judge in his official capacity, is made a party defendant in any action.

SEC. 2."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1537 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gumlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1537 ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 54: By Mrs. Daley—Relative to relief for aliens.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

Assembly Concurrent Resolution No. 54—Relative to relief for aliens.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—61

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 975
Assembly Bill No. 2332

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1275
Assembly Bill No. 1537

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 151

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

TENNEY, Chairman	HOUSER, FREDERICK F.
SALSMAN	DILLS
POULSON	DEL MUTOLO
MEEHAN	BENNETT
ROBERTSON	

Above reported bill ordered to second reading.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred

Assembly Bill No 488
Assembly Bill No. 2493

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2607	Assembly Bill No. 2632
Assembly Bill No. 2621	Assembly Bill No. 2635
Assembly Bill No. 2628	Assembly Bill No 2637

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 1189
Assembly Bill No. 1484
Assembly Bill No 1570
Assembly Joint Resolution No. 43
Assembly Bill No 1769
Assembly Bill No 2177
Assembly Bill No 2629

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 828
Assembly Bill No 1594
Assembly Bill No 2099
Assembly Bill No 2206

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1078
Assembly Bill No. 1249
Assembly Bill No. 1846

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 93
Assembly Bill No. 1192
Assembly Bill No. 1193
Assembly Bill No 1216
Assembly Bill No 1222
Assembly Bill No. 1230
Assembly Constitutional Amendment No 63
Assembly Bill No. 1696
Assembly Bill No 1697
Assembly Bill No 1951
Assembly Bill No 2249
Assembly Bill No. 2294

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 1310

Has had the same under consideration, and reports the same back with the recommendation Be re-referred to Committee on Ways and Means

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred

Assembly Bill No. 2616

Has had the same under consideration, and reports the same back with the recommendation Do pass.

(Signed out)

TENNEY, Chairman
GEORGE D. COLLINS
CROWLEY
DONNELLY
MEEHAN
O'DAY
BENNETT
JOHNSON
POULSON
DILLS
ROBERTSON

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined, Assembly Bill No 2606
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 192—An act to amend Section 790 of the Fish and Game Code, relating to crab meat;

Assembly Bill No. 314—An act to amend School Code Section 6.471, relating to the purchase of articles by governing boards of school districts;

Assembly Bill No. 359—An act to repeal School Code Section 2 889 and to amend School Code Section 2 891, relating to the conducting of elections for members of governing boards of school districts;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 404—An act to amend Sections 13215 and 13388 of the Health and Safety Code, relating to boilers and boiler rooms in clothes cleaning establishments;

Assembly Bill No. 405—An act to amend Section 13314 of the Health and Safety Code, and to add Section 13314 5 thereto, relating to clothes cleaning establishments, including licenses and license fees and penalties;

Assembly Bill No. 406—An act to amend Section 13203 of the Health and Safety Code, relating to clothes cleaning establishments, including the definition of solvents used therein;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 690—An act to add Section 454 2 to the Vehicle Code, relating to the operation of vehicles owned by licensed physicians when traveling in response to emergency calls;

Assembly Bill No. 692—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 976—An act to amend Sections 828 and 845 of the Insurance Code, relating to insurance securities and brokers' and agents' certificates;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1024—An act to renumber and amend Section 800 to be Section 800.5 and to add Section 800 to the Health and Safety Code, relating to the regulation of plumbing;

Assembly Bill No. 1174—An act to add Sections 2 and 3 to an act entitled "An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school," approved June 12, 1931, relating to the purchase of additional land for the California Polytechnic School;

Assembly Bill No. 1308—An act to permit the sale of certain land by the Department of Institutions;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1331—An act to add Sections 1640 5 to the Labor Code, relating to contracts of minors with employment agencies;

Assembly Bill No. 1358—An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands;

Assembly Bill No. 1393—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the purpose of augmenting appropriations for the support of the government of the State, in order to provide for salary and wage adjustments for certain State employees, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1377—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1420—An act to amend Section 155 of the State Civil Service Act, relating to reinstatements;

Assembly Bill No. 1508—An act to add Sections 5.852-1 and 5.1112 to the School Code, relating to members of the California State Teachers' Retirement System and of district retirement systems serving in the armed forces of the United States of America or of the State of California, or in the medical, nursing or ambulance service of the American Red Cross, declaring the urgency thereof and providing that this act shall take effect immediately;

Assembly Bill No. 1547—An act to amend Section 113 of the Vehicle Code, relating to the members of the California Highway Patrol;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1754—An act to add Chapter 3, comprising Sections 7325 to 7332, inclusive, to Part 3 of Division 5 of the Labor Code, relating to the installation of safety devices upon the windows of all buildings, whether constructed heretofore or hereafter to be constructed, to safeguard and protect window washers and others employed upon said buildings;

Assembly Bill No. 1900—An act to amend Section 3 of an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, relating to the board of supervisors;

Assembly Bill No. 2059—An act to amend Section 692 of the Political Code, relating to the approval of contracts by the Director of Finance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2078—An act to amend Section 8 of an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged

in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled 'An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof,' approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately," approved July 1, 1937, regulating the caravaning of vehicles upon the public highways of the State;

Assembly Bill No. 2256—An act to amend Section 164 of the Vehicle Code, relating to the registration of vehicles;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2490—An act to amend Section 12 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to a county peace officers' retirement system;

Assembly Bill No. 2492—An act to amend Section 159 of the Vehicle Code, relating to the registration of motor vehicles;

Assembly Concurrent Resolution No. 50—Approving an amendment to the Charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the sixth day of May, 1941;
And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1941, at 9 p.m

JOHN B. KNIGHT, Chairman

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Carlson moved to expunge the record and rescind the action on all matters appertaining to the reconsideration of Assembly Bill No. 2538.

Motion carried unanimously.

MOTION TO CONTINUE UNFINISHED FILE

Mr. Field moved that all matters on the unfinished business file be continued until the next legislative day.

Motion carried unanimously.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Carlson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bessie Loux, teacher, and the following students from the E. M Cox School of Oakland: Jim Atcheson, Robert Nicolaisen, Kenneth Hanovan, Mitsuro Inez, Charles Somma, Ronald Lawson, John Young, Joyce Keoysan, Eugenia Martin, Barbara Hansen, Norma Welch, Anna Noia, Roberta Park, Mildred Vail, Sharon Newton, Mary Locke, Phyllis Person, Dorothy Plemmons, Jacqueline Snodgrass, Pat McCloskey, Clara George, Janice Drigan, Fay Spires, Ruth Grennan, Diane Young, Marcella

Osuna, Rita Jones, Jean Gaillard, Betty Hyde, Ruth Dehn, Mary Lu Acord, Carol Britting, Mary W, Melba Muir, Eleanor Decker, Carol Soderland, Charles Hanovan, Gorden Osborne, Julio Uliano, Billy Shepherd, Albert Dutra, Billy Sterbenk, Harvey Luke, Robert Glover, George Darr, Gene Bolts, Donald Comstock, Betty York, Beverly Tinker, Mary Malcom and Bobby Dwinnel.

On request of Messrs. Desmond and Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Inez Ruggeri and S. B Wenaas, advisers, and the following senior class of the Live Oak Union High School, Sutter County: Marvolene Fillmore, Betty Biblman, Betty McGinnis, Elva Sandell, Jane Berry, Wilma Adams, Dolores Hartman, Werner Rhermann, Rosalio Osigueda, Ray French, Conrad Bachman, Don McGinnis, Jim Spilman, Ralph Thayer, Billy Drew, Harold Cuddleback, Betty Bennett, Mary Stafford, Donald Ott, Jules Lambert, Harold Putman, Dick Carter, Max McCoy, Jewell Self, Bob McGinnis, Doris Williston, and Roberta Weis.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. B. F. Kinkland, former City Councilman of Long Beach, Calif.

On request of Mr Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Clarence W. Horn of Los Angeles.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Eric R. Ehrenclou, Mr. R. P. Noll and Mr Thos. Turner of Los Angeles.

On request of Mr Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Y. F. Hammatt, Mr. and Mrs. Oscar C. Nelson and Mr and Mrs. Geo. D. Copeland of Los Angeles.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Edward Hadovec, Dr. E Spires and Mr. Chas. Trousdale of San Pedro

On request of Messrs. Johnson, Maloney and Wollenberg, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marthe Weder of Berkeley.

On request of Mrs. Daley and Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hardy Knykendall of San Diego and Kenneth Alan Silver of La Jolla.

On request of Mr Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Alexander, Way Middough, Verle Keiser and Lauren Farrow of Long Beach.

On request of Mr Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. H. Don Bailey, D. C., of Los Angeles.

On request of Mr Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Patterson, Harry Erlich and Frank Mankiewicz of Los Angeles.

On request of Messrs Cooke, Salsman, Robertson and McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. E. Hennessy and E. L. Van Dellen, Jr., of San Francisco and Palo Alto.

ADJOURNMENT

At 11.59 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 9.30 a.m., Saturday, May 24, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY
ONE HUNDRED THIRTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, May 24, 1941

The Assembly met at 9.30 a.m.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Burkhalter, Call, Cooke, Doyle, Heisinger, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Poole, Robertson, Stream, Thorp, Thurman, Turner, Welch, Weybret, and Mr. Speaker—24.

Call of the Assembly

Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 9.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 10.10 a.m., on motion of Mr. Turner, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Mr. Speaker—45.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Leonard.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leave of absence for the day:

Mr. F. N. Howser, on motion of Mr. Sam L. Collins.

Mr. Cassidy, on motion of Mr. Meehan.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act authorizing cities, cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure to take effect immediately.

Respectfully submitted.

MELVYN I. CRONIN

Request referred to Committee on Introduction of Bills.

By Mr. King:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments.

Respectfully submitted.

CECIL R. KING

Request referred to Committee on Introduction of Bills.

By Mr. Cooke:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class

Respectfully submitted.

J. B COOKE

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. King:

An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments.

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried Time, 10.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

House Resolution No. 226

WHEREAS, On April 16, 1941, Colima State of the Republic of Mexico and the surrounding region were the victims of a violent earthquake, and

WHEREAS, As a result many people were killed, hundreds of persons were injured and thousands made homeless; and

WHEREAS, The hardship and suffering which resulted is being alleviated to some extent by voluntary contributions by the citizens of this State, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby expresses its regret over the calamity which has befallen our neighbor to the south, and its deep sympathy with the suffering; and be it further

Resolved, That the Assembly indorses efforts to extend relief to the stricken area, and urges every citizen to support them; and be it further

Resolved, That copies of this resolution properly engrossed be forwarded to Their Excellencies, the President of Mexico and the Mayor of the stricken City of Colima.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 226, at this time, without reference to committee.

Resolution read and adopted unanimously.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2112—An act to add Sections 65.1 and 127 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service, prescribing the probationary period therefor and requiring the confirmation of appointments thereto by the Senate.

Bill read second time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 65.1 and 127", and insert "Section 65.1"

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out the comma and "prescribing the probation-"; and strike out all of lines 4 and 5 of the title except the period

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 3 to 23, inclusive; and on page 2, strike out lines 1 to 38, inclusive, and insert

"SEC. 65.1 Notwithstanding any provisions to the contrary in this act, no new classification of position shall be created except that where a new or different duty is imposed by act of the Legislature, such new classifications as are necessary for the performance of such duty may be created by the board during the period of two years from the effective date of the act imposing such new or additional duty.

This section does not prohibit the creation of a new classification found to be necessary by the board, which classification is for a position to be filled by promotional examination only."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1814—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the license fee on vehicles.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2616—An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen, entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2493—An act to amend Section 156 of the Vehicle Code, relating to license plates for vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "156", and insert "164".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "156", and insert "164".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 14, both inclusive, and insert

"164. Department to Renew Registration.

(a) The department, upon renewing a registration, shall issue a new registration card and license plate or plates to the owner as upon an original registration. In lieu of issuing a new registration card the department may, when the required fees have been paid, indorse a receipt for such fees or a validation upon the registration card last issued for such vehicle during the preceding registration year, which registration card so indorsed or validated shall constitute the registration card for the ensuing registration year, and the department may, in place of issuing a new license plate or plates for the ensuing year, issue in lieu thereof a symbol or other device indicating the year number for which issued, which symbol or device shall be attached to the license plate or plates issued for such vehicle for the preceding calendar year and, when so attached, said license plates with such symbols or devices shall for the purposes of this code be deemed to be the license plate or plates for the ensuing registration year.

The foregoing is intended to provide alternative methods whereby the department may issue usual registration cards with usual license plates or symbols or devices, as above stated, or may issue such symbols or devices to be attached to the license plates for the preceding calendar year and issue usual registration cards or may indorse a receipt or validate the registration card for the preceding year.

(b) Where the department has issued a new registration card the department shall notify such legal owner by mail of the registration number assigned to such vehicle for the ensuing year."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 488—An act to amend Section 101 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 101", and insert "Sections 379 and 428".

Amendment No. 2

In line 2 of the title of the printed bill, after "the", insert "seizure and sale of vehicles by the".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "101", and insert "379".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert

"379. Seizure and Sale of Vehicle (a) Every registration or transfer fee and any penalty added thereto, from the date the same become due, constitute a lien upon the vehicle for which due

(b) The department shall collect such fee and any penalty by seizure of such vehicle from the person or persons in possession thereof, if any, and by the sale of such vehicle

When a vehicle that has been seized to satisfy a lien of the department for fees and penalties is appraised at a value not exceeding twenty-five dollars ($25), by an officer or employee of the department, the sale shall be conducted in the manner set forth in this section.

The department, when conducting the sale of such vehicle through an officer or employee of the department, may bid for such vehicle through the officer or employee conducting the sale, an amount not to exceed the amount of the lien held by the department.

In all cases where there are no bids offered for the vehicle, or if the highest bid offered does not exceed ten dollars ($10), the vehicles shall become the property of the department as compensation for costs to the department in conducting the sale In such cases, and in the cases where the department has bid in the vehicle at the sale, such vehicles shall not be registered for the current year or any other year by the department, but shall be reduced to junk and sold by the department as such. The proceeds, if any, of such sale shall be deposited in the Motor Vehicle Support Fund.

The seizure and sale herein authorized shall be conducted and carried out by the department in the same manner as is provided by law for the seizure and sale of personal property by the assessor for the collection of taxes due on personal property.

Notice of the sale shall be given by the department to the legal owner, if there is both a legal and a registered owner, of the vehicle at least 10 days prior to the date of the sale by registered mail addressed to such owner at his last known address appearing on the records of the department At any time before the sale any legal owner so notified may pay the department the full amount of the delinquent fee and penalty, plus any costs incurred by the department in arranging for the sale, in which event the sale shall not be held and the vehicle seized shall be returned by the department to the person entitled to its possession.

(c) Every lien and every cause of action for any delinquent fee or penalty under this code shall expire at the expiration of three years from the date any such fee became due.

SEC. 2. Section 428 of the Vehicle Code is hereby amended to read as follows:

428. Notice of Sale; Disposition of Proceeds. Prior to any such sale said lien holder shall give at least 10 days' notice of such sale by advertising in some newspaper published in the county in which said property is situated; or if there is no newspaper printed in such county, then by posting notice of sale in three of the most public places in the town or place where such property is to be sold, for 10 days previous to the date of the sale Prior to the sale of any vehicle to satisfy any such lien, 20 days' notice by registered mail shall be given to the legal owner and to the registered owner of said vehicle, if registered in this State, as the same

appear in the registration certificate, and also to the department by registered letter The department shall in like manner immediately notify the legal owner and the registered owner of the proposed sale, but failure on the part of said department to give such notice shall not affect the validity of any such sale. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property. The remainder, if any, shall be paid to the legal owner, *if any, or to the owner if there is no legal owner.*"

Amendments read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 151—An act to create a Department of Corrections to administer the penal system of this State, to transfer to it certain correctional institutions and the functions of the Board of Prison Terms and Paroles, and to repeal acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1322—An act to add Section 651 to the Penal Code, relating to traffic in Federal Order Stamps, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 81—An act to add Section 3930.5 to, and to amend Sections 3931, 3933, 3934 and 3935 of, the Elections Code, relating to the order of names on primary election ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J. Cain, Call, Carlson, Clarke, Cooke, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Watson, Welch, and Mr. Speaker—43.

NOES—T. Fenton Knight—1.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 74.

Senate Bill No. 74—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation and the determination of the actual value of intangibles, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Carlson moved a call of the Assembly.

Motion carried. Time, 10.27 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Frederick F. Houser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 152.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 152—An act to amend Section 2007 of, and to add Section 2007.5 to, the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 72.

Senate Bill No. 72—An act to add Sections 408 and 467 to the Revenue and Taxation Code, relating to property taxation, including inspection of information and records in the county assessor's office, and the filing of statements pertaining to specified property subject to taxation, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Carlson moved a call of the Assembly.

Motion carried. Time, 10.39 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 880—An act to add Section 1100.1 to the Insurance Code, relating to investments and advancements of credit by insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 820.

Senate Bill No. 820—An act to repeal Sections 203, 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 of, and to add Sections 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and 215 to, the Code of Civil Procedure, relating to jurors and jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Cooke, Crowley, Del Mutolo, Desmond, Doyle, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Welch, and Weybret—41.

NOES—Bashore, Donnelly, Hawkins, Kilpatrick, Knight, T. Fenton; Massion, Pelletier, Pfaff, Russell, and Mr Speaker—10.

Notice of Motion to Reconsider Senate Bill No. 820

Mr. Pfaff gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 820 was this day passed.

Senate Bill No. 1317—An act to repeal Section 400.5 and to amend Section 404 of the Civil Code, relating to dissolution of corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Welch, and Mr. Speaker—50.

NOES—Knight, T. Fenton—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 211—An act to amend Section 1151 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 30.

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cooke, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Burkhalter, Heisinger, Houser, Frederick F., Knight, T. Fenton; Massion, and Pelletier—6.

Bill ordered transmitted to the Senate.

Explanation of Vote

Relative to increase to $7,500 for Legislative Counsel

In voting for this increase from $4,000 to $7,500 annual salary to F. B. Wood, Legislative Counsel, I am violating a declared policy of not voting for salary increases beyond $5,000 because of the very high quality of service, free from factionalism and partisanship, rendered every member of the Legislature.

VERNON KILPATRICK

Senate Bill No. 25—An act to amend Section 4153 of the Political Code, relating to the duties of the district attorney.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 45—An act to amend Section 23 of the Agricultural Prorate Act, relating to the termination of proration programs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, and Heisinger—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 366—An act to add Section 4300 1c to the Political Code, relating to municipal court fees and costs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION FOR TEMPORARY LEAVE OF ABSENCE

Mr. Desmond moved that he and Mr. T. Fenton Knight be temporarily excused for the purpose of holding a meeting of the Committee on Unemployment.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 74

At 11.16 a.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 74 adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Mee-

han, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 72

At 11.21 a.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 72 adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Harrison W. Call Presiding

At 11.24 a.m., Hon. Harrison W. Call, Member of the Assembly from the Twenty-ninth District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 639—An act to amend Section 1 of "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to the Commission on Uniform State Laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 82—An act to amend Section 1 of, to add Section 8 to, and to repeal Section 6 of an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Section 5 of and to add Section 9 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, King, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Potter, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Bashore, Burkhalter, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Massion, Pfaff, Poole, and Russell—10

Bill ordered transmitted to the Senate.

Senate Bill No. 742—An act to add Article 21 to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to the filing, codification, and publication of the rules and regulations of officers, boards, authorities and commissions, and creating a Codification Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Garland, Houser, Frederick F., Lyon and Potter:

House Resolution No. 227

WHEREAS, Honorable C. Don Field, veteran Assemblyman from Glendale, and his charming wife, Gladys Field, are celebrating, on this twenty-fourth day of May, the seventh anniversary of their wedding; and

WHEREAS, The seventh wedding anniversary is symbolized by metals, denoting strength; and

WHEREAS, Their marriage abides in an atmosphere of real family life, even in Sacramento, and their happiness is made complete by the presence of their young son, C. Don Field II, their pride and joy, who is with them here; now, therefore, be it

Resolved by the Assembly of the State of California, That we, the Members of this Assembly, hereby extend to Honorable and Mrs. C. Don Field our cordial felicitations on this anniversary and our sincere good wishes for a continuance of their life together through many, many more anniversaries to come; and be it further

Resolved, That the Chief Clerk of the Assembly shall present to Mr. and Mrs. Field an engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Frederick F. Houser asked for, and was granted, unanimous consent to take up House Resolution No. 227, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO RECESS

Mr. Voigt moved that the Assembly recess at 12 noon and reconvene at 1 o'clock to work until 5 p.m., and that the Sergeant-at-Arms be instructed to bring in all the absentees.

Mr. Robertson seconded the motion.

Motion to Table Motion

Mr. Wollenberg moved that the motion by Mr. Voigt be laid on the table.

Mr. Gallagher seconded the motion.

Roll Call Demanded

Messrs. Robertson, Evans and Voigt demanded a roll call.

The roll was called, and the motion to table the motion by Mr. Voigt carried by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cronin, Daley, Del Mutolo, Dilworth, Field, Gallagher, Hastain, Houser, Frederick F., Knight, John B., Leonard, Lyon, McCollister, Middough, Miller, Poole, Potter, Sheridan, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—31.

NOES—Bashore, Bennett, Burkhalter, Call, Clarke, Cooke, Crowley, Dills, Donnelly, Doyle, Evans, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Maloney, Massion, Meehan, Pelletier, Pfaff, Richie, Robertson, Russell, Stream, Thomas, Voigt, and Watson—29.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Potter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 468

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 468—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Leonard, Lyon, Maloney, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—52.

NOES—Burns, Michael J., Cain, Crowley, Donnelly, Lowrey, McCollister, Meehan, and Turner—8.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cronin, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1769.

Assembly Bill No. 1769—An act to add a new section to the State Civil Service Act, to be numbered 57.5, relating to the officers and employees of the State engaged in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Thorp, Dills, Clarke and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1769.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Burns, Hugh M., Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Field, Gallagher, Green, Hastain, Houser, Frederick F., Knight, John B., Leonard, Maloney, McCollister, Miller, Pfaff, Potter, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Weber, Welch, Weybret, and Wollenberg—30.

NOES—Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, Pelletier, Poole, Poulson, Richie, Russell, Tenney, Thomas, Turner, Voigt, and Watson—32.

Notice of Motion to Reconsider Assembly Bill No. 1769

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1769 was this day refused passage.

Speaker Presiding

At 12.38 p m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION TO PRINT NAMES IN JOURNAL

Mr. Evans moved that certain names appearing in an article be printed in the Journal.

Substitute Motion

Mr. Pfaff moved, as a substitute motion, that the entire article be printed in the Journal.

Motion to Table Motion

Mr. Cooke moved that the substitute motion be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Poole, Richie, Robertson, Salsman, Sheridan, Thomas, Thorp, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—45.

NOES—Allen, Bashore, Burns, Hugh M., Call, Dilworth, Evans, Field, Houser, Frederick F., Knight, John B., Leonard, Lyon, Middough, Pfaff, Potter, Stream, Thurman, and Mr. Speaker—17.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 90 FROM COMMITTEE

Messrs. Dills and Salsman gave notice that on the second legislative day they would move to withdraw Assembly Bill No. 90 from the Committee on Social Service and Welfare, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 723 FROM COMMITTEE

Mr. Massion gave notice that on the second legislative day he would move to withdraw Assembly Bill No 723 from the Committee on Revenue and Taxation, and have it placed upon the file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 113—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6, consisting of Sections 280 to 283, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code, relating to offices for the Senate and the members thereof, and to make an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "283", and insert "284".

Amendment No. 2

In line 4 of the title of the printed bill, as amended, strike out "Senate", and insert "Legislature".

Amendment No. 3

In line 5 of the title of the printed bill, as amended, strike out ", and to make an appropriation there-"; and strike out line 6, and insert a period.

Amendment No. 4

On page 1, line 3, of the printed bill, as amended, strike out "283", and insert "284".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out line 9; and in line 10, strike out "ate", and insert "280. Legislative offices for the use of the Members of the Legislature".

Amendment No. 6

On page 1, line 15, of the printed bill, as amended, strike out "Senate", and insert "legislative".

Amendment No. 7

On page 1, line 17, of the printed bill, as amended, strike out "Senate", and insert "legislative".

Amendment No. 8

On page 1, line 20, of the printed bill, as amended, strike out "Senate", and insert "legislative".

Amendment No. 9

On page 2, line 2, of the printed bill, as amended, strike out "Senate", and insert "legislative".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M. Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F. Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 263 FROM COMMITTEE

Mr. Kilpatrick gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 263 from the Committee on Social Service and Welfare, and have it placed upon the file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2637—An act to add Section 2540.5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

Bill read third time.

Motion to Amend

Mr. Poole moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "6,000", and insert "2,500".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1378—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by *being inclosed within brackets.*

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "amend", insert "Section 27b and".

Amendment No. 2

At the end of the title of the printed bill, as amended, strike out the period, and insert "and to penalties."

Amendment No. 3

Add a new section to the printed bill, as amended, as follows:

"SEC. 2. *Section 27b of said act is hereby amended to read as follows:*

Sec. 27b. If the excise tax is not paid to the board within the time prescribed for the filing of the return and for the payment of the tax, a penalty of [3] 5 per cent of the amount of the excise tax shall be added thereto on account of such delinquency."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship.

Respectfully submitted.

AUGUSTUS F. HAWKINS

Request referred to Committee on Introduction of Bills.

By Mrs. Daley:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego.

Respectfully submitted.

JEANETTE E. DALEY

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1581—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 6, insert

"During such time as the wife may have the management, control and disposition of such money, as herein provided, she may not make a gift thereof, or dispose of the same without a valuable consideration, without the written consent of the husband."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Carlson:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

Respectfully submitted.

A. W. CARLSON

Request referred to Committee on Introduction of Bills.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF BILL

At 1 p.m., on motion of Mr. Turner, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted to Mr. King by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2641: By Mr. King—An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments.

Referred to Committee on Public Health and Quarantine.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 1.05 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cronin:

An act authorizing cities, cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2642: By Mr. Cronin—An act authorizing cities, cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure to take effect immediately.

Referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cooke:

An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2643: By Mr. Cooke—An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class.

Referred to Committee on County Government.

Explanation of Vote on Assembly Constitutional Amendment No. 54

When Assembly Constitutional Amendment No. 54 was called for vote, I had just entered the Assembly Chamber, and because of misunderstanding, I voted contrary to my intent in voting "No" on the motion to table Assembly Constitutional Amendment No. 54.

CECIL R. KING

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 159

Has had the same under consideration, and reports the same back with the recommendation: Do pass as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1212

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 2640

Senate Bill No. 1038

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. C. Darby, principal; Miss Mary Macagni, Miss Nellie Buswell, Mrs. Emily Montgomery, Mrs. Gladys Young and Miss Jane Garibaldi, teachers, and the following eighth grade pupils of Delhi Grammar School: Bonnie Myers, Donald Wixcel; Kenny Schendel, Pat Amarant, Doris Dameron, Elma Voyles, Esther Voyles, Marjorie Barry, Florene Walker, Delbert Crites, Dannie Olson, Billie Johnson, Jerry Schell, Troy Largent, Jack Carter, Stanley Smith, Ward Crites, Alvin Bettencourt, Junior Casey, Oral Sullivan, George Alderson, Wesley Brown, Billie Hunter, Richard Davis, Robert Boucher, Pamelia Ann Fiorini, Ramona Runner, Margaret Gonzales, Norma Davis, Ruth Wilker, Ruthie Lee Purvis, Erma Lee Cherry, Marcella Ortman, Gertrude Sampson, Betty Bagley, Helen Ostrander, Lois Seibold, Mildred Snyder and Donald Foster; and Harlan Brown and Mrs. Pearl Fiorini.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Durand of Colfax, and recent graduate and football manager of Santa Clara University.

ADJOURNMENT

At 1.08 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Monday, May 26, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY
ONE HUNDRED FORTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 26, 1941

The Assembly met at 11 a m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Collins, George D., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Knight, John B, Lowrey, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, and Mr. Speaker—51.

Quorum present.

PRAYER

Upon invitation of the Speaker pro tempore, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Cronin, on motion of Mr. Maloney.
Mr. Waters, on motion of Mr. Sam L. Collins.
Mr. Thomas, on motion of Mr. Cain.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY, WASHINGTON, May 21, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California

MY DEAR MR. OHNIMUS: I have received your letter of May 1st submitting a copy of Assembly Joint Resolution No. 42, adopted by the California Legislature on April 28, 1941.

The resolution urges that regulations be adopted to permit the feeding of migratory waterfowl on hunting clubs in California and requests that the Department either raise or purchase grain for feeding such birds on the National wild life refuges in the State.

You are assured that the recommendations to amend the Migratory Bird Treaty Act regulations relating to the hunting of waterfowl by means of feed will receive consideration when proposed changes in the regulations are under discussion.

Large quantities of rice and other grains are now being raised on the Sacramento National Wild Life Refuge and on other National wild life refuges in California by cooperating individuals, and specified percentages of the crops accrue to the Government. These are mostly allowed to remain unharvested in the fields as feed for wild life. In view of this program the department would not be justified in purchasing grain to feed the wildfowl on the refuges. An especial effort will continue to be made to raise as much grain as possible on the National wild life refuges for feeding the wildfowl.

Sincerely yours,

OSCAR L. CHAPMAN, Acting Under Secretary

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE, WASHINGTON, May 21, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, The Assembly
California Legislature, Sacramento, California

DEAR MR. OHNIMUS: Your letter of May 14th, addressed to the Secretary of Agriculture transmitting Assembly Joint Resolution No. 1 urging that two waterfowl hunting zones be established in California, has been referred to this department.

The Biological Survey, Department of Agriculture, was transferred to the Department of Interior effective July 1, 1939, and the functions of the Secretary of Agriculture relating to the protection of wild life were vested in the Secretary of the Interior. The Biological Survey and the Bureau of Fisheries were consolidated effective June 30, 1940, into one agency known as the Fish and Wildlife Service.

I wish to assure you, however, that careful consideration will be given to this resolution when we take up for discussion proposed changes in the present Migratory Bird Treaty Act regulations.

Sincerely yours,

IRA U. GABRIELSON, Director

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2640—An act to amend Section 737qq of the Political Code, relating to salaries of superior court judges in Santa Clara County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "Districts 15, 20,"; and strike out line 14, and insert "any ocean district except Districts 20 and 20A."

Amendment read and adopted.

Bill ordered printed and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1038—An act to regulate the dissolution of districts whose taxes or assessments are computed and collected by county officers, and providing the procedure therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1212—An act to amend Sections 1, 2 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to farm debt adjustment, including extension of the period of existence of the California Farm Debt Adjustment Commission, membership upon and appointment to the commission, and further definition of the powers and duties of the commission, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 278
Assembly Bill No. 1688
Assembly Bill No. 2213

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 930

And reports the same correctly re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 777

And reports the same correctly re-re-re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 70
Assembly Bill No. 420
Assembly Bill No 1055
Assembly Bill No. 1126
Assembly Bill No. 1621
Assembly Bill No. 1898
Assembly Bill No 2105
Assembly Bill No. 2215
Assembly Bill No. 2590
Assembly Bill No. 2631

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 488
Assembly Bill No. 1867
Assembly Bill No 2493

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 342
Assembly Bill No. 476
Assembly Bill No. 495
Assembly Bill No. 1264
Assembly Bill No. 1376
Assembly Bill No. 1524
Assembly Bill No. 1529
Assembly Bill No. 1620
Assembly Bill No 2006
Assembly Bill No 2217
Assembly Bill No. 2421
Assembly Bill No. 2616
Assembly Bill No. 2634

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1378

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1581
Assembly Bill No 2112
Assembly Bill No. 2637

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 2312

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

PHILLIPS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 43—Relative to obtaining a report on the acquisition of the Mt. Tamalpais Ridgecrest Boulevard by the State and inclusion thereof in the State Highway System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Maloney,

Massion, McCollister, Middough, Millington, Poole, Potter, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, and Welch—42
NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 912—An act to amend Section 159 of the Fish and Game Code, relating to Fish and Game District 3H.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton, Lowrey, Maloney, Massion, McCollister, Middough, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—45.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1936—An act to amend Section 6501 of the Public Resources Code, to add Sections 6501.2 and 6505, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, and Chapter 2 of Part 2 of Division 6, comprising Sections 6601 to 6715, inclusive, thereof, relating to State lands, providing for the leasing thereof and prescribing the powers and duties of the State Lands Commission in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—53.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 157—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, and Welch—49.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.37 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 2096—An act to add Section 6.37 to the School Code, relating to the powers and duties of governing boards of school districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastam, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—54

NOES—Heisinger—1.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastam, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—54

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Sections 2149 and 2150 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Lowrey, Maloney, Massion, McCollister, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—46.

NOES—Bennett—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1189—An act to amend Section 8, and to repeal Section 9, of the Community Recreation Enabling Act of 1939, relating to the qualifications of employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 93—An act to amend Sections 3.761 and 3.762 of, and to add Section 6.261a to, the School Code, all relating to the teaching of civics in elementary schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—50

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2294—An act to amend Section 5016.6 of the Business and Professions Code, relating to accountants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Maloney, Massion, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2607—An act providing for payment by the State for park property acquired for highway purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2621—An act to add Section 4465.5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Maloney, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 16

The Speaker announced the appointment of Mrs. Daley and Mr. Maloney as members of the Joint Committee set up under the provisions of Senate Concurrent Resolution No. 16.

RECESS

At 12.26 p.m., on motion of Mr. Frederick F. Houser, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Rodney L. Turner, Assemblyman of the Forty-first District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2628—An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2470—An act to add Section 2190 to the Welfare and Institutions Code, relating to pensions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—48.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2632—An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery, Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol. 692, at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the Act of the Legislature of the State of California, approved May 20, 1861 (Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and following), as amended, and by the Act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following) and acts amendatory thereof or supplemental thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—50.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1149—An act to amend Section 92 of the Agricultural Code, relating to agricultural districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Cain, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—49.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2637—An act to add Section 2540.5 to the Elections Code, relating to the qualification of political parties for participation in primary election.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Wevbret, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1524—An act to amend Section 1350 of the Labor Code to permit the employment of female accounting, stenographic and office clerical employees for overtime periods in excess of eight hours but not more than 12 hours during any one day of 24 hours and in excess of 48 hours but not more than 60 hours in one week; provided, any such employee receives compensation for such overtime at a rate of not less than one and one-half times the regular rate at which she is employed.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Allen moved a call of the Assembly.

Motion carried. Time, 2.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1524

At 2.41 p.m., on motion of Mr. Allen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1524 refused passage by the following vote:

AYES—Allen, Andreas, Carlson, Collins, Sam L., Crowley, Daley, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, and Wevbret—34.

NOES—Bashore, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D., Cooke, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, McCollister, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Welch, and Wollenberg—29.

Notice of Motion to Reconsider Assembly Bill No. 1524

Mr. Allen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1524 was this day refused passage.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2634—An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Sec-

tion 2.600 to the School Code, all relating to the formation of high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Heisinger moved to expunge the record, and rescind the action whereby Assembly Bill No. 1813 was this day passed, and that the bill be put back on the appropriation file.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

TEMPORARY LEAVES OF ABSENCE

On motion of Mr. Millington, Messrs Lyon, Allen and Millington were excused to attend a meeting of the Committee on Conference concerning Assembly Bill No. 1800.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 342—An act to add Section 12108 to the Business and Professions Code, relating to specifications and standards for weighing devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 476—An act to amend Section 254 of the Fish and Game Code, relating to fish and game refuges and preserves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond,

Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Heisinger—1.

Notice of Motion to Reconsider Assembly Bill No. 476

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 476 was this day passed.

Explanation of Vote

When I voted "No" upon the passage of Assembly Bill No. 476, I was under the impression it provided for the protection of sea lions which need no protection, but the sea otter does need protection.

S. L. HEISINGER

Assembly Bill No. 70—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1867—An act to amend Section 2576 of the Welfare and Institutions Code, relating to aid and relief to indigents and providing for reimbursement to the county from responsible relatives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2006—An act for the protection of the domestic water supplies of cities, districts, and unincorporated towns and communities from pollution by placer mining operations, providing for the regulation and control of such mining, and providing penalties for the violation of this act, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley,

Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2616—An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen, entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Houser, Frederick F.—1.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—Potter—1

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 151

Mr McCollister moved that Senate Bill No. 151 be withdrawn from the file, and re-referred to the Committee on Judiciary General.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Dilworth, and Evans—2.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mrs Daley:

An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2644: By Mrs. Daley—An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego.

Referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hawkins

An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2645: By Mr. Hawkins—An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship.

Referred to Committee on Judiciary General.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Carlson.

An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2646: By Mr. Carlson—An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

Referred to Committee on Motor Vehicles.

RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

House Resolution No. 228

Resolved by the Assembly of the State of California, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, upon a seven-day-per-week basis, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing Monday, May 26, 1941:	*Per Day*
Louis Desmond, page	$2 50

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 13 to 20, inclusive, and insert

"4. To grant authority to any owner of littoral lands, whether private or public, to construct, alter or maintain, groins, jetties, seawalls, breakwaters, bulkheads and piers upon, across or over any of the tidelands and submerged lands in this State bordering upon such littoral lands if such structures do not unreasonably interfere with the uses and purposes reserved to the people of the State and if in the judgment of the Beach Erosion Control Engineer, such structures will not cause or continue to cause, detrimental changes in any littoral lands bordering upon the tide and submerged lands in this State The Beach Erosion Control Engineer is hereby authorized, empowered and directed to make and establish reasonable rules and regulations with reference to the location, type, character, design, size, construction, alteration and maintenance of such structures and to take suitable measures to enforce such rules and regulations and to fix and collect reasonable fees not exceeding the actual cost thereof, for the filing and investigation and issuance of permits for the construction, maintenance or alteration of said structures. No structures mentioned herein shall be constructed upon, across or over any tidelands and submerged lands, including those which have been granted to municipalities, districts or political subdivisions, until an application for a permit therefor has been made to the Beach Erosion Control Engineer and the permit granted by said engineer. Said Beach Erosion Control Engineer shall also in a similar manner have power to remove, require to be removed, repaired or altered, and to regulate the type, character, design, size and maintenance of structures mentioned herein and existing at the time this act goes into effect.

No permit for the construction, maintenance or alteration of any structure under this subdivision shall be issued until after a public hearing by the Beach Erosion Control Engineer or a representative designated by him, to be held at such time and place following such notice to interested persons as he shall prescribe."

Amendment No. 2

On page 2, line 29, of the printed bill, as amended, after "piers", insert ", seawalls,".

Amendment No. 3

On page 2, line 35, of the printed bill, as amended, before "Treasury", insert "State".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1275—An act to add Section 164.7 to the Vehicle Code, relating to stolen or embezzled vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1275?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and"; strike out all of lines 7 and 8; and in line 9, strike out "to the time such penalties accrued".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "30", and insert "10".

Amendment No. 3

On page 1, line 11, of the printed bill, after "recovery", insert "and prior to May 1 of the registration year upon filing an affidavit setting forth the circumstances of the theft or embezzlement,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1275 by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—56.

NOES—None.

Assembly Bill No. 1275 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 2538

In compliance with a notice given on a previous day, Mr. Kellems moved that the vote whereby Assembly Bill No. 2538 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Kellems moved a call of the Assembly.

Motion carried. Time, 3.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1776 AND 997 FROM COMMITTEE

Mr. Evans gave notice that on the second legislative day, he would move to withdraw Assembly Bills Nos. 1776 and 997 from the Committee on Public Morals, and have them placed upon the file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 26, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith, without my signature, Assembly Bill No. 533 entitled "An act to amend Section 1007 of, and to add Section 1008 to, the Civil Code, relating to prescription, exemption"

My objections to this bill are as follows

It provides that water and water rights, owned by any mutual water company or public utility water company, can not, like other property privately owned, be acquired by prescription. Under it no water or water right once acquired by a private agency in the form of a mutual water company or a company engaged in the sale of water to the public, although that right is not exercised, could be acquired by prescription covering any number of years of the waters' appropriation to beneficial use The policy of the provisions of the present law, which this bill would amend, that the public's governmental agencies can not lose title to any property by prescription, should not be broadened to give the same protection to any privately owned property rights from being acquired by prescription, and no compelling reason exists therefor. If such an agency owns a water right which is not being used, I can see no reason for providing that its title shall remain inviolate forever against a prescriptive right acquired by its appropriation to beneficial use throughout the period when such appropriation ripens into title. Such a provision would encourage rather than discourage the acquisition of unneeded water and water rights not devoted to beneficial use. The present statute which for sound and obvious reasons

of established public policy provides that no publicly owned property shall be acquired by prescription should not be amended to extend the same exemption to any class of privately owned property as this bill would do.

Your attention is also directed to the last sentence of Section 1007 to the effect that other public rights not specifically mentioned in that section are not to be deemed subject to prescription by reason of the failure to mention them. This provision in the present section is applicable to water and water rights, but under the bill it would not be applicable thereto.

There is a constitutional problem presented. While the present law makes different rules applicable to private agencies than to public agencies, this bill would discriminate between privately owned public utilities. For instance, why should a water company be permitted to obtain a prescriptive water right against a power company when the reverse would not be true? I can see no reasonable basis of classification in this regard from a constitutional point of view.

Respectfully submitted.

CULBERT L. OLSON, *Governor of California*

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1484—An act to amend Sections 276, 278, 303 and 353 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.56 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements.

Bill read third time.

Demand for Previous Question

Messrs. Houser, Frederick F., Evans, Collins, Sam L., Potter and Poole demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1731.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thurman, Voigt, Welch, Wollenberg, and Mr. Speaker—46.

NOES—Call, Carlson, Daley, Dilworth, Field, Hastain, Houser, Frederick F., Johnson, Knight, T. Fenton; Meehan, Miller, Poole, Potter, Poulson, Stream, Thorp, Turner, Watson, and Weybret—19

Bill ordered transmitted to the Senate.

Assembly Bill No. 830—An act to add a new section to the Bank Act to be numbered 16g, relating to the examination of statements and canceled checks by depositors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Cooke, Crowley, Daley, Desmond, Dickey, Doyle, Field, Gaffney, Green, Gunlock, Howser, F. N., King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Collins, George D, Collins, Sam L, Dills, Dilworth, Donnelly, Evans, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B, O'Day, Pelletier, Pfaff, Richie, and Sawallisch—19.

Notice of Motion to Reconsider Assembly Bill No. 830

Mr. O'Day gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 830 was this day passed.

Assembly Bill No. 1271—An act to amend Sections 468, 510, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3, 511.4 and 511.5 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Crowley, Daley, Dickey, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Johnson, King, Knight, John B., Maloney, Massion, McCollister, Middough, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Turner, Voigt, Weber, Welch, and Wollenberg—41.

NOES—Burkhalter, Cassidy, Collins, Sam L., Donnelly, Field, Hawkins, Houser, Frederick F, Howser, F. N, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Meehan, Miller, Pelletier, Phillips, Robertson, Stream, Thurman, Watson, and Mr. Speaker—21.

Notice of Motion to Reconsider Assembly Bill No. 1271

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1271 was this day passed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2281

Mr. Dilworth moved that Assembly Bill No. 2281 be withdrawn from the third reading file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 240—An act to amend Section 1538.5 of the Probate Code, relating to leases of wards' property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thur-

man, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cooke, Daley, Dickey, Dills, Dilworth, Evans, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Leonard, McCollister, Miller, Pelletier, Poole, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, and Mr. Speaker—34.
NOES—Andreas, Bennett, Burns, Hugh M., Cassidy, Collins, George D., Donnelly, Doyle, Green, Gunlock, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pfaff, Phillips, Porter, Poulson, Russell, Sawallisch, Watson, Welch, Weybret, and Wollenberg—31.

Notice of Motion to Reconsider Assembly Bill No. 2214

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2214 was this day refused passage.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2538

At 5 p.m., on motion of Mr. Kellems, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2538 refused reconsideration by the following vote:

AYES—Bennett, Burns, Hugh M., Call, Carlson, Collins, Sam L., Daley, Dickey, Dills, Dilworth, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Lowrey, Middough, Miller, Phillips, Poole, Potter, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weybret, and Wollenberg—34.
NOES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Pfaff, Poulson, Russell, Thurman, Weber, Welch, and Mr. Speaker—37.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1951—An act to add Section 2.5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "such", and insert "agricultural".

Amendment No. 2

On page 1, line 6, of the printed bill, after "products", insert ", except those grown by prison labor,".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

RECESS

At 5.12 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Lyon suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Andreas, Bennett, Collins, Sam L., Cooke, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Knight, T. Fenton; Lyon, Massion, McCollister, Miller, Pfaff, Poulson, Richie, Robertson, Russell, Thurman, and Weber—27.

Call of the Assembly

Mr. Lyon moved a call of the Assembly.

Roll Call Demanded

Mr. Robertson demanded a roll call on the motion for a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Burkhalter, Cooke, Desmond, Dilworth, Donnelly, Doyle, Heisinger, Knight, T. Fenton; Lyon, McCollister, Middough, Miller, Pfaff, and Richie—15.

NOES—Bashore, Collins, Sam L., Dills, Evans, Green, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Lowrey, Maloney, O'Day, Pelletier, Potter, Poulson, Robertson, Russell, Tenney, Thurman, Turner, Weber, and Weybret—23.

Quorum Call

The Speaker directed the Clerk to call the roll.

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Cain, Carlson, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Mr. Speaker—49.

Quorum present.

Motion to Adjourn

Mr. Doyle moved that the Assembly do now adjourn until 10 a.m., Tuesday, May 27, 1941.

Mr. F. N. Howser seconded the motion.

Motion withdrawn.

Speaker Presiding

At 8.47 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Call of the Assembly

Mr. Gallagher moved a call of the Assembly.

Roll Call Demanded

Messrs Robertson, Howser, F. N., and Evans demanded a roll call.

Demand for Previous Question

Messrs. Lowrey, Welch, Call, Howser, F. N. and Collins, Sam L. demanded the previous question.

Roll Call Demanded

Messrs Robertson, Welch and Gallagher demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Andreas, Burkhalter, Call, Cooke, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Kellems, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Richie, Russell, Stream, Turner, Watson, Welch, and Mr. Speaker—30

NOES—Bennett, Carlson, Dills, Evans, Hawkins, Howser, F. N., Knight, T. Fenton; Massion, O'Day, Pfaff, Poulson, and Robertson—12.

The question being on the motion for a call of the Assembly.

Motion carried. Time, 8.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Motion Relative to Procedure for Consideration of File

Mr. Middough moved that any bill passed on file, and not taken up when called, be put at the end of the file.

Mr. Cooke seconded the motion.

Substitute Motion

Mr. Middough moved, as a substitute motion, that any bill passed on file be placed on the inactive file.

Motion to Table Motion

Mr. Hawkins moved that the substitute motion be laid on the table.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "50", insert ", 81".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "unladen weight", insert ", the definition of street or highway.".

Amendment No. 3

On page 1 of the printed bill, as amended, after line 20, insert

"SEC. 1.5 Section 81 of the Vehicle Code is hereby amended to read as follows.

81. "Street" or "Highway." "Street" or "highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel.

"Street" or "highway" is also a privately owned or maintained way or place of whatever nature within the boundaries of any private airport while open to the use of the public for purposes of vehicular travel."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cooke, Desmond, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Russell, Stream, Tenney, Thorp, Turner, Weber, Welch, and Mr. Speaker—47.

NOES—Evans—1.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2421—An act to add Section 2163.5 to the Welfare and Institutions Code, relating to real property as defined for the purposes of aid to the aged.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Weber, Welch, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1055—An act to add Section 4.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages in satisfaction of liens of warehousemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Cain, Call, Carlson, Cooke, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Weber, Welch, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495—An act to amend Section 68 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cooke, Desmond, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Potter, Poulson, Richie, Russell, Stream, Tenney, Thorp, Turner, Weber, Welch, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1376.

Assembly Bill No. 1376—An act declaring all buildings and places nuisances wherein or upon which any unlicensed sale of alcoholic beverages in violation of the provisions of the Alcoholic Beverage Control Act is made or occurs or which are used for such sale, providing for the abatement and prevention of such nuisances, and providing for the repeal of the Unlawful Liquor Sales Abatement Law of 1915.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Poulson, Richie, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr. Speaker—42.

NOES—Bennett, Collins, Sam L., Gaffney, Gallagher, O'Day, and Robertson—6.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1378.

Assembly Bill No. 1378—An act to amend Section 51 of the Alcoholic Beverage Control Act, relating to the seizure of unlawful alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1612—An act to add Section 55.3 to the Alcoholic Beverage Control Act, relating to sales tax on sale of alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2601—An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made," approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938, and not yet paid.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cooke, Daley, Desmond, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Kellems, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr. Speaker—41.

NOES—Collins, Sam L., Evans, Heisinger, Howser, F. N., Knight, T. Fenton, and Poulson—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 575—An act to add Section 817.5 to the Penal Code, relating to peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr Speaker—43

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Poulson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 937.

Assembly Bill No. 937—An act to amend Section 78 of the Gift Tax Act of 1939, relating to the deposit and appropriation of money paid and collected thereunder

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cooke, Daley, Desmond, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems,

Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Weber, Welch, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2598—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Bill read third time.

Motion to Amend

Mr. F. N. Howser moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "act to", insert "add Section 19624.5 to the Business and Professions Code, and to".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "sixth", and insert "forty-eighth".

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, strike out "sixth", and insert "forty-eighth".

Amendment No. 4

On page 1, line 5, of the printed bill, as amended, after "to it", insert "for the purposes of this section".

Amendment No. 5

On page 1, line 10, of the printed bill, as amended, strike out "Moneys expended by the 6th dis-", and strike out lines 11 to 13, inclusive, and insert "Moneys appropriated for the purpose of this section shall not be subject to the provisions of Section 92."

Amendment No. 6

On page 1 of the printed bill, as amended, after line 13, insert

"SEC. 2. Section 19624.5 is hereby added to the Business and Professions Code, to read as follows:

19624.5. Out of the first balance of the fund there is hereby allocated four thousand dollars ($4,000) to the Forty-eighth District Agricultural Association for the purposes of Section 87.5 of the Agricultural Code."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. George D. Collins, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2036.

Assembly Bill No. 2036—An act to amend Sections 2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 3871, 3878, 3879 and 3880 of, to add Section 3873 to, and to repeal Sections 2109, 2151, 2154, 2202, 2257, 2302, 2303, 3873, 3874, 3875, 3876 and 3877 of, the Elections Code, relating to presidential primaries.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr George D. Collins moved a call of the Assembly.

Motion carried. Time, 10.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1594—An act to amend Sections 13 and 14 and to add Section 13b to the act entitled "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," relating to waiver of report, limitation of sections, and costs on abandonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Daley, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Voigt, Weber, Welch, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 278.

Assembly Bill No. 278—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Desmond, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Turner, Voigt, Weber, Welch, and Mr. Speaker—47.

NOES—Daley—1.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2273.

Assembly Bill No. 2273—An act to amend Section 6359 of the Revenue and Taxation Code, Section 5 of the Retail Sales Tax Act of 1933, and Section 4 of the Use Tax Act of 1935, relating to the exemption of food products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Leonard, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Mr. Speaker—44

NOES—Andreas, Bennett, Cain, Call, Carlson, Johnson, Kellems, Knight, T. Fenton; Lowrey, Lyon, Miller, Millington, Stream, Watson, Weybret and Wollenberg—16.

Notice of Motion to Reconsider Assembly Bill No. 2273

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2273 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

POULSON, Chairman
BENNETT
MASSION
TENNEY
KNIGHT, JOHN B.
GALLAGHER
HAWKINS

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred.

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

POULSON, Chairman
POTTER
BENNETT
MASSION
TENNEY
KNIGHT, JOHN B.
GALLAGHER

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California to amend Section 23 of Article IV of the Constitution of said State, relating to the compensation of members of the Legislature.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 53
Assembly Concurrent Resolution No. 54

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 948

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 407

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 525
Assembly Bill No. 1047
Assembly Bill No. 1128
Assembly Bill No. 1439
Assembly Bill No. 1496
Assembly Bill No. 1574

J A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Quinn and Rich as a Committee on Conference concerning:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 545

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 293
Senate Bill No. 395
Senate Bill No. 1004
Senate Bill No. 1207

J A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 293—An act to add Section 1192.5 to the Code of Civil Procedure, relating to liens.

Referred to Committee on Judiciary Codes

Senate Bill No. 1207—An act to add Section 1149.2 to the Agricultural Code, relating to the liability of sellers of nursery stock improperly labeled as to grade, variety, and grade size.

Referred to Committee on Agriculture.

Senate Bill No. 1004—An act to amend Sections 6 and 9 of, and to add Section 18 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to the regula-

tion of collection agencies, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Financial Institutions.

Senate Bill No. 395—An act to amend Section 622 of the Fish and Game Code, relating to goldfish and non-native minnows.

Referred to Committee on Fish and Game.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 55: By Mr. Heisinger—Relative to the creation of a Joint Committee on State and County Highways.

Ordered to third reading without reference to committee.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 10.50 p.m., on motion of Mr. Gallagher, further proceedings under the call of the Assembly were dispensed with.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 278—An act to amend Section 7110 of, and to add Section 7071.5 to, the Business and Professions Code, relating to contractors.

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 7110 of, and to".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "Section", and insert "Section 1. Section".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

EXPLANATION OF ABSENCE

Mr. Millington moved that the following members of the Committee on Ways and Means be excused from the evening roll call for the purpose of a committee meeting: Messrs. Millington (Chairman), Allen, Burns, Michael J., Crowley, Del Mutolo, Dickey, Doyle, Hastain, Knight, John B., Leonard, Pfaff, Thurman, Watson and Weybret.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2036

At 10.55 p.m., on motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2036 passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Crowley, Desmond, Dills, Dilworth, Donnelly,

Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muldough, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Robertson, Russell, Tenney, Thurman, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Bashore, Bennett, Call, Collins, Sam L., Daley, Dickey, Field, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Miller, Poole, Richie, Stream, Thorp, Turner, Voigt, Watson, and Mr. Speaker—21.

Notice of Motion to Reconsider Assembly Bill No. 2036

Mr. Frederick F. Houser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2036 was this day passed.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1469.
Assembly Bill No. 1820.
Assembly Bill No. 1124.
Assembly Bill No. 2166.
Assembly Bill No. 530.
Assembly Bill No. 246.
Assembly Bill No. 1769.
Senate Bill No. 820.
Assembly Constitutional Amendment No. 16.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 197.
Assembly Bill No. 1608
Senate Bill No. 298
Assembly Bill No. 2249.
Assembly Bill No. 2615.
Assembly Bill No. 684.
Assembly Bill No. 609.
Assembly Bill No. 90.
Assembly Bill No. 723
Assembly Bill No. 263.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1126 re-referred to Committee on Governmental Efficiency and Economy.
Assembly Bill No. 1529 to Committee on Ways and Means
Assembly Bill No. 2217 to Committee on Ways and Means.
Assembly Bill No. 1620 to Committee on Education.
Assembly Bill No. 1621 to Committee on Education.
Assembly Bill No. 420 to Committee on Ways and Means.
Assembly Bill No. 488 to Committee on Motor Vehicles.
Assembly Bill No. 2493 to Committee on Motor Vehicles.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John F. Klump of Pasadena, C. A. Belmont, Los Angeles, and Dr. H. Con Bailey of Los Angeles.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alliene Barrett, and Jack L. Holmes, teachers, and the following students of Courtland High School: Joe Alameda, Teddy Bagdazean, Marjorie Lou Baker, Marie Baker, Jeanne Bielefeld, James Blaylock, Christine Burnett, Tony Castahno, Ruth Janet Chan, Amelia Chun, Betty Colby, Peggy Colby, Lawrence Dewing, Clinton Durnell, Tony Enos, Dorothy Ensley, Josephine Fava, Madelyn Frates, Mildred Gier, Louis Giovannoni, Irene Goeman, Elaine Gonsalves, Myron Gonsalves, Nellie Griffith, Hisako Hirose, Herbert Hirotsu, Carolyne Iseri, Mary Iseri, Hiromi Itoda, Nancy Iwaoka, Edward Jang, Joe Jang, Sumi Kawamura, Happy King, Mesame Kokawa, Haruko Kuramoto, Jack La Montagne, Clarence Lee, Virginia Levinson, Wilma Luttig, Emiko Mizutoni, Catheryn Marie Myers, Kampo Ogawa, Eleanor Ostman, Isao Oto, Yoshiko Oto, Margaret Owyang, Arthur Phillips, Wraa Rose, Ted Sakata, Floyd Serr, Elliot Stevenson, Louise Takeda, Gladys Takeuchi, John Tsuruta, Virginia Uyeoka, George Watanabe, Eva Wong, Frances Woo, Amy Yazi, Grace Yamone, Shitoka Yasuda, Mary Ow Fook, and Mabel Young.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. A. W. Vasey of Long Beach.

On request of Mr. Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alen Morten, President of Greater East Los Angeles Chamber of Commerce, and Captain Edward Bradley of East Los Angeles Highway Patrol Office.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jane A. Maxwell of Los Angeles.

On request of Mr. McCollister, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Josephine Mitli, teacher of the San Pedro School, Marin County; Mrs. J. Horgan, Genevieve Quan, Bertha Quan and Marvis Hogan, students of the eighth grade.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edwin J. Miller of Los Angeles.

ADJOURNMENT

At 11.01 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 27, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY
ONE HUNDRED FORTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 27, 1941

The Assembly met at 10 a.m.

Chief Clerk Arthur A. Ohnimus presiding.

Mr. Michael J. Burns moved that Mr. Thomas A. Maloney act as temporary Speaker.

Motion carried.

ABSENCE OF QUORUM SUGGESTED

Mr. Watson suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Bashore, Burns, Hugh M., Burns, Michael J., Carlson, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Heisinger, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Potter, Stream, Thorp, Turner, Watson, and Weybret—28.

Call of the Assembly

Mr. Watson moved a call of the Assembly.

Motion carried. Time 10.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

On motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Phillips, Poole, Potter, Richie, Russell, Thorp, Thurman, Turner, Watson, Welch, and Weybret—45.

Quorum present.

PRAYER

Upon invitation of the Speaker, prayer was offered by Miss Miller.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Carlson.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Thomas, on motion of Mr. Cooke.
Mr. Waters, on motion of Mr. Sam L. Collins.

MOTION TO POSTPONE RECONSIDERATION OF ASSEMBLY BILL NO. 2273

Mr. Call moved that the reconsideration of Assembly Bill No. 2273 be postponed until the next legislative day.

Motion lost.

Motion to Take Up Reconsideration of Assembly Bill No. 2273

Mr. Bashore moved that the reconsideration of Assembly Bill No. 2273 be taken up at this time.

Mr. Bennett seconded the motion.

Absence of Quorum Suggested

Mr. Desmond suggested the absence of a quorum

The roll was called, and the following answered to their names:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Middough, Miller, Pelletier, Pfaft, Phillips, Poole, Potter, Richie, Russell, Thorp, Thurman, Turner, Watson, Welch, and Weybret—44.

The Speaker declared a quorum present.

Substitute Motion

Mr. T. Fenton Knight moved, as a substitute motion, that the reconsideration of Assembly Bill No. 2273 be passed on file temporarily.

Mr. Watson seconded the motion.

Mr. Bashore withdrew his motion with the consent of his second.

Mr. T. Fenton Knight withdrew his substitute motion with the consent of his second.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2641—An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the

Health and Safety Code, relating to spotting, sponging and pressing establishments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2312—An act to add Section 3440.3 to the Civil Code, relating to fraudulent transfers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 3440.3 to", and insert "amend Section 3440.5 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 3440.5 of the Civil Code is hereby amended to read as follows.

3440.5. Section 3440 of this code shall not apply to goods in a warehouse where a warehouse receipt has been issued therefor by a warehouseman as defined in the Warehouse Receipts Act, and a copy of such receipt is kept at the principal place of business of the warehouseman [within the city or county in which is located the warehouse in which said goods are stored] Such copy shall be open to inspection upon written order of the owner or lawful holder of such receipt."

Amendments read and adopted.

Bill ordered printed and engrossed.

MOTION RELATIVE TO PROCEDURE FOR CONSIDERATION OF THE FILE

Mr. Pfaff moved that any Member desiring to take up any bill, regardless of its place on file, be allowed to do so.

Mr. Thorp seconded the motion.

Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2631—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the managements, maintenance and control thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Thorp, Thurman, Turner, Watson, Welch, and Weybret—45.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO PLACE BILLS ON APPROPRIATION FILE

Mr. Kepple moved that all bills on third reading file, carrying appropriations, be placed on the appropriation file.

Mr. Turner seconded the motion.

Motion carried.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Frederick F. Houser moved to expunge the record and rescind the action whereby Assembly Bill No. 1570 was this day read second time.

Mr. Potter seconded the motion.

Motion carried unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2640—An act to amend Section 737qq of the Political Code, relating to salaries of superior court judges in Santa Clara County.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Salsman moved a call of the Assembly.

Motion carried. Time, 10.50 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Harrison W. Call Presiding

At 10 52 a.m., Hon Harrison W. Call, Member of the Assembly from the Twenty-ninth District, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, DelMutolo, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton; Leonard, Massion, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Thurman, Turner, Welch, and Wollenberg—41.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 174—An act to amend Section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Meehan, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—42.

NOES—Carlson, Houser, Frederick F., Knight, T. Fenton; Massion, Pelletier, Richie, and Russell—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2640

At 11 a.m., on motion of Mr. Salsman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2640 passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Meehan, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—43

NOES—Burkhalter, Donnelly, Heisinger, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Massion, Pelletier, Richie, and Russell—10

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Bill read third time.

Demand for Previous Question

Messrs. Collins, Sam L., Poole, Robertson, Dills and Bashore demanded the previous question.

Demand for previous question lost.

Motion to Pass Senate Bill No. 436 on File

Mr. Cain moved that Senate Bill No. 436 be passed on file temporarily.

Mr. Dills seconded the motion.

Motion carried.

Senate Bill No. 408—An act to amend Section 4276 of the Political Code, relating to salaries and fees of offices in counties of the forty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dills, Doyle, Evans, Gaffney, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, Kilpatrick, Leonard, Lowrey, Maloney, Meehan, Miller, Phillips, Poole, Richie, Robert-

son, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—43

NOES—Carlson, Heisinger, Houser, Frederick F., Masson, Pelletier, and Russell—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 109—An act to amend Section 7 of The Personal Income Tax Act, relating to taxes on individuals, estates and trusts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masson, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, and Wollenberg—55

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 411—An act to amend the heading of Article 4 of Chapter 1 of Part 2 of Division 4 and Sections 581 and 588 of the Fish and Game Code, relating to kelp and other aquatic plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1253—An act to amend Section 10551 of the Health and Safety Code, relating to evidentiary effect of copies of birth, marriage or death records

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 171—An act to amend Section 2.461 of, to repeal Sections 2.462, 2.463, 2.464 and 2.465 of, and to add a new section to be numbered 2.462 to, the School Code, all relating to annexation of elementary school districts on petition from a high school board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 1—Relative to the proposed Loma Prieta State Forest.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—59.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 122—An act to add Section 4383 to the Public Resources Code, relating to State forests, including areas suitable for timber production, outdoor recreation, water protection, and fish and game production

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding thereto Article XXV, relating to the organization, powers and duties of the Board of Forestry.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Frederick F. Houser moved a call of the Assembly.

Motion carried. Time, 11.56 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1157—An act to add Section 1381.5 to the Penal Code, relating to prisoners in the State prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 460—An act to add Section 469 to the Probate Code, relating to compensation to attorneys for extraordinary services rendered to special administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 459—An act to add Section 586.5 to the Probate Code, relating to distribution of assets held by depositaries.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—60

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 457—An act to amend Sections 771, 1531 and 1534 of the Probate Code, relating to sales of securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robert-

son, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—60
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 454—An act to add Section 1406.5 to the Probate Code, relating to nomination of guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 453—An act to add Section 1554.1 to the Probate Code, relating to waiver of notice by the Attorney General.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—60.
NOES—None.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1570—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases.

Bill read second time.

Consideration of Committee Amendments

Mr. Frederick F. Houser moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended, strike out "from the State Board of Public Health".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 41 and 42, insert

"The State Board of Public Health shall prepare and distribute forms for such certificates and shall prescribe minimum standards for physical examinations for the issuance thereof.

Such certificates shall be issued to any person by the State Board of Public Health, by any city, county, or city and county health officer, and by any publicly employed physician and surgeon without charge or fee. Such certificates may be issued by any physician and surgeon. The certificate shall be signed by the physician and surgeon who examines the person to whom it is issued."

Amendments read and adopted.

Bill ordered printed and engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1758—An act to amend Sections 4, 9 and 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 14, of the printed bill, as amended, after "enforcement", strike out "and", and insert a comma and "for".

Amendment No. 2

On page 3, line 15, of the printed bill, as amended, strike out the period, and insert a comma and "and for any other State purpose."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1814—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An act relating to licensing and taxing vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the license fee on vehicles.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 45, of the printed bill, as amended, after "enforcement", strike out "and", and insert a comma and "for".

Amendment No. 2

On page 2, line 46, of the printed bill, as amended, strike out the period, and insert a comma and "and for any other State purpose."

Amendment No. 3

On page 4, line 6, of the printed bill, as amended, after "enforcement", strike out "and", and insert a comma and "for".

Amendment No. 4

On page 4, line 7, of the printed bill, as amended, strike out the period, and insert a comma and "and for any other State purpose."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions.

Bill read third time.

Motion to Amend

Mr. Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, after the period, insert "The scope of such actions shall not include a determination of the validity of the tax giving rise to the lien or claim of lien."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Weybret, and Wollenberg—59

NOES—None

Bill ordered reprinted, and to third reading.

Senate Bill No. 1048—An act to amend School Code Section 5.820, relating to the Teachers Retirement Board.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "at", strike out the comma.

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "of", insert a comma.

Amendment No. 3

On page 2, line 14, of the printed bill, as amended, strike out "Amador", and insert "Alpine".

Amendment No. 4

On page 2, line 30, of the printed bill, as amended, after "than", insert "the member selected by the State Board of Education,".

Amendment No. 5

On page 2, line 34, of the printed bill, as amended, strike out "Two members", and insert "One member".

Amendment No. 6

On page 2, line 36, of the printed bill, as amended, after "shall", insert ", except as otherwise herein provided,".

Amendment No. 7

On page 2, line 40, of the printed bill, as amended, strike out the period, and insert "to fill the vacancy if it shall have occurred in that class. In the event a vacancy occurs in the office held by a member selected by the State Board of Education, the said board shall fill such vacancy. In the event a vacancy occurs in the office held by an appointive member of the Retirement Investment Board, the Governor shall fill such vacancy for the unexpired term by the appointment of an active member of the Teachers Retirement System."

Amendment No. 8

On page 3, line 1, of the printed bill, as amended, strike out "committee", and insert "committees".

Amendment No. 9

On page 3, line 46, of the printed bill, as amended, strike out "5 382", and insert "5.832".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—60

NOES—None.

Bill ordered reprinted, and to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately, as amended in Assembly on May 22, 1941;

consisting of the undersigned members, has met, and reports that it has not been able to agree upon a recommendation.

RICH	MILLINGTON
BREED	LYON
QUINN	ALLEN
Senate Committee on Conference	Assembly Committee on Conference

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 476 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 476 was passed.

Assembly Bill No. 476 ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2036 WAIVED

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2036 was passed.

Assembly Bill No. 2036 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1092—An act to repeal Section 511 of the Public Resources Code, relating to publications issued by the Department of Natural Resources.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon,

Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—63.
NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1092

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1092 was this day passed.

Senate Bill No. 231—An act to amend School Code Section 3.516, relating to employees of the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—65.
NOES—None.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 6

At 12.22 p.m., on motion of Mr. Frederick F. Houser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Frederick F. Houser moved a call of the Assembly.

Motion carried. Time, 12.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 8—An act to add Section 603 to the Penal Code, relating to unlawful entry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Thurman, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 845.

Senate Bill No. 845—An act to amend Section 2313 of the Public Resources Code, relating to mining claims, tunnel locations and mill sites, and the recording of notice of location, markings of boundaries, and performance of discovery work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—Evans, and Heisinger—2.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2598—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Bill read third time.

Motion to Amend

Mr. F. N. Howser moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "annually to assist in the conduct of", and insert "for the payment of premiums at".

Amendment read.

Motion to Expunge Record and Rescind Action

Mr. Field moved to expunge the record and rescind the action whereby the amendment to Assembly Bill No. 2598 was this day refused adoption.

Motion carried unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 6

At 12.36 p.m., on motion of Mr. Frederick F. Houser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 6 adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond,

Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Porter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—Andreas, Bennett, Burkhalter, Cain, Cooke, Dills, Donnelly, Evans, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, and Russell—16.

Resolution ordered transmitted to the Senate.

RECESS

At 12.40 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m, the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 140—An act to add Section 2326 to the Public Resources Code, relating to the records of dissolved mining districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Carlson, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Kellems, Kepple, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 283—An act to add Section 2160.7 to the Welfare and Institutions Code, relating to the aged confined in county institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Johnson, Kellems, Kepple, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 521—An act to amend Section 798.6 of the Fish and Game Code, relating to abalone bag limits in District 2.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole,

Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 779—An act to add Chapter 8 to Part 1 of Division 3 of the School Code, which chapter shall consist of Section 3.107, relating to insurance premium deductions from salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 10—An act to add Section 180.5 to the Vehicle Code, relating to transfers of title or interest in motor vehicles, including the rights obtained by persons who lend money or extend credit to dealers under certificates of ownership delivered to them by the latter

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 982—An act to amend Sections 1576 and 2049 of, to add Section 2059 to, and to repeal Section 2523 of, the Penal Code, relating to State prisons and the powers and duties of the State Board of Prison Directors in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 469—An act to amend Section 1157 of the Fish and Game Code, relating to closing of areas to hunting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1071—An act to add Section 38.1 to the Public Utility District Act of 1921 (Stats. 1921, page 906 and amendments) providing for the addition of a section thereto whereby delinquent service charges may be made a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 690—An act to amend Sections 4, 5 and 6 of the California Districts Securities Commission Act, relating to the procedure for certifying district bonds as legal investments, for use as security for the performance of any act, and the effect thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 212—An act to amend Sections 1640 and 1671 of, and to add Section 1671.2 to, the Insurance Code, relating to insurance and insurance agents, brokers, and solicitors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2629—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1249—An act to amend Sections 16001 and 16102 of the Business and Professions Code, relating to licensing by cities and counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.
NOES—Crowley, and Dickey—2.

Bill ordered transmitted to the Senate.

Hon. Robert Miller Green Presiding

At 2 50 p.m., Hon. Robert Miller Green, member of the Assembly from the Twenty-eighth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1581—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Poole, Potter, Poulson, Richie, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—52.

NOES—Allen, Bashore, Collins, Sam L., Cooke, Del Mutolo, Evans, Hawkins, Knight, T. Fenton; Lowrey, Middough, Pelletier, and Pfaff—12.

Time 3.05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Turner, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Constitutional Amendment No. 28.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 28—Proposed amendment to Article XX, Section 22 of the Constitution, relative to the legal rate of interest on loans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—59.

NOES—Bennett, Carlson, Collins, Sam L., Houser, Frederick F., Johnson, and Potter—6.

Resolution ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Kilpatrick, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 864.

Assembly Bill No. 864—An act to amend Section 4453 of the Labor Code of the State of California, relating to workmen's compensation and insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B.,

Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—56

NOES—Collins, Sam L., Daley, Hastam, Houser, Frederick F, Howser, F N, Knight, T Fenton; Leonard, McCollister, Middough, and Watson—10

Notice of Motion to Reconsider Assembly Bill No. 864

Mr. Hastam gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 864 was this day passed.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2273

In compliance with a notice given on a previous day, Mr. Call moved that the vote whereby Assembly Bill No. 2273 was passed be reconsidered.

Assembly Bill No 2273 refused reconsideration by the following vote:

AYES—Andreas, Bennett, Cain, Call, Carlson, Daley, Dickey, Dilworth, Doyle Gallagher, Hastam, Johnson, Kellems, Kepple, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Miller, Millington, Sheridan, Stream, Thorp, Thurman, Watson, Welch, Weybret, and Wollenberg—29.

NOES—Bashore, Burkhalter, Burns, Michael J, Cassidy, Collins, George D Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F N Kilpatrick, King, Knight, John B, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Tenney, Turner and Voigt—38

Assembly Bill No 2273 ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Frederick F. Houser, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1271.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 27, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 560

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 560.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 560—An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 57.5, 58, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 58, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 67, 68, 69, 70, 71 and 73 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 560?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "58,".

Amendment No. 2

In line 5 of the title of the printed bill, as amended, after "7.2,", insert "23.1, 28,".

Amendment No. 3

On page 6, line 52, of the printed bill, as amended, strike out the period, and insert a semicolon.

Amendment No. 4

On page 9 of the printed bill, as amended, between lines 2 and 3, insert

"SEC 8 4 Section 23 1 is hereby added to said act, to read as follows.

Sec 23.1 Subject to the provisions and for the purposes provided by Section 23, all moneys received from the Social Security Board pursuant to Section 302 of the Social Security Act shall be deposited in the Unemployment Administration Fund and shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this act.

SEC. 8 5 Section 28 is hereby added to said act, to read as follows.

Sec. 28. This State recognizes its obligations to replace, and hereby pledges the faith of this State that funds will be provided in the future, and applied to the replacement of, any moneys received on and after July 1, 1941, from the Social Security Board under Title 3 of the Social Security Act, any unencumbered balances in the Unemployment Administration Fund as of that date, any moneys on and after July 1, 1941, granted to this State pursuant to the provisions of the Wagner-Peyser Act, and any moneys on and after July 1, 1941, made available by this State or its political subdivisions matched by moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, which the Social Security Board finds have, because of any action or contingency, been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the Social Security Board for the proper administration of this act. Such moneys shall be replaced within a reasonable time by moneys appropriated by the Legislature from the general funds of this State to the Unemployment Administration Fund The commissions shall report to the Director of Finance, in the same manner as is provided generally for the submission of financial requirements for the ensuing biennium, and the Governor shall include in this budget report to the next regular session of the Legislature, the amount required for such replacement. This section shall not be construed to relieve this State of its obligation with respect to funds received prior to July 1, 1941, pursuant to the provisions of Title 3 of the Social Security Act"

Amendment No. 5

On page 16, line 42, of the printed bill, as amended, strike out the period, and insert a colon.

Amendment No. 6

On page 19, line 4, of the printed bill, as amended, after "25.", insert "Effective December 1, 1941,".

Amendment No. 7

On page 19, line 6, of the printed bill, as amended, after "26.", insert "Effective December 1, 1941,".

Amendment No. 8

On page 20, line 22, of the printed bill, as amended, after "27.", insert "Effective December 1, 1941,".

Amendment No. 9

On page 21, line 1, of the printed bill, as amended, after "28.", insert "Effective December 1, 1941,".

Amendment No. 10

On page 21, line 41, of the printed bill, as amended, after "29.", insert "Effective December 1, 1941,".

Amendment No. 11

On page 22 of the printed bill, as amended, between lines 26 and 27, insert

"(e) Every proceeding heard by the commission shall be heard and decided by all five members of the commission, or by the commissioner representing the State and public, either alone or together with an equal number of commissioners representing employers and commissioners representing employees."

Amendment No. 12

On page 22, line 27, of the printed bill, as amended, after "30.", insert "Effective December 1, 1941,".

Amendment No. 13

On page 23, line 6, of the printed bill, as amended, after "31.", insert "Effective December 1, 1941,".

Amendment No. 13.5

On page 24 of the printed bill, as amended, strike out lines 4, 5 and 6.

Amendment No. 14

On page 25 of the printed bill, as amended, after line 7, insert

"SEC. 37. (a) No person, who by reason of employment for employers prior to the effective date of this amendatory act would have been eligible for benefits under the provisions of the Unemployment Insurance Act, shall be denied benefits after the effective date of this amendatory act solely by reason of the amendments made by this amendatory act to Sections 7 and 44.2 of the Unemployment Insurance Act.

(b) The amendment made by this amendatory act to Section 41 of the Unemployment Insurance Act shall apply only to benefits paid with respect to benefit years commencing after the effective date of this amendatory act.

(c) Sections 57 and 57.5 of the Unemployment Insurance Act, as amended by this amendatory act, apply with respect to all benefits claimed by an individual after the effective date of this amendatory act, irrespective of whether or not he has established a benefit year on or prior to the effective date of this amendatory act, when the events, situations, or conditions mentioned in Section 57 or Section 57.5, both as amended by this amendatory act, either occur or exist on or after the effective date of this amendatory act. Nothing in this subdivision (c) shall make eligible for benefits any person ineligible therefor under the provisions of the Unemployment Insurance Act as it existed prior to its amendment to this amendatory act."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 4 31 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2112—An act to add Sections 65.1 and 127 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service, prescribing the probationary period therefor and requiring the confirmation of appointments thereto by the Senate.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—Collins, George D., Gaffney, Howser, F. N., and Robertson—4

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Michael J. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 58.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 58—An act to add Sections 622.5 and 692.6 to the Agricultural Code, relating to the manufacture and sale of frozen products of milk in quantities less than one gallon.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—Kilpatrick, and Lowrey—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE ON ASSEMBLY BILL NO. 560

At 4.50 p m., on motion of Mr Desmond, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 560 by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Carlson Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Robertson, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—43

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Potter, Richie, Russell, Sheridan, and Tenney—30

Assembly Bill No 560 ordered enrolled.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Desmond, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1717.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1717—An act to amend Section 736.1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Howser, F. N., Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—63.

NOES—Donnelly, and Heisinger—2

Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action

Mr. Frederick F Houser moved to expunge the record, and rescind the action whereby Assembly Bill No 1271 was granted reconsideration

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gal

lagher, Gunlock, Hastam, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Vogt, Welch, Weybret, Wollenberg, and Mr Speaker—65

NOES—Bashore, Collins, Sam L, Howser, F N, Knight, John B, and Robertson—5

Notice of Motion to Reconsider Assembly Bill No. 1271 Waived

Mr. Frederick F. Houser waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1271 was passed.

Assembly Bill No. 1271 ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 1524

In compliance with a notice given on a previous day, Mr. Allen moved that the vote whereby Assembly Bill No 1524 was refused passage be reconsidered.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Allen, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on reconsideration of Assembly Bill No. 1524.

Speaker Presiding

At 5.22 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, *presiding*.

Demand for Previous Question

Messrs. Robertson, Thurman, Collins, Sam L, Dilworth and Howser, F N., demanded the previous question

Demand for previous question sustained

The question being on the motion to reconsider Assembly Bill No. 1524.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Allen moved a call of the Assembly.

Motion carried Time, 5.28 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

APPROVAL OF JOURNALS

On motion of Mr Lyon, the Journals of Monday, May 19, 1941, Tuesday, May 20, 1941; Wednesday, May 21, 1941; Thursday, May 22, 1941; Friday, May 23, 1941, and Saturday, May 24, 1941, were approved as corrected by the Minute Clerk.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1581

At 5.30 p.m., on motion of Mr. Dilworth further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1581 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weybret, and Mr. Speaker—45.

NOES—Bennett, Burns, Hugh M., Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Robertson, Sawallisch, Sheridan, Watson, Weber, Welch, and Wollenberg—31.

Notice of Motion to Reconsider Assembly Bill No. 1581

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1581 was this day passed.

MOTION TO EXCUSE MR. FIELD

Mr. Lyon moved that Mr. Field be excused for the balance of this legislative day, and for the following legislative day, due to the serious illness of his brother.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2598—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Bill read third time.

Motion to Amend

Mr. F. N. Howser moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7 of the printed bill, as amended, strike out "annually to assist in the conduct of", and insert "for the payment of premiums at".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2177—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr Call moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, strike out "by election hereunder"

Amendment No. 2

On page 2, line 14, of the printed bill, as amended, strike out "election", and insert "selection"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1274—An act to amend Section 17025 of the Business and Professions Code and Section 6 of an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair competition and discrimination.

Bill read third time.

Motion to Amend

Mr Hugh M. Burns moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 10, inclusive, and insert "Code, relating to Unfair".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 19, inclusive; and on page 2, strike out lines 1 to 8, inclusive

Amendment No. 3

On page 2, line 9, of the printed bill, strike out "Sec. 2", and insert "Section 1".

Amendment No. 4

On page 2 of the printed bill, strike out lines 14 to 18, inclusive.

Amendments read

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Collins, George D., Collins, Sam L., Cocke, Cronin, Crowley, Daley, Del Mutolo,

Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gurlock, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, *and Mr Speaker*—61.

NOES—None

Bill ordered reprinted, and to third reading

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and disposal facilities and to make leases or contracts for the use of sewers, sewage works, plants, and disposal facilities constructed by public utility districts, to take effect immediately.

Respectfully submitted

RALPH C. DILLS

Request referred to Committee on Introduction of Bills.

By Mr. Sawallisch.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act relating to the clearance, replanning, rehabilitation and reconstruction of substandard and insanitary areas in cities in the State and providing for and relating to redevelopment corporations

Respectfully submitted.

HAROLD F. SAWALLISCH

Request referred to Committee on Introduction of Bills.

By Mr. Russell:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4104 of the Public Resources Code, relating to the building of camp fires or smoking on National forest land

Respectfully submitted.

FRANK C. RUSSELL

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17

relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937

Bill read third time

Motion to Amend

Mr Lyon moved the adoption of the following amendments:

Amendment No. 1

In lines 6 to 12 of the title of the printed bill, as amended, strike out "and including associations in the possession of the Building and Loan Commissioner without regard to whether or not he shall be liquidating their affairs; providing for the rehabilitation, readjustment or reorganization", and insert ", including the rehabilitation, readjustment, reorganization or plans for the liquidation"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 4 to 23, both inclusive, and insert

"13.16d A plan of reorganization may be proposed for (1) an association of which the property, business and assets are in the possession of the commissioner, (2) an association which is in such condition that, unless such association is liquidated or a plan is consummated, a preference is likely to be obtained by some certificate holders over other certificate holders or by some shareholders over other shareholders or by some creditors over other creditors of the same class; (3) an association which is in such condition that it will probably be necessary unless a different plan is consummated, to liquidate such association The determination by the commissioner that an association is included in one or more of the foregoing classes shall be prima facie evidence of such fact. A plan of reorganization of such association may be proposed (1) by such association through action of the board of directors of such association or (2) by the holders of 20 per cent in value of the aggregate outstanding free shares and investment certificates of such association or (3) by the commissioner.

Amendment No. 3

On page 2, line 27, of the printed bill, as amended, strike out "or merger", and insert ", merger or liquidation".

Amendment No. 4

On page 2, line 34 of the printed bill, as amended, strike out "in respect of", and insert "with respect to".

Amendment No. 5

On page 2, line 44, of the printed bill, as amended, after "trustees", insert "appointed by the court"

Amendment No. 6

On page 3, line 32, of the printed bill, as amended, strike out "Thereupon the court shall fix the time"; and strike out all of lines 33 to 52, both inclusive; and on page 4, strike out all of lines 1 to 23, both inclusive; and insert "If the commissioner is not the proposer of the plan, the court shall refer the plan to the commissioner and direct him to analyze the plan and the condition of the association Within 30 days or such additional time as the court may grant, the commissioner shall return the plan to the court with his findings and recommendations, and may propose to the court his own plan Thereupon the court shall fix the time and place for a hearing on the plan presented by petition and on the plan presented by the commissioner, if any, and shall direct that notice of such hearing, with a copy

or summary of such plan or plans, shall be mailed, posted and published, all as hereafter in this paragraph provided, and shall direct the commissioner to deliver to such proposer or proposers, and to the clerk of the court, a list of the names and addresses of the investors and creditors of such association as shown by the records of such association, and such other information as the court may deem necessary or proper, whereupon the commissioner shall comply with such direction Thereafter the clerk of the court, not less than 30 days before the date fixed for such hearing, shall mail or cause to be mailed to each of the investors and creditors of such association (and to such association, if not the proposer or proposers of such plan) a notice of the time and place fixed by the court for such hearing and either a copy of such plan or plans or a summary thereof, and a statement that any interested stockholder, shareholder, certificate holder or creditor shall have the right, without the necessity of formal intervention, to appear either in support of a plan or in opposition thereto or may propose a modification or modifications Such notice and statement, and if the plan is summarized, the summary thereof, shall be approved by the court. Section 808 of this act shall not apply to such notices. Said notices, plan or plans or summary thereof, and statement shall be mailed, by first-class mail in sealed envelopes, postage prepaid, to the respective addresses as shown on such list or lists, or if no address be there shown, to the last known address. In addition, the clerk of the court shall cause a copy of such notice, plan or plans or summary thereof, and statement to be posted in three public places in said county not less than 30 days before the day fixed for such hearing and to be published at least once a week for three successive weeks in a newspaper of general circulation published in said county, the first publication to be at least 30 days before the day fixed for such hearing."

Amendment No. 7

On page 4, line 31, of the printed bill, as amended, after "plan", insert "or plans"

Amendment No. 8

On page 5, line 11, of the printed bill, as amended, after "plan", insert "or plans".

Amendment No. 9

On page 5, line 32, of the printed bill, as amended, strike out "or disapprove such plan", and insert "and approve, or disapprove such plan or plans".

Amendment No. 10

On page 6, line 2, of the printed bill, as amended, after the comma, insert "that the consent of the shareholders of any association issuing investment certificates shall not be required if the value of the assets of such association shall be less than the liabilities of such association, including the value of its investment certificates but not including the value of its shares; and provided further,".

Amendment No. 11

On page 6, line 23, of the printed bill, as amended, strike out "; and provided further, that in lieu of the"; strike out all of lines 24 to 38, both inclusive; and in line 39, strike out "the investment certificates of such association".

Amendment No. 12

On page 6, line 42, of the printed bill, as amended, strike out "what may reason-"; strike out all of lines 43 to 52, both inclusive; and on page 7, strike out all of lines 1 to 7, both inclusive, and insert "their fair market value The consents required by this Subsection C may be given only after the court has approved the plan The approval by the court of the plan shall be in writing and at the time such approval is given the court shall make an order fixing a time and place for a further hearing to determine what consents have been given, and directing the clerk of the court to mail, or cause to be mailed, to each of the stockholders, shareholders, investment certificate holders and creditors of such association, a notice of the time and place fixed for said hearing, a copy or summary of the plan approved by the court, a statement setting forth the consents necessary to the plan becoming operative and a notice that all parties desiring to consent or dissent may file written consents or dissents with the clerk of the court before the time fixed for said hearing or to which said hearing may be continued At the time and place so fixed, or any continuance thereof ordered by the court, the court shall take evidence on that subject and upon satisfactory proof at such time of the fact that the requisite number of consents have been given, a further order may be entered providing that such plan shall become operative, which further order shall be binding upon the commissioner, such association, and all its investors and creditors

No written or printed communication (including a communication by the commissioner) soliciting or recommending for or advising against the giving of consents or dissents intended for general circulation or delivery to the investors of such associations shall be issued, published or sent unless it shall have been submitted to the court and the court shall have approved the form and contents thereof after hearing upon such notice as the court may prescribe to all parties appearing in the proceedings."

Amendment No. 13

On page 7 of the printed bill, as amended, strike out all of lines 8 and 9; and in line 10, strike out "be stayed; and the", and insert "The".

Amendment No. 14

On page 7, line 13, of the printed bill, as amended, after "approved", insert "and by the court declared operative".

Amendment No. 15

On page 7, line 21, of the printed bill, as amended, after "Whether", insert "the association subject to such plan is included in one or more of the classes specified in this section as subject to reorganization; whether".

Amendment No. 16

On page 7, line 27, of the printed bill, as amended, after "so", insert a comma

Amendment No. 17

On page 7, line 29, of the printed bill, as amended, after "association", insert "and the value of the assets thereof".

Amendment No. 18

On page 8, line 19, of the printed bill, as amended, after "that", insert "under such plan approved by the court".

Amendment No. 19

On page 8, line 26, of the printed bill, as amended, strike out "and/or stockholders", and insert "or stockholders, or both,".

Amendment No. 20

On page 8, line 31, of the printed bill, as amended, strike out "investment", and insert "investments".

Amendment No. 21

On page 9 of the printed bill, as amended, between lines 2 and 3, insert

"All expenses of and charges against the clerk of the court in connection with the mailing, posting and publication referred to in this section shall be paid from the assets of the association in question by the commissioner if he is in possession of such assets and, if not, by the association."

Amendment No. 22

On page 9, lines 3 and 4, of the printed bill, as amended, strike out "not proposed by the commissioner".

Amendment No. 23

On page 9, lines 25, 26 and 27, of the printed bill, as amended, strike out ", but the commissioner may not appeal or file any petition for appeal or review"

Amendment No. 24

On page 9, line 27, of the printed bill, as amended, strike out "by the association directly"; strike out all of lines 28 to 36, both inclusive; and in line 37, strike out "under this Section 13 16d", and insert "from the assets of the association directly affected by a proposed plan all expenses incurred by the commission in connection therewith".

Amendment No. 25

On page 9, line 42, of the printed bill, as amended, strike out "During the pendency of a proceeding", strike out all of lines 43 to 51, both inclusive, and on page 10, strike out all of lines 1 to 10, both inclusive, and insert "In connection with any proceeding or plan under this Section 13 16d the commissioner shall not employ or engage (1) counsel other than the Attorney General or one or more of his deputies or (2) any appraiser or accountant other than appraisers or accountants who are subject to the Civil Service Laws of this State"

Amendment No. 26

On page 10, line 16, of the printed bill, as amended, after "all", insert "of".

Amendment No. 27

On page 10 of the printed bill, as amended, strike out the comma at the end of line 16; strike out all of lines 17 to 21, both inclusive; and in line 22, strike out "hearing as hereinbefore provided".

Amendment No. 28

On page 10, line 50, of the printed bill, as amended, after "association", insert "or a Federal savings and loan association".

Amendment No. 29

On page 11 of the printed bill, as amended, strike out all of lines 5 and 6, and insert

"F Appeals No appeal other than an appeal by the commissioner from an order of the superior court approving or disapproving a plan or deciding any other issue in proceedings under this Section 13 16d shall be effectual for any purpose."

Amendment No. 30

On page 11, line 15, of the printed bill, as amended, after the period, insert "The commissioner may appeal without bond, or liability to the respondents."

Amendment No. 31

On page 12, line 2, of the printed bill, as amended, after "13 16f", insert a comma.

Amendment No. 32

On page 12, line 8, of the printed bill, as amended, strike out "or" the second time it appears in said line, and insert "of".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 65: By Messrs. Weybret, Allen, Evans, Welch, Pfaff, Robertson, Middough, Poulson, Del Mutolo, Cooke, Salsman, Potter, Collins, Sam L., Andreas, Green, Kellems, Cronin, Houser, Frederick F., Wollenberg, Howser, F. N., and Leonard —Proposed amendment to Article XX, Section 1, of the Constitution, relating to the seat of Government.

Referred to Committee on Governmental Efficiency and Economy

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dills.

An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and disposal facilities and to make leases or contracts for the use of sewers, sewage works, plants and disposal facilities constructed by public utility districts, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time.

Assembly Bill No. 2647: By Mr. Dills—An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and disposal facilities and to make leases or contracts for the use of sewers, sewage works, plants and disposal facilities constructed by public utility districts, to take effect immediately.

Referred to Committee on Public Utilities.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1524

At 5.45 p.m., on motion of Mr. Allen, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 1524 refused reconsideration by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Carlson, Collins, Sam L., Cooke, Daley, Dickey, Dills, Dilworth, Field, Hastain, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, T. Fenton, Leonard, Lyon, Middough, Miller, Millington, Phillips, Potter, Poulson, Robertson, Stream, Tenney, Thorp, Thurman, Watson, and Wollenberg—32

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Turner, Voigt, Weber, Welch, and Mr. Speaker—41

APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1800

The Speaker announced the appointment of Messrs. Pfaff, Burns, Hugh M., and Weybret as a second Committee on Conference concerning Assembly Bill No. 1800.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2598

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 278

And reports the same correctly re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1249
And reports the same correctly re-re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 159
Assembly Bill No. 1951
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2641
And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:
Assembly Bill No. 689
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 1889
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

POOLE, Chairman
JOHNSON
BENNETT
GALLAGHER
WOLLENBERG
LOWREY
MILLER

Above reported bill ordered to second reading.

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:
Senate Bill No. 1004
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

SALSMAN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred.

Assembly Bill No. 2110

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

POULSON, Chairman	TENNEY
ALLEN	FIELD
JOHN B KNIGHT	POTTER
HUGH M. BURNS	GALLAGHER

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1139

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

SAWALLISCH, Chairman	MEEHAN
McCOLLISTER	SALSMAN
ROBERTSON	PELLETIER
MALONEY	POTTER

Above reported bill ordered to second reading

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 488
Assembly Bill No. 2071
Assembly Bill No. 2493
Assembly Bill No. 2646

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MICHAEL J. BURNS, Chairman

Above reported bills ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 2644

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1275—An act to add Section 164.7 to the Vehicle Code, relating to stolen or embezzled vehicles;

Assembly Bill No. 1439—An act to amend Sections 1177 and 1203 6 of the Fish and Game Code, relating to entirely protected birds and to pheasants;

Assembly Bill No. 1496—An act to amend the Fish and Game Code of the State of California by adding thereto Sections 103.7, 615.6, 615.7, 615 8, relating to steelhead trout fishing in the Carmel River;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1941, at 3 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 525—An act to repeal Section 808 5 of the Fish and Game Code, relating to clams,

Assembly Bill No. 1047—An act to add Section 1352.5 to the Fish and Game Code, relating to frogs,

Assembly Bill No. 1128—An act to add Sections 432.6, 990 1, 990 2, 990 3, 990.4, 990 5, 990 6, 990 7, 994, 995, 995 1 and 995 2 to the Fish and Game Code relating to commercial fishing licenses and permits to operate vessels for transporting persons for the purpose of taking fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1941, at 3 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1574—An act to amend Section 790 of the Fish and Game Code, relating to crabs and crab meat,

Assembly Concurrent Resolution No. 53—Relative to reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California,

Assembly Concurrent Resolution No. 54—Relating to relief for aliens;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1941, at 3 p m

JOHN B. KNIGHT, Chairman

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 246.
Assembly Bill No. 1469
Assembly Bill No. 1769.
Assembly Bill No 1820.
Assembly Bill No. 2214
Assembly Bill No 1124
Assembly Bill No. 830
Assembly Bill No. 2166
Senate Bill No 820.
Assembly Bill No 530
Assembly Constitutional Amendment No. 16.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 684.
Assembly Bill No. 532
Assembly Bill No 609.
Assembly Bill No. 197.
Assembly Bill No. 90.
Assembly Bill No. 1608.
Assembly Bill No. 723.
Senate Bill No. 298.
Assembly Bill No. 263
Assembly Bill No. 2249.
Assembly Bill No. 997.
Assembly Bill No. 2615.
Assembly Bill No. 1776

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs J. D. Buchanan of Glendale.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Davis K. Furman of Bakersfield.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harvey B. Reynolds of Ontario, Oregon.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James A. Franklin, Manager of State of California official Egg Laying Test, of Modesto

ADJOURNMENT

At 5.50 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a.m., Wednesday, May 28, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-THIRD LEGISLATIVE DAY
ONE HUNDRED FORTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 28, 1941

The Assembly met at 11 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Waters, Watson, Welch, and Weybret—50.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Stream.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Lyon.

Mr. Thomas, on motion of Mr. Cain.

REPORTS OF STANDING COMMITTEES

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 747

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1758
Assembly Bill No 1814
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 2312
And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1570
Assembly Bill No 2177
Assembly Bill No. 2598
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1325
And reports the same correctly re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:
Assembly Bill No. 1294
Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended, and re-refer to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1941

MR SPEAKER: Your Committee on Judiciary General, to which was referred
Assembly Bill No. 1336
Has had the same under consideration, and reports the same back with the recommendation. Do pass.
(Signed out)

DEL MUTOLO	TENNEY, Chairman
ROBERTSON	WATERS
POULSON	DILLS
SALSMAN	JOHNSON

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 27, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 161
Assembly Bill No. 706
Assembly Bill No. 1924
Assembly Bill No 1925
Assembly Bill No. 74

J A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 27, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1080
Assembly Bill No. 1088
Assembly Bill No 1544

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 27 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 25
Senate Bill No 81
Senate Bill No 152
Senate Bill No 366
Senate Bill No. 742

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 784
Senate Bill No 1013
Senate Bill No 1316
Senate Bill No 1339

J. A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 784—An act to amend School Code Section 4.670, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 1013—An act to amend Section 14055 of the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Referred to Committee on County Government.

Senate Bill No. 1316—An act to amend Sections 1012, 1018, 1019, 1023, 1025, 1028, 1030, 1034, 1035, 1042 and 1043 of, and to add Section 1046 to, the Military and Veterans Code, relating to veterans, including the administration of estates of incompetent and deceased veterans and the conduct of the veterans home and the powers and duties of the officers thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and pro-

tect persons and property from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter; to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to declare the urgency of this act, to take effect immediately.

Referred to Committee on Municipal Corporations

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 901 entitled: "An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments"

My objections to this bill are as follows:

This bill adds Section 681.5 to the Code of Civil Procedure, to provide:

(a) Execution on a judgment for support of a minor child may issue as a matter of right at any time until one year after the minor attains majority;

(b) Execution on a judgment for alimony or for support and maintenance may issue as a matter of right at any time within five years after the date of the last payment.

Section 681 of the Code of Civil Procedure now provides for execution as a matter of right until five years after entry of judgment. Section 685 of said code provides that execution may issue after five years by order of court, application being made to the court, with notice to the judgment debtor. A showing must be made by the judgment creditor, by affidavit, of the reason for failure to proceed by execution within five years under Section 681 Section 681 and Section 685 both apply to judgments ordering monthly payments in domestic relations cases—that is to say, the time within which an execution may be taken out as a matter of right in any such case runs from the date of the entry of judgment, and not from the date on which the right to a particular payment accrues

While the bill deals with judgments based upon the highest of personal obligations, I believe that our courts fully appreciate the character of such obligations as that of a parent to support his minor child, and that it can safely be left to the discretion of the courts to determine, upon the equities of the different cases which arise, whether execution should issue on such judgments after five years. One or two suppositional instances may illustrate the point·

Suppose the ordinary dissolution of a family, in which the wife takes the children and secures a judgment by default for alimony and support, the husband, as usual, failing to appear to protect his financial interests. Thereafter the wife inherits a large sum of money. She no longer needs alimony or support money for the children, and, accordingly, makes no claim against the husband for years. After a number of years the husband remarries. The wife, who has never remarried, proceeds to levy a writ of execution out of vindictiveness

Suppose that the wife never intended to make any claim on her husband for alimony or for support of the children under the default judgment. After her death, her executor or administrator, under Section 686 of the Code of Civil Procedure, may take out an execution. Under this bill the executor or administrator could levy on the husband for a large sum of money accumulated over the years, without submitting the matter to the discretion of the court, and without making any showing why the wife, during her lifetime, had never taken out execution or made any claim. Such execution would be a matter of right.

Suppose a judgment awards a lump sum per month for alimony and for support of minor children, without segregation. If the wife remarries, the right to alimony ceases, but the right to the award for the support of minor children is not affected

by such remarriage. If the wife desires to levy under such a judgment for amounts accrued after her remarriage, certainly the matter should be presented to the court so that execution will not issue for an amount greater than the husband is, in justice, obligated to pay.

The facts in *Shields* vs. *Superior Court*, 138 Cal. App. 151, illustrate the point. There a petition for a writ of mandate was sought, to compel a court to issue execution on a judgment for $250 per month alimony and for $150 per month for support of minor children. The judgment was over 10 years old. It was shown that since the judgment was entered the husband's financial situation had greatly changed and that he no longer had the ability to pay. The accrued arrears on the $400 per month amounted to about $12,000 The husband had been regularly paying the wife $100 per month The court found that he had no further ability to pay. Subsequent to the judgment the minor children had received estates by inheritance from the husband's father, and had been adequately supported for more than two years prior to the petition out of such inheritances. The trial court denied the application for execution after five years The district court of appeal affirmed that order

Under this bill, the wife in the *Shields* case could have taken out execution for $12,000, and could have tied up the husband's business, notwithstanding that he was paying up to the best of his ability on the alimony, and notwithstanding the fact that the children had been taken care of by inheritance from the husband's side of the family.

I think that the ends of justice will be better served by leaving the determination of the issuance of execution after five years to the discretion of our courts.

Respectfully submitted

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No 387, entitled: "An act to add Section 590 to the Probate Code, relating to the employment of attorneys for estates."

My objections to this bill are as follows

The bill provides, first, that an executor or an administrator is entitled to employ an attorney for the probate of an estate. This provision makes no change in the existing law.

The second sentence of the bill provides that when an attorney has been employed, additional attorneys for the performance of extraordinary services for an estate can not be employed without prior authorization of the court. I see no objection to this provision, although it seems unnecessary, for the reason that the compensation for extraordinary services is entirely within the control of the court under the present law The court undoubtedly has, under the present law, the authority to refuse any compensation for extraordinary services if such services are not necessary or properly performed.

The last provision in the bill reads as follows:

> "An attorney employed by an executor or administrator for the probate of an estate may not represent such executor or administrator or any other person or persons in any controversy upon a matter concerning such estate if the executor or administrator or other person or persons have any interest in the controversy adverse to the estate"

This provision is ambiguous and uncertain, in that there are two terms therein which are not defined. What constitutes an "interest in the controversy adverse to the estate"? What constitutes a "controversy upon a matter concerning such estate"?

I assume that a claim filed by an executor or administrator against the estate would be adverse The bill, however, is entirely unnecessary in so far as that situation is concerned, since Section 703 of the Probate Code provides that, if the executor files a claim, the clerk shall deliver the same, for allowance or rejection, to the judge If the judge rejects the claim, an action may be brought, but summons must be served upon the judge, who shall appoint an attorney at the expense of the estate to defend the action.

Where the executor or administrator seeks to enforce a contract to convey real estate, made by the decedent in his lifetime, I assume that the interest is adverse. It is settled law, however, that the executor or administrator in such situation has the right to petition the court for an order directing him to convey to himself, in performance of the decedent's contract, and that, in such case, the probate court may appoint an attorney to represent the estate

Estate of Garnier (1905), 147 Cal. 457

Where the executor or administrator is a legatee or heir, will opposition to his petition for a decree of final distribution constitute a controversy within the meaning of this bill, so as to disqualify his attorney? It is settled law that the administrator, as such, has no interest in a controversy to determine the persons to whom the estate should be distributed, but it is likewise settled that he may come in by petition in his individual capacity to ask distribution to himself, or to himself and others.

Estate of Walker (1917), 176 Cal. 402

It is also clear that, if the attorney represents the executor or administrator so petitioning in his individual capacity, compensation for such services is not chargeable against the estate.

In re Jessup, 80 Cal. 625

The following are other instances in which it might be claimed under this bill that the attorney was disqualified by reason of the adverse interest of the personal representative:

(1) Application to set aside exempt property or a probate homestead to the widow or minor children. In these cases, the creditor's interests are affected, and so are those of the heirs or devisees, since even property specifically devised may be set aside as a probate homestead.

Estate of Huelsman (1899), 127 Cal. 275

(2) Petition for family allowance.

(3) Petition to set aside an estate of less than $2,500.

(4) Petition for allowance for extraordinary services to the executor or administrator, or to his attorney.

The probate court is the guardian of the estates of deceased persons, *Estate of Garnier, supra*, and the personal representative is an officer of the court, subject to its control and direction. (11A Cal. Jur. 78.)

Since it is the law that the executor or administrator is not disqualified by reason of personal interest, and may appear in a proceeding in his individual capacity, I see no reason why his attorney should be disqualified as a matter of law in such cases.

In addition, the uncertainty and ambiguity, and the resulting confusion in the administration of estates of decedents, will be indicated, I think, by the different situations above discussed.

I have one further and fundamental objection to the bill, which is that it will impose additional and unnecessary cost. The administrator or administratrix is usually a near relative (Probate Code 422) and entitled to share in the estate (Probate Code 201 et seq.). The executor or executrix is usually a member of the immediate family, and a beneficiary under the will.

Under this bill, if any controversy arises, the widow or other close relative acting as personal representative, will be compelled to employ another attorney to protect his or her interests. This other attorney will have to familiarize himself with the facts and issues, and to make a charge therefor, which will be greater than the charge, if any, which the regular attorney would have made.

I think that these matters should be left to the discretion of the court, and that it is both unwise and unnecessary to require, as a matter of law, that other counsel be employed in every case of a controversy coming within the broad and uncertain terms of this measure.

Respectfully submitted.

GULBERT L. OLSON, Governor of California

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 720

J. A. BEEK, Secretary of the Senate
By JOHN F. LIA, Assistant Secretary

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2110—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and

containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same." approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1139—An act to add Section 4257 to the Labor Code, relating to workmen's compensation insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2071—An act to add Section 745 to the Vehicle Code, relating to the detention of persons arrested for violations of the Vehicle Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 488—An act to amend Section 101 of the Vehicle Code, relating to the Deparment of Motor Vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2493—An act to amend Section 156 of the Vehicle Code, relating to license plates for vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2644—An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego

Bill read second time, and ordered engrossed.

Assembly Bill No. 2646—An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1889—An act to add Section 288.1 to the Penal Code, relating to punishments for crimes against children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime Problems:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, before the comma, insert "as to the mental condition of such person".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 689—An act to create a Division of Shore Protection, defining its powers and duties, and making an appropriation for the purpose of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out ", attorneys".

Amendment No. 2

On page 2, lines 37 and 38, of the printed bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "fifteen thousand dollars ($15,000)".

Amendments read and adopted.

Bill ordered printed and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1004—An act to amend Sections 6 and 9 of, and to add Section 18 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to the regulation of collection agencies, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "After the first"; and strike out lines 8 to 11, inclusive, and insert "Upon payment of a fee of twenty-five dollars ($25) to the Secretary of State, any person possessing the qualifications provided for in Section 3a hereof shall be permitted to take the examination therein required and, subject to such conditions as may be imposed by rules and regulations established hereunder, any such person shall be permitted to take subsequent examinations without payment of an additional fee therefor"

Amendment No. 2

On page 2 of the printed bill, strike out lines 3 to 9, inclusive

Amendment No. 3

On page 2 of the printed bill, strike out line 25, and insert "Subject to the provisions of Section 18 hereof, a".

Amendment No. 4

On page 2, line 26, of the printed bill, after "shall", insert ", on or before the thirtieth day of June of each year,".

Amendment No. 5

On page 2 of the printed bill, strike out lines 33 and 34, inclusive, and insert "in conspicuous type the words "continuation of license" and the date to and including which such license is continued."

Amendment No. 6

On page 3, line 15, of the printed bill, strike out "The provisions of this act relative to continuation"; and strike out lines 16 to 22, inclusive, and insert "Any person licensed hereunder at the time of entering the military service, as defined in the Soldiers and Sailors Civil Relief Act of 1940 enacted by the Congress of the United States, who is otherwise eligible to apply therefor may, within 30 days after the termination of such service, upon payment of the fee prescribed by Section 6

hereof, file with the Secretary of State a request for a continuation of his license and thereupon the Secretary of State shall issue a receipt to such person which shall bear upon its face in conspicuous type the words "continuation of license" and the date to and including which such license is continued."

Amendment No. 7

On page 3, line 31, of the printed bill, strike out "The"; and strike out lines 32 and 33, and insert "Unless this act becomes effective prior to July 1, 1941, this revenue will be lost".

Amendment No. 8

On page 3, line 38, of the printed bill, strike out "May", and insert "July".

Amendment No. 9

On page 3, line 39, of the printed bill, strike out "31st", and insert "1, 1941".

Amendments read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr Sawallisch:

An act relating to the clearance, replanning, rehabilitation and reconstruction of substandard and insanitary areas in cities in the State and providing for and relating to redevelopment corporations.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2648: By Mr. Sawallisch—An act relating to the clearance, replanning, rehabilitation and reconstruction of substandard and insanitary areas in cities in the State and providing for and relating to redevelopment corporations.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Russell:

An act to amend Section 4104 of the Public Resources Code, relating to the building of campfires or smoking on National forest land.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawaltisch, Stream, Tenney, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2649: By Mr. Russell—An act to amend Section 4104 of the Public Resources Code, relating to the building of campfires or smoking on National forest land.

Referred to Committee on Natural Resources.

RESOLUTIONS

The following resolution was offered:

By Messrs. Cain, Bennett and 77 Others:

House Resolution No. 229

WHEREAS, The Assembly has learned that Colleague Vincent Thomas is ill; and WHEREAS, He is missed at the sessions and his absence is felt by all the members; now, therefore, be it

Resolved by the Assembly of the State of California, That it is deeply grieved by the illness from which Vincent Thomas is suffering, and expresses every hope that he may enjoy a speedy recovery which will enable him before long to again take his place at the sessions, and be it further

Resolved, That the Chief Clerk of the Assembly shall send an engrossed copy hereof to Vincent Thomas.

Request for Unanimous Consent

Mr. Cain asked for, and was granted, unanimous consent to take up House Resolution No. 229, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO SEND FLOWERS

Mr. Cain moved that the Chief Clerk be instructed to purchase flowers to be sent to Mr. Vincent Thomas.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the twenty-seventh day of May, 1941, at 11.38 p.m., Assembly Bill No. 901 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Ralph C. Dills, Member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the twenty-seventh day of May, 1941,

at 11:38 p.m., Assembly Bill No. 387 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Ralph C. Dills, Member of the Assembly.

Respectfully submitted

CULBERT L. OLSON, Governor of California

COMMUNICATIONS

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as representative of the publication set opposite his name:

Officials on Parade—A. Belden Gilbert

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 82?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 620 to", and insert "amend Section 467 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 467 of the Streets and Highways Code is amended to read as follows:

467. Route 167 is from Route 60 in Long Beach via American Avenue and Long Beach Boulevard to Route 174."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. F. N. Howser moved a call of the Assembly.

Motion carried. Time, 11:35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Messrs. Johnson, Collins, Sam L., and Poulson:

House Resolution No. 230

Relative to the admission of Doctor Ethel Marguerite Waters to the practice of medicine

WHEREAS, Ethel Marguerite Waters recently passed successfully the examination given by the State Board of Medical Examiners for admission to practice medicine and surgery in the State of California, and

WHEREAS, Doctor Ethel Marguerite Waters is the accomplished sister of our *affable colleague, the Honorable* Frank J. Waters, Member of the Assembly from the Fifty-eighth District; and

WHEREAS, This recent success marks one more step in a long and successful career of academic and professional training which includes the acquisition of a Bachelor of Arts degree from the University of California at Los Angeles, a Master

of Arts degree from the University of California, and the degree Doctor of Medicine from Creighton University Medical School; and

WHEREAS, All of the Members of the Assembly are pleased to learn of the accomplishment of Doctor Ethel Waters and the happiness that her achievement has brought to Honorable Frank J. Waters and her mother, Mrs. Frank Waters; now, therefore, be it

Resolved by the Assembly of the State of California, That all of the Members of the Assembly express to Doctor Ethel Marguerite Waters their most sincere felicitations upon her achievement in being admitted to practice medicine and surgery in the State of California; and be it further

Resolved, That this Assembly expresses to Doctor Ethel Waters its hope that she will enjoy a long and successful career as a practicing physician and surgeon; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare a suitably engrossed copy of this resolution for presentation to Doctor Ethel Marguerite Waters.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 230, at this time, without reference to committee.

Resolution read and adopted unanimously.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 948—An act to add Section 50.2 to the State Lands Act of 1938, and to add Section 6206.5 to the Public Resources Code, to empower the commission to apply to the United States of America for patents to public lands.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 948?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 12th, after the comma following "place", strike out the balance of said line, and insert "which have not been patented by the State, and to accept patents,".

Amendment No. 2

On page 1, line 20, of the printed bill, as amended in the Assembly on May 12th, after the comma following "place", strike out the balance of the line, and insert "which have not been patented by the State, and to accept patents,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 948 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—56.

NOES—None.

Assembly Bill No. 948 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1861—An act to add Section 394.1 to the Military and Veterans Code, relating to enrollment and enlistment in the Military or Naval forces of the State.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 8 to 15, inclusive, and insert "and Naval forces of the State because of race, color, or religion, and except for reasons applicable alike to all citizens."

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1544—An act to amend Section 4244 of the Political Code, relating to the compensation for public services in counties of fifteenth class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1544?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended, strike out "dollars ($3,000)", and insert "three thousand three hundred dollars ($3,300)".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1544 by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—None.

Assembly Bill No. 1544 ordered enrolled.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Section 593(a) to the Civil Code, relating to the formation, qualifications and operations of nonprofit corporations organized to render certain professional services.

Respectfully submitted.

JOHN W. EVANS

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Evans

An act to add Section 593 (a) to the Civil Code, relating to the formation, qualifications and operations of nonprofit corporations organized to render certain professional services.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore Bennett, Burkhalter, Burns Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey Dilworth, Donnelly, Doyle Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2650: By Mr. Evans—An act to add Section 593 (a) to the Civil Code, relating to the formation, qualifications and operations of nonprofit corporations organized to render certain professional services.

Referred to Committee on Medical and Dental Laws

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1608 WAIVED

Mr. Hugh M. Burns waived his notice of motion to withdraw Assembly Bill No. 1608 from the Committee on Social Service and Welfare.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 WAIVED

Mr. Hugh M. Burns waived his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Ways and Means

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendment

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "and 20A"

Amendment read and adopted

Bill ordered reprinted, and re-engrossed

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 612 FROM COMMITTEE

Mr. Gunlock gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 612 from the Committee on Public Utilities, and have it placed upon the file.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 857—An act to amend Section 3 of an act entitled "An act defining credit unions, providing for their incorporation,

powers, management and supervision," approved March 31, 1927, as amended, relating to credit unions, the licensing, regulation and powers thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, George D., Cooke, Cronin Crowley, Daley, Del Mutolo Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 855—An act to revise an act entitled "An act defining industrial loan companies; providing for their incorporation, powers and supervision; and regulating the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies," approved May 18, 1917, so as to define industrial loan companies, provide for their incorporation, powers and supervision; and regulate the rates of interest and other charges of industrial loan companies and brokers or third party negotiators in connection with loans made by such companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 345—An act to amend Section 949 of the Fish and Game Code, relating to fish nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 346—An act to amend Section 723 of the Fish and Game Code, relating to the taking of catfish

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 554—An act to amend Section 78 of the Fish and Game Code, relating to Fish and Game Districts 12 and 12b.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 82

At 12.12 p.m., on motion of Mr. F. N. Howser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. F. N. Howser moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Waters, Weber, Welch, and Weybret—54.
NOES—Bashore, Bennett, Heisinger, Pelletier, and Poole—5.

Time, 12.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1330—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and

employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, as amended, by amending Sections 1, 2, 3, 4, 6, 9, 10, 11, 12, 13 and 15 thereof, and by adding thereto three new sections to be Sections 4.5, 10.5 and 11.5 thereof, relating to county peace officers' retirement system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—Kilpatrick—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 745—An act to add Section 465.7 to the Vehicle Code, relating to signs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 480—An act to add a new section to the Agricultural Code, to be numbered 736.5-1, relative to sales of milk for cash.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—Allen—1.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Michael J. Burns, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 59.

Senate Bill No. 59—An act to amend Section 305 of the Agricultural Code, relating to the slaughtering of animals, the manufacturing

of meat food products, and the inspection of meat intended for food purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—Call, Dills, Hawkins, and Thurman—4

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 82

At 12.25 p.m., on motion of Mr. F. N. Howser, further proceedings under call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 82 by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Dickey, Dilworth, Green, Howser, F. N., Johnson, Kellems, Knight, John B., Lyon, Maloney, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Waters, and Weber—35.

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Massion, McCollister, O'Day, Pelletier, Poole, Poulson, Russell, Thurman, Voigt, Watson, Welch, and Wollenberg—36.

Assembly Bill No. 82 ordered to conference.

RECESS

At 12.30 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Member of the Assembly from the Twenty-eighth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 424—An act to amend Section 3714 of the Political Code, relating to annual financial estimates of counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Carlson, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Turner, Voigt, Waters, Watson, Weber, and Weybret—46.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 558—An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 414—An act to repeal Section 290.5 of the Fish and Game Code, relating to application of other laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 412—An act to amend Section 62.5 of the Fish and Game Code, relating to Fish and Game District 1½.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, and Weybret—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 319—An act to amend Section 651 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 78—An act to add Section 651.7 to the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 728—An act to amend Sections 1081, 1083, 1083.1, 1083.2, 1083.5, 1086, 1088 and 1089, and to repeal Section 1081.1, of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 464—An act to add Chapter 12, comprising Sections 9201 to 9225, inclusive, to Part 4, Division 8 of the Health and Safety Code, relating to abandonment of cemeteries by public cemetery districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 603—An act to add Section 5.45 to the School Code, relating to the dismissal of employees of State colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1076—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public work contracts in cities of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 792—An act to amend Section 1065 of the Agricultural Code, relating to the sale of economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 803—An act to amend Section 1457 of the Penal Code, relating to the disposition of fines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to add Section 52½ to the California Irrigation District Act, relating to credits on and payments of irrigation district assessments and the finality thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch,

Sheridan, Stream, Tenney, Thorp, Thurman Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 527—An act to repeal certain obsolete or superseded acts, all relating to appropriations of money from the State Treasury, and matters incidental thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F N, Johnson, Kepple, Kilpatrick, King, Knight T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch Weybret, and Wollenberg—61.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION FOR TEMPORARY LEAVE OF ABSENCE

On motion of Mr. Pfaff, Messrs. Weybret, Burns, Hugh M., and Pfaff were granted a temporary leave of absence to attend a meeting of the second Committee on Conference concerning Assembly Bill No 1800.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1035—An act to add Section 158.5 to the Welfare and Institutions Code, relating to officers and employees at State institutions

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Heisinger, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight John B, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1144—An act to amend Section 669 of the Penal Code, relating to terms of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Clarke, Collins, Sam L, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Hawkins, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Leonard, Lowrey, Massion McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 666—An act to amend Section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

A communication from Mr. John H. Regan, Grand Secretary of the Native Sons of the Golden West, relative to Assembly Bill No. 2615, was received, and filed with the Secretary of State.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 409 was taken up.

Senate Bill No. 409—An act to add a new section to the Agricultural Code to be numbered Section 735.3-1, relating to market milk and cooperative marketing associations.

Bill read third time.

Motion to Temporarily Suspend the Rules

Mr. Dills moved that that portion of Rule 23 limiting debate be temporarily suspended during the consideration of Senate Bill No. 409.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—Pelletier—1.

Demand for Previous Question

Messrs. Collins, Sam L., Call, Burkhalter, Stream and Kellems demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 409.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

Motion carried. Time, 4 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO STRIKE ASSEMBLY BILL NO. 798 FROM FILE

Mr. Tenney moved that Assembly Bill No. 798 be stricken from the file.

Mr. Call seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Meehan, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2590.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2590—An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business and Professions Code, relating to horse racing and horse racing meetings.

Bill read third time.

Motion to Amend

Mr. Welch moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert "An act to amend Sections 19483, 19530 and 19532 of, and to add Section 19532.5 to, the Business".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 13 to 19, inclusive, and insert

"SECTION 1. Section 19483 of the Business and Professions Code is hereby amended to read as follows:

19483. Each application for a license to conduct a horse racing meeting shall be accompanied by a certified check payable to the Treasurer of the State of California, as ex officio treasurer of the board, in either of the following sums, dependent upon the classification of the county where the meeting is to be held.

Counties of the first class.....$10,000
Counties of the second class.....$10,000
Counties of the second and one-half class..... $5,000
Counties of the third class, at the rate of fifty dollars ($50) per day for such racing meeting.

SEC. 2. Section 19530 of said code is hereby amended to read as follows:

19530. For the purpose of this chapter there are four classes of counties in the State of California, as follows:

1. Counties of the first class are those having a population of 1,000,000 or over;

2. Counties of the second class are those having a population of 600,000 or over and less than a million;

2.5. Counties of the second and one-half class are those having a population of 500,000 or over and less than 600,000;

3. Counties of the third class are those counties having a population of less than 500,000.

SEC. 3. Section 19532 of said code is hereby amended to read as follows:

19532. In the area embraced within each county of the second class and such territory as may lie within 20 miles from the exterior boundaries thereof, the board may allow not to exceed 80 racing days per year for the entire area and county. No part of a county of the second and one-half class may be included in such area.

SEC. 4. Section 19532.5 is hereby added to said code, to read as follows.

19532.5. In each county of the second and one-half class the board may allow not to exceed 40 racing days per year."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Allen, Andreas, Crowley, Doyle, Evans, Gunlock, Hawkins, King, Leonard, Lyon, Maloney, Stream, Thurman, and Welch—14.

NOES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Dickey, Dills, Donnelly, Gaffney, Gallagher, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Massion, McCollister, Meehan, Middough, Millington, O'Day, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Waters, Weber, and Wollenberg—44.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—56.

NOES—Dilworth, Doyle, Evans, and Kepple—4

Bill ordered transmitted to the Senate.

Hon. Arthur W. Carlson Presiding

At 4.10 p.m., Hon. Arthur W. Carlson, Member of the Assembly from the Sixteenth District, presiding

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1313—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Weber, and Welch—56.

NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 54

The Journal of May 23d shows that I voted to table Assembly Constitutional Amendment No. 54. This is in error. My vote was "No" on this motion My

views in favor of local option are well known, and in past sessions I have been a co-author of this measure.

BYRL R SALSMAN

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 55: By Messrs. Donnelly, Bennett, Robertson, McCollister, Richie, Pelletier, Hawkins, Lyon, Cain, Massion, Voigt, Doyle, Allen, Kepple, Bashore, Call, Green, Gunlock, Del Mutolo, Knight, John B, Middough, Turner, Burns, Michael J, Clarke, Thorp, Meehan, Stream, Gaffney, Phillips, Heisinger, Welch, Lowrey, Collins, George D., Watson, Weber, Cronin, Andreas, Cooke, Thurman, King, Salsman, Cassidy, Daley, Kilpatrick, Burkhalter, Kellems, O'Day, Poulson, Evans, Howser, F. N., Dills, Tenney and Maloney—Memorializing Congress to enact legislation on social security and old age pensions.

Request for Unanimous Consent

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 55, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 55

Assembly Joint Resolution No. 55—Memorializing Congress to enact legislation on social security and old age pensions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—53

NOES—Collins, Sam L., and Knight, T. Fenton—2.

Resolution ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 231

WHEREAS, Hugh P. Donnelly, Jr., son of Assemblyman Hugh P. Donnelly and his wife, Frances Thelma, born to them at Turlock, California, is today celebrating his eighth birthday; and

WHEREAS, Master Hugh since 1935, when he was of the tender age of two years, has frequented the Assembly sessions and has been an Honorary Page of the Assembly during a good portion of that time; now, therefore, be it

Resolved by the Assembly of the State of California, That it extends to Hugh P. Donnelly, Jr., a very happy birthday, and the wish that he may celebrate many more birthdays at sessions of the Legislature and that his association with the lawmakers of our State may plant in him the seeds which will lead him to follow in the foot steps of his distinguished father who has well and truly served the State of California as Assemblyman for four sessions; and be it further

Resolved, That the Chief Clerk of the Assembly shall deliver an engrossed copy of this resolution to Hugh P. Donnelly, Jr.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 231, at this time, without reference to committee.

Resolution read and adopted unanimously

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2615—An act to provide for the licensing and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto.

Bill read third time.

Motion to Amend

Mr Millington moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "licensing and".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 5, inclusive, and insert

"SECTION 1 Any person, firm, corporation, or other organization conducting a school, class or course wherein a foreign language is taught who uses in such school, class or course a textbook which creates or teaches disloyalty to the Government of the United States, or the State of California, or creates or teaches allegiance to any foreign government is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment in the county jail not exceeding six months or both.

SEC 2. The State Board of Education shall have authority to inspect all textbooks used in any school, class or course wherein a foreign language is taught for the purpose of determining whether or not any textbook used creates or teaches disloyalty to the Government of the United States, or the State of California, or creates or teaches allegiance to any foreign government

SEC 3. It shall be the duty of the State Board of Education, or any officer, employee or inspector thereof, to report any violation of this act to the Attorney General and to the district attorney of the county wherein any violation of this act is found to occur."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2617—An act to add Section 215.16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, as amended, and insert

"An act to add Section 215 16 to the Agricultural Code, relating to the inspection and warranty of swine sold at sales yards"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 45, inclusive, and insert

"SECTION 1 Section 215 16 is hereby added to the Agricultural Code, to read as follows:

215 16 All swine sold at a sales yard, for any purpose other than for immediate slaughter shall be inspected by a licensed veterinarian who shall deliver to the purchaser a certificate showing whether any communicable disease is present in such swine and such swine shall be sold only with the warranty of the seller that they are free from communicable disease"

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended May 27, 1941, before "tax", insert "franchise."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Kellems, Kilpatrick, King, Knight, John B., Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Turner, Voigt, Waters, Watson, and Wollenberg—49.

NOES—None.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out line 14, and insert "to a trustee or trustees appointed by the court; (5) the issu-".

Amendment No. 2

On page 6, line 42, of the printed bill, as amended, after "provided further," insert "that such consents shall not be required from the stockholders of any association if the value of the assets of such association shall be less than the liabilities thereof, including the value of all outstanding shares and investment certificates; and provided further,".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2177—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended, strike out "election", and insert "selection"

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 788—An act to amend Section 5.540 of the School Code, relating to physical examinations of teachers for active tuberculosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—58

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hastain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 864.

Speaker Presiding

At 5.22 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

RECONSIDERATION OF ASSEMBLY BILL NO. 864

In compliance with a notice given on a previous day, Mr. Hastain moved that the vote whereby Assembly Bill No. 864 was passed be reconsidered.

Assembly Bill No. 864 refused reconsideration by the following vote:

AYES—Clarke, Collins, Sam L., Daley, Dilworth, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Knight, T. Fenton; Leonard, Lyon, McCol-

lister, Millington, Pfaff, Phillips, Russell Stream, Thorp Watson, and Mr Speaker—21

NOES—Bennett, Burkhalter Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Johnson, Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Tenney Thurman Turner, Voigt, Waters, Welch, and Wollenberg—45.

Assembly Bill No 864 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 409

At 5.25 p m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr Dills moved a call of the Assembly.

Motion carried Time, 5 26 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RECONSIDERATION OF SENATE BILL NO. 820

In compliance with a notice given on a previous day, Mr Pfaff moved that the vote whereby Senate Bill No 820 was passed be reconsidered.

Senate Bill No 820 refused reconsideration by the following vote

AYES—Burns, Michael J., Carlson, Dills, Dilworth, Donnelly, Heisinger, Howser, F N, Johnson, Kilpatrick, Knight, T Fenton, Lowrey, Massion, Pfaff, Phillips and Russell—15

NOES—Andreas Bennett, Burkhalter, Burns Hugh M, Call, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Dickey, Doyle Gaffney, Gallagher, Green, Hastain, Houser, Frederick F Kellems, Leonard, Lyon Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan Stream, Tenney, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—41

Senate Bill No 820 ordered transmitted to the Senate

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 406—An act to amend Section 4247 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Leonard Lowrey, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr Speaker—57

NOES—Basbore, Carlson, Dilworth, Donnelly, Heisinger, Houser, Frederick F, Knight T Fenton; Massion, Middough, Pelletier, and Waters—11

Bill ordered transmitted to the Senate

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1686

The Speaker announced the appointment of Messrs. Robertson, Del Mutolo and Burns, Michael J., as a Committee on Conference concerning Assembly Bill No. 1686.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 82

The Speaker announced the appointment of Messrs. Howser, F. N., Dills and Welch as a Committee on Conference concerning Assembly Bill No. 82.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 653—An act to amend Section 336 of the Agricultural Code, relating to live stock brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 652—An act to add Section 334.5 to the Agricultural Code, relating to the branding of live stock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71

NOES—Poulson—1

Bill ordered transmitted to the Senate.

Senate Bill No. 783—An act to amend Section 4288 of the Political Code, relating to the payment of the salaries of county officers, deputies, clerks and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream,

Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 733—An act to amend Section 45 of the California Irrigation District Act, relating to property sold or deeded to an irrigation district for delinquent assessments and the recording of certificates of sale of the property, and validating certificates of sale of property sold to irrigation districts for delinquent assessments, collectors' deeds issued pursuant to the certificates, and other acts, the validity of which depends upon the validity of the certificates or deeds

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

A communication from Governor Culbert L. Olson, relative to 1941 Ten-year Building Program, was received and ordered filed with the Secretary of State.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

From the "Peoples Daily World"—Communist West Coast Daily Newspaper
May 22, 1941

Leading Progressives to Honor Leo Gallagher

LOS ANGELES, May 21.—List of sponsors for the testimonial dinner for famed labor attorney Leo Gallagher which will be held at the Wilshire Bowl, 5665 Wilshire Boulevard, Monday, June 2, 6:30 p.m., reads like an honor roll of labor and progressive leaders in California.

More than 81 persons answered the call for the dinner sent out by State Senator Robert W. Kenny; Theodore Dreiser, author; Philip M. Connelly, State CIO president; Rev. Edwin P. Ryland; Reuben W. Borough, Los Angeles public works commissioner, and Charles J. Katz, attorney, who wrote:

"To Leo Gallagher, whose unselfish and untiring fight for over twenty years in the cause of labor and civil liberties has won for him the love and respect of oppressed peoples everywhere, we dedicate this testimonial dinner."

Reservations for the affair should be sent to the Leo Gallagher Testimonial Dinner Committee, care of the Wilshire Bowl, 5665 Wilshire Boulevard, Los Angeles.

Sponsors

Partial list of sponsors includes: Joseph W. Aidlin, Carl J. Allen, Mrs. Fay E. Allen, George Anderson, Spencer Austrian, William Axelrod, Selma Michels Bachelis, Vicki Baum, John Beardsley, Louise Bennett, Herbert Biberman, Leo Bigelman, Warren K. Billings, George E. Bodle, Louis B. Bolanos, Jim Burford, J. Vernon Burke, Norman T. Byrne, Hugh J. Campbell, Robert Clark, Dorothy Connelly, Bert Corona, Floyd Covington, Tom Cullen, Robert O. Curran, James L. Daugherty, Ernest Dawson, R. M. Deitz, Bill Elconin, A. P. Entenza, Shuji Fujii, Oscar R. Fuss, Phil Gardner, Wilbur Gilbert, Howard Goddard, Louis Goldblatt, Augustus F. Hawkins, Don R. Healey, Marshall Ho'o, J. E. Jefferey, Grover Johnson, Chester H. Jordan, Frederic A. Kane, A. Kertman, Frank S. Lopez, Jr., Hugh E. Macbeth, Ernest Marsh, James S. Martin, A. Maymudes, La Rue McCor-

mick, Lester A. McMillan, Carey McWilliams, Ed Means, Lew Michener, J. Miller, Stanley Moffatt, Tom Mooney, Mary Moore, Ernest P. Morgan, Leonard Oechsli, Sam Ornitz, Peter J. Padovan, Charles A Page, Eugene Patton, James Penn, Cy Perkins, Pettis Perry * * * Herbert Resner, Paul Richie, Robert S. Robinson, Herbert K. Sorrell, Donald Ogden Stewart, Clinton J. Taft, Mrs. Jessie Terry and Clore Warne.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 734—An act to amend Section 57 of the California Irrigation District Act, relating to the government of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—Houser, Frederick F, and Poulson—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 755—An act to add Sections 3.5 and 3.75 to "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such district from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to the management of irrigation districts having an area of more than 500,000 acres.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1331—An act to add a new section to be numbered Section 5.1 to an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval (February 25, 1901), relating to the issuance and retirement of municipal improvement bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Desmond, ordered printed in the Journal:

GRAND COUNCIL OF CABRILLO CIVIC CLUBS
SAN FRANCISCO, May 23, 1941

Mr. Earl Desmond, Assembly Chamber
State Capitol, Sacramento, California

DEAR EARL: From what observation I have been able to make and other information that I have, it appears that Senate Bill No. 269, providing for the teaching of the Portuguese language in the public schools, was brought up before the Assembly and has been tabled for reasons unknown to me.

However, I know that you are terribly pressed with great volumes of legislation still to be passed before the Legislature adjourns, and fear for that reason that our bill may be overlooked. I am therefore writing to ask you to do me the personal favor of attempting at your first possible convenience to have it presented for passage.

This bill is of very vital importance owing to the world conditions, which you are fully aware of, and it will certainly be appreciated by our club and the Portuguese people of California should it be made a law.

I will greatly appreciate anything that you can do to get the bill through. With many thanks for your consideration and efforts, I am

Sincerely yours,

JOSEPH W. MENTO, Grand President
Cabrillo Civic Clubs

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Waters, Collins, Sam L., Poulson, Allen and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 269.

The roll was called, and the urgency clause refused adoption by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, McCollister, O'Day, Pelletier, Russell, Sheridan, Thurman, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—33.

NOES—Allen, Bashore, Burkhalter, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Dills, Dilworth, Doyle, Evans, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Lyon, Middough,

Miller, Millington, Phillips, Poole, Potter, Poulson, Richie, Salsman, Stream, Tenney, Thorp, Turner, Voigt, Waters, and Watson—37

Notice of Motion to Reconsider Urgency Clause to Senate Bill No. 269

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Senate Bill No. 269 was this day refused adoption.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out the comma following "Code", and strike out "relating to Fish and Game District 3E", and insert "and to make unlawful the taking, until December 31, 1946, of any game bird or game mammal in certain portions of former Fish and Game District 3E"

Amendment No. 2

Add to the printed bill a new section, to read as follows

"SEC. 2. It is unlawful, for the period ending December 31, 1946, for any person, other than an accredited employee of the Division of Fish and Game acting under specific orders of the Fish and Game Commission, to take or possess any game bird or game mammal in that area within the County of Santa Clara described as follows: All of sections 3, 4 and 9, the southwest quarter of the southwest quarter of section 2, the southeast quarter of section 5, the northeast quarter of the northeast quarter of section 8, all of those portions of sections 16 and 17, and of the southern three-quarters of section 8 lying east of the northeast boundary line of the Rancho Canada del Pala, and all those portions of sections 10, 15 and 16, and of the west quarter of section 11, lying to the north of Sulphur Creek, all of said sections being within Township 7 south, Range 3 east, provided, that it is unlawful for any person to take or possess any game bird or game mammal in said area without the consent of the owner of the property upon which said game bird or game mammal is taken."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 409

At 6.12 p.m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 409 refused passage by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Dills, Dilworth, Donnelly, Gaffney, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Middough, Millington, Richie, Russell, Salsman, Tenney, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—38.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Gallagher, Green, Hastain, Johnson, Kellems, Kepple, King, Lyon, Maloney, Meehan, Miller, O'Day, Phillips, Poole, Potter, Poulson, Robertson, Sawallisch, Sheridan, Stream, Turner, Waters, and Wollenberg—37

Notice of Motion to Reconsider Senate Bill No. 409

Mr. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 409 was this day refused passage.

RECESS

At 6.15 p.m., on motion of Mr. Lyon, the Assembly recessed until 8.30 p.m.

REASSEMBLED

At 8.30 p.m., the Assembly reconvened.
Hon. Gordon H. Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 682—An act to amend Section 465.6 of the Vehicle Code, relating to signs alongside highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dilworth, Donnelly, Evans, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—43.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1212—An act to amend Sections 1, 2 and 4 of an act entitled "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, relating to farm debt adjustment, including extension of the period of existence of the California Farm Debt Adjustment Commission, membership upon and appointment to the commission, and further definition of the powers and duties of the commission, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.
The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Collins, George D., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—46.
NOES—None.

Time, 8.56 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1307—An act to amend Section 6.180 of the School Code, relating to sale or lease of school property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Lowrey, Lyon, Maloney, Masson, Meehan, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to regulate the dissolution of districts whose taxes or assessments are computed and collected by county officers, and providing the procedure therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Maloney, Meehan, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 94—An act to amend Section 4 of the Central Valley Project Act of 1933, relating to units.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Meehan, Millington, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 807—An act to amend Section 36 of the Civil Code, relating to contracts of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2312—An act to add Section 3440.3 to the Civil Code, relating to fraudulent transfers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaft, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1068—An act to add Section 135.8 to the Vehicle Code, requiring reports of damaged fences.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—43

NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate

Senate Bill No. 530—An act to add Section 28.7 to Article 1 of Chapter 1 of Division 1 of the Agricultural Code, relating to bonds and licenses

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Bashore, Burkhalter, Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Mr. Speaker—47

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1183—An act to add Section 45.5 to the Vehicle Code, relating to definition of implement of husbandry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Lyon, Maloney, Massion, McCollister, Meehan, Millington O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Thorp Thurman, Turner, Voigt, Waters, Watson, Welch, and Mr. Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1003—An act to amend Sections 195 and 203 of, and to add Sections 205 and 206 to, the Streets and Highways Code, relating to the expenditure of moneys from the State Highway Fund within cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser Frederick F., Howser, F. N., Johnson, Knight, John B., Lyon, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged

Bill read third time

Motion to Amend

Mr. Robertson moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 29, of the printed bill, as amended, after "liable.", insert "In an action under this section an adult child shall not be held liable to contribute to the support of a parent who, having the ability so to provide, wilfully failed for an unreasonable period of time to provide such child during the minority of such child with necessary food, clothing, shelter, or medical attendance."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bennett, Cain, Collins, Sam L., Cooke, Del Mutolo, Dills, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Leonard, Lowrey, Massion, McCollister, Pelletier, Richie, Robertson, Russell, Sheridan, Tenney, Thurman, Waters, and Mr. Speaker—27

NOES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Green, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, T. Fenton; Lyon, Maloney, Meehan, Middough, Miller, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—42.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1337 FROM COMMITTEE

Mr. Desmond gave notice that on second legislative day, he would move to withdraw Assembly Bill No. 1337 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1338 FROM COMMITTEE

Mr. Desmond gave notice that on second legislative day, he would move to withdraw Assembly Bill No. 1338 from the Committee on Ways and Means, and have it placed upon the file.

RECESS

At 9.43 p.m., on motion of Mr. Kepple, the Assembly recessed until 9.48 p.m.

REASSEMBLED

At 9.48 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER CONSIDERATION OF SENATE BILL NO. 1270

The question being on the passage of Senate Bill No. 1270.

Motion to Table Senate Bill No. 1270

Mr. Sam L. Collins moved that Senate Bill No. 1270 be laid on the table.

Mr. Gunlock seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Cain, Call, Cassidy, Collins, Sam L., Cooke, Dickey, Donnelly, Hawkins, Howser, F. N., King, Lowrey, Middough, Millington, O'Day, Pelletier, Richie, Robertson, Salsman, Sawallisch, Tenney, Voigt, and Waters—23.

NOES—Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pfaff, Phillips, Potter, Poulson, Russell, Sheridan, Stream, Thorp, Thurman, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Tickle, DeLap and Phillips as a Second Committee on Conference concerning:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 2575

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1045

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1129

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 537
Senate Bill No. 715

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 715—An act to amend Section 6060 and to repeal Section 6061 of the Business and Professions Code, relating to admissions to the practice of law.

Referred to Committee on Judiciary Codes.

Senate Bill No. 537—An act to amend Sections 1300.12, 1300.14, 1300.17, 1300 20, 1300.23 and 1300.28 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

MOTION TO EXCUSE MEMBERS

The following members of the Committee on Governmental Efficiency and Economy were excused from the roll call for the evening session: Messrs. Allen, Clarke, Hastain, Doyle, Kellems, Leonard, Middough, Miller, Poulson and Stream.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2541 FROM COMMITTEE

Mr. Frederick F. Houser gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2541 from the Committee on Unemployment, and have it placed upon the file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1080 to Chapter 7a of Division V of the Agricultural Code, relating to commercial feeding stuffs.

Respectfully submitted.

CHARLES M. WEBER

Request referred to Committee on Introduction of Bills.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1212

At 10 25 p.m., on motion of Mr Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1212 adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke,

Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—69

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Weber

An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—66

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2651: By Mr. Weber—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 563—An act to amend Section 604 of, and add Sections 593a and 330.25 to the Civil Code, relating to the formation and purposes of nonprofit corporations;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No 2440
Assembly Bill No 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

KEPPLE, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR SPEAKER Your Committee on Ways and Means, to which were referred:

Assembly Bill No 151
Assembly Bill No 264
Assembly Bill No 2249
Senate Bill No 227

Has had the same under consideration, and reports the same back with the recommendation Do pass

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred

Assembly Bill No 1696

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No 1608

Has had the same under consideration, and reports the same back with the recommendation Do pass

DALEY, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred

Assembly Bill No 1617

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DALEY, Chairman

Above reported bill re-referred to Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No 1869

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

DALEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Bill No 1101
Assembly Bill No. 1102
Assembly Bill No. 1103

Respectfully reports the same back without recommendation.

DALEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2531

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

DALEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Joint Resolution No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

DALEY, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 1154
Assembly Bill No. 1529
Assembly Bill No. 2155
Assembly Bill No. 2599

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 2643
Senate Bill No. 1013

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2615

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 560—An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 57.5, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 58, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 23.1, 28, 67, 68, 69, 70, 71 and 73 to, the Unemployment Insurance Act, relating to a system of unemployment insurance;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1941, at 11 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2055—An act authorizing the Department of Finance to sell certain State-owned lands and to acquire by exchange, purchase or otherwise additional lands, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2219—An act to amend the title of Chapter 8 of Part 1 of Division 2 of the School Code and to amend Section 2.510 of said code, relating to high school districts;

Assembly Bill No. 2332—An act to add Article 4, comprising Sections 11610 to 11613, inclusive, to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to contracts of insurance against hazards incident to ownership, maintenance, operation and use of motor vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1139	Assembly Bill No. 2644
Assembly Bill No. 2071	Assembly Bill No. 2646

And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER. Your Committee on Unemployment, to which were referred:

Assembly Bill No. 1223
Assembly Bill No. 1317
Assembly Bill No. 1177

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

(Signed out)	DESMOND, Chairman	KNIGHT, T. FENTON
	STREAM	KEPPLE
	CARLSON	GREEN
	KNIGHT, JOHN B.	HOWSER, F. N.
	WELCH	

Above reported bills ordered to second reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.	Assembly Bill No 1581.
Assembly Bill No. 1469.	Senate Bill No 1092.
Assembly Bill No. 1820.	Assembly Bill No. 246.
Assembly Bill No. 1124	Assembly Bill No. 1769.
Assembly Bill No. 2166.	Assembly Bill No. 2214.
Assembly Bill No. 530.	Assembly Bill No. 830.
Assembly Bill No. 864.	

Assembly Constitutional Amendment No. 16.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.	Assembly Bill No. 609.
Assembly Bill No. 532	Assembly Bill No. 90.
Assembly Bill No. 197.	Assembly Bill No 723
Senate Bill No. 298.	Assembly Bill No. 263
Assembly Bill No. 2615.	Assembly Bill No 997.
Assembly Bill No 684.	Assembly Bill No. 1776

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Bartell, member Board of Supervisors of Alameda County.

On request of Mr Dickey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John J. Mulvany, Jr., of Alameda County.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Harrington Drake and Mrs. Hattie Kilborn, teachers; and the following students of the Beaver Union Grammar School, Ryde: Noah Furtado, Jr., Lee Jun Min, Tony Menezes, Joe Novo, Jr., Daniel Viegas, John Castro, Alvin Ferreira, Mabel Carlos, Annie Castanho, Audrey Patrick, Frances Victorine, Fernanda Volpi, Miyoko Yoshimoto, Leo Benitas, Walter Carlos, Bill Brinkley, Mitsuo Nakanishi, Paul Anadon, Edda Massoni, Magdalena Benitos, Helen Fernandes, Kimiyo Tokuyoshi and Lorraine Bettencourt.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ruth Mecum, teacher, and the following students of H7 Social Studies class of Stanford Junior High: Daryl Anderson, Richard Alderman, Dolores Black, Gail Bleucher, Walter Borg, Patsy Burgess, Pat Burns, Barbara Bybee, Bill Davis, Hoover Ebbert, Marilyn Evans, James Falltrick, Bill Garrett, Russell Gordon, Lola Mae Holter, Joye Loughton, Danny Machado, Betty Miller, Betty Nicolosi, Joe O'Keefe, Caesar Parada, June Pettit, Albert Powell, Diane Roll, Jack Sanford, Arthur Scarrone, Janis Schluckebier, Eward Stephens, Barbara Theilbahr, Dick Wagner, Bill Winegar, Avenell Colman, Bernice Goulding, and Wanda McCall

ADJOURNMENT

At 10 30 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a m , Thursday, May 29, 1941.

C. WILLIAM QU'EALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED FORTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 29, 1941

The Assembly met at 11 a.m.

Hon. Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Kepple.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred

Senate Constitutional Amendment No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

KELLEMS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No. 1188

Has had the same under consideration, and reports the same back with the recommendation. Do pass as amended, and be re-referred to Committee on Ways and Means

KELLEMS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 964

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

KELLEMS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 2565
Senate Bill No. 421
Senate Bill No. 559
Senate Bill No. 560
Senate Bill No. 957
Senate Bill No 1181

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KELLEMS, Chairman

Above reported bills ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER Your Committee on Irrigation, to which was referred:

Senate Bill No 875

Has had the same under consideration, and reports the same back with the recommendation Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 1132

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2177

And reports the same correctly re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 159

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 689

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1185
Assembly Bill No. 1861
Assembly Bill No. 1889
Assembly Bill No. 2615
Assembly Bill No. 2617

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1336
Assembly Bill No. 2643

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1325

And reports the same correctly re-re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2325

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

WATERS	WOLLENBERG
KELLEMS	CLARKE
ALLEN	TURNER
HASTAIN	TENNEY
LEONARD	MILLER
POULSON	MIDDOUGH
STREAM	DOYLE

Above reported bill ordered to second reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred

Assembly Bill No. 2541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

DESMOND, Chairman	STREAM
CARLSON	PELLETIER
KEPPLE	T. FENTON KNIGHT
KELLEMS	JOHN B. KNIGHT

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1621
Assembly Bill No. 2304

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1620
Senate Bill No. 1031
Senate Bill No. 874
Senate Bill No. 784
Senate Bill No. 518

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bills ordered to second reading

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1010

Has had the same under consideration, and reports the same back with the recommendation Do pass.

(Signed out)

TENNEY, Chairman	DONNELLY
WATERS	JOHNSON
FREDERICK F. HOUSER	SALSMAN
GEORGE D. COLLINS	POULSON

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

(Signed out)

HEISINGER, Chairman	TENNEY
POULSON	SAM L. COLLINS
JOHNSON	KEPPLE

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 395

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bill ordered to second reading.

Speaker Presiding

At 11.06 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1101—An act to add Section 1552.3 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare in regard to aid to needy children.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1102—An act to add Section 2184.5 to the Welfare and Institutions Code, relating to the powers of the State Board of Social Welfare under the Old Age Security Law.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1103—An act to add Section 3086.5 to the Welfare and Institutions Code, relating to the powers and duties of the State Board of Social Welfare in regard to aid to needy blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1336—An act to amend Section 92 of the Civil Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2643—An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 264—An act to add Section 2264 to the Political Code, relative to field work in connection with the School for the Blind at Berkeley, and making an appropriation therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2249—An act to provide a unified and coordinated program of construction, repair, and improvement of State colleges, including buildings, and making an appropriation for the purposes of this act

Bill read second time, and ordered to third reading.

Assembly Bill No. 1608—An act to establish a county merit system commission for every county, defining its powers and duties, and providing for the organization and government of a merit system for the welfare department employees in every county.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1617—An act to amend Section 3300 of the Health and Safety Code, relating to State aid to cities and counties for the treatment of persons suffering from tuberculosis.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1302—An act regulating the installation and maintenance of plumbing and disposal systems in the unincorporated areas of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 18 to 21, inclusive, and insert "of the county, to enforce all of the provisions of this act."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 42 to 44, inclusive, and insert "lations of a county."

Amendment No. 3

On page 5, line 34, of the printed bill, as amended, after "ing", insert a comma.

Amendment No. 4

On page 5, line 35, of the printed bill, as amended, after "solids", insert a comma

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1869—An act to amend Section 2224 of the Welfare and Institutions Code, relating to aid to the aged and providing for reimbursement to the county, State and Federal Government from responsible relatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2224", and insert "2160".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "and providing for reim-"; and strike out all of lines 3 and 4.

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "2224", and insert "2160".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"2160 Aid shall be granted under this chapter to any person who comes within all of the following descriptions.

(a) Who has attained the age of 65 years; provided that if, when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the age contained in this subdivision shall be reduced to 60 years and persons who have attained the age of 60 years and who come within all of the descriptions hereinafter contained shall be eligible for aid under this chapter;

(b) Who is a citizen of the United States;

(c) Who possesses either of the following residence qualifications:

(1) Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of 40 years at least five of which have immediately preceded this application;

(2) During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until the first day of the first month beginning after the date upon which he gains such county residence, unless the day upon which he gains county residence is the first day of the month in which event the county shall assume its share of the costs thereon;

(e) Who is not, at the time of receiving such aid, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public [or private] hospital not exceeding 60 days in duration. Any such inmate, however, may make an application for and under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are cared for under a contract for a period of time exceeding one month;

(f) Who is not receiving adequate support from a husband or wife, or child able and responsible under the law of this State to furnish such support;

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2440—An act to add Section 8.5 to an act entitled "An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof, providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, relating to local planning by the State Planning Board.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"SEC. 8.5. Any counties or municipalities which are included in a regional planning district may enter into contracts with any other counties or municipalities in the district for the preparation of master and official plans or the performance of other planning functions, as provided in an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921."

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1696—An act to add Division 1a, comprising Sections 1001 to 1214, inclusive, to the Public Resources Code, relating

to surveys and maps, creating a Division of Surveys and Maps and a State Board of Surveys and Maps in the Department of Natural Resources, and prescribing their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "1214", and insert "1207".

Amendment No. 2

On page 1, line 1 of the printed bill, as amended, strike out "1214", and insert "1207".

Amendment No. 3

On page 2 line 38, of the printed bill, as amended, strike out "ex officio".

Amendment No. 4

On page 6, line 3 of the printed bill, as amended, strike out "the actual", and insert "a price contemplated to return the"

Amendment No. 5

On page 6 of the printed bill, as amended, strike out lines 4 to 8, and in line 9, strike out "1207", and insert "1206".

Amendment No. 6

On page 6, line 14, of the printed bill, as amended, strike out "1208", and insert "1207".

Amendment No. 7

On page 6, lines 16 and 17, of the printed bill, as amended strike out "and procedure", and insert "procedure and for the preparation of planimetric maps by photographic methods"

Amendment No. 8

On page 6 of the printed bill, as amended, strike out lines 18 to 45, inclusive.

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1154—An act making an appropriation for construction improvements, equipment and the purchase of land for the California School for the Deaf.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Charities and Corrections:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "eight hundred thousand dollars ($800,000)", and insert "two hundred fifty thousand dollars ($250,000)".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1529—An act to appropriate funds to the State Department of Education for publications by the California State Historical Association

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "fifteen thousand one hundred eighty dollars ($15,180)", and insert "ten thousand dollars ($10,000)".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out the comma after "Association", and insert a period.

Amendment No. 3

On page 1, line 7, of the printed bill, strike out the remainder of the bill beginning with "not".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2155—An act making an additional appropriation for construction, improvements, and equipment at the University of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Universities:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "three million six hundred forty-nine thousand dollars ($3,649,000)", and insert "two million dollars ($2,000,000)".

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2599—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof, declaring the urgency of the act and that it take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "erosion,".

Amendment No. 2

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "by, erosion, storms," and insert "by storms or".

Amendment No. 3

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "two million dollars ($2,000,000)", and insert "one million dollars ($1,000,000)".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out line 14; and in line 15, strike out "(a) The", and insert "in this act, for the".

Amendment No. 5

On page 2, line 2, of the printed bill, as amended, strike out ", and"; and strike out lines 3 to 11, inclusive, and insert a period.

Amendment No. 6

On page 2, line 12, of the printed bill, as amended, strike out "4", and insert "3".

Amendment No. 7

On page 2, line 44, of the printed bill, as amended, strike out "5", and insert "4".

Amendment No. 8

On page 2, line 50, of the printed bill, as amended, strike out "6", and insert "5".

Amendment No. 9

On page 3, line 8, of the printed bill, as amended, strike out "7", and insert "6".

Amendment No. 10

On page 3, line 13, of the printed bill, strike out "necessity .", and insert "necessity is as follows:".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1223—An act to amend Sections 2, 6, 6.5, 7, 7.5, 8 5, 9.2, 9.7, 9.8, 10, 11, 13 and 15 of, and to add Sections 6 2, 6.3, 7.3 and 11 1 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6, 6.5, 7, 7 5, 8 5, 9 2,"

Amendment No. 2

Strike out all of line 2 of the title of the printed bill; and in line 3, strike out "11 1", and insert "44, 45 1, 45 4, 45.10, 45.11, 46, 52.1, 52.2, 60, 75, 92, 93 5 and 101 and to repeal Section 92.5 of, and to add Sections 45 12, 56.6, 56 7, and 72 5".

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 4 to 51, inclusive; strike out all of pages 3, 4, 5, 6, 7 and 8; on page 9, strike out lines 1 to 27, inclusive, and in line 28, strike out "SEC 11", and insert "SEC. 2".

Amendment No. 4

On page 10, line 1, of the printed bill, strike out "12", and insert "3".

Amendment No. 5

On page 10 of the printed bill, strike out lines 30 to 51, inclusive; strike out all of page 11; on page 12, strike out lines 1 to 47, inclusive; and in line 48, strike out "SEC. 17", and insert "SEC 4".

Amendment No. 6

On page 13 of the printed bill, after line 37, insert "(d) In no case shall the commission approve any such election under subdivisions (a) and (b) of this section unless and until it has been established to the satisfaction of the commission that such employing unit is normally and continuously engaged in a regular trade, business or occupation

SEC. 5. Section 44 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 44 Beginning on January 1, 1936, each worker, employed by an employer subject to this act, shall contribute to the fund one-half of 1 per cent of his wages paid by an employer with respect to employment; and beginning on January 1, 1937, nine-tenths of 1 per cent of such wages; and on and after January 1, 1938, and after his employer has satisfied the conditions set forth in this act with respect to becoming an employer, 1 per cent of such wages; except that the rate of contributions required of a worker shall not in any year exceed 50 per cent of the general rate required of employers. Each employer shall, notwithstanding any

provisions of law in this State to the contrary, withhold in trust the amount of his workers' contributions from their wages at the time such wages are paid, shall show such deduction on his pay roll records, shall furnish each worker with a statement in writing showing the amount which has been deducted, in such form and at such times as the commission may prescribe, and shall transmit all such contributions to the fund, in addition to his own contributions, pursuant to regulations of the commission. *Any amounts deducted by an employer in accordance with the provisions of this section shall not be considered a part of the assets of the employer.*

Contributions by workers, payable to the commission as herein provided, shall be exempt from garnishment, attachment, execution or any other remedy for the collection of debts.

Each employer shall be liable for any and all contributions required to be made by his workers on account of wages paid to them by such employer regardless of whether or not such employer shall have made a deduction on account thereof from the workers' wages at the time such wages were paid; provided, however, that no employer shall be liable for contributions required on behalf of himself or of any of his employees with respect to wages payable or paid, as the case may require, while there is in effect at the time such wages become payable or were paid (whichever time is the time for determining contribution liability) a rule or regulation or interpretation of the commission or of the department that such wages were not subject to contributions imposed by this section. As used in this act, except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section.

The commission or the department may prescribe the extent, if any, to which any rule, regulation or interpretation issued or promulgated in accordance with the provisions of this act shall be applied without retroactive effect.

SEC. 6. Section 45.1 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 45.1. *(a)* In any civil action brought by or against the commission, all of the courts of this State shall give preference to such action on their calendar over all civil litigation except equity cases, cases involving extraordinary writs, or summary proceedings. In any such action a certificate attested to by the commission or its duly authorized agent showing the delinquency shall be prima facie evidence of the payment by the employing unit of the amount of wages for employment by employers set forth therein, of the levy of the contributions, of the delinquency, and of the compliance by the commission with all the provisions of this act in relation to the computation and levy of the contributions specified in such certificate.

(b) In any civil action brought by or against the commission under the provisions of this act for the collection or recovery of contributions, interest or penalties, the commission or its duly authorized agent may certify and file with the court wherein such action is pending a transcript of all testimony taken in any hearing before said commission or its duly authorized agent pertaining to the cause of action involved in such action, together with a copy of the commission's findings and decision thereon.

SEC. 7. Section 45.4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 45.4. The commission for good cause *and on application by the employing unit in writing* may extend the time for payment of any contributions required by this act without interest or penalty for not to exceed 60 days, subject to such conditions and restrictions as the commission may impose.

SEC. 8. Section 45.10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 45.10. (a) No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding, in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any contribution sought to be collected; but after payment of any such contribution under protest, duly verified and setting forth the grounds of objection to the legality of such contribution, the employer paying such contribution may bring an action against the *California Employment* Commission in any court of competent jurisdiction in the county seat of the county wherein the employer maintains his principal place of business for the recovery of contributions so paid under protest No such action may be instituted more than 60 days after the payment of such contribution, [and failure to bring suit within said 60 days] *except that the commission may in writing at any time prior to the expiration of said 60 days period extend for a period of not exceeding two years the time within which such action may be instituted, and failure to bring suit within said 60 days or within any such extended period, if an extension has been granted,* shall constitute waiver of any and all demands against this State on account of any alleged overpayment of contributions hereunder, except that such demands may still be prosecuted in accordance with the provisions of Section 45.11 of this act. No grounds of illegality of the contribution shall be considered by the court other than those set forth in the protest filed at the time of the payment of the contribution.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any contribution, interest and penalties due from

the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff from the clearing account In any such judgment, interest shall be allowed and paid out of the clearing account of the Unemployment Fund only to the extent that interest and penalties collected under Section 45 and 45 3 are available therefor, at the rate of 6 per cent per annum upon the amount of contributions found to have been illegally collected from the date of payment thereof to the date of such credit or refund on account of such judgment.

(b) In lieu of bringing an action against the California Employment Commission within 60 days after the payment of contributions under protest as provided in the above subsection an employing unit making such payment may, within 30 days thereafter, petition the commission for review of the legality of any contributions alleged to be assessed or collected erroneously or illegally Such petition for review shall describe the matter complained of and shall specify the facts and grounds on which a review is sought. A petition for review filed hereunder may be considered by the commission or its authorized representative on the basis of the facts and information submitted, or the commission may require the submission of written briefs or order a hearing to secure additional facts Reasonable opportunity for fair hearing shall be afforded the parties, and any hearing held hereunder shall be conducted in accordance with regulations of the commission The commission promptly shall notify the petitioning employing unit or its counsel of its determination Within 60 days after notification of the determination such employing unit may bring an action against the commission in the manner and subject to the conditions set forth in subsection (a) of this section

SEC. 9 Section 45 11 of the act cited in the title hereof is hereby amended to read as follows

Sec. 45 11. If not later than three years after the [date on which] *payment of* any contributions, penalties, or interest [became due], an employing unit who has paid such contributions, penalties, or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment can not be made, and the commission shall determine that such contributions, penalties or interest, or any portion thereof was erroneously collected the commission shall allow such employing unit to make an adjustment thereof in connection with subsequent contribution liability or [if such adjustment can not be made] the commission may refund such contributions, penalties and interest from the clearing account For like cause and within three years adjustment or refund may *also* be made on the commission's own initiative, provided, however, that before such adjustment or refund may be approved, the employing unit must conform to applicable rules and regulations of the commission with respect to the refund to the workers *entitled thereto of any moneys deducted* by the employing unit in accordance with Section 44 of this act

Interest shall be allowed and paid out of the clearing account of the Unemployment Fund only to the extent that interest and penalties collected under Sections 45 and 45 3 are available therefor upon any overpayment of contributions, if such overpayment was made under protest and was not made because of an error or mistake on the part of an employing unit, at the rate of 6 per cent per annum from the date of the overpayment to the date of the allowance of the adjustment, credit or refund

SEC 10 Section 45.12 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 45 12 Every employing unit which exercises the right and privilege of employing workers in the State of California in employment subject to this act, and which employing unit at the time of the employment of workers is a nonresident of the State or subsequent to such employment of workers leaves the State shall be presumed either at the time of exercising the privilege of employing workers of a nonresident at that time or at the time of leaving the State to have nominated the Secretary of State as its agent for the service of process in any action or proceeding against such employing unit for the collection of contributions, interest or penalties or in any proceedings for the enforcement of the other provisions of this act. The process in any such action or proceeding shall be delivered to the Secretary of State as agent for the nonresident employing unit together with the last known address of the employing unit On receipt of such process the Secretary of State forthwith shall forward to such employing unit at such last known address by registered mail a copy of such process together with notice of such delivery The defendant employing unit shall appear and answer the process served as herein provided within 30 days after service thereof on the employing unit by the Secretary of State The certificate of the Secretary of State, under his official seal, stating that service has been effected as herein provided, shall be competent and sufficient proof thereof The service of process as herein provided shall have the same legal force, effect and validity as if the service had been made personally in this State

SEC. 11 Section 46 of the act cited in the title hereof is hereby amended to read as follows

Sec 46 In the event of bankruptcy of any [employer] *employing unit* or of liquidation of such [employer] *employing unit* under any law of this State by reason of insolvency or inability to pay its debts, [the] *including a common-law assignment,*

or in the event the assets or effects of any deceased employing unit in the hands of executors, administrators or heirs are insufficient to pay all the debts due the deceased, or whenever the estate or effects of any employing unit are levied upon under any process of law, any amount s due [for contributions on behalf of the] *from such* employer shall have preference over all other claims against the said [employer] employing unit except unpaid wages for labor; provided, that in the event of an [employer's] *employing unit's* adjudication in bankruptcy, judicially confirmed extension proposal, or composition of creditors under the Federal Bankruptcy Act of 1898, as amended, contributions then or thereafter due shall be entitled to such priority as is *therein* provided [in Section 64 (b) of that act].

SEC. 12. Section 52.1 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 52.1. The term "benefit year," with respect to any individual, means the 52 consecutive week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the 52 consecutive week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. [Any claim for benefits made in accordance with the provisions of this act and rules and regulations adopted thereunder shall be deemed a "valid claim" for the purposes of this section if the individual has earned wages in employment for employers in an amount equal to three hundred dollars ($300.00) during the base period.] *For the purposes of this act a claim shall be deemed valid if it was filed by an unemployed individual who is otherwise eligible for benefits.*

SEC. 13. Section 52.2 of the act cited in the title is hereby amended to read as follows:

Sec. 52.2. The term "base period" means the first four out of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year, *except that in any case where the first of such quarters has already been included in a prior base period of the same individual, the term "base period" shall mean the first three out of the last four completed calendar quarters immediately preceding the first day of that benefit year.*

SEC. 14. Section 56.6 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 56.6. The courts of this State shall recognize and enforce liabilities for unemployment contributions imposed by other States which extend a like comity to this State.

The commission is hereby empowered to commence action in any other jurisdiction by and in the name of the commission to collect unemployment contributions, penalties and interest legally due this State. The officials of other States which extend a like comity to this State are empowered to sue for the collection of such contributions in the courts of this State. A certificate by the Secretary of State under the Great Seal of the State that such officers have authority to collect the unemployment contributions shall be conclusive evidence of such authority.

SEC. 15. Section 56.7 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 56.7. The commission is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government whereby reports, records, or other necessary information, upon the basis of which an employing unit may become subject to the provisions of this act, shall be examined and audited by such other State or Federal agency in the State or territory in which said employing unit's reports, records, or other necessary information is located.

The commission is also authorized to enter into reciprocal arrangements with such other State agencies or the Federal Government whereby the reports, records, or other necessary information, upon the basis of which an employing unit may become subject to the provisions of another State act or the Federal act, may be examined and audited by this State agency.

SEC. 16. Section 60 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 60. Any waiver by any person of any benefit or right under this act shall be invalid, *except that all rights to benefits for any week for which a check has been issued and the indorsement of which subsequently has been declared a forgery shall expire one year from the date of issuance of such check.* Benefits under this act are not subject to assignment, release or commutation, and are exempt from all claims of creditors and from all process of law except collection thereof by the person entitled thereto in his own right. Any agreement by any individual in the employ of any person or concern to pay all or any portion of the contributions required of that person or concern as an employer under this act shall be void.

SEC. 17. Section 72.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 72.5. Any person who has received any sum as benefits under this act to which he is not entitled shall be liable to repay such sum to the commission for the Unemployment Fund, and the commission is hereby authorized to commence civil

action in its name for the recovery thereof, or, in the discretion of the commission, to deduct the amount of the erroneous payment from any future benefits payable to him under this act. The recoupment of erroneous benefit payments by deduction from future benefits shall be in accordance with the rules and regulations of the commission.

SEC. 18. Section 75 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 75. This act shall be administered by the [Unemployment Reserves] *California Employment* Commission of this State, to be appointed by the Governor, by and through the State Department of Employment which is hereby created and of which such commission shall be the governing body.

SEC. 19. Section 92 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 92. In addition to all other powers granted and duties imposed by this act, the commission:

(a) May create unemployment districts.

(b) Shall *lease*, establish, maintain and operate adequately staffed public employment offices for men, women and juniors who are legally qualified to engage in gainful occupations and shall maintain a Veterans' Placement Service to be devoted to securing work for veterans and a Farm Placement Service to promote the placement and clearance of agricultural labor, and a Youth Placement Department to promote the placement of youth in suitable fields of employment. Adequate records and statistics on all the classifications above mentioned shall be compiled and kept [by the Employment Service], and a report of such records, statistics, applications and placements shall be made semiannually.

(c) *May* promulgate such rules as it finds desirable for the registration of unemployed persons, and for placing them in available employment. To this end *or for any other purpose within the purview of this act* it may accept financial contributions from any governmental unit or agency, or private persons.

SEC. 20. Section 92.5 of the act cited in the title hereof is hereby repealed.

SEC. 21. Section 93.5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 93.5. For the purpose of establishing and maintaining free public employment offices, the commission is authorized to enter into agreements with the Railroad Retirement Board, or any other agency of the United States charged with the administration of an Unemployment Compensation Law, with any political subdivision of this State, or with any private [, nonprofit] *individual or* organization, and as a part of any such agreement the commission may accept moneys, services, quarters, or other valuable consideration. [as a contribution to the special "Employment Service Account" in the Unemployment Administration Fund.]

SEC. 22. Section 101 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 101. It is a misdemeanor:

(a) Wilfully to make a false statement or representation or knowingly fail to disclose a material fact to obtain, increase, reduce, or defeat any benefit or payment under the provisions of this act, whether for the maker or for any other person or for the purpose of lowering or avoiding any contribution required of the maker or any other person or to avoid becoming or remaining subject to this act [;]. *Notwithstanding any other provision of law to the contrary, prosecution under the provisions of this subsection may be commenced within one year after the discovery by the commission or its representative that an unlawful act has been committed;*

(b) On the part of any employing unit or any officer or agent of an employing unit to make a greater deduction from the wages of a worker than the contribution required of such worker under this act, for the purpose of paying any contribution under this act;

(c) On the part of any employing unit or any officer or agent of an employing unit wilfully and unlawfully to fail to appear or to testify or to produce books, papers, and records required at any hearing under this act;

(d) On the part of any employing unit, or any officer or agent of an employing unit, wilfully and unlawfully to fail or neglect to make available required records for the inspection of the commission or its authorized representative at any reasonable time during business hours;

(e) On the part of any employing unit, or any officer or agent of an employing unit, wilfully and unlawfully to fail or neglect to furnish to the commission reports required by it when necessary for the enforcement of this act [.]*;*

(f) On the part of any employing unit or any officer or agent of an employing unit or a union official to connive or conspire with an individual to aid him to obtain unemployment insurance to which he is not entitled by the wilful withholding of information or by the wilful failure to report any relevant information.

(g) On the part of an individual or a claimant to connive or conspire with a union official, an employing unit or any officer or agent of an employing unit to obtain unemployment insurance to which such individual is not entitled."

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 1317—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to definition of "unemployed."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "works", and insert "during the period of three months immediately preceding the commencement of his benefit year has worked".

Amendment No. 2

On page 1, line 16, of the printed bill, strike out "he is", and insert "during such period he has been".

Amendment No. 3

On page 1 of the printed bill, strike out lines 20 and 21, and insert "earnings of such individual at such work have varied from week to week during such three-month period but work opportunities for the group of workers in his class normally are available throughout the year without any discontinuance occasioned by or due to seasonal nature of the employment, and if such individual's wages are paid on an hourly, daily, piecework,".

Amendment No. 4

On page 1, line 24, of the printed bill, strike out "one-fourth", and insert "the wages payable to such individual, if any, for services during such week plus 60 per cent of one-third".

Amendment No. 5

On page 1, line 25, of the printed bill, strike out "four", and insert "three".

Amendment No. 6

On page 2 of the printed bill, strike out lines 6, 7 and 8, and insert

"An individual who as of the commencement of his benefit year is determined to be subject to the provisions of this subsection shall be so subject for that entire benefit year and shall not be subject to the normal waiting period requirements with respect to that benefit year."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 151—An act to add Sections 556.1, 556.2 and 556.3 to the Military and Veterans Code, all relating to the organization of the State Guard, and making an appropriation therefor.

Bill read second time.

Motion to Amend

Messrs. Lyon and Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 556.1", and insert "Sections 556.1 and 556.2".

Amendment No. 2

On page 1 of the printed bill, as amended, between lines 6 and 7, insert

"SEC. 2. Section 556.2 is hereby added to said code, to read as follows

556.2. There shall be prescribed a distinctive ornament to be worn on the left shoulder as part of the uniform of each member of the State Guard, and the same

ornament shall be prominently displayed on all official motor vehicles and airplanes used by the State Guard."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1177—An act to add Sections 39, 40, 41, 41.1, 41.2, 41.3 and 42 to, and repeal Sections 39, 40, 41 and 42 of, the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

Strike out the title of the printed bill, and insert "An act to amend Section 39 of, to repeal Section 42 of, and to add Sections 41.1, 41.2, 41.3 and 42 to, the Unemployment Insurance Act, relating to experience rating."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26; and strike out all of page 2, and on page 3, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 39 of the act cited in the title hereof is hereby amended to read as follows:

(a) The provisions of the first paragraph of subsection (c) of Section 38 of this act shall not apply in fixing contributions for any period subsequent to December 31, 1940. After December 31, 1940, employers shall pay into the unemployment fund contributions upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided in this section. The contribution rate for an employer for any rating period shall be

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 7½ per cent of his average base pay roll, 2.7 per cent, which rate is hereby defined as the "general rate."

(2) If as of such computation date the employer's net balance of reserve is 7½ per cent or more, but less than 9 per cent of his average base pay roll, 2.5 per cent

(3) If as of such computation date for such rating period the employer's net balance of reserve is 9 per cent or more, but less than 10 per cent of his average base pay roll, 2 per cent

(4) If as of such computation date the employer's net balance of reserve is 10 per cent or more, but less than 11 per cent of his average base pay roll, 1½ per cent

(5) If as of such computation date the employer's net balance of reserve is 11 per cent or more of his average base pay roll, 1 per cent

(b) The minimum contribution rate payable to the fund on behalf of any employer shall be 1 per cent.

(c) No employer shall be considered eligible for a contribution rate of less than 2.7 per cent for the rating period January 1, 1941, to June 30, 1941, unless such employer has had a pay roll subject to tax under this act in each of the five years preceding January 1, 1941, and unless the separate account of such employer shall have been subject to benefit charges during the period of 12 complete consecutive calendar quarters ending on the computation date for such rating period and he is qualified under subsection (a) of this section; no employer shall be considered eligible for a contribution rate of less than 2.7 per cent for any subsequent rating period unless the reserve account of such employer shall have been subject to benefit charges during the period of 12 complete consecutive calendar quarters ending on the computation date for such rating period and he is qualified under subsection (a) of this section."

Amendment No. 3

On page 3, line 10, of the printed bill, strike out "7", and insert "2".

Amendment No. 4

On page 3 of the printed bill, strike out lines 14, 15 and 16; and in line 17, strike out "tion rate for the next succeeding rating period.", and insert "and with statements showing the credits to his account, the net balance of his reserve and his contribution rate for the next succeeding rating period. Such statements shall be furnished not less frequently than annually."

Amendment No. 5

On page 3, line 21, of the printed bill, strike out "30", and insert "60".

Amendment No. 6

On page 4 of the printed bill between lines 3 and 4 insert

"(d) In the event that the determination in any protest proceeding is rendered against the employer, the employer may bring an action against the commission with respect to such determination to recover any amount of contribution claimed as an overpayment as a result of such determination notwithstanding that no protest was filed at the time of the payment of the contribution, within 60 days after notice of the determination in such protest proceeding has been given except that the commission, in writing, at any time prior to the expiration of said 60-day period, may extend the time during which such action may be instituted for a period not exceeding two years from the giving of such notice."

Amendment No. 7

On page 4, line 4, of the printed bill, strike out "8", and insert "3".

Amendment No. 8

On page 4, line 6, of the printed bill, after "rate", insert "for any rating period commencing on or after January 1, 1942".

Amendment No. 9

On page 4, line 9, of the printed bill, after "date", insert "for such rating period"

Amendment No. 10

On page 4, line 13, of the printed bill, strike out "the", and insert "such".

Amendment No. 11

On page 4, line 15, of the printed bill, strike out "the", and insert "such".

Amendment No. 12

On page 4, line 19, of the printed bill, strike out "the", and insert "such".

Amendment No. 13

On page 4, line 23, of the printed bill, strike out "; provided,"; and strike out all of lines 24 and 25, and insert a period.

Amendment No. 14

On page 4, line 26, of the printed bill, strike out "9", and insert "4"

Amendment No. 15

On page 4 of the printed bill, strike out lines 28 to 37, inclusive, and insert

"Sec. 413. Whenever it appears that the funds on hand in the Unemployment Fund are less than one and one-half times the amount of benefits paid during the preceding calendar year, the commission, by appropriate notice, may invoke a contribution rate of 2.7 per cent from all employers, in lieu and regardless of any reduced or lower rate herein elsewhere prescribed; provided, however, that such rate shall be effective only until the expiration of the next quarter during which the fund again becomes equal to or in excess of one and one-half times the amount of benefits paid during the then preceding calendar year."

Amendment No. 16

On page 4, line 38, of the printed bill, strike out "10", and insert "5"

Amendment No. 17

On page 4 of the printed bill, strike out "11", and insert "6".

Amendment No. 18

On page 4, line 44, of the printed bill, strike out the words "As of the close of business", and insert "The close of business on"

Amendment No. 19

On page 4, line 47, of the printed bill, strike out "As of the close of business", and insert "The close of business on".

Amendment No. 20

On page 4, line 50, of the printed bill, strike out "as of the close of business", and insert "the close of business on".

Amendment No. 21

On page 5, line 1, of the printed bill, strike out "as of"

Amendment No. 22

On page 5, line 21, of the printed bill, after "require," insert "by an employer"

Amendment No. 23

On page 5 of the printed bill, strike out lines 24 to 47, inclusive, and insert

"(e) The term "contributions paid on his own behalf" as used herein, means all contributions paid to the unemployment fund on behalf of an employer with respect to taxable wages paid or payable (as the case may require) by him on or before the computation date for determining a reduced contribution rate for any rating period, provided such contributions had been paid on or before the end of the calendar month next succeeding such computation date.

(f) The charge of benefits to an employer's account required by Section 41 of this act shall be made in such manner as to include as of each computation date all benefit payments made on or before the end of the month succeeding the computation date with respect to compensable weeks of unemployment beginning on or before such computation date. Benefit payments made subsequent to the end of the month succeeding any computation date with respect to compensable weeks of unemployment beginning on or before such computation date shall be included in computing the contribution rate for the employer during rating periods following the computation date next succeeding the date of payment of such benefits"

Amendment No. 24

On page 5, line 48, of the printed bill, strike out "13", and insert "7".

Amendment No. 25

On page 5 of the printed bill, strike out lines 49 and 50, and insert "ployment Insurance Act by amending Sections 39 and 42 of, and adding Sections 41.1, 41.2 and 41.3 to".

Amendment No. 26

On page 6 of the printed bill, strike out all of lines 1 to 8, inclusive

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 2531—An act making an appropriation for the relief of hardship and destitution through assistance to Unemployed California Distributors Association.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation", and insert "to provide".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "California", and insert "Cooperative".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, inclusive; and in line 5, strike out "nia", and insert

"SECTION 1. Out of any moneys heretofore or hereafter appropriated to the Relief Commission and the Relief Administrator for the relief of hardship and destitution due to and caused by unemployment, the Relief Commission and the Relief Administrator shall expend not to exceed 1 per cent of such appropriations for the relief of Unemployed Cooperative".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "California", and insert "Cooperative".

Amendment No. 5

On page 1 of the printed bill, strike out lines 8 and 9, and insert "work in lieu of direct relief, including the payment of the rent of such associations in an amount not to exceed seventy-five dollars ($75) a month."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1294—An act making an appropriation for the support of the Division of Forestry, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "appropriation for the support of the Divi-"; and strike out line 2, and insert "additional appropriation for fire protection in accordance with the Forest Fire Protection and Control Plan, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert "third and Ninety-fourth Fiscal Years for fire protection in accordance".

Amendment No. 3

On page 1 of the printed bill, between lines 8 and 9, insert

"Of the sum appropriated by this act not more than 85 per cent thereof shall be expended by the Division of Forestry. The Department of Natural Resources shall determine which counties are eligible for the money not expended by the Division of Forestry and the department shall grant to each eligible county a share of such money equal to that proportion of county money it expends for the prevention and suppression of forest and watershed fires as the total amount of State money available for the eligible counties bears to the total amount of county money available in all eligible counties."

Amendments read and adopted.

Bill ordered printed, and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 227—An act to add Division 7, consisting of Chapter 1, Sections 1500 to 1561, inclusive, to the Military and Veterans Code, relating to the establishment and organization of a California State Council of Defense, to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, safety, and welfare, for the protection of individual rights and consumer interests and for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the National Defense Program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by members of the Legislature; and providing an appropriation for the purposes of the chapter.

Bill read second time, and ordered to third reading.

Senate Bill No. 1013—An act to amend Section 14227 of the Health and Safety Code, relating to fire protection districts in unincorporated areas, and the inclusion of contiguous territory therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 747—An act to amend Sections 1071 and 1074 of the Streets and Highways Code, relating to highway work on county roads

Bill read second time, and ordered to third reading.

Senate Joint Resolution No. 25—Relative to proposed merit system for county welfare activities

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 1, line 7, of the printed measure, strike out "unauthorized invasion of", and insert "interference with".

Amendment No. 2

On page 1, line 15, of the printed measure, strike out "invasion of", and insert "interference with".

Amendment No. 3

On page 1 of the printed measure, strike out lines 25 to 27, inclusive.

Amendments read and adopted.

Resolution ordered printed, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2575—An act to add Section 80 to Article 1 of Chapter 2 of Title 1 of Part 2, Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Sections 78 and 117 of, the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of State Senators, Assemblymen and Representatives in Congress.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2575?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "add", insert "Section 80 to Article 1 of Chapter 2 of Title 1 of Part 2,"

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 78 and".

Amendment No. 3

In line 6 of the title of the printed bill, as amended, after "election of", insert "State Senators,".

Amendment No. 4

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", insert "Section 80 is hereby added to Article 1 of Chapter 2 of Title 1 of Part 2 of the Political Code, to read as follows:

80 The State is divided into 40 Senatorial districts, which shall be designated and constituted as follows:

1 The Counties of Modoc, Lassen and Plumas shall constitute the First Senatorial District.

2 The Counties of Del Norte and Siskiyou shall constitute the Second Senatorial District.

3 The County of Humboldt shall constitute the Third Senatorial District.

4 The Counties of Mendocino and Lake shall constitute the Fourth Senatorial District

5 The Counties of Trinity and Shasta shall constitute the Fifth Senatorial District.

6. The County of Butte shall constitute the Sixth Senatorial District

7 The Counties of Sierra, Nevada and Placer shall constitute the Seventh Senatorial District.

8. The Counties of Tehama, Glenn and Colusa shall constitute the Eighth Senatorial District

9 The Counties of El Dorado, Amador and Alpine shall constitute the Ninth Senatorial District.

10 The Counties of Yuba and Sutter shall constitute the Tenth Senatorial District
11 The Counties of Napa and Yolo shall constitute the Eleventh Senatorial District.
12 The County of Sonoma shall constitute the Twelfth Senatorial District.
13 The County of Marin shall constitute the Thirteenth Senatorial District
14 The City and County of San Francisco shall constitute the Fourteenth Senatorial District.
15 The County of Solano shall constitute the Fifteenth Senatorial District.
16. The County of Alameda shall constitute the Sixteenth Senatorial District
17. The County of Contra Costa shall constitute the Seventeenth Senatorial District
18. The County of Santa Clara shall constitute the Eighteenth Senatorial District.
19. The County of Sacramento shall constitute the Nineteenth Senatorial District.
20. The County of San Joaquin shall constitute the Twentieth Senatorial District.
21. The County of San Mateo shall constitute the Twenty-first Senatorial District.
22 The County of Stanislaus shall constitute the Twenty-second Senatorial District.
23 The County of Santa Cruz shall constitute the Twenty-third Senatorial District.
24 The Counties of Merced and Madera shall constitute the Twenty-fourth Senatorial District
25 The Counties of Monterey and San Benito shall constitute the Twenty-fifth Senatorial District.
26. The Counties of Tuolumne, Mariposa and Calaveras shall constitute the Twenty-sixth Senatorial District.
27 The County of Kings shall constitute the Twenty-seventh Senatorial District
28 The Counties of Mono and Inyo shall constitute the Twenty-eighth Senatorial District
29 The County of San Luis Obispo shall constitute the Twenty-ninth Senatorial District.
30 The County of Fresno shall constitute the Thirtieth Senatorial District
31. The County of Santa Barbara shall constitute the Thirty-first Senatorial District
32. The County of Tulare shall constitute the Thirty-second Senatorial District.
33. The County of Ventura shall constitute the Thirty-third Senatorial District.
34 The County of Kern shall constitute the Thirty-fourth Senatorial District
35 The County of Orange shall constitute the Thirty-fifth Senatorial District
36 The County of San Bernardino shall constitute the Thirty-sixth Senatorial District
37 The County of Riverside shall constitute the Thirty-seventh Senatorial District.
38 The County of Los Angeles shall constitute the Thirty-eighth Senatorial District.
39 The County of Imperial shall constitute the Thirty-ninth Senatorial District.
40 The County of San Diego shall constitute the Fortieth Senatorial District.
SEC. 1.5".

Amendment No. 5

On page 45 of the printed bill, as amended, strike out lines 35 and 36, and insert "SEC. 3 Section 78 of the Political Code is hereby repealed"

Amendment No. 6

On page 36, line 19, of the printed bill, as amended, after "Avenue", insert "to the center line of that portion of Vermont Avenue lying easterly of the Los Angeles Railway Company's right of way; thence northerly along the center line of Vermont Avenue to the easterly prolongation of the center line of Seventy-ninth Street (from the west); thence westerly along said prolongation and center line of Seventy-ninth Street to the center line of Budlong Avenue; thence southerly along the center line of Budlong Avenue to the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue".

Amendment No. 7

On page 36, line 34, of the printed bill, as amended, after "Avenue", insert "to the center line of Budlong Avenue, thence northerly along the center line of Budlong Avenue to the center line of Seventy-ninth Street, thence easterly along the center line of Seventy-ninth Street and the easterly prolongation thereof to the center line of that portion of Vermont Avenue lying easterly of the Los Angeles Railway Company's right of way; thence southerly along the center line of Vermont Avenue to the center line of Manchester Avenue; thence easterly along the center line of Manchester Avenue".

Amendment No. 8

On page 8 of the printed bill, as amended, at the end of line 36, after "Daly Street", insert "and its southerly prolongation and center line".

Amendment No. 9

On page 11, line 26, of the printed bill, as amended, after "in the", insert "boundary of the".

Amendment No. 10

On page 11, line 36, of the printed bill, as amended, strike out "lines" and insert "line".

Amendment No. 11

On page 14, line 30, of the printed bill, as amended, after "Street", insert "(formerly Westminster Avenue)".

Amendment No. 12

On page 14, line 42, of the printed bill, as amended, after "Street" insert ", its northerly prolongation and center line".

Amendment No. 13

On page 15, line 19, of the printed bill, as amended, after "Avenue", insert "(formerly Fourteenth Avenue)".

Amendment No. 14

On page 17, line 13, of the printed bill, as amended, strike out "northerly".

Amendment No. 15

On page 17, line 29, of the printed bill, as amended, strike out "Avenue", and insert "Street".

Amendment No. 16

On page 20, lines 39 and 40, of the printed bill, as amended, strike out "Avenue" and insert "Road".

Amendment No. 17

On page 23, line 1, of the printed bill, as amended, strike out "northerly" and insert "southerly".

Amendment No. 18

On page 23, line 15, of the printed bill, as amended, strike out "northerly".

Amendment No. 19

On page 25 of the printed bill, as amended, strike out line 13, and insert "Tract No. 452, recorded in Book 14, page 157, of Maps, in".

Amendment No. 20

On page 25, line 29, of the printed bill, as amended, strike out "Book 54, page 75" and insert "Book 32, pages 71 and 72".

Amendment No. 21

On page 25, line 52, of the printed bill, as amended, after "Western", insert "Avenue".

Amendment No. 22

On page 26, line 15, of the printed bill, as amended, after "point", insert "therein".

Amendment No. 23

On page 29, lines 17 and 18, of the printed bill, as amended, strike out "Palo Vista" and insert "Pacific View".

Amendment No. 24

On page 30, line 7, of the printed bill, as amended, after "the", insert "boundary of the".

Amendment No. 25

On page 30, line 30, of the printed bill, as amended, strike out "23" and insert "13".

Amendment No. 26

On page 30, line 41, of the printed bill, as amended, strike out "page 30", and insert "pages 30 and 31".

Amendment No. 27

On page 32, line 52, of the printed bill, as amended, after "Boulevard" insert "(formerly Washington Street)".

Amendment No. 28

On page 32, line 52, of the printed bill, as amended, after "Avenue", insert "(formerly Cheswick Drive)".

Amendment No. 29

On page 33, line 9, of the printed bill, as amended, strike out "Book 54, page 75", and insert "Book 32, pages 71 and 72".

Amendment No. 30

On page 34, line 20, of the printed bill, as amended, after "Street", strike out the comma and insert a semicolon; strike out the remainder of the line, strike out lines 21 and 22; and in line 23, strike out "Angeles".

Amendment No. 31

On page 39, line 45, of the printed bill, as amended, after "along", insert "said prolongation and".

Amendment No. 32

On page 9 of the printed bill, as amended, strike out lines 15 to 32, inclusive, and on page 10, strike out lines 1 to 6, inclusive, and insert "of Sec. 6, T. 2 N., R. 13 W., S. B. B. & M., thence southerly along section lines to the southeast corner of Sec. 36, T. 3 N., R. 14 W., S. B. B. & M.; thence westerly along section lines to the first angle point in the boundary of the City of Los Angeles as the same existed on March 1, 1941, located on the southerly line of Sec. 36, T. 3 N., R. 15 W., S. B. B. & M.; thence westerly along the boundary of the City of Los Angeles and following the same in all its various courses to the center line of Vaughn Street; thence southwesterly along the center line of Vaughn Street to the center line of Foothill Boulevard, thence northwesterly along the center line of Foothill Boulevard to the center line of Larue Street, thence southwesterly along the center line of Larue Street to the northeasterly boundary of the City of San Fernando, as the same existed on above date, thence southeasterly and southwesterly along the boundary of the City of San Fernando and southwesterly along the prolongation of the most southeasterly portion thereof to the center line of the Southern Pacific Railroad Company's right of way in San Fernando Road; thence southeasterly along the center line of said right of way to the easterly prolongation of the northerly line of Roscoe Boulevard, being also the southerly line of Maclay Rancho, as shown on map recorded in Book 37, pages 5 to 16, inclusive, of Miscellaneous Records in the office of the Recorder of the County of Los Angeles, thence westerly along the southerly line of Maclay Rancho and the westerly prolongation thereof to the center line of Van Nuys Boulevard, thence southerly along the center line of Van Nuys Boulevard to the center line of Roscoe Boulevard, thence westerly along the center line of Roscoe Boulevard and along the prolongation of the most westerly portion thereof to the westerly boundary of the City of Los Angeles, as the same existed on above date; thence northerly along the boundary of the City of Los Angeles to the northerly line of fractional Sec. 34, T. 2 N., R. 17 W., S. B. B. & M., thence westerly along section lines to the westerly".

Amendment No. 33

On page 10 of the printed bill, as amended, strike out lines 17 to 32, inclusive, and on page 11, strike out lines 1 to 3, inclusive, and insert "all its various courses to the northerly line of fractional Sec. 33, T. 2 N., R. 17 W., S. B. B. & M.; thence easterly along section lines to the westerly boundary of the City of Los Angeles as the same existed on March 1, 1941; thence southerly along the boundary of the City of Los Angeles to the westerly prolongation of the center line of the most westerly portion of Roscoe Boulevard; thence easterly along said prolongation and center line and following the center line of Roscoe Boulevard to the center line of Van Nuys Boulevard, thence northerly along the center line of Van Nuys Boulevard to the westerly prolongation of the southerly line of Maclay Rancho, as shown on map recorded in Book 37, pages 5 to 16, inclusive, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence easterly along said prolongation and southerly line of Maclay Rancho to the center line of the Southern Pacific Railroad Company's right of way in San Fernando Road; thence northwesterly along the center line of said right of way to the southwesterly prolongation of the most southeasterly portion of the boundary of the City of San Fernando as same existed on above date; thence northeasterly along said prolongation and boundary and northwesterly along the boundary of the City of San Fernando to the center line of Larue Street; thence northeasterly along the center line of Larue Street to the center line of Foothill Boulevard; thence southeasterly along the center line of Foothill Boulevard to the center line of Vaughn Street, thence northeasterly along the center line of Vaughn Street to the boundary of the City of Los Angeles, as the same existed on above date, thence northerly along the boundary of the City of Los Angeles to the southerly line of Sec. 36, T. 3 N., R. 15 W., S. B. B. & M., thence easterly along section lines to the southeast corner of Sec. 36, T. 3 N., R. 14 W., S. B. B. & M., thence northerly along section lines to the southwest corner of Sec. 31, T. 3 N., R. 13 W., S. B. B. & M., thence easterly along section lines to the northwest corner of Sec. 2, T. 2 N., R. 13 W., S. B. B. & M.; thence southerly along section lines and the southerly prolongation

thereof to the first intersection with the northerly boundary of the City of Glendale as the same existed on above date (in Verdugo Boulevard), thence southerly along the boundary of the City of Glendale and following the same in all its various courses to its first intersection with the northerly boundary of the City of Los Angeles, as the same existed on above date; thence south-".

Amendment No. 34

On page 1, line 8, of the printed bill, as amended, after "of", insert "Trinity,".

Amendment No. 35

On page 1, line 10, of the printed bill, as amended, strike out "Trinity,".

Amendment No. 36

On page 4 of the printed bill, as amended, strike out lines 33 to 50, inclusive, strike out pages 5, 6, and 7; and on page 8, strike out lines 1 to 28, inclusive, and insert

"19. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of Arguello Boulevard and the southerly boundary line of the Presidio Military Reservation, thence along the center lines of the following streets: Arguello Boulevard to California, California to Presidio Avenue, Presidio Avenue to Geary, Geary to Broderick, Broderick to Fell, Fell to Stanyan, Stanyan to Fulton, Fulton to the shoreline of the Pacific Ocean, northerly and easterly along said shoreline to the center line of Lobos Creek, Lobos Creek to the southerly boundary line of the Presidio Military Reservation, easterly along said boundary line to Arguello Boulevard and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Powell, Powell to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco, thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco, thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Taylor, Taylor to Filbert, Filbert to Van Ness Avenue, Van Ness Avenue to Bush, Bush to Presidio Avenue, Presidio Avenue to California, California to Arguello Boulevard, Arguello Boulevard to the southerly boundary line of the Presidio Military Reservation, westerly along said boundary line to Lobos Creek, the center line of Lobos Creek to the shoreline of the Pacific Ocean, thence northerly along said shoreline of the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District.

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Taylor Street with the center line of Columbus Avenue; thence along the center lines of the following streets: Columbus Avenue to Powell, Powell to Market, Market to Van Ness Avenue, Van Ness Avenue to O'Farrell, O'Farrell to Gough, Gough to Geary, Geary to Presidio Avenue, Presidio Avenue to Bush, Bush to Van Ness Avenue, Van Ness Avenue to Filbert, Filbert to Taylor, Taylor to Columbus Avenue and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of O'Farrell Street with the center line of Van Ness Avenue, thence along the center lines of the following streets: Van Ness Avenue to Market, Market to Eleventh, Eleventh to Bryant, Bryant to Twenty-fourth, Twenty-fourth to Mission, Mission to Twenty-first, Twenty-first to Dolores, Dolores to Market, Market to Duboce Avenue, Duboce Avenue to Fillmore, Fillmore to Fell, Fell to Broderick, Broderick to Geary, Geary to Gough, Gough to O'Farrell, O'Farrell to Van Ness Avenue and the point of commencement, shall constitute the Twenty-third Assembly District.

24 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Twenty-second Street with the center line of Castro Street, thence along the center lines of the following streets Castro to Twenty fourth, Twenty-fourth to Dolores, Dolores to Twenty-ninth, Twenty-ninth to Mission, Mission to Brazil, Brazil to La Grande Avenue, La Grande Avenue to the northerly and easterly boundary line of the Amazon Tract Playground and Reservoir site along said easterly boundary line to Geneva Avenue, Geneva Avenue to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shore line of the Pacific Ocean, northerly along said shore line to Sloat Boulevard, Sloat Boulevard to Nineteenth Avenue, Nineteenth Avenue to Holloway Avenue, Holloway Avenue to Ashton Avenue, Ashton Avenue to Ocean Avenue, Ocean Avenue to Faxon Avenue, Faxon Avenue to Yerba Buena Avenue, Yerba Buena Avenue to Miraloma Drive, Miraloma Drive to Portola Drive, Portola Drive to Burnett Avenue, Burnett Avenue to Dixie Alley, Dixie Alley to Grand View Avenue, Grand View Avenue to Twenty-second, Twenty-second to Castro and the point of commencement, shall constitute the Twenty-fourth Assembly District

25 All that portion of the City and County of San Francisco bounded and described as follows

Commencing at the intersection of the center line of Fulton Street with the center line of Stanyan Street, thence along the center lines of the following streets Stanyan to Fell, Fell to Masonic Avenue, Masonic Avenue to Piedmont, Piedmont to Ashbury, Ashbury to Clayton, Clayton to Twin Peaks Boulevard, Twin Peaks Boulevard to Burnett Avenue, Burnett Avenue to Portola Drive, Portola Drive to Miraloma Drive, Miraloma Drive to Yerba Buena Avenue, Yerba Buena Avenue to Faxon Avenue, Faxon Avenue to Ocean Avenue, Ocean Avenue to Ashton Avenue, Ashton Avenue to Holloway Avenue, Holloway Avenue to Nineteenth Avenue Nineteenth Avenue to Sloat Boulevard, Sloat Boulevard to the shore line of the Pacific Ocean, northerly along said shore line to Fulton Street, Fulton Street to Stanyan and the point of commencement, shall constitute the Twenty-fifth Assembly District

26 All that portion of the City and County of San Francisco, bounded and described as follows:

Commencing at the point of intersection of the center line of Fell Street with the center line of Fillmore Street, thence along the center lines of the following streets Fillmore to Duboce Avenue, Duboce Avenue to Market, Market to Dolores, Dolores to Twenty-first, Twenty-first to Mission, Mission to Twenty-fourth, Twenty-fourth to Bryant, Bryant to Army, Army to Bay Shore Boulevard, Bay Shore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the center line of Geneva Avenue, Geneva Avenue to the easterly boundary line of the Amazon Tract Playground and Reservoir site, northerly along said boundary line to La Grande Avenue, La Grande Avenue to Brazil, Brazil to Mission, Mission to Twenty-ninth, Twenty-ninth to Dolores, Dolores to Twenty-fourth, Twenty-fourth to Castro, Castro to Twenty-second, Twenty-second to Grand View Avenue, Grand View Avenue to Dixie Alley, Dixie Alley to Burnett Avenue, Burnett Avenue to Twin Peaks Boulevard, Twin Peaks Boulevard to Clayton, Clayton to Ashbury, Ashbury to Piedmont, Piedmont to Masonic Avenue, Masonic Avenue to Fell, Fell to Fillmore and the point of commencement, shall constitute the Twenty-sixth Assembly District

27 The County of San Mateo shall constitute the Twenty-seventh Assembly District

28 All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit Agnew, Alviso Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Enema, Farwell, Freemont Nos 1 and 2, Fruitvale, Jefferson Nos 1 and 2, Linda Vista Nos 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos 1 and 2 Miramonte, Mount Hamilton Nos 1 and 2 Mountain View Nos 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos. 1 to 9, inclusive, San Tomas, Saratoga Nos 1 and 2, Seale, Stanford Nos 1 and 2 and Sunnyvale Nos 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District

29 All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District

30 The County of Stanislaus shall constitute the Thirtieth Assembly District

31 The Counties of Merced and Madera shall constitute the Thirty-first Assembly District

32 The Counties of San Benito and Santa Cruz shall constitute the Thirty-second Assembly District

33 The Counties of Monterey and San Luis Obispo shall constitute the Thirty-third Assembly District

34 All that portion of the County of Fresno bounded as follows Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue, southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning shall constitute the Thirty-fourth Assembly District.

35. All that portion of the County of Fresno not included in the Thirty-fourth Assembly District shall constitute the Thirty-fifth Assembly District

36. The Counties of Kings and Tulare shall constitute the Thirty-sixth Assembly District.

37. The County of Santa Barbara shall constitute the Thirty-seventh Assembly District

38 The County of Ventura shall constitute the Thirty-eighth Assembly District.

39. The County of Kern shall constitute the Thirty-ninth Assembly District."

Amendment No. 37

On page 2 of the printed bill, as amended, strike out lines 25 to 33, inclusive, and insert

"13. All that portion of the County of Alameda that was contained in the Thirteenth Assembly District as that district was designated, constituted and defined by Section 78 of the Political Code, as amended by Chapter 180 of the Statutes of 1931, shall constitute the Thirteenth Assembly District.

14 All that portion of the County of Alameda that was contained in the Fourteenth Assembly District as that district was designated, constituted and defined by Section 78 of the Political Code, as amended by Chapter 180 of the Statutes of 1931, shall constitute the Fourteenth Assembly District.

15 All that portion of the County of Alameda that was contained in the Fifteenth Assembly District as that district was designated, constituted and defined by Section 78 of the Political Code, as amended by Chapter 180 of the Statutes of 1931, shall constitute the Fifteenth Assembly District."

Amendment No. 38

On page 44, line 31, of the printed bill, as amended, strike out "following Assembly districts.", and insert "Thirteenth, Fourteenth and Fifteenth Assembly Districts as those districts are designated, constituted and defined by Section 90 of this code,".

Amendment No. 39

On page 16 of the printed bill, as amended, strike out lines 5 to 18, inclusive, and insert "above date; thence southeasterly, southwesterly and northwesterly along the boundary of the City of San Fernando to its intersection with Brand Boulevard; thence westerly along the center line of Brand Boulevard to the intersection of Sepulveda Boulevard; thence southerly along the center line of Sepulveda Boulevard to the center line of Roscoe".

Amendment No. 40

On page 17 of the printed bill, as amended, strike out lines 31 to 43, inclusive, and insert "yard to the center line of Sepulveda Boulevard; thence northerly along the center line of Sepulveda Boulevard to the center line of Brand Boulevard; thence northeasterly along the center line of Brand Boulevard to the boundary line of the City of San Fernando, thence southeasterly and north-".

Amendment No. 41

On page 52, lines 4 and 5, of the printed bill, as amended, strike out "Twenty-fourth and Twenty-fifth", and insert "Twenty-first and Twenty-second".

Amendment No. 42

On page 4 of the printed bill, as amended, strike out lines 8 to 22, inclusive, and insert

"13. All that portion of the County of Alameda described as follows:

All that portion of the County of Alameda lying southerly and easterly of a line described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro, thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street; thence northwesterly

along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right-of-way of the Central Pacific Railway, thence northwesterly along the center line of the right-of-way of the Central Pacific Railway to the center line of High Street thence northeasterly along the center line of High Street to the center line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue, thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue, thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road, thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, shall constitute the Thirteenth Assembly District

14. All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro, thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street, thence northwesterly along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right-of-way of the Central Pacific Railway; thence northwesterly along the center line of the right-of-way of the Central Pacific Railway to the center line of High Street; thence southwesterly along the center line of High Street to the southwesterly boundary line of the City of Oakland thence northwesterly along the southwesterly boundary line of the City of Oakland to an intersection with the direct extension southwesterly of the center line of Thirteenth Avenue; thence northeasterly along said direct extension and along the center line of Thirteenth Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue, thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the northerly boundary line of the City of Alameda; thence westerly along the northerly boundary line of the City of Alameda to an intersection with the westerly boundary line of the County of Alameda; and thence southeasterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fourteenth Assembly District.

15 All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the northeasterly boundary line of the County of Alameda with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the curvature thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont; thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof, thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of Thirteenth Avenue, thence continuing southwesterly along the center line of Thirteenth Avenue and along its direct extension southwesterly to the southwesterly boundary line of the City of Oakland; thence southeasterly along the southwesterly boundary line of the City of Oakland to the center line of High Street, thence northeasterly along the center line of High Street to the center line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue, thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street, thence north-

westerly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard, thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue, thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road, thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township, thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, and thence northeasterly along the northerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fifteenth Assembly District.'

Demand for Previous Question

Messrs. Robertson, Howser, F. N., Collins, Sam L., Burkhalter and Poole demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No 2575

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Frederick F. Houser moved a call of the Assembly.

Motion carried. Time, 11.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1088—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning equipment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1088?

Amendment No. 1

On page 1 of the printed bill, on line 22, immediately preceding "pest", insert "noxious weed"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1088 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Masson, McCollister, Muldoon, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Turner, Watson, Weber, Welch, and Wollenberg—51

NOES—None

Assembly Bill No. 1088 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 901—An act to add Section 681.5 to the Code of Civil Procedure, relating to execution of judgments.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 901 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Turner, Waters, Watson, Weber, Welch, and Wollenberg—53

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2575

At 11.47 a.m., on motion of Mr. Frederick F. Houser, further proceedings under call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2575 by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thurman, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—61.

NOES—Burkhalter, Cain, Clarke, Gunlock, Thorp, and Turner—6

Assembly Bill No. 2575 ordered enrolled.

Explanation of Absence

In the closing hours of this legislative session, Members are constantly called into unscheduled meetings. When concurrence in Senate amendments to Assembly Bill No. 2575 were considered, I was in a committee meeting.

I most certainly would have voted to concur, had I been present in the Assembly Chamber.

ROBERT MILLER GREEN

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 263

Mr. Kilpatrick moved that Assembly Bill No. 263 be withdrawn from the file, and re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Kellems, Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Stream, Thorp, Turner, Waters, and Welch—44.

NOES—Johnson, Kepple, Watson, and Wollenberg—4.

Hon. Charles W. Lyon Presiding

At 11.50 a.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

DIVISION OF LABOR STATISTICS AND LAW ENFORCEMENT
SAN FRANCISCO, May 28, 1941

To the Honorable Members of the Assembly
California State Legislature, Fifty-fourth Session, Sacramento, California

I have the honor of transmitting my statistical report on the condition of labor in California as required by Sections 81 to 87, inclusive, of the Labor Code

Respectfully,

H. C. CARRASCO, State Labor Commissioner

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 197

Mr. Kilpatrick moved that Assembly Bill No. 197 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

Motion carried. Time, 11:56 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered.

By Mr. Hastain:

House Resolution No. 232

WHEREAS, The Department of Agriculture is one of the largest agencies in the State Government, rendering many types of services, administering both general and special fund activities, directly affecting the lives of thousands of persons in this State engaged in the production, processing, or marketing of agricultural commodities; and

WHEREAS, Numerous proposals for legislation involving both restriction and expansion of these activities are presented to every session of the Legislature, which ordinarily can be given little attention despite the complexities of the subject; and

WHEREAS, A thorough investigation of the administration of the laws enforced by the Department of Agriculture, to assist the next session of the Legislature in the consideration of these problems, can best be made by a competent Legislative Committee; therefore, be it

Resolved, by the Assembly of the State of California, That an Assembly Fact-Finding Committee on Agriculture is hereby created, to consist of the Speaker of the Assembly ex officio, and five members of the Assembly appointed by the Speaker, which committee shall study and survey, accurately and in detail, all facts and acts relating to or touching upon the administration of the laws relating to agriculture enforced by the Department of Agriculture, and the need for restriction or expansion of State inspection and regulation of agriculture, and shall report to the regular session of the Fifty-fifth Legislature on or before March 15, 1943, its recommendations for legislation.

The committee hereby created is authorized to act either during sessions of the Legislature or after final adjournment thereof, but, except for the purpose of making its report, not beyond the convening of the regular session of the Fifty-fifth Legislature. The committee is authorized to exercise all the powers conferred upon investigating committees by Rule No. 35 of the Joint Rules of the Senate and Assembly, both during this session of the Legislature and after final adjournment and said Rule is hereby made a part hereof the same as though said Rule were set out herein.

The Sergeant-at-Arms of the Assembly or any person designated by him is hereby authorized and directed to serve any and all subpenas, orders, and other process of

the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of_____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 298 WAIVED

Mrs. Daley waived her notice of motion to withdraw Senate Bill No. 298 from the Committee on Social Service and Welfare.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 197

At 12.15 p.m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 197 was withdrawn from the Committee on Governmental Efficiency and Economy and re-referred to the Committee on Ways and Means by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Russell, Sheridan, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, and Wollenberg—45.

NOES—Allen, Call, Clarke, Hastain, Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Leonard, Lyon, McCollister, Millington, Stream, Thorp, Weybret, and Mr. Speaker—16.

RECESS

At 12.18 p.m., on motion of Mr. Frederick F. Houser, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Stream suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Bashore, Bennett, Collins, Sam L., Cooke, Cronin, Daley, Green, Gunlock, Hawkins, Lowrey, Maloney, Massion, Middough, Miller, Pelletier, Pfaff, Poole, Robertson, Stream, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—25.

Hon. Robert Miller Green Presiding

At 2.08 p.m., Hon. Robert Miller Green, Member of the Assembly from the Twenty-eighth District, presiding.

Call of the Assembly

Mr. Stream moved a call of the Assembly.

Motion carried Time, 2 10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 2.15 p m., on motion of Mr. Frederick F. Houser, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

EXPLANATION OF ABSENCE

On motion of Mr. Tenney, the following members of the Committee on Judiciary General were excused from attendance of the session this morning, and their names added to the morning roll call: Messrs. Collins, George D., Crowley, Del Mutolo, Donnelly, Johnson, Meehan, O'Day, Poulson and Tenney, Chairman.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 304—An act to add Chapter 7 of Part 3 of Division 2 of the Labor Code, limiting and defining the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read third time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried. Time 2.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 913—An act to amend Section 1270 and to repeal Section 1270 5 of the Fish and Game Code, relating to deer seasons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier,

Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Welch—57.
NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Constitutional Amendment No. 32.

Assembly Constitutional Amendment No. 32—Proposed amendment to Article XXVI of the Constitution, amending paragraph (1) of subdivision (a) of Section 1 of Article XXVI of the Constitution of said State, relating to the expenditure of motor vehicle revenue.

Resolution read.

Demand for Previous Question

Messrs. Andreas, Welch, Waters, Kilpatrick and Collins, Sam L, demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 32.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 3.05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 304

At 3.29 p.m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 304 passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Turner, Voigt, and Welch—42.
NOES—Andreas, Call, Carlson, Clarke, Collins, Sam L., Daley, Dilworth, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton, Leonard, Middough, Miller, Millington, Phillips, Poulson, Stream, Thorp, Thurman, Waters, and Watson—25

Notice of Motion to Reconsider Assembly Bill No. 304

Mr. Phillips gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 304 was this day passed.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Frederick F. Houser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 999.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 999—An act to add Section 473B to the Political Code, relating to approval of rules and regulations by the Attorney General.

Bill read third time.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Call, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on amendment to Assembly Bill No 999.

Motion to Amend

Mr. Call moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended, after "Act," insert ", and interpretations, opinions, orders, rules and regulations issued or promulgated under the provisions of any statute providing for the levy, assessing, or collecting of any tax,".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bennett, Cain, Call, Crowley, King, Robertson, and Tenney—7

NOES—Burns, Michael J, Carlson, Clarke, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, and Wollenberg—48

The question being on the passage of Assembly Bill No. 999.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Cronin, Daley, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F, Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lyon, Maloney, Miller, Millington, Phillips, Potter, Poulson, Russell Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weber—41.

NOES—Bennett, Burkhalter, Cain, Collins, George D, Cooke, Crowley, Del Mutolo, Donnelly, Evans, Hawkins, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, Pelletier, Poole, Richie, Robertson, Sawallisch, Tenney, and Welch—23

Notice of Motion to Reconsider Assembly Bill No. 999

Messrs. Heisinger and Collins, George D., gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Bill No 999 was this day passed.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1776 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Evans moved that Assembly Bill No. 1776 be withdrawn from the Committee on Public Morals, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Cooke, Dills, Dilworth, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, John B., Massion, Middough, O'Day, Potter, Poulson, Russell, Sheridan, Turner, and Waters—27.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Green, Hastain, Heisinger, Howser, F. N. Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Millington, Pelletier, Phillips, Poole, Richie, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Weber, Welch, and Wollenberg—40

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 32

At 4 30 p m, on motion of Mr Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 32 refused adoption by the following vote:

AYES—Andreas, Bashore, Burkhalter, Call, Carlson, Cassidy, Cronin, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Voigt, Waters, Weber, Welch, and Wollenberg—41

NOES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Donnelly, Hastain, Hawkins, Howser, F. N., Knight, T. Fenton; Leonard, Lowrey, Millington, Pelletier, Phillips, Poole, Robertson, Sawallisch, Stream, Thorp, Thurman, Turner, and Watson—28.

TEMPORARY LEAVE OF ABSENCE

The following members of the Committee on Ways and Means were granted unanimous consent for temporary leave of absence to attend a meeting of the committee from 4 30 p.m. to 5 30 p.m.: Messrs. Millington, Chairman, Allen, Bashore, Burns, Michael J., Crowley, Del Mutolo, Dickey, Doyle, Field, Hastain, Houser, Frederick F., Kepple, Knight, John B., Leonard, Pfaff, Potter, Salsman, Sheridan, Thurman, Watson and Weybret

ASSEMBLY BILL NO. 1940 STRICKEN FROM FILE

Mr. Bennett moved that Assembly Bill No. 1940 be stricken from the file.

Motion carried unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 63—Proposed amendment to Article IX, Section 3 of the Constitution, relating to county superintendents of schools

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Hugh M Burns moved a call of the Assembly

Motion carried. Time, 4.34 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Heisinger, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2617.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2617—An act to add Section 215.16 to the Agricultural Code, relating to the inspection of swine sold at sales yards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 979—An act to add Section 5111 to the Water Code, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Poulson, Richie, Russell, Sawallisch, Stream, Tenney, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—51.

NOES—None.

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1528

Mrs. Daley moved that Assembly Bill No. 1528 be withdrawn from the Committee on Commerce and Navigation, and re-referred to the Committee on Rules.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2402—An act to add Section 4157.5 to the Political Code, relating to the powers and duties of county sheriffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, King, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—45

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2493—An act to amend Section 156 of the Vehicle Code, relating to license plates for vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, T. Fenton; Lyon, Maloney, Massion, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Weber, and Welch—43.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2646.

Assembly Bill No. 2646—An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dills, Donnelly, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, King, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Waters, Weber, Welch, and Wollenberg—42.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Howser, F. N., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Welch, and Wollenberg—43

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1889—An act to add Section 288.1 to the Penal Code, relating to punishments for crimes against children.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Stream, Tenney, Thorp, Turner, Voigt, Waters, Welch, and Wollenberg—44.

NOES—Collins, George D., Gaffney, and Robertson—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1229—An act to amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately.

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Assembly Bill No 1229 ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 907
Assembly Bill No. 1498

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 171
Assembly Bill No. 381
Assembly Bill No. 632
Assembly Bill No. 634
Assembly Bill No. 635
Assembly Bill No 647
Assembly Bill No 649
Assembly Bill No. 733
Assembly Bill No 734
Assembly Bill No 735
Assembly Bill No 736
Assembly Bill No. 737
Assembly Bill No 738
Assembly Bill No 739
Assembly Bill No 740
Assembly Bill No 741
Assembly Bill No. 742
Assembly Bill No. 925
Assembly Bill No. 927
Assembly Bill No 943
Assembly Bill No. 951
Assembly Bill No 1034
Assembly Bill No. 1036
Assembly Bill No. 1051
Assembly Bill No. 1053
Assembly Bill No 1240
Assembly Bill No 1299
Assembly Bill No. 1311
Assembly Bill No. 1411
Assembly Bill No. 1577
Assembly Bill No. 1600
Assembly Bill No 2475
Assembly Bill No. 2587
Assembly Bill No. 2612
Assembly Bill No. 1938

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 45

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 45—Relative to "Home Folks Day" of the 184th Regiment at Camp San Luis Obispo.

Ordered to unfinished business without reference to committee

RESOLUTIONS

The following resolution was offered:

By Mr. T. Fenton Knight:

House Resolution No. 233

Relating to the Fiftieth Anniversary of the admission of Arthur P Will to the Bar

WHEREAS, On this twenty-ninth day of May, 1941, Arthur P. Will has completed 50 years of practice of the law during which time he has distinguished himself by his outstanding ability, his unimpeachable integrity and by his diligent and faithful devotion to the public service.

Arthur P Will was the first Legislative Counsel of California, having been appointed to that office in 1914 and continuing therein until 1920. His impartiality and devotion to duty in that office has contributed in a large measure to the success of what was then a novel experiment and early established standards and conditions which that office still strives to maintain Since 1935 Mr. Will has ably served during sessions of the Legislature as Consultant in the Legislative Counsel Bureau.

In addition to his activities with the Legislative Counsel Bureau, Arthur P. Will has been a law text writer and editor, served in the judicial field, and engaged in private practice; and

WHEREAS, This half century of public and private service by Arthur P Will is marked with outstanding achievements and high standards of conduct that all lawyers and public servants may well seek to emulate; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend to Arthur P. Will their sincere congratulations on this fiftieth anniversary of his admission to practice law and heartily wish him many more years of success in the profession he has served so faithfully and well; and be it further

Resolved, That the Chief Clerk of the Assembly transmit to Arthur P Will an engrossed copy of this resolution

Request for Unanimous Consent

Mr. T Fenton Knight asked for, and was granted, unanimous consent to take up House Resolution No 233, at this time, without reference to committee.

Resolution read and adopted unanimously.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2243

Mr Lyon moved that Assembly Bill No. 2243 be withdrawn from the Committee on Insurance.

Motion carried unanimously.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2243—An act to amend Section 1640 of the Insurance Code, relating to exemptions from agents', brokers', and solicitors' qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

Strike out lines 1 to 3 of the title of the printed bill, and insert

"An act to amend Section 1679 of the Insurance Code, relating to insurance and insurance agents, brokers, and solicitors, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 1679 of the Insurance Code is hereby amended to read as follows

1679. (a) Unless sooner suspended, revoked, or terminated, the license of every insurance agent, broker, or solicitor expires July 1st of each year unless application for renewal is filed as provided in subdivision (b).

(b) Application for renewal of such license may be filed [at any time prior to] *on or before* June [1st,] *3rd*, upon payment of the renewal fee.

(c) Such license may be renewed upon application filed between June [1st] *3d* and July 31st upon payment of the renewal fee plus an additional fee equal to the renewal fee.

(d) The commissioner shall mail notice for forfeiture of renewal rights not later than July 20th, to:

(1) The licensee

(2) The employing agent or broker, if any.

(3) The appointing insurers, if any.

Failure to mail such notice shall not continue the right of renewal.

(e) Such license shall not be renewed after July 31st, but the person may make application for a new license as provided in this code, and shall take and pass the qualifying examination.

SEC 2. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall take effect immediately. The following is the statement of the facts constituting such necessity.

Chapter 23 of the Statutes of 1941 requires applications for renewal of licenses to be filed prior to June 1, 1941. Due to Memorial Day holiday, and the proclamation of the Governor proclaiming May 31, 1941, a holiday, it is undecided as to whether the last day to file applications for renewal of licenses is May 29 or June 2, 1941. Due to this uncertainty, and a misunderstanding on the part of many agents, brokers, and solicitors that it was possible to file prior to June 3, 1941, many of such agents, brokers, and solicitors have failed to file their applications for renewal of their licenses, and will be unable to do so until June 2, 1941. It is therefore essential that this bill go into effect immediately in order that the last day for filing applications for the renewal of licenses may be clarified and the imposition of penalties prevented."

Amendments read and adopted.

Bill ordered printed, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1924—An act to add Section 643.5 to the Agricultural Code, relating to dairies, and the exemption of dairies with six cows or less producing milk for manufacturing purposes only from certain requirements concerning equipment and facilities;

Assembly Bill No. 1925—An act to amend Section 496 of the Agricultural Code, relating to dairies and dairy products;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1941, at 2 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 948—An act to add Section 50.2 to the State Lands Act of 1938, and to add Section 6206.5 to the Public Resources Code, to empower the commission to apply to the United States of America for patents to public lands;

Assembly Bill No. 1129—An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, and in connection therewith to amend Section 11860 of the Insurance Code, and to repeal Sections 658 and 660 of the Political Code;

Assembly Bill No. 1544—An act to amend Section 4244 of the Political Code, relating to the compensation for public services in counties of fifteenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1941, at 2 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 74—An act making an appropriation for the eradication of dourine, a communicable disease of horses, mules, and asses; amending Section 182 of, and adding Section 207 7 to, the Agricultural Code, relating to animals affected with dourine, and declaring the urgency thereof;

Assembly Bill No. 161—An act to amend Section 21 of the Agricultural Code, relating to the salary of the Director of Agriculture;

Assembly Bill No. 706—An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1941, at 2 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1177
Assembly Bill No. 1317
Assembly Joint Resolution No 12

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1696

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245
Assembly Bill No 1469.
Assembly Bill No. 1820.
Assembly Bill No 1124.
Assembly Bill No. 2166
Assembly Bill No. 530.
Assembly Constitutional Amendment No. 16.
Assembly Bill No 1581.
Senate Bill No. 1092.
Assembly Bill No. 1769.
Assembly Bill No. 2214.
Assembly Bill No. 830.
Senate Bill No. 409.
Senate Bill No 269
(urgency clause).
Assembly Bill No. 246.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 684.
Assembly Bill No 609
Assembly Bill No. 90
Assembly Bill No. 723
Assembly Bill No. 997.
Assembly Bill No 1337
Assembly Bill No 1338.
Assembly Bill No 612.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 689 re-referred to Committee on Ways and Means.

RECESS

At 5.12 p m, on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Harrison W. Call, Twenty-ninth Assembly District, presiding.

Mr. Welch moved that Mr. Call preside.

Mr. Sam L. Collins seconded the motion.

Motion carried.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF A QUORUM SUGGESTED

Mr Waters suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Andreas, Bennett, Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Dilworth, Donnelly, Doyle, Evans, Green, Hawkins, Heisinger, Kellems, Knight, T. Fenton; Maloney, Massion, Middough, Miller, Millington, Phillips, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Waters, Watson, and Welch—31.

Call of the Assembly

Mr. Waters moved a call of the Assembly.

Motion carried. Time, 8.19 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 8.25 p.m., on motion of Mr. Gallagher, further proceedings under the call of the Assembly were dispensed with.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 63

At 8.27 p.m., on motion of Mr. Robertson, further proceedings under the call of the Assembly were dispensed with.

Mr. Doyle seconded the motion

The names of the absentees were called, and Assembly Constitutional Amendment No. 63 adopted by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, and Wollenberg—56.

NOES—None.

Resolution ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Welch and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James J. English and George Turner.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Margret Boreland of San Francisco and Merrie Frances Guilbert from Davis.

ADJOURNMENT

At 8 30 p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned until 9 30 a m., Friday, May 30, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED FORTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 30, 1941

The Assembly met at 9:30 a m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ABSENCE OF QUORUM SUGGESTED

Mr. Sam L. Collins suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Andreas, Bashore, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Dickey, Dilworth, Doyle, Green, Hastain, Heisinger, Howser, F. N., Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, Meehan, Miller, Millington, Poole, Poulson, Stream, Thorp, Thurman, Waters, Welch, Weybret, and Mr. Speaker—33.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 9:35 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 9:42 a m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Andreas, Bashore, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Stream, Tenney, Thorp, Thurman, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Thorp.

MOTION TO PRINT PRAYER IN JOURNAL

Upon motion of Mr. Thurman, the following prayer by the Chaplain was ordered printed in the Journal.

Prayer

Be mindful, O Lord, of all those who have preceded us with the seal of death, and grant that they may sleep the sleep of peace

Grant, O Lord, we beseech Thee, that whilst we remember our departed brothers and sisters, we may bear in mind that we are most certainly to follow them Give us grace to make ready for that last hour by a devout and holy life, and protect us against a sudden and unprovided death Teach us how to watch and pray that when Thy summons comes, we may go forth to meet the Bridegroom and enter with Him into life everlasting. Through Christ Our Lord. Amen.

Eternal rest grant unto them, O Lord And let perpetual light shine upon them. Amen

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2565—An act creating the State Highway Traffic National Defense Advisory Committee, and defining its powers and duties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1620—An act to amend School Code Section 4.700, relating to the Public School System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1010—An act to amend Section 196 of the Civil Code, relating to the support of children.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2541—An act to add Section 58.5 to the Unemployment Insurance Act, relating to the amount of benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Unemployment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 17, inclusive.

Amendment read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2325—An act to repeal Section 123 of the Vehicle Code, relating to the assignment of members of the California Highway Patrol for service outside the county of appointment

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1245 to,"

Amendment No. 2

Strike out lines 2 and 3 of the title of the printed bill, and insert "the service of members of the California Highway Patrol"

Amendment No. 3

On page 1 of the printed bill, after line 2, insert

"SEC. 2. A new section is hereby added to the Vehicle Code to be numbered 1245, and to read as follows:

1245. Meritorious Service. The Chief of the California Highway Patrol may grant recognition to members of the California Highway Patrol for heroism, outstanding performance in service, commendable service, or exceptional service, by allowing such member of the California Highway Patrol additional days of vacation with pay for a period of not less than three days nor more than 20 days in any one calendar year"

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1132—An act to amend Sections 3000, 3041, 9701 and 11121 of the Elections Code of the State of California, relating to elections, and the procedure for municipal elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 3000, 3041, 9701 and 11121", and insert "add Article 3, comprising Sections 1801 to 1806, inclusive, to Chapter 3 of Division 4".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "procedure for municipal elections", and insert "amendment of freeholders' charters".

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Article 3, comprising Sections 1801 to 1806, inclusive, is hereby added to Chapter 3 of Division 4 of the Elections Code, to read as follows:

Article 3. Freeholders' Charter Amendments

1801. This article is applicable only to amendments to freeholders' charters adopted pursuant to Section 8 of Article XI of the Constitution of this State.

1802. The procedure for amending freeholders' charters is prescribed in Section 8 of Article XI of the State Constitution.

1803. The petition signed by voters proposing an amendment to a charter shall set forth in full the text of the proposed amendment.

1804. The petition may be circulated in sections, but each section shall contain a correct copy of the text of the proposed amendment.

1805. Each signer of the petition shall sign it in the manner prescribed by Section 45 of this code.

1806. The petition shall be in substantially the following form:

PETITION FOR SUBMISSION TO ELECTORS OF PROPOSED AMENDMENT TO THE CHARTER OF THE CITY (OR CITY AND COUNTY) OF_____

To the City Council (or other legislative body) of the City (or City and County) of_____.

We, the undersigned, registered and qualified electors of the State of California, residents of the City (or City and County) of_____, pursuant to Section 8 of Article XI of the Constitution of this State, present to the City Council (or other legislative body) of the City (or City and County) this petition and request that the following proposed amendment to the charter of the City (or City and County) be submitted to the registered and qualified electors of the City (or City and

County) for their adoption or rejection at an election on a date to be determined by the City Council (or other legislative body).

The proposed charter amendment reads as follows:

First (setting forth text of amendment)-------(etc.)

(Signed)

Name of signer	Residence	Date

"

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 27, inclusive; and on page 2, strike out lines 1 to 13, inclusive.

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1621—An act to amend School Code Section 3.491, relating to the Public School System.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out the words "may hold", and insert "during 1941 may postpone".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out the first word "in", and insert "until"

Amendment No. 3

On page 1, line 6 of the printed bill, as amended, after "1942", insert "and hold such institute".

Amendment No. 4

On page 1 of the printed bill, as amended strike out all of lines 15 to 21, inclusive

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2304—An act to repeal an act entitled "An act providing for the annexation of elementary school districts to high school districts," approved May 31, 1929, to repeal Sections 2.500, 2.501 and 2.503 of, and to add Section 2.500 to, the School Code, relating to the annexation of elementary school districts to high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to repeal School Code Sections 2.506 and 2.507, relating to elementary school districts

Amendment No 2

On page 1 of the printed bill, strike out all of lines 1 to 15, inclusive, and insert "SECTION 1. School Code Sections 2.506 and 2.507 are hereby repealed."

Amendments read and adopted.

Bill ordered printed and engrossed

Assembly Bill No. 1188—An act making an appropriation for construction, improvements, and equipment at the Norwalk State Hospital

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "two hundred nine thousand dollars ($209,000) to be expended for construction.".

Amendment read and adopted

Bill ordered printed, and engrossed

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 875—An act to amend Sections 9 and 36 of the California Water Storage District Act, relating to voting in California water storage districts

Bill read second time, and ordered to third reading.

Senate Bill No. 421—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read second time, and ordered to third reading.

Senate Bill No. 559—An act to amend Section 356a of the Political Code, relating to contracts between different State agencies

Bill read second time, and ordered to third reading.

Senate Bill No. 560—An act to add Chapter 7, comprising Sections 7300 to 7310, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of an acute neuropsychiatric hospital, creating a board of trustees therefor, and providing for the powers and duties of the Department of Institutions and the Regents of the University of California in connection therewith.

Bill read second time, and ordered to third reading

Senate Bill No. 1181—An act to add Section 372.5 to the Agricultural Code, relating to reports by railroad corporations as to animals killed by trains.

Bill read second time, and ordered to third reading.

Senate Bill No. 957—An act to amend Sections 5217, 5229, 5271, 5286, 5287 and 5312 of the Business and Professions Code relating to outdoor advertising

Bill read second time, and ordered to third reading

Senate Bill No. 1031—An act to add Article 8 to Chapter 2 of Part 4 of Division 2 of the School Code and to add Section 4.375-1 to said code, relating to visual education

Bill read second time, and ordered to third reading

Senate Bill No. 874—An act to amend School Code Section 2.1428, relating to the courses of study and projects in the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 784—An act to amend School Code Section 4 670, relating to the Public School System

Bill read second time, and ordered to third reading.

Senate Bill No. 518—An act to repeal Chapter 5 of Part 1 of Division 2, and Chapter 3 of Part 2 of Division 2, of the School Code, relating to consolidated school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 395—An act to amend Section 622 of the Fish and Game Code, relating to goldfish and nonnative minnows.

Bill read second time, and ordered to third reading.

Senate Bill No. 964—An act to amend Section 688 of the Political Code and to add two new sections, to be numbered 688.1 and 688.2, to the Political Code, relating to claims and actions against the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 688 of the Political Code and to"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, both inclusive; on page 2, strike out lines 1 to 51, both inclusive; and on page 3, strike out lines 1 to 31, both inclusive.

Amendment No. 3

On page 3, line 32, of the printed bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 4 of the printed bill, following line 48, insert
"SEC. 2 Nothing in this act contained shall apply to pending litigation."

Amendments read and adopted.
Bill ordered printed, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Senate Bill No. 484

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time.

Senate Bill No. 484—An act to repeal Section 5.1 of the Retail Sales Tax Act of 1933 and Section 6381 of the Revenue and Taxation Code, both relating to exemption from retail sales taxes; to defer final assessment and determination of sales and use taxes in certain instances, and providing that this act shall take effect immediately

Referred to Committee on Revenue and Taxation.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 907—An act to amend School Code Sections 5.822, 5.854, 5.872 and 5.876, and to add Section 5.872-1 to the School Code, all relating to the California State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 907?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended, after the semicolon, insert "and provided further, that time included under this paragraph shall be considered as served in the State in which the member was last so employed before entering such forces;".

Amendment No. 2

On page 2, line 46, of the printed bill, as amended, after the semicolon, insert "provided, that retirement salaries hereafter payable to persons retired after July 1, 1937, and prior to the effective date hereof, shall be adjusted upon the request of said persons, to the provisions of this paragraph, effective on the first day of the month in which said requests are received at the office of the Retirement System in Sacramento, California;".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 907 by the following vote:

AYES—Andreas, Bashore, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Maddough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Stream, Tenney, Thorp, Thurman, Waters, Wollenberg, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 907 ordered enrolled.

Assembly Bill No. 1498—An act to amend Section 830 of, and to add Sections 830.1 and 830.2 to the Agricultural Code, relating to by-products disposal.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1498?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and to add Sections 830.1 and", and insert "to repeal Section 830.5 of, and to add Section 830.1, 830.2, 830.3, 830.4, and 830.5 to,".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "830.2 to".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 3 to 22, inclusive, and insert "830. Fruits, nuts, and vegetables, of the kinds specified in this chapter, if not wrapped or packed, are exempt from the standards established in this chapter when being transported or delivered to the destinations and for the purposes herein set forth, or when prepared, loaded, shipped, or sold under the following conditions:

(a) From a packing plant which has not proper or adequate facilities for processing, grading, packing, or reconditioning, to another packing plant within the State which has such facilities;

(b) To a by-product plant within the State for commercial processing, preserving, or manufacture of by-products for resale, provided, that dates for such purpose are not exempt from the standards established by Section 798 of this code;

(c) To a feed yard within the State for live stock feeding purposes;

(d) To a dumping ground or waste disposal plant within the State for disposal;

(e) From the orchard or field where they were produced to a packing plant within the State for first processing, grading, or packing."

Amendment No. 4

On page 2 of the printed bill, following line 40, insert

"SEC. 4. Section 830.3 is hereby added to the Agricultural Code, to read as follows:

830.3. Any commissioner may issue to any person residing in his county or maintaining a principal place of business therein a permit to transport or deliver fruits, nuts, or vegetables exempt from the standards established in this chapter, for any one or more of the purposes set forth in Section 830; but no permit shall be issued for the purpose set forth in subparagraph (a) of Section 830 unless and until the commissioner has found and determined that the packing plant from which the fruits, nuts, or vegetables are to be transported or delivered has not proper and adequate facilities for processing, grading, packing, or reconditioning the particular lot of fruits, nuts, or vegetables, and that the packing plant to which the fruits, nuts, or vegetables are to be transported has such facilities. Such permits may be issued for a period not exceeding 12 months.

No permit issued hereunder shall be valid except in the county where issued unless the permit, or a rider securely attached thereto, carries the indorsement of the commissioner of the county to which the fruits, nuts, or vegetables are to be transported or delivered.

Any commissioner may refuse to issue or to indorse a permit if in his judgment the permittee does not have available proper and adequate facilities with which to pack, process or otherwise dispose of such commodities in accordance with the provisions of this chapter and the terms of the permit. A permittee shall, upon request of any commissioner, furnish such affidavits, receipts and other evidence as such commissioner reasonably may require as proof that the commodities have been disposed of in accordance with the provisions of this chapter and the terms of the permit.

Any commissioner, after notice and hearing, may revoke or suspend any permit or indorsement issued by him, and shall refuse to issue or to indorse any permit, if the facts established at such hearing reveal that the permittee or applicant has violated any of the provisions of this chapter or the terms of any permit issued hereunder, or has failed or refused to furnish the evidence required by the commissioner as hereinabove provided.

Notice of hearing when mailed to the permittee or applicant at the address given in his application shall give the commissioner jurisdiction to act in the matter.

SEC. 5. Section 830.4 is hereby added to the Agricultural Code, to read as follows:

830.4. It is unlawful to use or dispose of any fruits, nuts, or vegetables, for which a permit has been issued, in any manner or for any purpose other than that for which such permit was issued.

SEC. 6. Section 830.5 of the Agricultural Code is hereby repealed.

SEC. 7. Section 830.5 is hereby added to the Agricultural Code, to read as follows:

830.5. It is unlawful for any person who does not hold a valid permit issued under the provisions of Section 830.3 to transport, or cause to be transported, any fruits, nuts, or vegetables, which are exempt from the standards established in this chapter, and which do not conform to such standards. No such permit is required for fruits, nuts, or vegetables, under the conditions set forth in subparagraph (e) of Section 830. Nothing herein contained shall apply to a common carrier operating over a regular route or between fixed termini and transporting any such fruits, nuts, or vegetables, in good faith and in accordance with its duties as a common carrier."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1498 by the following vote:

AYES—Andreas, Bashore, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dilis, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Houser, Frederick F., Howser, F. N. Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Stream, Tenney, Thorp, Thurman, Waters, Wollenberg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1498 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 1469

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 1469 was passed be reconsidered.

Assembly Bill No. 1469 reconsidered by the following vote:

AYES—Andreas, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Stream, Tenney, Thorp, Thurman, Waters, Welch, Wollenberg, and Mr. Speaker—52

NOES—None

ASSEMBLY BILLS NOS. 1469 AND 1470 STRICKEN FROM FILE

Mr. Lyon moved that Assembly Bills Nos. 1469 and 1470 be stricken from the file.

Motion carried unanimously.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 45, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 45

Senate Concurrent Resolution No. 45—Relative to "Home Folks Day" of the 184th Regiment at Camp San Luis Obispo.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Waters, Welch, and Mr. Speaker—51

NOES—None

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2541 FROM COMMITTEE WAIVED

Mr. Frederick F. Houser waived his notice of motion to withdraw Assembly Bill No. 2541 from the Committee on Unemployment.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 723 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Massion moved that Assembly Bill No. 723 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

Demand for Previous Question

Messrs. Robertson, Howser, F. N., Dickey, Collins, Sam L., and Poulson demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 723 be withdrawn from the Committee on Revenue and Taxation and placed on file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Massion moved a call of the Assembly.

Motion carried. Time, 10.13 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hawkins, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1861.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1861—An act to add Section 394 1 to the Military and Veterans Code, relating to enrollment and enlistment in the Military or Naval forces of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Bennett, Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Turner, Waters, Welch, and Wollenberg—48

NOES—Collins, Sam L, Dilworth, Knight, T. Fenton; Leonard, McCollister, Salsman, and Mr Speaker—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1222—An act to add Section 28 to the Unemployment Insurance Act, relating to the obligations of this State for funds received from the United States, and to provide that this act take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg and Mr. Speaker—61

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J, Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2635—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections numbered 1435, 1435.1, 1435.2, 1435.3, 1435 4, 1435 5, 1435 6, 1435.7, 1435 8, 1435 9, 1435 10 to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Cain Call, Carlson Clarke, Collins, George D., Collins Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain Hawkins Heisinger Houser, Frederick F., Howser, F N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan Stream Tenney Thorp, Thurman, Turner Waters, Watson, Wollenberg, and Mr Speaker—59

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2105—An act to add Sections 39, 39.1, 39 2, 39 3 and 39 4 to the Fish and Game Code, relating to the powers of the commission to determine and fix the sizes, seasons and bag limits for the taking of game fish, animals, birds, mollusks and crustaceans.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney Gallagher Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kepple Kilpatrick, Knight, John B, Knight, T Fenton, Leonard Lowrey Lyon, Maloney, Massion, McCollister, Meehan, Middough Miller Millington O'Day, Pelletier Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan Stream, Tenney, Thorp, Thurman, Turner, Waters, Wollenberg, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Wollenberg, and Mr. Speaker—62

NOES—Collins, Sam L, Dills, and Knight, John B—3

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Heisinger asked for unanimous consent to take up Assembly Concurrent Resolution No. 55, at this time, without reference to file.

Unanimous consent withheld.

Motion to Temporarily Suspend the Rules

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 55, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Heisinger, Johnson, Kellems, Kilpatrick, Middough, Miller, Millington, O'Day, Pelletier, Sheridan, Thurman, and Turner—27.

NOES—Allen, Andreas, Bashore, Collins, Sam L., Cooke, Dickey, Dills, Dilworth, Green, Hastain, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Poole, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Waters, Wollenberg, and Mr. Speaker—29

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2615—An act to provide for the licensing and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Wollenberg, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to add Section 4257 to the Labor Code, relating to workmen's compensation insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Wollenberg, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 488—An act to amend Section 101 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robert-

son, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Wollenberg, and Mr. Speaker—59

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2243—An act to amend Section 1640 of the Insurance Code, relating to exemptions from agents', brokers', and solicitors' qualifications.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Wollenberg, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Wollenberg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 12—Relative to discrimination in steamship service and freight rates between New York and California ports to the Panama Canal Zone.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington O'Day, Pelletier, Phillips, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's veto to

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134, 1135 and 1136 to Part 3, Division 2 of the Labor Code, relating to hot cargo and secondary boycotts.

Herewith is a copy of Governor's message relating to said bill

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, MAY 27, 1941

To the Honorable Members of the Senate
Sacramento, California

GREETINGS:

I am returning herewith, without my signature, Senate Bill No. 877, entitled: "An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134, 1135 and 1136 to Part 3, Division 2 of the Labor Code relating to hot cargo and secondary boycotts."

My objections to this bill are found in the provisions of the Constitution of the United States and of the State of California, and in my oath of office to support them.

According to my understanding of those provisions and their interpretation by the Supreme Court of the United States and the Supreme Court of this State, I could not approve this bill without violating that oath.

"Hot Cargo" declared by this bill to be unlawful is defined to mean "any combination or agreement resulting in a refusal by employees to handle goods or to perform any services for their employer because of a dispute between some other employer and his employees or a labor organization or any combination or agreement resulting in a refusal by employers to handle goods or perform any services for another employer because of an agreement between such other employer and his employees or a labor organization."

"Secondary Boycott" also declared by this bill to be unlawful is defined to mean "Any combination or agreement *to cease performing any services for any employer* or to cause any loss or injury to such employer, or to his employees, *for the purpose of inducing* or compelling *such employer to refrain* from doing business with, or handling the products of any other employer, because of a dispute between the latter and his employees or a labor organization, or any combination or agreement *to cease performing* or to cause any employer to cease performing *any services* for another employer, or to cause any loss or injury to such other employer, or to his employees, for the purpose of inducing or compelling such other employer to refrain from doing business with, or handling the products of any other employer, because of an agreement between the latter and his employees or a labor organization."

In other words, this bill declares it unlawful for employees by agreement among them to cease work for an employer if that refusal is because of a dispute between another employer and his employees, and declares it unlawful for employees to cease work for any employer for the purpose of inducing such employer to refrain from doing business with or handling the products of any other employer because of a dispute or an agreement between the latter and his employees, regardless of their interest in or what may be the effect of any such circumstance upon their rights and the rights of other employees to accomplish effective collective bargaining, and as stated by the Legislative Counsel in his report, the language of the bill defining "secondary boycott" clearly includes peaceful picketing as being unlawful unless narrowly limited to a place where there is a direct employer-employee relationship.

The Supreme Court of the United States has held such laws unconstitutional in that they violate rights guaranteed by the First and Fourteenth Amendments to the Constitution of the United States; rights which are also guaranteed by Sections 9 and 10 of Article I of the Constitution of California. The Legislative Counsel's opinion says:

> "The action of the United States Supreme Court in these two cases is persuasive to the effect that freedom of speech is not to be limited by a State's declaration of whether its purpose is lawful. It seems to be the court's view that peaceful picketing is identified with the constitutional guaranty of free speech and is to be judged according to the principles governing the exercise of that right. It can not be narrowly restricted by a State's declaration of what it deems to be the proper field for its exercise. It seems to us that in broadly outlawing secondary picketing, whether peaceful or not, Senate Bill No. 877 goes too far and is unconstitutional in that respect." (Citing *American Federation of Labor v. Swing* (1941), 61 Supreme Court 568; *Journeymen etc. v. Miller's Inc.* (1941), 61 Supreme Court 732.)

I am keenly and sympathetically aware of the feelings of individual employers who feel that instances in the operation of the secondary boycott or "hot cargo" pressure of organized employees of another employer unjustly affect and injure their own normal operations, because they are not directly parties to that other employer's dispute with his employees.

But the answer to this complaint is found in the following language of the Supreme Court of California, 100 Cal. Dec., p. 407:

> "although the respondent argues that a person secondarily boycotted is an innocent third party caught between the upper and lower millstones of an industrial dispute in which he has no interest, this is clearly not correct. One who sells a product of a merchant or manufacturer who is engaged in a labor dispute with his employees, inescapably becomes an ally of the employer. He

has a direct unity of interest with the one being struck. By providing an outlet for that product, he enables the employer to maintain the working conditions against which labor is protesting. And unless the union is allowed to follow the product to the place where it is sold and to ask the public by peaceful representations to refrain from purchasing it, the workers have no real opportunity to tell their story to those whose interest or lack of interest will, in large measure, determine the issues in dispute. (*Goldfinger* v. *Feinbach*, 276 N. Y. 281, 11 N. E. (2d) 910.)"

It is inevitable, in the maintenance of the civil liberties of our democracy involved in the economic struggle in the field of industry and commerce where workers and employers exercise their collective economic power for the attainment of what they consider to be their just rights, that incidental hardship may be suffered by individuals only indirectly involved and which they are powerless to prevent. But fundamental Constitutional rights and civil liberties which our country is now preparing to defend against the enemies of democracy can not be set aside in order to avoid those incidental hardships. The way must and undoubtedly will be found in adjustments which will necessarily evolve from the preservation of those rights.

Everyone, even the proponents of this bill, will agree that the rights of employees to unionize and to strike and to peacefully picket in the enforcement of their rights to bargain collectively are just and fundamental rights of our American system; yet this bill would destroy the effective, peaceful and orderly exercise of those rights. In fact, it goes further and denies the right of employees to quit work for any of the reasons mentioned in the bill. It says continuance at work under such circumstances is compulsory. I have not found any statute or ordinance of any State or municipality which has ever gone so far in attempts to defeat or circumscribe the rights of organized workers. This bill says to a union of workers engaged in an economic struggle with their employer to better their wages or working conditions, "You can not ask other employees to assist you in your struggle." And it says to a union of other employees, "You must continue to work on materials furnished by another plant in which that struggle exists, and you may be sent to jail if you fail to continue at work on those materials, although by so doing you will aid in destroying your own union." (254 U. S. 443.)

I believe that most Americans, without looking at any law books, would say that under our American system of government and the rights guaranteed by our Constitution, if a man does not want to work, he can not be made to do so whatever his reasons; that he can use this right to quit work for any reason he sees fit, either individually or collectively, that is, he can quit his job alone, or he can walk out with other employees of a similar mind.

So analyzed, I believe the average American will agree that no matter what the purpose, or how some people may have abused their right to quit work or to strike, you can't make a free man work in private enterprise, and that therefore such a bill as this would violate our fundamental rights of liberty and freedom from involuntary servitude.

In the case of *Thornhill* vs. *Alabama*, 60 Supreme Court Reports 736, is the final and conclusive determination by our highest court of the unconstitutionality of a bill such as this. In that case the court held as follows (pages 744-5):

"The freedom of speech and of the press guaranteed by the Constitution embraces at the least the liberty to discuss publicly and truthfully all matters of public concern without previous restraint or fear of subsequent punishment. * * *

"In the circumstances of our times the dissemination of information concerning the facts of a labor dispute must be regarded as within that area of free discussion that is guaranteed by the Constitution. *Hague* v. *C. I. O.* 307 U. S. 496, 59 S. Ct. 954, 83 L. Ed. 1423; *Schneider* v. *State*, 308, U. S. 147, 155, 162, 163, 60 S. Ct. 146, 151, 84 L. Ed. ___. See *Senn* v. *Tile Layers Union*, 301 U. S. 468, 478, 57 S. Ct. 857, 862, 81 L. Ed. 1229. It is recognized now that satisfactory hours and wages and working conditions in industry and a bargaining position which makes these possible have an importance which is not less than the interests of those in the business or industry indirectly concerned. The health of the present generation and of those as yet unborn may depend on these matters, and the practices in a single factory may have economic repercussions upon a whole region and affect widespread systems of marketing. The merest glance at State and Federal legislation on the subject demonstrates the force of the argument that labor relations are not matters of mere local or private concern. Free discussion concerning the conditions in industry and the causes of labor disputes appears to us indispensable to the effective and intelligent use of the processes of popular Government to shape the destiny of modern industrial society. The issues raised by regulations, such as are challenged here, infringing upon the right of employees effectively to inform the public of the facts of a labor dispute are part of this larger problem. We concur in the observations of Mr. Justice Brandeis, speaking for the Court in Senn's case (301 U. S. at page 478, 57 S. Ct. at page 862, 81 L. Ed. 1229): 'Members

> *of a union might, without special statutory authorization by a State, make* known the facts of a labor dispute, for freedom of speech is guaranteed by the Federal Constitution'"

In the case of *American Federation of Labor* v *Swing*, Justice Frankfurter placed even greater emphasis upon the inviolability of the right of "peaceful picketing of peaceful persuasion" in the following language, which in my opinion is determinative that this bill is unconstitutional

> "We are asked to sustain a decree which for purposes of this case asserts as the common law of a State that there can be no peaceful picketing or peaceful persuasion' in relation to any dispute between an employer and a trade union unless the employer's own employees are in controversy with him
>
> "Such a ban of free communication is inconsistent with the guarantee of freedom of speech That a State has ample power to regulate the local problems thrown up by modern industry and to preserve the peace is axiomatic But not even these essential powers are unfettered by the requirements of the Bill of Rights. The scope of the Fourteenth Amendment is not confined by the notion of a particular State regarding the wise limits of an injunction in an industrial dispute, whether those limits be defined by statute or by the judicial organ of the State. *A State can not exclude workingmen from peacefully exercising the right of free communication by drawing the circle of economic competition between employers and workers so small as to contain only an employer and those directly employed by him* The interdependence of economic interest of all engaged in the same industry has become a commonplace *American Foundries* v *Tri-City Council*, 257 U S 184 209 The right of free communication can not therefore be mutilated by denying it to workers, in a dispute with an employer, even though they are not in his employ Communication by such employees of the facts of a dispute, deemed by them to be relevant to their interests can no more be barred because of concern for the economic interests against which they are seeking to enlist public opinion than could the utterance protected in Thornhill's case 'Members of a union might, without special statutory authorization by a State, make known the facts of a labor dispute for freedom of speech is guaranteed by the Federal Constitution' *Senn* v *Tile Layers Union*, 301 U S 468, 478"

Since the United States Supreme Court handed down these and like decisions, State courts of last resort in several States have reversed their former decisions in conflict therewith

In the case of *E L Kerns Co* vs *Landaraf et al.*, decided by the New Jersey Court of Errors and Appeals on December 12, 1940, the court held that it was lawful for the union to distribute circulars and cards among customers, and prospective customers of the employer informing them that such employer's products were nonunion made

The court in that case reviewed the various decisions of the United States Supreme Court on the subject, and upheld the right of a union to compete with nonunion concerns by means of informing the public that such concerns were producing goods made by nonunion workers In that connection the court had the following to say

> 'If a merchant may freely, fairly, honestly and peacefully compete with other merchants, as is the common daily practice, by means of advertisements in the press, (or) by circulars, or by his window display' or by radio, so a union may in like manner, here by circulars, compete with nonunion concerns for customers Such competition violates no rule of common law or otherwise, nor does it trench upon any provision of either our State or Federal Constitution Cf *Senn* v *Tile Layers &c. Union* 301 U. S 468, 482, 81 L Ed 1229, 1238 (For the right generally to distribute circulars see, *Lovell* v *Griffin*, 303 U. S 444, 82 L. Ed 949, *Schneider* v *New Jersey*, 308 U S 147 (5 LRR Man 659); *McLean* v. *Mackay*, 124 N J L. 91, 10 A. 2d 733) If injury results from the stated competition it is *damnum absque injuria*.
>
> "(Free Speech and Press)
>
> 'Additionally we are of the opinion, and so hold, that, under the circumstances exhibited in the instant case, the restraint imposed constitutes an infringement of the union's right of freedom of speech and freedom of press both under our State and Federal Constitutions, notwithstanding the fact that there was no strike nor dispute between complainant and its employees For an analogy in principle compare, *Thornhill* v *Alabama* supra; *Carlson* v *Shasta County, California*, Adv Opinions, U. S Sup Ct. Vol. 84, No 13, p 668 (6 LRR 318)'

The Kentucky Court of Appeals in the recent case of *Blanford et al* v. *Press Publishing Company*, decided February 28 1941 held secondary boycott as lawful and as an exercise of constitutional right of freedom of speech and of the press.

It reviewed the recent decisions of the Supreme Court on the subject and held in effect that the U. S. Supreme Court being the final interpreter of the Federal Constitution the State court must follow its decisions. In this connection it held:

> "Since the Supreme Court is the final interpreter of the Federal Constitution, no distinction may hereafter be drawn by a state court between the acts which may be committed by employees in furtherance of their interests and those which may be committed by nonemployee members of a labor union in the furtherance of its interests. Hence, members of any labor union, so long as they refrain from acts of violence, may not be enjoined from picketing the premises of any person against whom the union has a grievance or from conducting a boycott against his business, notwithstanding the consequences to him, his accord with his own employees, or his inability to grant the demands made upon him by the union.
>
> "Since the appellants are members of bona fide labor unions and, in attempting to compel the unionization of appellee's printing establishment, did not resort to acts of violence, it is wholly immaterial that by advertisements and personal interviews in which the facts were stated and consequences intimated, they induced many of appellee's patrons to withhold their patronage. Appellants were exercising rights guaranteed to them by the Constitution and construed by the Supreme Court and lesser courts are powerless to afford appellee any relief."

The last expression of the Supreme Court of California on the subject is the case of *McKay* vs *Retail Automobile Salesmen's Union*, 100 Cal Dec 344. The Supreme Court in that case reviewed nearly all of the previous decisions of that court, pointing out that workmen may associate together and exert various forms of economic pressure upon employers. It held (at page 352) as lawful the right to strike, to boycott, primarily and secondarily, and to picket, using the following language and references:

> "Concerning the means used, it must be taken as settled in this State, that workmen may associate together and exert various forms of economic pressure upon employers, provided they act peaceably and honestly. The conventional means of exerting this economic pressure which have been held lawful are the strike (*Pierce* v *Stablemen's Union*, (1909) 156 Cal 70, *Parkinson* v *Building Trades Council*, (1908) 154 Cal 581, *So Calif Iron & Steel Co* v *Amalgamated Assn.*, (1921) 186 Cal 604, *Lisse* v *Local Union*, (1935) 2 Cal (2d) 312, the boycott, both primary and secondary (*Parkinson* v *Building Trades Council*, supra; *Pierce* v. *Stablemen's Union*, supra, *So. Calif Iron & Steel Co* v *Amalgamated Assn*, supra), and the picket (*Lisse* v *Local Union*, supra, In re Lyons, 27 Cal App 182)."

The right to picket was held by the court in that case as one guaranteed by the Constitution as an incident of freedom of speech. In that connection the court said further (page 352):

> "It is true that the early cases in the state intimated that picketing in any form was illegal (*Rosenberg* v *Retail Worker's Assn.*, 39 Cal App 67 (1918), *Pierce* v *Stablemen's Union*, supra), and that *Moore* v *Cook's Union*, 39 Cal. App 538, held that peaceful picketing was per se unlawful. However, those conclusions were expressly renounced by this court in *Lisse* v *Local Union*, supra. Indeed, the modern trend of decision clearly indicates that the right to picket peacefully and truthfully is one of organized labor's lawful means of advertising its grievances to the public, and as such is guaranteed by the Constitution as an incident of freedom of speech. (*Carlson* v *California* 84 L Ed 668 (1940), *Thornhill* v *Alabama* 84 L Ed 659 (1940), In re Lyons, supra (1938), *People* v *Harris*, 91 Pac (2d) 989 (Colo 1939), 48 Yale L J 308, 312 (1938).) But the law clearly requires that concerted action by union workers be peaceful. Acts of violence or 'acts amounting to physical intimidation' will be enjoined. (*Goldberg etc Co* v *Stablemen's Union* 149 Cal 429 (1906); *So Calif Iron & Steel Co* v *Amalgamated Assn* supra; *Lisse* v *Local Union*, supra)."

In the case of In re Lyons, 27 Cal App (2d) 293, the first expression was made by our appellate court that the right to picket was a constitutional right that could be exercised not only by employees but by anyone else. In that case the right of citizens to picket the market because it would not close on Sundays was upheld. The court upheld this universal right of picketing in the following language:

> "We can not see how the right to peacefully picket, under the guaranty of free speech, could be confined to cases in which there exists a dispute between an employer and organized labor over hours or conditions of employment of nonunion men and not extended to a dispute between a business man and any citizen or group of citizens who may differ with him on a question of business policy. The guaranty of the right of free speech is general and extends to every class or group of citizens."

The right of boycott and picketing, being a constitutional right, can not be enjoined by any legislative enactment

It should be pointed out that this attempt to restrict this fundamental constitutional right is only limited to the activities of workers and labor organizations, or persons who would assist them. As such, it is class legislation. The bill makes it unlawful for an employee to refuse to handle goods because of a dispute between another employer and his employees, or a labor organization. That same employee would have the right to refuse to handle goods because it was produced by slave labor, child labor, or under any other circumstance which that person thought in the light of his reasoning and his conscience was wrong, and as such, to be discouraged.

The bill makes it unlawful for a person to bring economic pressure on an employer in an effort to induce such employer to refrain from doing business with, or handling the products of any other employer because of a dispute between the latter and his employees, but would permit any group of citizens to exercise the same economic coercion on that employer because he sells Japanese goods.

The proponents of the bill seem oblivious to the fact that there is a unity of interest among all workers. This fact was recognized by Justice Taft years ago in the case of *American Foundries* vs. *Tri-City Central Trades Council*, 257 U. S. Supreme Court Reports (at p. 209), in the following language:

> "Labor unions are recognized by the Clayton Act as legal when instituted for mutual help and lawfully carrying out their legitimate objects. They have long been thus recognized by the courts. They were organized out of the necessities of the situation. A single employee was helpless in dealing with an employer. He was dependent ordinarily on his daily wage for the maintenance of himself and family. If the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and to resist *arbitrary and unfair treatment*. Union was essential to give laborers opportunity to deal on equality with their employer. They united to exert influence upon him and to leave him in a body, in order, by this inconvenience, to induce him to make better terms with them. They were withholding their labor of economic value to make him pay what they thought it was worth. The right to combine for such a lawful purpose has, in many years not been denied by any court. The strike became a lawful economic struggle or competition between employer and employees as to the share or division between them of the joint product of labor and capital. To render this combination at all effective, employees must make their combination extend beyond one shop. It is helpful to have as many as may be in the same trade in the same community united, because, in the competition between employers, they are bound to be affected by the standard of wages of their trade in the neighborhood. Therefore, they may use all lawful propaganda to enlarge their membership, and especially among those whose labor at lower wages will injure their whole guild."

They overlooked the fact that the standard of wages and working conditions prevailing in one plant, or locality, may be seriously jeopardized by the payment of lower wages by another employer, and especially is this true if it is in the same industry. Workers receiving fair wages from employers who want to maintain the American standards of living are duty-bound to protect themselves and that employer from the unfair competition from other chiseling and cut-throat competitors, by means of boycott and picketing.

To hold otherwise and to compel a worker, or an employer from exercising his fundamental right to purchase or work on any material which they feel would seriously jeopardize the employer's business, and the standards of wages and working conditions established in his business, would be to compel such employer and his employees to destroy themselves.

However, the proponents of this bill do seem to realize the force of the foregoing objections as evidenced by its provision, inserted by way of amendment, that it is to remain in effect only during the defense emergency.

If constitutional guarantees are to be set aside for the safety of the Nation in war or in any of the conditions of National emergency, it is not for the Legislature of any one State to do so. That is the function of the Congress of the United States, in the exercise of its power to provide for the common defense, or of the President under powers delegated to him by Congress. Nor should any temporary suspension of constitutional rights be confined to workers in private industries, whether they be National defense industries or all other industries to which this bill would apply. No such action was taken even by the National Government in the first World War. It was not considered expedient to do so. President Wilson, in 1917, said:

> "The highest and best form of efficiency is the spontaneous cooperation of free people."

The leaders, legislative and executive, of this Nation in 1917, when it was engaged in the first World War, agreed that the rights of labor should be preserved

and protected, not only because of the dictates of human decency but because high efficiency in industrial production can be secured in no other way.

Exigencies for National safety in time of war may require the conscription of both capital and labor, but it is not for the Legislature of any one State to do so as to either, but that is not the motive behind this bill. It is, in its essence, the same measure as Proposition No. 1, placed by certain employing interests on the 1938 ballot of California's general election in November of that year, and which the people overwhelmingly defeated.

As to the needs for any constitutional legislation to protect defense industries and maintain peaceful industrial relations in our State, we now have ample laws against violence or disorderly conduct, laws for the protection of the rights of persons and property. They should be thoroughly and unrelentingly enforced, whether against members of labor unions or other groups.

I signed Senate Bill No. 180, known as the "Anti-Sabotage Bill" which provides that whoever intentionally and maliciously destroys, impairs, injures, interferes or tampers with real or personal property with reasonable grounds to believe that such act will hinder, delay or interfere with the preparation of the United States for defense or for war, shall be guilty of a felony. That bill provided, and it is now the law, that portions of public highways could be closed to public use if the property abutting thereon is used in the manufacture of products to be used in National defense, if the Highway Commissioner decided that the public safety, the safety of the property so required; and I believe that these provisions will go a long way toward preventing any picketing designed to impede the National defense. One must also remember that picketing in any case to be lawful must be peaceful, and that if the picketing is carried on with force or violence or in any way in an unlawful manner, it is the duty of the law enforcement officers and the courts under the present law to prevent such picketing from going beyond the lawful limits. Too often, the public mind is given the picture of lawful picketing as embracing the right to obstruct highways, to waylay workers, to barricade entrances to plants and like forcible and unlawful measures, but the fact of the matter is that such acts are at present unlawful and may be restrained and prevented under the present law.

Peaceful industrial relations are desired by all loyal and right thinking citizens. But this can not be accomplished by class legislation, such as this bill, which would deprive organized groups of workers of their fundamental economic and constitutional rights.

If this bill were to go on our Statute books, operations under it would, in my humble judgment, foment unprecedented industrial strife in our State, interrupting beyond any previous experience the normal course of industry and commerce. I fear that injunctions issued under it would be disrespected by organized workers affected as unconstitutional and discriminating, and dislocations in industrial relations would be greatly increased.

It would delay the complete realization of the fundamental rights of employees and the responsibilities which go with these rights. Our need is for better understanding between employers and employees of their rights and responsibilities, and closer cooperation for the betterment of both and for service to the public; mediation and conciliation services, instead of laws like this bill, which would only agitate and arouse bitterness and antagonism between labor and management.

I am thoroughly aware of the urgency which faces California labor, industry and agriculture in fulfilling their commitments and their patriotic duties in the National Defense Program.

Lockouts and strikes, particularly in the defense industries, seriously conflict with the National purpose to rapidly and adequately turn out defense armaments. The security of the nation can not and should not be jeopardized by the exercise of these economic weapons, and the citizens of California can not be expected at this juncture in the Nation's affairs, to look with favor upon stoppages in defense preparedness work over disputes between labor and management.

The President has called for National unity. He has asked labor and management in defense industries to accept the recommendations of the National Board of Conciliation in the settlement of their differences and to keep all work going. It is my conviction that California management and labor will respond patriotically to that duty, and I shall continue my efforts to make that response complete throughout the State.

Respectfully submitted

CULBERT L. OLSON, Governor of California

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Senate Bill No. 877 be made a special order of business for Monday, June 2, 1941, at 2 p.m.

Substitute Motion

Mr Robertson moved, as a substitute motion, that Senate Bill No 877 be made a special order of business for Thursday, June 5, 1941, at 2 p.m.

The roll was called, and the substitute motion lost by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Evans, Gaffney, Gallagher, Hawkins, Kilpatrick, Lowrey, Maloney, Masson, McCollister, O'Day, Pelletier, Poulson, Richie, Robertson, Russell, Sheridan, Tenney, Turner, and Welch—27

NOES—Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Meehan, Middough, Miller, Millington, Phillips, Salsman, Stream, Thorp, Thurman, Watson, and Mr. Speaker—34

The question being on the motion that Senate Bill No. 877 be made a special order of business for Monday, June 2, 1941, at 2 p.m

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Welch, and Mr. Speaker—54.

NOES—Cain, Collins, George D., Crowley, Evans, Gaffney, Kilpatrick, Richie, Robertson, Tenney, and Waters—10

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 17 FROM COMMITTEE

Mr. Kilpatrick gave notice that on second legislative day, he would move to withdraw Assembly Constitutional Amendment No. 17 from the Committee on Constitutional Amendments, and have it placed upon the file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 571—An act to amend Section 4251 of the Labor Code, relating to workmen's compensation.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bashore Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Evans, Gaffney, Gallagher Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Waters, Weber, Welch, Wollenberg, and Mr. Speaker—49.

NOES—Clarke, Crowley, Donnelly, Heisinger, Knight, T. Fenton, Lowrey Robertson, Stream, and Watson—9.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Johnson, ordered printed in the Journal:

Logan's Memorial Day Order

General Order No. 11—Headquarters Grand Army of the Republic, Washington, D. C., May 5, 1868

I The thirtieth day of May, 1868, is designed for the purpose of strewing with flowers or otherwise decorating the graves of Comrades who died in defense of their Country during the late rebellion, and those bodies now lie in almost every city, village, and hamlet churchyard in the land. In this observance no form or ceremony is prescribed, but Posts and Comrades will in their own way arrange such fitting services and testimonials of respect as circumstances may permit.

We are organized, Comrades, as our regulations tell us, for the purpose among other things, "of preserving and strengthening those kind fraternal feelings which have bound together the Soldiers, Sailors, and Marines, who united to suppress the late rebellion." What can aid more to assure this result than by cherishing tenderly the memory of our heroic dead, who made their breasts a barricade between our Country and its foes? Their soldier lives were the reveille of freedom to a race in chains and their deaths a tattoo of rebellious tyranny in arms. We should guard their graves with sacred vigilance. All that the consecrated wealth and taste of the Nation can add to their adornment and security is but a fitting tribute to the memory of her slain defenders. Let no wanton foot tread rudely on such hallowed ground. Let pleasant paths invite the coming and going of reverent visitors and fond mourners. Let no vandalism of avarice or neglect, no ravages of time, testify to the present or to the coming generation that we have forgotten as a people the cost of a tree and undivided republic.

If other eyes grow dull and other hands slack, and other hearts cold in the solemn trust, ours shall keep it well as long as the light and warmth of life remains to us.

Let us, then, at the time appointed, gather around their sacred remains and garland the passionless mounds above them with the choicest flowers of springtime; let us raise above them the Dear Old Flag they saved from dishonor; let us in this solemn presence renew our pledges to aid and assist those whom they have left among us a sacred charge upon the Nation's gratitude—the Soldier's, Sailor's, widow and orphan.

II It is the purpose of the Commander in Chief to inaugurate this observance with the hope that it will be kept up from year to year, while a survivor of the war remains to honor the memory of his departed Comrades. He earnestly desires the public press to call attention to this order, and lend its friendly aid in bringing it to the notice of Comrades in all parts of the Country in time for the simultaneous compliance therewith.

III. Department Commanders will use every effort to make this order effective.

By Command of

JOHN A. LOGAN, Commander in Chief

N. P. CHIPMAN, Adjutant General

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1336—An act to amend Section 92 of the Civil Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Dickey, Dills, Doyle, Hastain, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Masson, McCollister, Muddough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—41.

NOES—Andreas, Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Maloney, Meehan, O'Day, Sheridan, Stream, and Welch—22

Bill ordered transmitted to the Senate.

Assembly Bill No. 2643—An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—49.

NOES—Bashore, Bennett, Burkhalter, Carlson, Dills, Dilworth, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton; Massion, Pelletier, Poole, and Waters—15

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 723 FROM COMMITTEE

At 11.22 a.m., on motion of Mr. Massion, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 723 withdrawn from the Committee on Revenue and Taxation and placed on file by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—45.

NOES—Cain, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dilworth, Hastain, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Phillips, Stream, Wollenberg, and Mr. Speaker—23.

Assembly Bill No. 723 ordered to third reading.

TEMPORARY LEAVE OF ABSENCE

Mr. Weber was granted a temporary leave of absence to attend a meeting of the Senate Committee on Local Government.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1045—An act to amend Section 690.24 of the Code of Civil Procedure, relating to property exempt from attachment and execution.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Green, Dickey, Waters and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1045.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 999

In compliance with a notice given on a previous day, Messrs Heisinger and Collins, George D., moved that the vote whereby Assembly Bill No 999 was passed be reconsidered

Demand for Previous Question

Messrs. Lyon, Johnson, Green, McCollister and Thorpe demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 999

The roll was called, and Assembly Bill No. 999 refused reconsideration by the following vote:

AYES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, Turner, and Welch—34.

NOES—Allen, Andreas, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Dickey, Dilworth, Green, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—36.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1045

At 12.01 p m., on motion of Mr. Turner further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1045 refused passage by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Collins, George D., Cooke, Crowley, Desmond, Dills, Dilworth, Evans, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Maloney, Massion, Meehan, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Tenney, Thorp, Turner, and Weber—32.

NOES—Andreas, Bennett, Cain, Carlson, Clarke, Collins, Sam L., Cronin, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Green, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Middough, Millington, O'Day, Phillips, Potter, Poulson, Stream, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 1045

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1045 was this day refused passage.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1581 WAIVED

Mr Carlson waived his notice of motion to reconsider the vote whereby Assembly Bill No 1581 was passed.

Reconsideration of Assembly Bill No. 1581

In compliance with a notice given, Mr Robertson moved that the vote whereby Assembly Bill No. 1581 was passed be reconsidered.

Assembly Bill No. 1581 reconsidered by the following vote:

AYES—Allen, Andreas, Bennett, Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Potter, Poulson, Robertson, Russell, Sheridan, Thorp, Waters, Watson, Weber, Welch, and Wollenberg—43

NOES—Burkhalter, Burns, Michael J., Dilworth, Field, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lyon, Middough, Miller, Millington, Phillips, Poole, Richie, Salsman, Stream, Tenney, Thurman, and Mr Speaker—22.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 151—An act to add Sections 556.1, 556.2 and 556.3 to the Military and Veterans Code, all relating to the organization of the State Guard, and making an appropriation therefor.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 151:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 151

"An act to add Section 556.1 to the Military and Veterans Code, relating to the organization of the State Guard, making an appropriation therefor, declaring the urgency hereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 151 as an emergency measure

Respectfully submitted

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier Phillips, Poole Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr Speaker—68.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton

Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turnet, Waters, Watson, Weber, Welch, Wollenberg, and Mr Speaker—68.

NOES —None.

Bill ordered transmitted to the Senate

SENATE BILL NO. 1339 WITHDRAWN FROM COMMITTEE BY UNANIMOUS CONSENT

Mr Kepple asked for, and was granted, unanimous consent to withdraw Senate Bill No 1339 from the Committee on Municipal Corporations for the purpose of amendment.

Consideration of Senate Bill No. 1339

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter, to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to declare the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr Kepple moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, after "property", insert ", including public property and resources,".

Amendment No. 2

In line 20 of the title of the printed bill, after "act", insert "; to provide for the transfer of the property of the district to the county in which said district is situated and to authorize the county to use such property and to provide for fire protection;".

Amendment No. 3

On page 5, line 2, of the printed bill, strike out "1942", and insert "1941".

Amendment No. 4

On page 5, line 41, of the printed bill, strike out "1942", and insert "1941".

Amendment No. 5

On page 7 of the printed bill, strike out lines 20 to 51, inclusive, and on page 8, strike out lines 1 and 2, and insert

"SEC 8 Said district shall be dissolved and shall terminate and cease to exist without further act, vote or decision upon the part of any person, at 12 o'clock, midnight at the end of the thirtieth day of June, 1941 Upon the dissolution of the district all of its assets and properties of whatsoever kind or character, including equipment, bank accounts, funds, land titles, easements, leaseholds and contracts,

shall vest in and become the property of the County of Marin and shall be subject to the management, disposition, replacement and control of the board of supervisors and other officers of said county, as in the case of other properties of said county."

Amendment No. 6

On page 9 of the printed bill, between lines 9 and 10, insert

"If, notwithstanding the foregoing provisions of this section, any right of action shall exist in any person, to attack or question the acts or purported acts of the de jure or de facto officers of said districts, which acts have heretofore or shall hereafter occur prior to the hour of dissolution specified in this act, then such right must be asserted by the commencement of an action thereon within six months from the said thirtieth day of June, 1941."

Amendment No. 7

On page 9 of the printed bill, strike out lines 40 to 51, inclusive; and on page 10, strike out lines 1 to 15, inclusive, and insert

"SEC. 18. Nothing in this act nor in any other provision of law, including Section 4041.6 of the Political Code, shall be construed to limit the powers of the county in relation to general fire protection therein and the county shall have power after the date of dissolution of such district to provide such fire protection as in the opinion of its board of supervisors shall be proper and adequate and shall have power to provide in the general budget and tax rate to be levied in such county, for the levy, collection and expenditure of such tax and other funds as in its opinion shall be necessary, proper, or adequate to provide fire protection for persons and property, game, and other resources therein.

SEC. 19. It is hereby found and determined that no general law exists under which Tamalpais Forest Fire District can be or could be or could have heretofore been organized in a manner or with the powers required, and that a special law for the creation of said district has at all times since the effective date of Chapter 560 of the Statutes of 1917, been required, for each of the following reasons: First: Said district as hereinabove bounded has and at all of said times has had large numbers and resources of fish and game which have been imperiled and are now imperiled by fire hazards; that said district abounds in quail, deer, trout which are now and long have been specially protected by a game refuge established by law; that the creation of said district for the protection of these resources has at times been necessary whether or not the district was required for the protection of persons or property. Second: Said district is now required for the purpose of marshaling the assets and affairs of the formerly existing district and conducting the affairs thereof until the County of Marin has reorganized its facilities and prepared to take over the duties of the district; Third. There is no general law which provides the means for speedy enough action to afford fire protection from the dangers of the immediate future. Fourth. There is no general law under which fire protection can be gained during the immediate future for the purpose of National defense."

Amendment No. 8

On page 10, line 16, of the printed bill, strike out "22", and insert "20".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Welch, and Mr. Speaker—63.

NOES—None.

Bill ordered reprinted, and to third reading.

LEAVES OF ABSENCE

On motion of Mr. Pfaff, the following members of the Second Committee on Conference concerning Assembly Bill No. 1800 were excused from Assembly attendance, and their names added to the morning roll call:

Messrs. Pfaff, Burns, Hugh M., and Weybret.

Speaker Pro Tempore Presiding

At 12 40 p.m., Hon Earl D Desmond, Speaker pro tempore of the Assembly, presiding

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 393—An act to amend Section 5 of The Personal Income Tax Act of 1935, relating to rates of taxation.

Bill read third time.

Demand for Previous Question

Messrs. Collins, Sam L, Tenney, Allen, Evans and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 393.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M, Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dills, Doyle, Field, Gallagher, Green, Hastain, Hawkins, Howser, F N, Johnson, Kellems, Kepple, Knight, John B Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—51.

NOES—Bashore, Bennett, Burkhalter, Cassidy, Collins, George D, Del Mutolo, Donnelly, Gaffney, Heisinger, Kilpatrick, King, Lowrey, Masson, Middough, O'Day, Richie, and Welch—17.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 55—Relative to the creation of a Joint Committee on State and County Highways.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Kilpatrick, Lowrey, Lyon, Maloney, Masson, Meehan, O'Day, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, and Wollenberg—45

NOES—Allen, Carlson, Collins, Sam L, Crowley, Donnelly, Howser, F. N., Johnson, Kepple, Middough, Millington, and Potter—11.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 25—Relative to proposed merit system for county welfare activities.

Resolution read.

Demand for Previous Question

Messrs. Allen, Collins, Sam L, Turner, Dilworth and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Joint Resolution No. 25.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J, Carlson, Cassidy, Clarke, Collins, Sam L, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly,

Doyle, Field, Gallagher, Green, Hastain, Heisinger, Howser, F N, Johnson, Kellems, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—51.

NOES—Burkhalter, Collins, George D., Cooke, Evans, Gaffney, Kilpatrick, King, Knight, T Fenton; Massion, Pelletier, and Richie—11.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1004—An act to amend Sections 6 and 9 of, and to add Section 18 to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof, to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to the regulation of collection agencies, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F N, Johnson, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—54.

NOES—None

The roll was called, and the bill passed by the following vote

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F N, Johnson, King, Knight, T Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Salsman, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—54

NOES—None.

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolutions were offered:

By Miss Miller and Messrs. Poulson, Kepple, Lyon, Houser, Frederick F, Stream, Knight, T. Fenton; Watson, Collins, Sam L., Waters, Dilworth, Carlson, Johnson, Potter and Maloney:

House Resolution No. 234

WHEREAS, Mrs. Louisa Flint Kellems, M. A., California and Oregon pioneer and mother of our distinguished colleague, Dr. Jesse Randolph Kellems, is now in her seventieth year, and completing 42 years as student counselor, teacher and professor in Northwest Christian College at Eugene, Oregon, and

WHEREAS, During her life she has reared a family of six sons and one daughter, two of whom are distinguished ministers and three successful engineers, and

WHEREAS, During her long and brilliant career she has helped to train hundreds of ministers, missionaries and Christian workers who throughout the world today reverently call her "Mother"; and

WHEREAS, On the third day of June, 1941, she is to retire from active service and in recognition of her scholarly attainments, her long self-sacrificing service and her beautiful Christian character is to have conferred upon her by Northwest Christian College the degree of Doctor of Divinity; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Assembly warmly congratulate Mrs. Kellems upon her splendid career and the high

honor which she is to receive and expresses its wish that she may have yet many more happy years to enjoy the fruits of her labors in the bosom of her devoted family, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare a suitably engrossed copy of this resolution and deliver the same to Mrs. Louisa Flint Kellems.

Request for Unanimous Consent

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 234, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Green, Cooke, Collins, George D., Gallagher, Cronin, Wollenberg, Welch and Maloney:

House Resolution No. 235

WHEREAS, Andrew A. Crist, Assistant Sergeant-at-Arms of the Assembly, better known as "Andy" is celebrating his forty-sixth birthday on this Memorial Day; and

WHEREAS, Andy performs his duties as Assembly attache with a beaming countenance, happy smile, and courtesy to all; now, therefore, be it

Resolved by the Assembly of the State of California, That it extends to Andrew A. Crist best wishes for a happy birthday, and every hope for many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the Assembly shall deliver to Andrew A. Crist an engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Green asked for, and was granted, unanimous consent to take up House Resolution No. 235, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Bashore:

House Resolution No. 236

WHEREAS, In the year 1942 will fall the four hundredth anniversary of the landing of Juan Rodriguez Cabrillo on the soil of California; and

WHEREAS, Preparations are being made in various sections of this State for a fitting commemoration of this historically important event; and

WHEREAS, The Legislature of California has declared that such commemoration is highly appropriate; now, therefore, be it

Resolved by the Assembly of the State of California, That it is the sense of this House that the Fifth of May Parade (El Cinco de Mayo Parade) in Pomona in the year 1942, depicting the various stages of the settlement and development of this State, shall be recognized as the official opening of the California celebration of Juan Rodriguez Cabrillo Year.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 236, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 227—An act to add Division 7, consisting of Chapter 1, Sections 1500 to 1561, inclusive, to the Military and Veterans Code, relating to the establishment and organization of a California State Council of Defense to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, safety, and welfare, for the protection of individual rights and consumer interests and for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a

program of State and local government participation in the National Defense Program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by members of the Legislature, and providing an appropriation for the purposes of the chapter

Bill read third time

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No 227:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 28, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS.

SENATE BILL No. 227

"An act to add Division 7, consisting of Chapter 1, Sections 1500 to 1561, inclusive, to the Military and Veterans Code, relating to the establishment and organization of a California State Council of Defense, to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, safety, and welfare, for the protection of individual rights and consumer interests and for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the National Defense Program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by Members of the Legislature, and providing an appropriation for the purposes of the chapter,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 227 as an emergency measure

Respectfully submitted.

GILBERT L OLSON, Governor of California

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—56.

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 56: By Messrs Allen and

Crowley—Relative to reports of the 1940 and 1941 Annual Conventions of the Military Order of the Purple Heart.

Request for Unanimous Consent

Mr. Allen asked for unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to committee, print or file, and that the same be considered engrossed.

Mr. Waters withheld unanimous consent.

Assembly Concurrent Resolution No. 56 referred to Committee on Rules.

Assembly Concurrent Resolution No. 57: By Messrs. Allen and Crowley—Relative to the reports of the Annual Conventions of the Disabled American Veterans of the World War of the Department of California, and the Department Encampment of the Grand Army of the Republic.

Request for Unanimous Consent

Mr Allen asked for unanimous consent to take up Assembly Concurrent Resolution No 57, at this time, without reference to committee, print or file, and that the same be considered engrossed

Mr. Waters withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Allen moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 57, at this time, without reference to committee, file, or print, and the same be considered engrossed

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hastain, Heisinger, Kellems, King, Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Stream, Thorp, Thurman, Watson, Weber, Welch, and Mr. Speaker—40

NOES—Del Mutolo, Poulson, Richie, and Waters—4

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 57

Assembly Concurrent Resolution No. 57—Relative to the reports of the Annual Conventions of the Disabled American Veterans of the World War of the Department of California, and the Department Encampment of the Grand Army of the Republic

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Stream, Thorp, Thurman, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Phillips (by request):

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 35, 2574, 2576, 2605, 2628, 2670, 2702, 2705, 2750, 3880, 7966, 7970, 7971, 8137, 8138 and 8721 of, to repeal Sections 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811, 2812, 2813, 2814 and 2815 of, and to add Article 11, consisting of Sections 2450 to 2461, inclusive, to Chapter 1 of Division 5, and Sections 2671.5, 2701.5, 2746.5, 2798, 2799, 2811, 2812, 2812.5, 2813, 2813.5, 2814, 2814.5, 2815, 2822.5, 2829.5, 2845.5, 2848, 3870.5, 3877.5, 3879.5, 3925.5, 3933.5 and 4533.5 to, the Elections Code, relating to primary elections and party committees.

Respectfully submitted.

JAMES PHILLIPS

Request referred to Committee on Introduction of Bills

By Mr. Cain:

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Respectfully submitted

JOHN EDWARD CAIN

Request referred to Committee on Introduction of Bills.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Dilworth, ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 29, 1941

Honorable Arthur W. Carlson, Assembly Chamber
State Capitol, Sacramento, California

SUBJECT: A. B. No. 1581, as amended May 24, 1941
REQUEST. No. 3851

DEAR MR. CARLSON: This is in response to your inquiry concerning the effect of Assembly Bill No. 1581, as amended May 24, 1941, with particular emphasis on the effect it might have on the filing of income tax returns.

The bill gives a wife the management, control and disposition of (1) money earned by her and (2) money damages received by her for personal injuries suffered by her, while the money is kept on deposit in her name and until it is converted by her into other property or commingled with other community property.

The bill further provides that during the time such money is under the wife's management, control and disposition, she can not give it away or dispose of it without a valuable consideration, except with the written consent of her husband.

The bill does nothing more than vest in the wife a control over a particular kind of community property which at the present time is vested in the husband. It does not change the community character of the property.

We fail to find anything in the bill which might in any wise affect the filing of joint or separate income tax returns.

In this latter connection, it might be noted that money received by way of damages for personal injuries is exempt from taxation under both the Federal and the State income tax laws (Internal Revenue Code, Sec. 22 (b) (5); Personal Income Tax Act, Sec. 7 (b) (4)).

Very truly yours,

FRED B. WOOD, Legislative Counsel
By J. GOULD, Assistant Counsel

Copy to Assemblyman Dilworth, pursuant to Joint Rule No. 37.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Allen moved to expunge the record and rescind the action whereby Assembly Concurrent Resolution No. 56 was referred to Committee on Rules.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—56.
NOES—None

Motion to Temporarily Suspend the Rules

Mr. Allen moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 56, at this time, without reference to committee, print or file, and that the same be considered engrossed

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—56
NOES—Waters—1.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

Assembly Concurrent Resolution No. 56—Relative to reports of the 1940 and 1941 annual conventions of the Military Order of the Purple Heart.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—55
NOES—None

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 131—An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of

the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided.

Bill read third time.

Motion to Amend

Mr. Watson moved the adoption of the following amendments:

Amendment No. 1

Strike out all of the title of the printed bill, as amended, and insert

"An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided"

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 42 to 51, inclusive; and strike out all of pages 4 and 5, and insert

"SECTION 1. That portions of the lands heretofore granted to the County of Orange by *an act entitled "An act granting certain tidelands and submerged lands* of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, have been heretofore improved by adapting the same to use for navigation in connection with the plan heretofore adopted and established for the improvement and development of Newport Bay in said County of Orange as a harbor, and that in so adapting said lands to said use portions thereof which lie between the line of mean high tide and the bulkhead or other harbor or channel lines established by the United States Government have been filled and reclaimed, and that such portions of said lands as have been so filled and reclaimed are thereby excluded from the public channels and are no longer available or useful or susceptible of being used for navigation, commerce, and fishing, and are no longer in fact tidelands or submerged lands; and that the said portions of said lands which have been heretofore and which are now so improved, filled, and reclaimed are hereby declared to be free from the public use and trust for navigation, commerce, and fishery.

SEC. 2. That in connection with and in aid of the further improvement and development of the said Newport Bay as a harbor, portions of the said lands heretofore granted to the said county or the said city may be hereafter improved by adapting the same to use for navigation, and that in so adapting said lands to said use portions thereof which lie between the line of mean high tide and the bulkhead or other harbor or channel lines as may be established by the United States Government may be hereafter filled and reclaimed, and portions of said lands so improved, filled and reclaimed will be thereby excluded from the public channels and will no longer be available or useful or susceptible of being used for navigation, commerce, and fishing, and will no longer in fact be tidelands or submerged lands; and that such portions of said lands as shall be hereafter so improved, filled, and reclaimed by or in connection with the further improvement and development of said Newport Bay as a harbor shall, when so improved, filled, and reclaimed,

be deemed free from the public use and trust for navigation, commerce and fishery.

SEC. 3. That any and all of said portions of said lands hereinbefore referred to, which have been or which shall hereafter be improved, filled, and reclaimed, as hereinbefore provided, if and when so improved, filled, and reclaimed, may be irrevocably alienated and conveyed free of the public uses and trusts in said acts, by the said County of Orange or said City of Newport Beach to the owner or respective owners of the uplands lying contiguous thereto in exchange for lands of such owner or owners necessary or desirable for the improvement, development and conduct of said harbor on such terms as may be deemed by the legislative body of said county or said city to the public interest.

SEC. 4. That any and all of said portions of said lands hereinbefore referred to which have been or which shall hereafter be improved, filled, and reclaimed, as hereinbefore provided, if and when so improved, filled, and reclaimed, may be otherwise sold and conveyed free of the public uses and trusts in said acts on such terms as may be deemed by the legislative body of said county or said city to the public interest. No such sale and conveyance shall be made under this section unless a notice of intention of the board of supervisors of said county or of the council of said city to make such sale and conveyance, describing the property to be sold and conveyed, the price to be paid therefor, to whom it is proposed to sell and convey, and fixing the time when the board or council will meet to consummate such sale and conveyance has been published for at least three weeks in some newspaper of general circulation published in said county or city, a copy thereof has been posted for at least three weeks in a conspicuous place on the lands proposed to be sold and conveyed, and a copy thereof has been mailed to the owner or owners of land lying contiguous to the lands proposed to be sold and conveyed at the address or addresses of such owner or owners as shown on the assessment rolls of said County of Orange. At the time and place specified in such notice, such lands may be sold and conveyed to the person named in such notice unless a higher bid accompanied by the full consideration offered for such lands is received, in which event the same shall be sold and conveyed to the highest bidder.

SEC. 5. Any sums of money paid to the said county or the said city in connection with the alienation and conveyance of any portion or portions of the lands hereinbefore referred to, shall be deposited in the treasury of the said county or the said city in a special harbor fund, and shall be used by said county or said city for the improvement, development and conduct of said harbor exclusively, and for no other purpose."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—56.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 226—An act to amend Sections 92 and 146 of, and to add Section 108 to, the Civil Code, relating to divorce actions.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 3 and 4; and in line 5, strike out "ness and Professional Code," and insert "least three continuous years immediately preceding the filing of the action and upon the testimony of a member of the medical staff of said institution".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond,

Dills, Dilworth, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch Wollenberg, and Mr Speaker—56.

NOES—None.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1570—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases

Bill read third time.

Motion to Amend

Mr. Frederick F. Houser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "within one year from"; strike out line 4; and in line 5, strike out "obtained a", and insert "at all times such person holds an unexpired"

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, after "disease", insert "such certificate shall be issued as provided in this section and shall expire and have no further force and effect for the purposes of this act after one year from the date of issuance."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO CARRY SENATE BILL NO. 226 ON UNFINISHED BUSINESS FILE

Mr. Crowley moved that the amendment to Senate Bill No 226 be carried on the unfinished business file.

Mr Johnson seconded the motion

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Stream, Thorp, Thurman, Waters, Watson, Welch, Wollenberg and Mr Speaker—53.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 384—An act to amend Section 697.5 of the Fish and Game Code, relating to striped bass.

Bill read third time.

Motion to Amend

Mr. Thurman moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "697.5", and insert "659".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "striped bass", and insert "salmon".

Amendment No. 3

On page 1, line 1 of the printed bill, strike out "697 5", and insert "659".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert

"659. In Districts 12B, 12C, *and* 13, salmon may be taken with hook and line[,] at any time. [There is no] *The* bag limit *is two per day for salmon so taken.*"

Amendments read and adopted

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cain:

An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced and read the first time

Assembly Bill No. 2652: By Mr. Cain—An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Referred to Committee on Public Health and Quarantine

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Phillips (By request):

An act to amend Sections 35, 2574, 2576, 2605, 2628, 2670, 2702, 2705, 2750, 3880, 7966, 7970, 7971, 8137, 8138 and 8721 of, to repeal Sections 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811, 2812, 2813, 2814, and 2815 of, and to add Article 11, consisting of Sections 2450 to 2461, inclusive, to Chapter 1 of Division 5, and Sections 2671.5, 2701.5, 2746.5, 2798, 2799, 2811, 2812, 2812.5,

2813, 2813.5, 2814, 2814.5, 2815, 2822.5, 2829.5, 2845.5, 2848, 3870.5, 3877.5, 3879.5, 3925.5, 3933.5, and 4533.5 to, the Elections Code, relating to primary elections and party committees

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2653: By Mr. Phillips (By request)—An act to amend Sections 35, 2574, 2576, 2605, 2628, 2670, 2702, 2705, 2750, 3880, 7966, 7970, 7971, 8137, 8138 and 8721 of, to repeal Sections 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811, 2812, 2813, 2814, and 2815 of, and to add Article 11, consisting of Sections 2450 to 2461, inclusive, to Chapter 1 of Division 5, and Sections 2671.5, 2701.5, 2746.5, 2798, 2799, 2811, 2812, 2812.5, 2813, 2813.5, 2814, 2814.5, 2815, 2822.5, 2829.5, 2845.5, 2848, 3870.5, 3877.5, 3879.5, 3925.5, 3933.5, and 4533.5 to, the Elections Code, relating to primary elections and party committees

Referred to Committee on Elections.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, May 30, 1941

Mr. Speaker and The Honorable Members of the Assembly

Today the resolution passed by this Honorable Assembly on May 16th and inscribed in the Assembly Journal of that date in recognition of our twenty-eighth wedding anniversary was this day graciously delivered to us by the Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

The resolution is beautifully printed on parchment in Roman type with a purple and gold border.

Please accept our great appreciation for your courtesies and permit us at this time to express thanks to the Honorable Henry Meehan for his friendly message in requesting the adoption of this resolution.

MR AND MRS VERNON KILPATRICK

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 151

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1223

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2575—An act to add Section 80 to Article 1 of Chapter 2 of Title 1 of Part 2, Section 90 to Article 2 of Chapter 2 of Title 1 of Part 2, and Section 110 to Chapter 3 of Title 1 of Part 2 of, and to repeal Sections 78 and 117 of, the Political Code, providing for the division of this State into districts for the election of legislative representatives, including districts for the election of State Senators, Assemblymen and representatives in Congress;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 10 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2243

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1154
Assembly Bill No. 1302
Assembly Bill No. 1529
Assembly Bill No. 2155
Assembly Bill No. 2599

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1294
Assembly Bill No. 1869
Assembly Bill No. 2440
Assembly Bill No. 2531
Assembly Bill No. 2565

And reports the same correctly engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No 1998

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No 2253
Senate Bill No. 1310

Has had the same under consideration, and reports the same back with the recommendation Do pass

MILLINGTON, Chairman

Above reported bills ordered to second reading

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred, Assembly Bill No 2309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

TENNEY, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which was referred, Assembly Bill No 2647

Has had the same under consideration, and reports the same back with the recommendation: Do pass

ALLEN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Gordon, Brown and Keating as a Committee on Conference concerning:

Senate Bill No. 975—An act to add Chapter 7.5, comprising Section 1126, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Mayo, Breed and Luckey as a Committee on Conference concerning:

Assembly Bill No. 82—An act to amend Section 467 of the Streets and Highways Code, relating to State highways.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Foley, Biggar and Collier as a Committee on Conference concerning.

Assembly Bill No. 1686—An act to add Section 5.27-1 to the School Code, relating to the maintenance of cafeterias on the campuses of the State colleges.

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 29, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 58
Senate Bill No. 140
Senate Bill No 169
Senate Bill No 408
Senate Bill No. 779
Senate Bill No. 982
Senate Constitutional Amendment No 6

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day has stricken from file:

Assembly Bill No 2299

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No 2243

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered enrolled

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 245.
Assembly Bill No. 1820.
Assembly Bill No. 1124.
Assembly Bill No. 2166.
Assembly Bill No. 530.
Assembly Constitutional Amendment No. 16.
Assembly Bill No. 1581.
Senate Bill No. 1092.
Assembly Bill No. 1769.
Assembly Bill No. 2214
Assembly Bill No. 830.
Senate Bill No. 409.
Senate Bill No. 269 (urgency clause)
Assembly Bill No. 246.
Assembly Bill No. 304.

NOTICES OF MOTION TO WITHDRAW BILLS CONTINUED

By unanimous consent, the consideration of notices of motion to withdraw the following bills were continued until the next legislative day:

Assembly Bill No. 531.
Assembly Bill No. 532.
Assembly Bill No. 684.
Assembly Bill No. 609
Assembly Bill No. 90.
Assembly Bill No. 997.
Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 612

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1223 re-referred to Committee on Unemployment.

Assembly Bill No. 2531 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1294 re-referred to Committee on Ways and Means.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. William P. Clark, school trustee; Miss Janice Daly, teacher; Mr. Lawrence Connell, principal; Mr. George Turner, Sr., bus driver; and the following pupils of fifth and sixth grades, Santa Ana Valley Elementary School, Ventura County: George Turner, Jack Cudahy, Hazel Burlington, Eugene Combs, Billy Combs, Vernon Ball, Francis Taylor, Donnie Bowen, Bill Clark, Elaine Dunshee, Frances Savala, Lydia Dawn,

Elaine Kolkman, Marilyn Taylor, Shirley Pederson, Patsy Turner, and Margaret Eaton

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jacob M. Leonard, Mrs. H J S Leonard, Mrs. Wm Lewis, Miss Laurabel Leonard, Miss Barbara Leonard, H J S Leonard, Wm. Moran, and Joseph Lewis, all of Hollister.

On request of Mr Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Roy King, Dr. Bernice A. Soward and Dr. Emma L. Marks, all of Oakland.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Charles R. Brantingham of Long Beach.

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Jack Gordon of Los Angeles

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Donald Bomberger, son of Paul Bomberger, President, California Real Estate Association.

ADJOURNMENT

At 1.50 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10.30 a m., Monday, June 2, 1941, out of respect to the memory of those to whom Memorial Day was dedicated.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED FORTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 2, 1941

The Assembly met at 10.30 a m

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Lyon suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Cain, Clarke, Collins, Sam L, Cooke, Desmond, Dilworth, Donnelly, Doyle, Field, Gunlock, Heisinger, Kellems, Knight, T Fenton; Lyon, Masson, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Poulson, Russell, Salsman, Stream, Thomas, Watson, Welch, and Mr Speaker—34.

Call of the Assembly

Mr. Lyon moved a call of the Assembly

Motion carried. Time, 10.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.42 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Cain, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole Potter Poulson, Russell, Salsman, Stream, Tenney, Thomas, Watson, Welch, and Mr Speaker—46

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Meehan.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Maloney, on motion of Mr. Green.
Mrs. Daley, on motion of Mr. Stream

REQUEST FOR UNANIMOUS CONSENT

Mr. Pfaff asked for, and was granted, unanimous consent to excuse Messrs Weybret, Burns, Hugh M., and himself for the legislative day of June 2d, and that the request be printed in the Journal of that day.

REPORTS OF STANDING COMMITTEES

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1091

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

STREAM, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2243—An act to amend Section 1679 of the Insurance Code, relating to insurance and insurance agents, brokers, and solicitors, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 171—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties;

Assembly Bill No. 381—An act to add Sections 2607, 2608, 2609 and 2610 to the Welfare and Institutions Code, relating to the property of indigents;

Assembly Bill No. 632—An act to repeal Chapter 1, Part 1, Division 2, and Section 1008 of the Welfare and Institutions Code, relating to the California Bureau of Juvenile Research;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 634—An act to amend Section 1129 of the Welfare and Institutions Code, relating to the establishment of feeble-mindedness;

Assembly Bill No. 635—An act to repeal Sections 6622 and 6623 of the Welfare and Institutions Code, relating to dental services at State institutions;

Assembly Bill No. 647—An act to amend and renumber the title of Chapter 5, Part 4, of Division 6, of the Welfare and Institutions Code, relating to State Narcotic Hospital;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 649—An act to amend Section 7001 of the Welfare and Institutions Code, relating to purposes of State homes for the feeble-minded.

Assembly Bill No. 733—An act to amend Section 740 of the Welfare and Institutions Code, pertaining to the order of commitment of juvenile delinquents.

Assembly Bill No. 734—An act to amend Section 742 of the Welfare and Institutions Code, relating to prohibited commitments of wards of the juvenile court.

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 735—An act to amend Section 901 of the Welfare and Institutions Code, relating to establishment of juvenile camps,

Assembly Bill No. 736—An act to amend Section 5075 of the Welfare and Institutions Code, pertaining to the commitment of mentally disordered persons,

Assembly Bill No. 737—An act to amend Section 5100 of the Welfare and Institutions Code, pertaining to the order of commitment of mentally ill persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 738—An act to amend Section 5101 of the Welfare and Institutions Code, relating to the County Clerk's Index,

Assembly Bill No. 739—An act to amend Section 5102 of the Welfare and Institutions Code, relating to the prohibition of commitment to State hospitals of certain persons;

Assembly Bill No. 740—An act to amend Section 5103 of the Welfare and Institutions Code, relating to delivery to State hospitals of persons committed,

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 741—An act to amend Section 5251 of the Welfare and Institutions Code, relating to commitment to homes for the feeble-minded;

Assembly Bill No. 742—An act to amend Section 5252 of the Welfare and Institutions Code, *relating to the commitment of persons to State institutions*;

Assembly Bill No. 925—An act to amend Section 5138 of the Revenue and Taxation Code, and to add Sections 5141, 5142 and 5143 to the Revenue and Taxation Code, relating to the refund of taxes paid under protest;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1299—An act to amend Section 665 of the Fish and Game Code, relating to sale of salmon in certain districts,

Assembly Bill No. 1311—An act to add Section 1.182, Section 1 183 and Section 1 184 to the School Code, relating to the employment of minor children;

Assembly Bill No. 1411—An act to add Section 162 to the Revenue and Taxation Code, relating to actions to quiet title against the State,

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1577—An act to amend Sections 2762 and 2763 of the Penal Code, relating to the employment of prisoners upon State highways,

Assembly Bill No. 1600—An act to add Section 4097 5 to the Political Code, relating to the counting of money in the county treasury;

Assembly Bill No. 1938—An act to add Section 1.107 to the School Code, relating to the pupils of the public schools;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2475—An act to amend Section 4276 of the Political Code, relating to compensation for public service in counties of the forty-seventh class;

Assembly Bill No. 2587—An act to amend Sections 3.90 and 3.101 of the School Code, relating to school holidays, declaring February 12th and February 22d legal holidays, and providing for the observance thereof;

Assembly Bill No. 2612—An act providing for posting property used for certain purposes, prohibiting trespassing upon, and loitering in the immediate vicinity of such posted property, and providing penalties for violation thereof;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 927—An act to amend Sections 5096, 5098 and 5099 of the Revenue and Taxation Code, to repeal Section 5101 of the Revenue and Taxation Code, and to add Sections 5101, 5103, 5104, 5105, 5106 and 5107 to the Revenue and Taxation Code, relating to the refund of taxes;

Assembly Bill No. 943—An act to add Section 6215 to the Public Resources Code, relating to the administration of public lands, and providing alternative methods for protecting the interests of the State in the case of lands heretofore sold with a reservation to the State of a one-sixteenth interest in the oil and gas and other minerals therein;

Assembly Bill No. 951—An act to repeal Chapter 281, Statutes of 1889, entitled "An act to provide for the applications for purchase of sixteenth and thirty-sixth sections, and to regulate the application for purchase of such sections, and requiring a deposit to accompany all applications for the purchase of the same," approved March 20, 1889;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1034—An act to amend Section 4238 of the Political Code, relating to compensation for public services in counties of the ninth class;

Assembly Bill No. 1036—An act to amend Section 737o of the Political Code, relating to salaries of the judges of the Superior Court of Kern County;

Assembly Bill No. 1051—An act to amend School Code Section 2.680, relating to elections for the formation of junior college districts;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1053—An act to add Section 2.88 to the School Code, relating to the inclusion of territory within a school district;

Assembly Bill No. 1088—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning equipment,

Assembly Bill No. 1240—An act to amend Section 737d of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Butte;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1570
And reports the same correctly re-re-re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1132
Assembly Bill No. 1188
Assembly Bill No. 2304
Assembly Bill No. 2325
Assembly Bill No. 2541
Assembly Concurrent Resolution No. 55
And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 384
And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1621
And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1941

MR. SPEAKER. Your Committee on Natural Resources, to which was referred:
Assembly Bill No. 1697
Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

DILWORTH, Chairman

Above reported bill re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:
Assembly Bill No. 648
Assembly Bill No. 650
Assembly Bill No 747
And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Assembly Bill No. 744
Assembly Bill No. 745
Assembly Bill No. 748
Assembly Bill No. 751
Assembly Bill No. 752
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No. 755
Assembly Bill No 756
Assembly Bill No. 758
Assembly Bill No. 759
Assembly Bill No. 760
Assembly Bill No 762
Assembly Bill No 743
Assembly Bill No. 763
Assembly Bill No. 765
Assembly Bill No. 771

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 37
Assembly Bill No 106
Assembly Bill No 187
Assembly Bill No 210
Assembly Bill No. 430
Assembly Bill No 540
Assembly Bill No. 527
Assembly Bill No. 773
Assembly Bill No 819
Assembly Bill No. 854
Assembly Bill No 886
Assembly Bill No 887
Assembly Bill No 888
Assembly Bill No. 917
Assembly Bill No 918
Assembly Bill No. 1066
Assembly Bill No 1146
Assembly Bill No 1173
Assembly Bill No 1276
Assembly Bill No 1277
Assembly Bill No 1278
Assembly Bill No 1482
Assembly Bill No. 1483
Assembly Bill No. 1514
Assembly Bill No. 1518
Assembly Bill No 1650
Assembly Bill No. 1652
Assembly Bill No. 1679
Assembly Bill No. 1759
Assembly Bill No 1871
Assembly Bill No 1884
Assembly Bill No 1905
Assembly Bill No 1928
Assembly Bill No 1982
Assembly Bill No 1984
Assembly Bill No 2074
Assembly Bill No. 2088
Assembly Bill No 2115
Assembly Bill No 2228
Assembly Bill No 2338
Assembly Bill No 2526

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 2527
Assembly Bill No 2578

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 59
Senate Bill No 174
Senate Bill No. 283
Senate Bill No 406
Senate Bill No. 464
Senate Bill No 480
Senate Bill No. 530
Senate Bill No. 558
Senate Bill No 652
Senate Bill No. 653
Senate Bill No 682
Senate Bill No 745
Senate Bill No 792
Senate Bill No 1003
Senate Bill No 1068
Senate Bill No 1076
Senate Bill No 1144
Senate Bill No. 1183
Senate Bill No 1330

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No 56
Assembly Bill No. 205
Assembly Bill No. 556
Assembly Bill No. 625
Assembly Bill No 786
Assembly Bill No. 841
Assembly Bill No 1052
Assembly Bill No 1272
Assembly Bill No 1287
Assembly Bill No 1485
Assembly Bill No. 1639
Assembly Bill No 2382
Assembly Bill No 2524
Assembly Bill No 2457

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 556—An act to add Section 4015a to the Political Code, relating to justices of the peace.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 556?

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "and stationery only", and insert ", stationery and legal forms, and may provide suitable courtrooms and offices and courtroom and office furniture".

Amendment No. 2

On page 1 of the printed bill, between lines 16 and 17, insert

"The population of each township shall be deemed to be as shown by the last preceding census taken under the direction of the Congress of the United States."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 556 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Massion, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thurman, Watson, and Welch—41.

NOES—None.

Assembly Bill No. 556 ordered enrolled.

Assembly Bill No. 786—An act to amend Section 12024.5 of the Business and Professions Code, relating to the sale of meat, fish and poultry by weight.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 786?

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "The provisions of this section do not apply to the retail sale of any commodity sold in the wrapper or container in which it was received by the retailer from, and on which appears the net weight of the commodity therein as marked by, the manufacturer, packer, wholesaler, or jobber"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 786 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Thurman, Watson, and Welch—42.

NOES—None.

Assembly Bill No. 786 ordered enrolled.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION
WASHINGTON, May 23, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly Chamber
State Capitol, Sacramento, California

MY DEAR MR OHNIMUS: This office is in receipt of two copies of Assembly Joint Resolution No. 50 of the California Legislature, adopted May 6, 1941, which urges that Federal funds be allocated for the development of the Corcoran Airport. One of these copies has been referred to me by the President while the other is that inclosed with your letter to me of May 14th.

The Civil Aeronautics Administration is glad to learn of this further evidence of California's appreciation of the importance of airport development and desire to cooperate with the Federal Government in fostering the welfare of civil aeronautics. However, I feel it should be pointed out that there is very little likelihood that the Civil Aeronautics Administration will be able to assist in the development of the Corcoran Airport.

For one thing, the pending Congressional Appropriation Bill, H. R. 4276, mentioned in your Resolution, which would provide additional funds to this agency for the development of civil airports necessary for National defense, contains language similar to that of the appropriation under which our current Airport Program is being conducted (Public No. 812, Seventy-sixth Congress), which is construed to limit the program to the development of only such airports as are publicly owned. This means that the Corcoran Airport being privately owned, would have to be acquired by the State a political subdivision, or some other public agency in order to be eligible for improvement as a CAA project. But, even then, it would have to be approved by the Secretaries of War, Navy, and Commerce as necessary for National defense, which seems unlikely at this time in view of the extremely small number of projects that may be included in the program. The only other possibility of CAA aid is that the airport might be developed, under lease to the Government, as a CAA intermediate landing field, and this possibility, I am sorry to say, is even more remote, our system of intermediate fields being considered well established.

It will be appreciated if you will convey the above information to the President of the Senate and Speaker of the Assembly, stating that I regret my inability to be more encouraging as to the possibility of CAA assistance in carrying out the objectives of Assembly Joint Resolution No. 50 of the California Legislature.

Sincerely,

DONALD H. CONNOLLY
Administrator of Civil Aeronautics

FEDERAL WORKS AGENCY, WORK PROJECTS ADMINISTRATION
WASHINGTON, D. C., May 26, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly, Sacramento, California

MY DEAR MR. OHNIMUS: The White House has referred to this Administration for attention your letter of May 12, 1941 addressed to the President, enclosing a copy of a joint resolution adopted by the California Legislature in which the President and the Congress are requested to enact legislation which will modify the requirements of Section 15 (b) of the Emergency Relief Appropriation Act for the fiscal year 1941.

Section 15 (b) provides that there shall be removed from employment on projects all relief workers except veterans, unmarried widows of veterans, and wives of unemployable veterans, who have had more than eighteen months continuous employment.

For your information this Administration, as well as the President, has recommended to the Congress that this provision of the act be deleted.

Very truly yours,

ERNEST L. MARBURY, Assistant Director
Division of Employment

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 723—An act to add Section 6363 to the Revenue and Taxation Code, Section 5.24 to the Retail Sales Tax Act of 1933, and Section 4.16 to the Use Tax Act of 1935, relating to the exemption of medicines and drugs.

Bill read second time, and *ordered engrossed*.

Assembly Bill No. 2253—An act to make an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission for the extension of the State Park System, providing for the acquisition of land in Del Norte County for State park purposes.

Bill read second time, and *ordered engrossed*.

Assembly Bill No. 2647—An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and dis-

posal facilities and to make leases or contracts for the use of sewers, sewage works, plants and disposal facilities constructed by public utility districts, to take effect immediately

Bill read second time, and ordered engrossed.

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 2 and 3, and insert "six hundred eighteen thousand three hundred twenty-one dollars and seventy-nine cents".

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, strike out "($558,186 49)", and insert "($618,321 79)".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out all of lines 17 to 20, inclusive, and insert

"SEC. 2 The sum of six hundred eighteen thousand three hundred twenty-one dollars and seventy-nine cents ($618,321 79) shall be paid as follows: Five hundred twenty-eight thousand seven hundred forty-four dollars and seventy cents ($528,744 70) out"

Amendment No. 4

On page 2, line 25, of the printed bill, as amended, strike out "payable."

Amendment No. 5

On page 2, line 24, of the printed bill, as amended, following the semicolon, insert "two hundred twenty-eight dollars ($228) out of any money in the Board of Architecture, Southern District, Fund in the State Treasury; eighty-eight dollars and thirty cents ($88 30) out of any money in the Banking Fund in the State Treasury;".

Amendment No. 6

On page 2, line 36, of the printed bill, as amended, following the semicolon, insert "three hundred forty dollars and ninety-eight cents ($340 98) out of any money in the Furniture and Bedding Inspection Fund in the State Treasury;"

Amendment No. 7

On page 2 of the printed bill, as amended, strike out all of lines 43 and 44 and insert "Treasury; one thousand five hundred thirty-three dollars and ninety eight cents ($1,533 98) out of any money in the Motor".

Amendment No. 8

On page 2, line 48, of the printed bill, as amended, following the semicolon, insert "three hundred thirty-three dollars and thirty-three cents ($333 33) out of any money in the Board of Nurse Examiners Fund in the State Treasury;"

Amendment No. 9

On page 2 of the printed bill, as amended, strike out all of lines 51 and 52, and insert "thousand seven hundred sixty-five dollars and eighty cents ($1,765 80) out of any money in the Retail Sales Tax".

Amendment No. 10

On page 3, line 9 of the printed bill, as amended, following the semicolon, insert "two hundred forty-seven dollars and seventy cents ($247 70) out of any money in the Structural Pest Control Fund in the State Treasury,".

Amendment No. 11

On page 3, line 14, of the printed bill, as amended, following the semicolon strike out "sixteen thou-".

Amendment No. 12

On page 3 of the printed bill, as amended, strike out all of lines 15 and 16, and insert "seventeen thousand five hundred thirty-nine dollars and thirty-three cents ($17,539 33) out of any money in the San Francisco Harbor".

Amendment No. 13

On page 3 of the printed bill, as amended, strike out all of lines 5 and 6, and insert "Fund in the State Treasury; fifty thousand five hundred ten dollars and thirty-eight cents ($50,510 38) out of any".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2309—An act to amend the Metropolitan Water District Act, as amended, by adding a new section, numbered 5.1, relating to presentation of claims and demands against metropolitan water districts and providing limitation of actions thereon.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 25, inclusive; and on page 2, strike out lines 1 to 31, inclusive, and insert

"SEC. 5 1. No suit shall be brought on any claim for money or damages against any metropolitan water district or any board of directors or officer or other board or employee thereof in his or its official capacity or as a representative or agent of such district, except claims for refund of taxes levied by such district, until a verified demand shall have been filed, as herein provided, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Each such demand shall set forth the substance of the claim, stating the name and address of the claimant, and the date when each item of the account or claim accrued or the date of the occurrence from which the damages arose, the nature of the claim, the total amount originally claimed, all payments thereon or offsets or credits thereto, the net amount due, owing and unpaid on such claim, and if such claim shall have been assigned, the name of the original claimant and the names of all assignees and the full particulars of each assignment; and the demand shall be duly verified and filed with the secretary of the district, who shall present the same to the board of directors at its next meeting. Verified demands for all such claims for money or damages (except tax refunds) must be filed with the secretary within the period of time otherwise prescribed by law within which, without the intervention of this section, action may be commenced in court to recover on the particular claim, but this requirement shall not apply to any such claim existing at the time this section becomes effective and on which suit is then pending No suit shall be brought against such district or against any board or officer or employee thereof upon any such claim for money or damages (except tax refunds) for which verified demand shall not have been filed, as hereinabove required, nor shall any such suit be filed until the rejection of the verified demand, either in whole or in part, provided, that failure of the board of directors to act upon any such verified claim for a period of ninety (90) days after the filing thereof with the secretary may be treated by the claimant as a rejection and suit thereupon may be filed on such claim, but if said period of ninety (90) days shall expire after the time otherwise prescribed by law within which such action must be commenced, said action must be brought within ten (10) days after the expiration of said ninety (90) day period Any such suit against the district or against any board or officer or employee thereof must be brought within ninety (90) days after the mailing of the notice of the action of the board of directors rejecting such claim, either in whole or in part, provided, that if said period of ninety (90) days shall expire after the time otherwise prescribed by law within which such action must be commenced, said action must be brought within ten (10) days after the mailing of the notice of such rejection by the board of directors Unless such suit be brought within the time thus prescribed the claim shall be forever barred; provided, that with regard to any such claim existing at the time this section becomes effective and on which verified demand is filed in the manner and time herein required, suit thereon may be filed after rejection of such demand in whole or in part and until the expiration of ninety (90) days after the mailing of the notice of such rejection by the board of directors Nor shall suit be brought against such district or against any board or officer or employee thereof, upon any claim or demand that shall have been approved in whole and audited for payment; provided,

that nothing herein contained shall be construed so as to deprive the holder of any claim of his right to resort to writ of mandamus or other proceeding against the district, or against any board or officer thereof to compel it or him to act upon such claim or to pay the same when so audited. If suit be brought on a claim which was allowed in part and rejected in part by the board of directors and no more is recovered in such suit than the amount so allowed by the board of directors, no costs shall be awarded to the claimant.

Every notice of the rejection of a claim, either in whole or in part, given by any such district, as provided by this section, shall contain notice that suit must be brought within the time herein specified, and failure to do so shall render such notice of rejection ineffective."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1310—An act making an appropriation to the Department of Natural Resources, Division of Forestry, from unexpended balances remaining of the moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," as amended, approved May 29, 1940, declaring the urgency of the act and that it take effect immediately.

Bill read second time, and ordered to third reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Field moved to expunge the record and rescind the action whereby the minutes of May 23d were approved as corrected by the Minute Clerk.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Kellems, Knight, T. Fenton; Lowrey, Lyon, Masson, Middough, Miller, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawaltsch, Stream, Thurman, Watson, and Welch—44

NOES—None

Motion to Correct Journal

Mr. Field moved that the Journal of May 23d be corrected to show Mr. Evans as having seconded Mr. Call's motion that the notice to withdraw Assembly Constitutional Amendment No. 54 from committee be laid on the table.

Mr. Evans seconded the motion.

Motion carried unanimously.

MOTION TO INCLUDE NAMES ON ROLL CALL

Messrs. Cooke and Millington moved that their names be included on the evening roll call of May 29, 1941.

Motion carried unanimously.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1080—An act to amend Sections 6 and 54 of the Alcoholic Beverage Control Act, relating to restrictions on wholesalers' licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1080?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "restrictions on wholesalers' ".

Amendment No. 2

On page 6, line 29, of the printed bill, as amended, after the semicolon, insert "and, notwithstanding any other provision of this act a licensed wine manufacturer or brandy manufacturer may be issued and may hold an off-sale distilled spirits license for the premises for which he holds a manufacturer's license and for any branch office maintained by such manufacturer"

Also:

Amendment No. 1

On page 3, line 15, of the printed bill, as amended, strike out "has on his wholesale premises at least 250 cases", and insert "throughout the year has on his wholesale premises a reasonable stock".

Amendment No. 2

On page 3, line 16, of the printed bill, as amended, after "spirits", insert "as determined by the Board of Equalization"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1080 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Massion, Muddough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Watson, Welch, and Wollenberg—51

NOES—None.

Assembly Bill No. 1080 ordered enrolled.

EXPLANATION OF ABSENCE

On motion of Mr McCollister, he and Messrs. Tenney and Bashore were granted unanimous consent to be included on the morning roll call, due to their presence in a Senate committee at the time the roll was called.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1448—An act to amend Section 6047 of the Business and Professions Code of the State of California, adopted by Statutes 1939, Chapter 34.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Green, Gunlock, Hastain, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Welch, and Wollenberg—50

NOES—Collins, Sam L., Dilworth, Housel, Frederick F., Robertson, and Salsman—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2071—An act to add Section 745 to the Vehicle Code, relating to the detention of persons arrested for violations of the Vehicle Code.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lowrey, Masson, McCollister, Meehan, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Welch, and Wollenberg—53.

NOES—Crowley, and Dilworth—2

Bill ordered transmitted to the Senate

Assembly Bill No. 2644—An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Masson, McCollister, Meehan, Miller, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Welch, and Wollenberg—51.

NOES—Cassidy, Lowrey, and Robertson—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1010—An act to amend Section 196 of the Civil Code, relating to the support of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Lyon, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Welch, and Wollenberg—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2565—An act creating the State Highway Traffic National Defense Advisory Committee, and defining its powers and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Lowrey, Lyon, Masson, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson,

Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Voigt, Watson, Welch, and Wollenberg—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2541—An act to add Section 58 5 to the Unemployment Insurance Act, relating to the amount of benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Voigt, Watson, Welch, and Wollenberg—55.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1132—An act to amend Sections 3000, 3041, 9701 and 11121 of the Elections Code of the State of California, relating to elections, and the procedure for municipal elections.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Welch, and Wollenberg—59.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 641—An act to amend Section 7102 of the Welfare and Institutions Code, pertaining to the purpose of the State Inebriate Colony.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Welch, and Wollenberg—57
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to amend and renumber the title of Chapter 4, Part 4, of Division 6, of the Welfare and Institutions Code, as added by Chapter 994 of the Statutes of 1939, relating to State inebriate colonies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Millet, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Welch, and Wollenberg—57.

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 542—An act to add Section 3.693 to the School Code, relating to moral and religious instruction.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Lyon, Collins, Sam L., Dickey and Sawallisch demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 542

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Potter, Poulson, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Watson, and Welch—49

NOES—Burkhalter, Cassidy, Cooke, Evans, Johnson, Kilpatrick, Knight, T. Fenton; Poole, Richie, Thomas, Voigt, and Wollenberg—12

Notice of Motion to Reconsider Senate Bill No. 542

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 542 was this day passed

RECESS

At 12.20 p.m., on motion of Mr. Lyon, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Allen suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Andreas, Bennett, Carlson, Clarke, Cooke, Crowley, Doyle, Green, Gunlock, Hawkins, Houser, F. N., Lowrey, Massion, Middough, Pelletier, Potter, Richie, Robertson, Russell, Stream, Watson, Weber, Welch, Weybret, and Mr. Speaker—26.

Call of the Assembly

Mr. Allen moved a call of the Assembly.

Motion carried. Time, 1.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 1 59 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—70

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 30, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 431 entitled "An act to amend Section 73b of, and to add Sections 73c, 73d, 73e, 73f and 73g to, the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same."

My objections to this bill are as follows:

The bill provides for sessions of the superior court in cities of over 50,000 population where the city hall is not less than six miles distant from the site of the courthouse. I am advised that this general provision is designed to permit a session of the court to be held in the City of Glendale.

I would not disapprove a bill which simply narrowed the existing distance from eight miles (Sections 73 and 142) to six miles so that the superior court sessions could be held in Glendale.

My objection to this bill is based upon its further provisions (Sections 73d, 73e, and 73f) which would freeze in the outlying sessions all of the types of litigation enumerated in Section 73d. These provisions for transfer of such actions to such sessions are mandatory.

Section 73d sets out a long list of actions and proceedings which shall be transferred if any party to the action or proceeding files an affidavit showing the case to be one of those specified.

Section 73e authorizes a plaintiff to file with the complaint a "verified certificate of assignment and transfer" showing the case to be one transferable under Section 73d. Thereupon the case is "automatically" transferred to the outlying session, and under Section 73f all further proceedings are to be had therein.

Section 73g leaves only a limited discretion to the court to transfer cases from an outlying session back to the county seat. Such transfers back are permitted for only the four reasons set forth in said section.

Among the causes specified by Section 73d to be so transferable are "criminal actions where the preliminary examination was held or an offense charged was committed within the area served by such session." The trial of a criminal action in the immediate area where the offense was committed does not tend toward an impartial trial. Furthermore, this provision would impose additional expense upon the county in that it would be necessary to transport persons back and forth from the county jail, or to make arrangements for their incarceration in the localities where their trials would have to be held, increased travel expense would be incurred by the district attorneys' and public defenders' offices, or it would be necessary to set up branches of those offices in such different localities to take care of the criminal actions which would have to be tried there.

I am reliably informed that at the present time criminal actions are not normally tried in the Santa Monica or Pomona departments. Since these provisions of this bill would apply to all outlying sessions in Los Angeles County, and in any other county in the State, the present practice would have to be changed.

While doubt has been expressed to me as to the constitutionality of these provisions governing distribution of the court's business among its departments, I am not clearly convinced that they are in violation of the fundamental law. I direct

your attention, however, to Section 7 of Article VI of the Constitution of California, which provides

> "The judges of each Superior Court in which there are more than two judges sitting, shall choose, from their own number, a presiding judge, who may be removed as such at their pleasure. Subject to the regulations of the Judicial Council, he shall distribute the business of the court among the judges, and prescribe the order of business."

Under this section of the Constitution the Judicial Council may make rules controlling the distribution of the business of the court. Such rules of the Judicial Council, like the rules of the court itself, may readily be amended to meet changing conditions. In my opinion this flexibility is desirable and should be preserved.

The rules of the Los Angeles Superior Court have provided that certain types of litigation "may" be transferred to sessions held elsewhere than at the county seat, but this bill provides that they "shall" be transferred.

I think that discretion should be left to the court to assign cases, taking into consideration the convenience of all of the litigants, the amount of litigation pending before the different sessions, the cost to the county, the availability of courtrooms, and all other factors bearing on the orderly administration of the court.

I am advised that under this bill it would be necessary in Los Angeles County to assign additional judges to some, and to perhaps all, of the outlying sessions, and to provide additional courtrooms and equipment.

Another objection is that this bill, by giving litigants a statutory right to a trial in a particular locality, would create legal questions as to venue between courts in the same county. It would therefore be productive of litigation which could not arise if such matters are left to the rules of the court and of the Judicial Council.

As I have stated, I would not disapprove a bill, in the form of those which have been enacted in the past for other localities, which would permit a superior court session in Glendale. By reason, however, of the unfortunate departure which has been made in this bill from legislative precedents in such cases, I am convinced that it would seriously interfere with the procedure of the courts, and therefore should not become law.

Respectfully submitted,

CULBERT L. OLSON, Governor of California.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 30, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith without my signature, Assembly Bill No. 379, entitled "An act to amend Sections 226 and 227a of the Civil Code, relating to adoption."

My objections to this bill are as follows:

This bill amends Section 226 of the Civil Code, relating to adoptions. Section 226 now provides that if the State Department of Social Welfare fails to submit its report to the court on the proposed adoption within one hundred eighty (180) days, the consent for adoption provided to be signed in the presence of an agent of the State Department of Social Welfare may be allowed by court to be signed in open court. The amendment changes from one hundred eighty (180) days to ninety (90) days the period within which the Department of Social Welfare shall submit to the court a full report on the proposed adoption, and makes provision that additional time therefor may be granted by the court in its discretion.

The experience of the Department of Social Welfare has shown that an adequate investigation which will protect both the child and the adoptive parents can be completed in only a few cases within a ninety (90) day period. The investigations of this department are very thorough and searching and go into a very large number of facts and circumstances concerning the child and its parents and the persons desiring to adopt the child, including the questions of hereditary diseases, mental and physical condition, finances, and many other factors which must be considered. In many cases the consent of out-of-State parents must be secured, and these are often difficult to reach. While the ninety (90) days allowed by this bill may seem sufficient to those unaccustomed to the difficulties of an investigation necessary for the submission by the Department of Social Welfare of the report required in adoption proceedings, I am assured that in most cases under this bill the department would be required to petition the court for additional time, which would greatly burden the courts and this department. Furthermore, an investigation might be seriously impeded by requirements that facts be stated by the department, showing the necessity for the additional time which would disclose the scope of the investigation and impede its continuance. There is a distinct possibility that a court, overburdened by constant applications for extensions of time, made necessary by this bill, might in some instances erroneously fail to grant additional time and that as a result, the full facts involved would not be presented to the court. The Department of Social

Welfare in the past, in several instances, has been forced to conclude its investigations because of limitations of time, and the consequences have been injurious to the parties concerned

While a quick and speedy procedure may be desired in adoption cases, as in all court proceedings, it must be remembered that each adoption proceeding involves the future life of a child as well as that of the natural and adoptive parents, and I do not believe that we should sacrifice thoroughness of investigation for ease or speed of procedure

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the thirtieth day of May, 1941, at 11 25 p.m., Assembly Bill No. 431 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Don Allen, Member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the thirtieth day of May, 1941, at 11 25 p.m., Assembly Bill No. 379 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Don Allen, Member of the Assembly.

Respectfully submitted

CULBERT L. OLSON, Governor of California

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 995

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 46
Senate Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 30, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 195
Senate Bill No. 981

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 995—An act to repeal Section 16½ and to amend Section 54 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Senate Bill No. 981—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor, making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, relating to the enforcement of this act and the payment of fees, salaries, costs, and expenses therefor from live stock indemnity funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Judiciary Codes

Senate Bill No. 195—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Referred to Committee on Social Service and Welfare.

Senate Concurrent Resolution No. 46—Relative to the fiftieth anniversary of Leland Stanford Junior University.

Referred to Committee on Rules.

Senate Joint Resolution No. 26—Relative to National highways.

Referred to Committee on Rules.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 814 FROM COMMITTEE

Mr. Welch gave notice that on the second legislative day, he would move to withdraw Assembly Bill No 814 from the Committee on Municipal Corporations, and have it placed upon the file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1869—An act to amend Section 2224 of the Welfare and Institutions Code, relating to aid to the aged and providing for reimbursement to the county, State and Federal Government from responsible relatives

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N. Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—54

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2440—An act to add Section 8.5 to an act entitled "An act to provide for the establishment of master and official

plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, relating to local planning by the State Planning Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—54

NOES—Dickey—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 1696—An act to add Division 1a, comprising Sections 1001 to 1214, inclusive, to the Public Resources Code, relating to surveys and maps, creating a Division of Surveys and Maps and a State Board of Surveys and Maps in the Department of Natural Resources, and prescribing their powers and duties

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Evans, Gallagher, Gunlock, Hawkins, Howser, F. N., Johnson, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Weber, Welch, Wollenberg, and Mr. Speaker—41

NOES—Collins, Sam L., Crowley, Dilworth, Donnelly, Doyle, Hastain, Knight, T. Fenton; Potter, Stream, and Watson—10.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 417—An act authorizing suits against the State of California to establish the boundaries of, and to quiet title to, lands purchased from the State, and regulating the procedure therein

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robert-

son, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—59
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1005—An act to amend Sections 1, 2, 3, 3a, 4, 5, 7, 11, 12 and 15 of, and to add a new section to be numbered 19 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60
NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 569—An act to amend Section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 306—An act to amend Section 26½ of the Retail Sales Tax Act of 1933 and Section 20 7 of the Use Tax Act of 1935, relating to priority of the sale and use taxes

Bill read third time

The roll was called, and the bill passed by the following vote·

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser,

F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Masson, McCollister, Meehan, Millet, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 975

The Speaker announced the appointment of Messrs. Houser, Frederick F. Lyon and Voigt as a Committee on Conference concerning Senate Bill No. 975

CONSIDERATION OF SPECIAL ORDER

The hour of 2 p.m. having arrived, Senate Bill No. 877 was taken up.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135 to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read third time

Consideration of Governor's Veto

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135 to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 877 become a law notwithstanding the objections of the Governor?

Motion to Read Governor's Veto Message

Mr. Bennett asked for, and was granted, unanimous consent to have the Governor's veto message regarding Senate Bill No. 877 read over the desk.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L., Andreas, Howser, F. N., and Allen demanded the previous question.

Demand for previous question sustained.

The question being: Shall Senate Bill No. 877 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 3:56 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on the reconsideration of Assembly Bill No. 246.

Hon. Charles W. Lyon Presiding

At 4 02 p m., Hon Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding

RECONSIDERATION OF ASSEMBLY BILL NO. 246

In compliance with a notice given on a previous day, Mr. Kepple moved that the vote whereby Assembly Bill No. 246 was refused passage be reconsidered.

Substitute Motion

Mr Lowrey moved, as a substitute motion, that Assembly Bill No. 246 be stricken from the file.

Mr Kilpatrick seconded the motion.

Demand for Previous Question

Messrs Turner, Salsman, Burns, Michael J., Meehan and Thorp demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion that Assembly Bill No. 246 be stricken from the file.

The roll was called, and the substitute motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Hawkins, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Tenney, and Thomas—29

NOES—Carlson Clarke, Collins, Sam L., Cronin, Dickey, Dilworth, Doyle, Field, Green, Hastam, Houser, Frederick F., Houser, F N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, and Wollenberg—35.

The question being on the motion to reconsider the vote whereby Assembly Bill No. 246 was refused passage.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kepple moved a call of the Assembly.

Motion carried. Time, 4.27 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 20 FROM COMMITTEE

Mr Thomas gave notice that on the second legislative day he would move to withdraw Assembly Bill No 20 from the Committee on Fish and Game, and have it placed upon the file.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Gallagher, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1192.

Assembly Bill No. 1193—An act to amend Section 27 of, repeal Section 23 of, and add Section 23 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell Salsman, Sawallisch, Stream Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 4 35 p m., Hon Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Bill No. 1302—An act regulating the installation and maintenance of plumbing and disposal systems in the unincorporated areas of the State of California.

Bill read third time.

Hon. Charles W. Lyon Presiding

At 4 40 p m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Russell, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 1302.

Demand for Previous Question

Messrs Andreas, Howser, F. N., Doyle, Collins, Sam L., and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1302

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dills, Donnelly, Doyle, Evans, Field Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins Houser

Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton, Lowrey, Lyon, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Tenney, Thomas, Voigt, Weber, Welch, and Wollenberg—55

NOES—Cassidy, Clarke, Crowley, Heisinger, Leonard, Robertson, Stream, Thorp, Thurman, Turner, Watson, Weybret, and Mr Speaker—13

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 93
Assembly Bill No. 458
Assembly Bill No. 497
Assembly Bill No. 546
Assembly Bill No 891
Assembly Bill No. 894
Assembly Bill No 902
Assembly Bill No 989
Assembly Bill No. 1011
Assembly Bill No. 1012
Assembly Bill No. 1050
Assembly Bill No. 1113
Assembly Bill No. 1244
Assembly Bill No 1662
Assembly Bill No. 1664
Assembly Bill No. 1838
Assembly Bill No. 1839
Assembly Bill No. 2150
Assembly Bill No. 2336
Assembly Bill No. 2447
Assembly Bill No 2596
Assembly Bill No. 2602
Assembly Bill No. 2625

J. A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1004
Senate Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 57

J A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 470
Assembly Bill No. 895
Assembly Bill No. 926
Assembly Bill No. 988
Assembly Bill No 1135
Assembly Bill No. 1434
Assembly Bill No. 1438
Assembly Bill No. 1342
Assembly Bill No. 1795
Assembly Bill No. 2100
Assembly Bill No. 2164
Assembly Bill No 2519
Assembly Bill No. 2634

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 255
Senate Bill No 1159
Senate Bill No. 1329

J A BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 1329—An act to add Section 12b to the California Districts Securities Commission Act, relating to notice and hearing of certain proceedings before the California Districts Securities Commission and relating to the change, modification, or amendment of refunding plans and of the terms and conditions of refunding bonds of irrigation districts, to take effect immediately.

Referred to Committee on Irrigation

Senate Bill No. 1159—An act to amend Section 2931a of the Civil Code, relating to making the State of California a party to certain actions pertaining to real property

Referred to Committee on Judiciary Codes.

Senate Bill No. 255—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the California Commission on Interstate Cooperation, and providing for the expenditure of the same," approved July 22, 1939, extending the period of time during which the appropriation is available, this act to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 246

At 4.55 p m., on motion of Mr Kepple, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 246 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Carlson, Clarke, Collins, Sam L, Cronin, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F, Howser, F. N, Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—42

NOES—Bennett, Burkhalter, Burns, Michael J, Cain, Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Richie, Russell, Sawallisch, Tenney, Thomas, and Welch—31

Explanation of Vote

In voting "Aye" to reconsider Assembly Bill No. 246 I did so on the representation and statement of Mr. Kepple made on the Floor of the Assembly that the same would upon reconsideration be referred back to committee and that the authors would not attempt to recall the bill from committee in its present form I voted against the passage of this bill originally and will continue to so vote if the bill comes before the Assembly in its present form or substantially the same

MELVYN I CRONIN

Withdrawal and Re-reference of Assembly Bill No. 246

Mr Kepple moved that Assembly Bill No. 246 be withdrawn from the file and re-referred to the Committee on Social Service and Welfare.

Motion carried.

Hon. Jacob M. Leonard Presiding

At 5 p.m., Hon. Jacob M. Leonard, Member of the Assembly from the Thirty-fourth District, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Johnson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2142.

Hon. Charles W. Lyon Presiding

At 5 05 p.m., Hon Charles W Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2142—An act to amend Section 3391 and the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 16, of the printed bill, strike out "the Board of Supervisors", and insert "the Members of the Assembly".

Amendment No. 2

On page 3, line 49, of the printed bill, strike out "the Board of Supervisors", and insert "the Members of the Assembly".

Motion to Table Amendments

Mr Robertson moved that the amendments be laid on the table

Mr. Cooke seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Cassidy, Clarke, Cooke, Cronin, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kellems, Knight, T. Fenton; Lowrey, Meehan, Miller, Millington, O'Day, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Waters, and Wollenberg—43.

NOES—Bashore, Carlson, Collins, George D, Green, Hastain, King, Leonard, Massion, McCollister, Middough, Pelletier, Richie, Russell, Sheridan, Thurman, Turner, Voigt, and Weber—18.

Demand for Previous Question

Messrs Allen, Robertson, Houser, F N., Collins, Sam L., and Pelletier demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2142.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Johnson moved a call of the Assembly

Motion carried Time, 5.28 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 257—An act to amend Section 380.51 of and to add Section 333.5 to, the Agricultural Code, relating to brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 746—An act to amend Section 410 of the Political Code, relating to the laws, resolutions and journals of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt Waters, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Carlson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 461.

Senate Bill No. 461—An act to amend Section 442 of the Probate Code, relating to opposition to petition for letters of administration

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Massion McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips,

Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act to add Article 4.5, comprising Sections 6551 to 6558, inclusive, and Sections 6594 and 6600 5 to Chapter 6 of Division 3 of the Business and Professions Code, relative to minimum price schedules for barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—64
NOES—Heisinger—1.

Bill ordered transmitted to the Senate

Senate Bill No. 1322—An act to add Section 651 to the Penal Code, relating to traffic in Federal Order Stamps, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—63.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—63.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 875—An act to amend Sections 9 and 36 of the California Water Storage District Act, relating to voting in California water storage districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock,

Hastain, Hawkins, Heisinger, Johnson, Kepple, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—Dills, Houser, Frederick F, and Kilpatrick—3

Notice of Motion to Reconsider Senate Bill No. 875

Mr. Kilpatrick gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 875 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. T. Fenton Knight:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat.

Respectfully submitted.

T. FENTON KNIGHT

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. T. Fenton Knight.

An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2654: By Mr. T. Fenton Knight—An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat

Referred to Committee on Judiciary Codes.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 830—An act to repeal Section 981 and to amend Sections 980 and 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—Collins, Sam L., Houser, Frederick F., and Knight, T. Fenton—3

Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act to add Article 11 to Chapter 2 of Part 1 of Division 2 of the School Code, relating to the inclusion in school districts of lands owned by the United States of America.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Masson, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 500—An act to amend Section 942 of the Streets and Highways Code, relating to powers of board of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

At 5 55 p m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr Thurman moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Millington, O'Day, Pfaff, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—Cassidy, Cooke, Doyle, Hawkins, Knight, John B., Massion, Middough, Pelletier, Poole, Potter, Stream, and Waters—12.

Motion carried Time, 5.58 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1321—An act to amend Section 4253 of the Political Code, relating to compensation of county officers in counties of the twenty-fourth class.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—50

NOES—Bashore, Carlson, Collins, Sam L., Donnelly, Field, Heisinger, Houser, Frederick F., Kilpatrick, Pelletier, Potter, Richie, and Waters—12

Bill ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Field moved that the Rules be temporarily suspended for the purpose of considering Senate bills out of order, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote.

AYES—Carlson, Clarke, Cronin, Desmond, Dilworth, Field, Green, Hastain, Leonard, Lowrey, McCollister, Miller, Poole, Sawallisch, Stream, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—22.

NOES—Allen, Bashore, Bennett, Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Knight, T. Fenton; Massion, Meehan, Middough, Millington, O'Day, Pelletier, Potter, Poulson, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Voigt, Waters, and Watson—38.

RESOLUTIONS

The following resolutions were offered:

By Mr. Field:

House Resolution No. 237

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

A. Navlet (Flowers to Senator Scollan)	$10 30
Hotel Senator Flower Shop (Flowers to Vincent Thomas)	10 30
Hotel Senator Flower Shop (Flowers to Mrs. Frank Waters and Mrs Gannon)	15 45
Bureau of Purchases (Supplies to May 15th)	67 28
H. S Crocker Company (Supplies)	1 68
Geo. N. Hammond Typewriter Co (Typewriter rental)	126 42
Mrs. Daley (Mother's Day expenses)	9 95
Miss Eleanor Miller (Mother's Day expenses)	1 62
Department of Finance (Mimeograph service)	1 35
Cascade Towel Supply Co (Towel service to June 1st)	60 87
Bureau of Purchases (Supplies to May 29th)	42 74
H. S. Crocker Co. (Supplies)	2 53

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No 237, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Hawkins, and Heisinger—2.

By Mr Lyon:

House Resolution No. 238

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office

Request for Unanimous Consent

Mr Bennett asked for, and was granted, unanimous consent to take up House Resolution No 238, at this time, without reference to committee

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

By Committee on Rules:

House Resolution No. 239

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, upon a seven-day per week basis, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing June 2, 1941:	*Per day*
Betty Pratt, Stenographer	$5 00

LYON, Chairman
Attache Committee

Request for Unanimous Consent

Mr Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 239, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

By Mr Del Mutolo:

House Resolution No. 240

WHEREAS, The compensation of the Members of the Legislature stopped on May 21st; and

WHEREAS, Their present financial condition is due to low pay and long hours of work and the effects of Federal laws, State laws, county laws, brother-in-laws, mother-in-laws, and outlaws Through these various laws, they have been held down, held up, walked on, sat on flattened and squeezed until they do not know where they are, what they are, or why they are; and

WHEREAS, These laws for some of which they are themselves responsible, compel them to pay a merchants' tax, Capitol stock tax, excess tax, property tax, auto tax, gas tax water tax, light tax, cigar tax, street tax, school tax, syntax and carpet tax; and

WHEREAS, In addition to these taxes they are requested and required to contribute to every society and organization that the inventive mind of man can organize To the Society of St John the Baptist, the Women's Relief, Navy League, the Children's Home, the Policemen's Benefit, the Dorcas Society, the Society for Saving the Redwoods, the Y. M. C. A., the Boy Scouts, the Near East,

the Far East and the Way Down East. The Gold Diggers' Home, also every hospital in town The Red Cross, the Black Cross, the Purple Cross and the Double Cross; and

WHEREAS, the Government is so constituted that they do not know who owns it They are suspected, expected, inspected, disrespected, examined, re-examined, cross-examined, informed, misinformed, required, commanded and compelled until all they know is that they are supposed to provide an inexhaustible supply of money for every known need, desire or hope of the human race and because they refuse to donate to all, and go out and beg, borrow and steal money to give away, they are cussed and discussed, boycotted, talked to, talked about, lied to, lied about, held up held down, robbed and told that they will not come back, until they are nearly ruined financially, physically and mentally, so the only reason they are clinging to life is to see what the hell is coming next; now, therefore, be it

Resolved by the Assembly of the State of California, That all persons, firms or corporations having claims against Members of the Legislature are hereby respectfully requested to declare a moratorium on all such claims of at least 90 days after adjournment of the Legislature.

Request for Unanimous Consent

Mr Del Mutolo asked for, and was granted, unanimous consent to take up House Resolution No 240, at this time, without reference to committee.

Resolution read and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 66: By Messrs. Carlson, Johnson, Kepple and Wollenberg—Proposed amendment to Article IV, Section 2, of the Constitution, relative to the introduction of bills by Members of the Legislature.

Referred to Committee on Rules

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 65

Mr. Heisinger moved that Assembly Bill No 65 be withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Rules.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Hugh M, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Donnelly, Gaffney, Gallagher, Green, Heisinger, Knight, John B, Knight, T Fenton; Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Robertson, Russell, Stream, Turner, and Weber—24

NOES—Allen, Burns, Michael J, Cain, Carlson, Collins, Sam L, Crowley, Del Mutolo, Desmond, Dilworth, Doyle, Field Gunlock, Houser, Frederick F, Howser, F. N, Kepple, Leonard, Muddough, Millington, Phillips, Poole, Potter, Salsman, Sawallisch, Sheridan, Voigt, Waters, Welch, Weybret, and Wollenberg—29

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 58: By Messrs. Heisinger and Burns, Hugh M—Relative to the death of Mrs Emily Hays.

Request for Unanimous Consent

Mr Hugh M Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 58, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

Assembly Concurrent Resolution No. 58—Relative to the death of Mrs. Emily Hays.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Bennett:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority, authorizing the Department of Public Works to cooperate with the authority, authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for Winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Respectfully submitted

F. RAY BENNETT

Request referred to Committee on Introduction of Bills

By Mr. Richie:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for elementary and secondary education and facilities in connection therewith, declaring the urgency thereof, to take effect immediately.

Respectfully submitted

PAUL A. RICHIE

Request referred to Committee on Introduction of Bills

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 56: By Messrs. Kilpatrick, Pelletier, Massion, Evans, Richie, Voigt and Thomas—Relative to nonintervention of the United States in the present European War.

Referred to Committee on Federal Relations.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2325—An act to repeal Section 123 of the Vehicle Code, relating to the assignment of members of the California Highway Patrol for service outside the county of appointment.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "repeal Section 123 of, and to add Section 124.5 to," and insert "add Section 124.5 to"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 124.5 is hereby added to the Vehicle Code, to read as follows:".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 946—An act to add Section 50 to the State Lands Act of 1938, to permit drilling of oil and gas wells under certain conditions.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendments

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, following "from", insert "contiguous".

Amendment No. 2

On page 1 of the printed bill, as amended, from lines 12 and 13, strike out "will provide competitive bidding", and insert "will be in the public interest, but the commission acting pursuant to this section shall not issue any authorization for crossings over, under or through areas described in said valid existing leases"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Richie:

An act making an appropriation for elementary and secondary education and facilities in connection therewith, declaring the urgency thereof, to take effect immediately

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2655: By Mr. Richie—An act making an appropriation for elementary and secondary education and facilities in connection therewith, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 861—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Bill read third time.

Motion to Amend

Mr. Robertson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended, strike out "This does not"; and strike out all of lines 18, 19, 20 and 21, and insert "When"

Amendment read

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—Bashore, Field, and Houser, Frederick F.—3

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Bennett:

An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof, providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority, authorizing the Department of Public Works to cooperate with the authority; authorizing the authority to con

struct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for Winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced and read the first time:

Assembly Bill No. 2656: By Mr. Bennett—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the Department of Public Works to cooperate with the authority, authorizing the authority to construct and operate systems for the transportation of persons and property to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for Winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Referred to Committee on Governmental Efficiency and Economy.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 696—An act to amend Section 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class

Bill read third time

Motion to Amend

Mr. Weybret moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4257", and insert "4258".

Amendment No. 2

In the title of the printed bill, as amended, strike out all of lines 2 and 3, and insert "to compensation for public services in counties of the twenty-ninth class."

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4257", and insert "4258"

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of line 3, and insert "4258. In counties of the twenty-ninth class, the following".

Amendment No. 5

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "salaries, fees and expenses, to wit", and insert "sums".

Amendment No. 6

On page 2, lines 8 and 9, of the printed bill, as amended, strike out "ex officio supervisor", and insert "commissioner".

Amendment No. 7

On page 2 of the printed bill, as amended, strike out all of lines 18, 19, 20 and 21.

Amendment No. 8

On page 2 of the printed bill, as amended, strike out all of lines 31 to 37, inclusive, and insert

"SEC. 2. It is hereby found as a fact that the amendments made by this act in Subdivision 3 of Section 4258 of the Political Code do not constitute an increase in the compensation that the members of the board of supervisors were receiving under provisions of law applicable to them prior to the effective date of this act and the Legislature hereby declares that the provisions of Subdivision 3 of Section 4258 of the Political Code as contained in this act shall apply to present incumbents."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—59.

NOES—Field—1.

Bill ordered reprinted, and to third reading.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY ON SENATE BILL NO. 877

At 6.30 p.m., Mr. O'Day moved that further proceedings under the call of the Assembly be dispensed with on Senate Bill No. 877.

Mr. Bennett seconded the motion.

Speaker Presiding

At 6.31 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Motion Withdrawn

Mr. O'Day withdrew his motion to dispense with further proceedings under the call of the Assembly.

Motion to Dispense With Further Proceedings Under Call of the Assembly on Senate Bill No. 877

Mr. O'Day moved that further proceedings under the call of the Assembly be dispensed with, on Senate Bill No. 877.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dills, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Russell, Tenney, and Thomas—23.

NOES—Allen, Andreas, Bashore, Burns, Michael J., Carlson, Clarke, Desmond, Dilworth, Donnelly, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F.,

Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Stream, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

MOTION TO CLEAR ASSEMBLY CHAMBER

Mr. Bashore moved that the Assembly Chamber be cleared of everyone except Members of the Assembly or Senate, or their wives, and attaches.

Motion carried.

MOTION

Mr. Lyon moved that a roll call be taken to establish whether a gentlemen's agreement could be effected to recess at this time, and return at 9 a.m., Tuesday, June 3, 1941.

The roll was called, with the following result:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Leonard, Lyon, Massion, McCollister, Meehan, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Mr. Speaker—53.

NOES—Bashore, Cassidy, Crowley, Hawkins, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Miller, Pfaff, Potter, Richie, Sheridan, Tenney, and Watson—15.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 65 FROM COMMITTEE

Mr. Heisinger gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 65 from the Committee on Judiciary General, and have it placed upon the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 877

At 7.20 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Governor's veto to Senate Bill No. 877 was sustained by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Cronin, Crowley, Del Mutolo, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Kilpatrick, King, Massion, Meehan, O'Day, Pelletier, Richie, Tenney, Thomas, and Welch—24.

Notice of Motion to Reconsider Governor's Veto to Senate Bill No. 877

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby the Governor's veto to Senate Bill No. 877 was sustained.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

At 7.22 p.m., on motion of Mr. Thurman, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 2142 passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cassidy, Clarke, Collins, George D, Cooke, Crowley, Dills, Dilworth, Doyle, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lyon, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Salsman, Stream, Tenney, Thomas, Waters, Watson, and Mr. Speaker—42.

NOES—Andreas, Bashore, Burns, Hugh M, Cain, Carlson, Collins, Sam L, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Green, Knight, T. Fenton; Leonard, Lowrey, Meehan, Millington, O'Day, Phillips, Russell, Sawallisch, Sheridan, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Wollenberg—32.

Notice of Motion to Reconsider Assembly Bill No. 2142

Mr Thurman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2142 was this day passed.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on May 22, 1941, be further amended as follows:

Amendment No. 1

On page 2, between lines 43 and 44, of the printed bill, as amended, insert

"No money appropriated by this act is available for expenditure for the secretaries mentioned in this item unless there is enacted by the Legislature at its Fifty-fourth Session an act authorizing the employment of such secretaries"

Amendment No. 2

On page 5 of the printed bill, as amended, strike out line 19, and insert

"Court of Appeal ..... $210,600.00".

Amendment No. 3

On page 8 of the printed bill, as amended, strike out lines 7 to 13, inclusive.

Amendment No. 4

On page 12 of the printed bill, as amended, strike out line 26, and insert

"the Retail Sales Tax Fund ..... $5,879,549.00".

Amendment No. 5

On page 12 of the printed bill, as amended, strike out lines 43 to 46, inclusive, and insert

"(b) Operating Expenses	$1,007,646 00
(c) Equipment	28,901.00
Total of Schedule	$6,112,945.00".

Amendment No. 6

On page 12 of the printed bill, as amended, strike out line 51, and insert

"Net Appropriation ..... $5,879,549.00".

Amendment No. 7

On page 14 of the printed bill, as amended, strike out lines 16 to 20, inclusive, and insert

"Motor Vehicle Fuel Fund		$313,778.00
Schedule:		
(a) Salaries and Wages	$227,586.00	
(b) Operating Expenses	81,156.00	
(c) Equipment	5,036.00".	

Amendment No. 8

On page 17 of the printed bill, as amended, strike out line 3, and insert

"lowing schedule ---------- $608,242.00".

Amendment No. 9

On page 17 of the printed bill, as amended, strike out lines 8 to 17, inclusive, and insert

"Schedule:		
(a) Salaries and Wages	$534,995.00	
(b) Operating Expenses	86,090 00	
(c) Equipment	2,157.00	
Total of Schedule		$623,242.00
Less: Estimated abatements from other agencies		15,000.00
Net Appropriation		$608,242 00

No money appropriated by this act is available for expenditure for the salary of Hearing Officer and Confidential Secretary, State Personnel Board."

Amendment No. 10

On page 18 of the printed bill, as amended, strike out lines 40 to 44, inclusive, and insert

"Rate Fund		$770,752.00
Schedule:		
(a) Salaries and Wages	$597,780 00	
(b) Operating Expenses	166,260.00	
(c) Equipment	6,712 00".	

Amendment No. 11

On page 20 of the printed bill, as amended, strike out line 47, and insert

"lowing schedule ---------- $2,906,890 00".

Amendment No. 12

On page 21 of the printed bill, as amended, strike out lines 1 to 13, inclusive and insert

"Schedule:		
(a) Salaries and Wages	$2,345,962 00	
(b) Operating Expenses	632,280.00	
(c) Equipment	60,058.00	
Total of Schedule		$3,038,300.00
Less: Estimated pro rata cost of administration chargeable to Special Fund and Trust Fund activities		131,410 00
Net Appropriation		$2,906,890 00".

Amendment No. 13

On page 23, line 48, of the printed bill, as amended, strike out "$4,162,706 00", and insert "$4,013,108.00".

Amendment No. 14

On page 23, line 51, of the printed bill, as amended, strike out "1,129,476 00", and insert "1,038,078.00".

Amendment No. 15

On page 24, line 1, of the printed bill, as amended, strike out "112,736 00", and insert "54,536.00".

Amendment No. 16

On page 30, line 38, of the printed bill, as amended, strike out "$798,374 00", and insert "$781,044.00".

Amendment No. 17

On page 30 of the printed bill, as amended, strike out lines 43 to 48, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$776,427.00
(b) Operating Expenses	102,060.00
(c) Equipment	23,707.00
Total of Schedule	$902,194 00"

Amendment No. 18

On page 31, line 4, of the printed bill, as amended, strike out "$798,374 00", and insert "$781,044 00".

Amendment No. 19

On page 34, line 19, of the printed bill, as amended, strike out "$1,049,761.00", and insert "$1,034,441 00".

Amendment No. 20

On page 34 of the printed bill, as amended, strike out lines 24 to 29, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$971,227.00
(b) Operating Expenses	158,929.00
(c) Equipment	52,405 00
Total of Schedule	$1,182,561 00"

Amendment No. 21

On page 34, line 35, of the printed bill, as amended, strike out "$1,049,761.00", and insert "$1,034,441.00".

Amendment No. 22

On page 35, line 16, of the printed bill, as amended, strike out "$738,255.00", and insert "$716,057.00".

Amendment No. 23

On page 35 of the printed bill, as amended, strike out lines 21 to 26, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$738,963 00
(b) Operating Expenses	79,099 00
(c) Equipment	39,097.00
Total of Schedule	$857,159 00".

Amendment No. 24

On page 35, line 31, of the printed bill, as amended, strike out "$738,255.00", and insert "$716,057.00".

Amendment No. 25

On page 37, line 3, of the printed bill, as amended, strike out "$513,719 00", and insert "$502,799.00".

Amendment No. 26

On page 37, of the printed bill, as amended, strike out lines 9 to 14, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$388,344.00
(b) Operating Expenses	126,510.00
(c) Equipment	4,945.00
Total of Schedule	$519,799 00".

Amendment No. 27

On page 37, line 20, of the printed bill, as amended, strike out "$513,719.00", and insert "$502,799 00"

Amendment No. 28

On page 39, line 8, of the printed bill, as amended, after "hundred", insert "twelve".

Amendment No. 29

On page 39, line 9, of the printed bill, as amended, after "and", insert "three hundred eighty".

Amendment No. 30

On page 39, line 10, of the printed bill, as amended, after "necessary", insert a comma.

Amendment No. 31

On page 39 of the printed bill, as amended, strike out line 14, and insert
"ser Act" ---------- $312,380.00".

Amendment No. 32

On page 46 of the printed bill, as amended, strike out lines 11 to 15, inclusive, and insert
"schedule ---------- $525,645.00
Schedule:
(a) Salaries and Wages---------- $428,910.00
(b) Operating Expenses ---------- 90,600.00
(c) Equipment ---------- 6,135.00".

Amendment No. 33

On page 46 of the printed bill, as amended, strike out lines 46 to 49, inclusive, and insert
"ance with the following schedule---------- $137,920.00
Schedule:
(a) Salaries and Wages---------- $101,210 00
(b) Operating Expenses ---------- 36,010.00".

Amendment No. 34

On page 48 of the printed bill, as amended, strike out lines 12 to 16, inclusive, and insert
"Fire Marshal's Fund---------- $183,618.00
Schedule:
(a) Salaries and Wages---------- $114,410.00
(b) Operating Expenses ---------- 68,048 00
(c) Equipment ---------- 1,160.00".

Amendment No. 35

On page 48 of the printed bill, as amended, strike out line 52, and insert
"lowing schedule ---------- $279,845 00".

Amendment No. 36

On page 49 of the printed bill, as amended, strike out line 6, and insert
"(a) Salaries and Wages---------- $168,140.00".

Amendment No. 37

On page 49 of the printed bill, as amended, strike out line 10, and insert
"Total of Schedule---------- $285,845 00".

Amendment No. 38

On page 49 of the printed bill, as amended, strike out line 15, and insert
"Net Appropriation ---------- $279,845.00".

Amendment No. 39

On page 50 of the printed bill, as amended, strike out line 8, and insert
"lowing schedule---------- $2,222,295 00".

Amendment No. 40

On page 50 of the printed bill, as amended, strike out lines 15 to 20, inclusive, and insert
"Schedule:
(a) Salaries and Wages---------- $1,585,590 00
(b) Operating Expenses---------- 722,460.00
(c) Equipment ---------- 16,245 00
Total of Schedule---------- $2,324,295 00".

Amendment No. 41

On page 50 of the printed bill, as amended, strike out line 26, and insert
"Net Appropriation---------- $2,222,295.00".

Amendment No. 42

On page 51 of the printed bill, as amended, strike out line 8, and insert
"ing schedule---------- $2,273,105 00".

Amendment No. 43

On page 51 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert
"Schedule:
(a) Salaries and Wages---------- $1,570,850 00
(b) Operating Expenses---------- 796,100 00
(c) Equipment ---------- 16,155 00
Total of Schedule---------- $2,383,105 00".

Amendment No. 44

On page 51 of the printed bill, as amended, strike out line 25, and insert
"Net Appropriation ..... $2,273,105 00".

Amendment No. 45

On page 53 of the printed bill, as amended, strike out line 8, and insert
"schedule ..... $2,366,181 00".

Amendment No. 46

On page 53 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert
"Schedule:

(a) Salaries and Wages	$1,742,810.00
(b) Operating Expenses	696,460 00
(c) Equipment	12,911.00
Total of Schedule	$2,452,181.00".

Amendment No. 47

On page 53 of the printed bill, as amended, strike out line 25, and insert
"Net Appropriation ..... $2,366,181.00".

Amendment No. 48

On page 54 of the printed bill, as amended, strike out line 3, and insert
"ing schedule ..... $1,679,816.00".

Amendment No. 49

On page 54 of the printed bill, as amended, strike out lines 9 to 14, inclusive, and insert
"Schedule:

(a) Salaries and Wages	$1,245,549.00
(b) Operating Expenses	470,230 00
(c) Equipment	15,037.00
Total of Schedule	$1,730,816.00".

Amendment No. 50

On page 54 of the printed bill, as amended, strike out line 20, and insert
"Net Appropriation ..... $1,679,816.00".

Amendment No. 51

On page 55 of the printed bill, as amended, strike out line 7, and insert
"ing schedule ..... $2,389,981.00".

Amendment No. 52

On page 55 of the printed bill, as amended, strike out lines 13 to 18, inclusive, and insert
"Schedule:

(a) Salaries and Wages	$1,779,730 00
(b) Operating Expenses	670,148.00
(c) Equipment	14,903.00
Total of Schedule	$2,464,781.00".

Amendment No. 53

On page 55 of the printed bill, as amended, strike out line 24, and insert
"Net Appropriation ..... $2,389,981 00".

Amendment No. 54

On page 56 of the printed bill, as amended, strike out line 6, and insert
"ing schedule ..... $2,699,203 00".

Amendment No. 55

On page 56 of the printed bill, as amended, strike out lines 12 to 17, inclusive, and insert
"Schedule:

(a) Salaries and Wages	$1,954,600.00
(b) Operating Expenses	817,089 00
(c) Equipment	28,314 00
Total of Schedule	$2,800,003.00".

Amendment No. 56

On page 56 of the printed bill, as amended, strike out line 23, and insert
"Net Appropriation ..... $2,699,203.00".

Amendment No. 57

On page 58 of the printed bill, as amended, strike out line 47, and insert "lowing schedule _____$1,115,830.00".

Amendment No. 58

On page 59 of the printed bill, as amended, strike out lines 3 to 8, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$808,525.00
(b) Operating Expenses	334,550.00
(c) Equipment	16,955 00
Total of Schedule	$1,160,030.00".

Amendment No. 59

On page 59 of the printed bill, as amended, strike out line 14, and insert "Net Appropriation _____$1,115,830.00".

Amendment No. 60

On page 59 of the printed bill, as amended, strike out line 45, and insert "lowing schedule _____ $589,144.00".

Amendment No. 61

On page 60 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$450,504.00
(b) Operating Expenses	169,250 00
(c) Equipment	9,390.00
Total of Schedule	$629,144.00".

Amendment No. 62

On page 60 of the printed bill, as amended, strike out line 12, and insert "Net Appropriation _____ $589,144 00".

Amendment No. 63

On page 60 of the printed bill, as amended, strike out line 41, and insert "ing schedule _____$333,225.00".

Amendment No. 64

On page 60 of the printed bill, as amended, strike out lines 47 to 52, inclusive, and insert

"Schedule.

(a) Salaries and Wages	$260,416.00
(b) Operating Expenses	96,910.00
(c) Equipment	4,799 00
Total of Schedule	$362,125.00".

Amendment No. 65

On page 61 of the printed bill, as amended, strike out line 6, and insert "Net appropriation _____$333,225 00".

Amendment No. 66

On page 61, line 33, of the printed bill, as amended, strike out "Homes", and insert "Home".

Amendment No. 67

On page 66 of the printed bill, as amended, strike out lines 39 to 43, inclusive, and insert

"ance with the following schedule_____$23,440 00

Schedule:

(a) Salaries and Wages	$20,880.00
(b) Operating Expenses	2,460.00
(c) Equipment	100 00".

Amendment No. 68

On page 69 of the printed bill, as amended, strike out line 37, and insert "California _____$836.384 00".

Amendment No. 69

On page 69 of the printed bill, as amended, strike out line 51, and insert "(a) Salaries and Wages_____$969,484 00".

Amendment No. 70

On page 70 of the printed bill, as amended, strike out line 3, and insert
"Total of Schedule_____$1,574,984 00".

Amendment No. 71

On page 70 of the printed bill, as amended, strike out line 13, and insert
"Net Appropriation _____ $836,384.00".

Amendment No. 72

On page 72 of the printed bill, as amended, strike out line 38, and insert
"Vehicle Support Fund_____$12,583,633.00".

Amendment No. 73

On page 72 of the printed bill, as amended, strike out lines 46 to 51, inclusive, and insert

"Schedule:

(a) Salaries and Wages_____	$9,898,427.00
(b) Operating Expenses _____	3,170,075.00
(c) Equipment _____	516,853.00
Total of Schedule_____	$13,585,355.00".

Amendment No. 74

On page 73 of the printed bill, as amended, strike out line 3, and insert
"cle License Fee Fund_____ $1,001,722.00".

Amendment No. 75

On page 73 of the printed bill, as amended, strike out line 5, and insert
"Net Appropriation _____$12,583,633.00".

Amendment No. 76

On page 74 of the printed bill, as amended, strike out line 15, and insert
"Motor Vehicle License Fee Fund_____ $1,001,722 00".

Amendment No. 77

On page 74, line 23, of the printed bill, as amended, strike out "5", and insert "3.5".

Amendment No. 78

On page 74 of the printed bill, as amended, strike out line 38, and insert
"the following schedule_____ $90,660.00".

Amendment No. 79

On page 74 of the printed bill, as amended, strike out lines 44 to 49, inclusive, and insert

"Schedule:

(a) Salaries and Wages_____	$170,690.00
(b) Operating Expenses _____	26,240.00
(c) Equipment _____	1,490.00
Total of Schedule_____	$198,420.00".

Amendment No. 80

On page 75 of the printed bill, as amended, strike out line 4, and insert
"Net appropriation _____$90,660 00".

Amendment No. 81

On page 75 of the printed bill, as amended, strike out line 23, and insert
"Department of Natural Resources_____ $1,658,626 00".

Amendment No. 82

On page 75 of the printed bill, as amended, strike out lines 39 to 43, inclusive, and insert

"(a) Salaries and Wages_____$1,570,642.00
(b) Operating Expenses _____ 1,091,929 00
(c) Equipment _____ 177,721 00
Total of Schedule_____$2,840,292 00".

Amendment No. 83

On page 76 of the printed bill, as amended, strike out line 6, and insert
"Net Appropriation _____$1,658,626.00"

Amendment No. 84

On page 76 of the printed bill, as amended, between lines 33 and 34, insert
"Item 149.5—For additional support of Division of Forestry, Department of Natural Resources, to be transferred to Item 149, and to any of the purposes in the schedule thereof, upon executive order of the Director of Finance ..... $250,000.00".

Amendment No. 85

On page 77 of the printed bill, as amended, strike out line 49, and insert
"Fund ..... $270,185.00"

Amendment No. 86

On page 78 of the printed bill, as amended, strike out line 9, and insert
"(b) Operating Expenses ..... $151,855.00".

Amendment No. 87

On page 78 of the printed bill, as amended, strike out line 12, and insert
"Total of Schedule ..... $466,640.00".

Amendment No. 88

On page 78 of the printed bill, as amended, strike out line 20, and insert
"Net Appropriation ..... $270,185.00".

Amendment No. 89

On page 85 of the printed bill, as amended, strike out lines 5 to 11, inclusive, and insert

"Agency Contingent Fund		$17,790.00
Schedule:		
(a) Salaries and Wages	$10,800.00	
(b) Operating Expenses	6,890.00	
(c) Equipment	100.00	
Total of Schedule	$17,790.00"	

Amendment No. 90

On page 95 of the printed bill, as amended, strike out line 11, and insert
"dng Inspection Fund ..... $150,239.00".

Amendment No. 91

On page 95 of the printed bill, as amended, strike out line 14, and insert
"(b) Operating Expenses ..... $52,509.00".

Amendment No. 92

On page 95 of the printed bill, as amended, strike out line 42, and insert
"Fund ..... $155,542.00".

Amendment No. 93

On page 95 of the printed bill, as amended, strike out line 45, and insert
"(b) Operating Expenses ..... $70,522.00".

Amendment No. 94

On page 96 of the printed bill, as amended, strike out line 44, and insert
"Board of Optometry Fund ..... $17,417.00".

Amendment No. 95

On page 96 of the printed bill, as amended, strike out line 47, and insert
"(b) Operating Expenses ..... $7,207.00".

Amendment No. 96

On page 97 of the printed bill, as amended, strike out line 20, and insert
"macy Board Contingent Fund ..... $117,534.00".

Amendment No. 97

On page 97 of the printed bill, as amended, strike out lines 23 and 24, and insert

"(b) Operating Expenses	$38,820.00
(c) Equipment	740.00".

Amendment No. 98

On page 106 of the printed bill, as amended, strike out line 2, and insert
"ance with the following schedule ..... $828,211.00"

Amendment No. 99

On page 106 of the printed bill, as amended, strike out lines 8 to 13, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$534,426.00
(b) Operating Expenses	347,860.00
(c) Equipment	13,305.00
Total of Schedule	$895,591.00".

Amendment No. 100

On page 106 of the printed bill, as amended, strike out line 17, and insert "funds ---------- $67,380.00".

Amendment No. 101

On page 106 of the printed bill, as amended, strike out line 19, and insert

"Net Appropriation ---------- $828,211.00

No money appropriated by this item is available for expenditure in furtherance of the Central Valley Project."

Amendment No. 102

On page 106, between lines 19 and 20, of the printed bill, as amended, insert "Item 208.1—For additional support of the Division of Water Resources, Department of Public Works, in furtherance of the Central Valley Project ---------- $75,000.00".

Amendment No. 102.5

On page 117 of the printed bill, as amended, between lines 2 and 3, insert

"No authorization given by the State Board of Control pursuant to this section in respect to any augmentation of the amount available for expenditure for any purpose is valid unless given with the unanimous consent of the State Board of Control expressed in the form of a resolution which shall set forth the reasons and necessity for the authorization and shall be entered upon the minutes of the board.

The State Board of Control shall submit to each member of the Legislature not later than the fifteenth day of each month a report on all authorizations given pursuant to this section during the preceding month. The report shall contain such information regarding each authorization as shall be sufficient to apprise the members of the Legislature as to the reasons and necessity therefor."

Amendment No. 103

On page 117 of the printed bill, as amended, strike out lines 49 to 52, inclusive; and on page 118, strike out lines 1 to 7, inclusive, and insert

"Section 15. Whenever any of the duties, powers, purposes, responsibilities, or jurisdiction of any office, officer, board, commission, bureau or other agency of the State are transferred by law to any other office, officer, board, commission, bureau or other agency of the State, that portion of any appropriation herein made from the General Fund for the support of such office, officer, board, commission, bureau or other agency of the State, intended to be used and available for the performance of such duties, powers, purposes, responsibilities or jurisdiction, shall, by the State Controller, be transferred to, and the same shall become a part of, the funds available for the support of the office, officer, board, commission, bureau or other agency of the State, to which the duties, powers, purposes, responsibilities, or jurisdiction of such office, officer, board, commission, or other State agency have been transferred."

DELAP	BURNS, HUGH M.
PHILLIPS	PFAFF
TICKLE	WEYBRET
Senate Committee on Conference	Assembly Committee on Conference

MOTION TO SET SPECIAL ORDER

Mr. Pfaff moved that the report of the Second Committee on Conference concerning Assembly Bill No. 1800 be made a special order of business for Tuesday, June 3, 1941, at 2:30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day,

Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—68

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1498—An act to amend Section 830 of, to repeal Section 830.5 of, and to add Sections 830.1, 830.2, 830.3, 830.4 and 830.5 to, the Agricultural Code, relating to by-products disposal;

And reports the same has been correctly enrolled, and presented to the Governor on the second day of June, 1941, at 12 m

JOHN B. KNIGHT, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

TURNER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 120

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2652

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

POULSON, Chairman	POTTER
BENNETT	CRONIN
GALLAGHER	WATERS
FIELD	

Above reported bill ordered to second reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 2033

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Norman H Cowan of Los Angeles.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Attorney and

Mrs. Clarence P. Wallick and Mr. and Mrs. George Turner of Long Beach.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. W. Eviermann of Long Beach.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. F. Crow, Roy Parks and Clyde Broeffle of Hughson.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Fotich, Yugoslav Minister to the United States.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert A. Ash and Harry W. Lear of Oakland.

On request of Mr. Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bruce Taylor of Norfolk, Nebraska, son of Carl O. Taylor, Assistant District Director of the Plains States National Forest Service.

ADJOURNMENT

At 7 25 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, June 3, 1941

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED FORTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 3, 1941

The Assembly met at 10 a m.

Arthur A. Ohnimus, Chief Clerk, presiding.

Assistant Chief Clerk Frank Reed at the desk.

Mr. Frederick F. Houser moved that Mr. Turner preside as temporary chairman in the absence of the Speaker and Speaker pro tempore.

Motion carried.

Hon. Rodney L. Turner Presiding

At 10.02 a m., Hon. Rodney L. Turner, member of the Assembly from the Forty-first District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Allen suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Andreas, Bennett, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Russell, Stream, Turner, Waters, Watson, Welch, and Wollenberg—38.

Call of the Assembly

Mr. Allen moved a call of the Assembly.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.10 a.m , on motion of Mr. Allen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Gallagher,

Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Masson, McCollister, Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Richie, Russell, Stream, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

Speaker Presiding

At 10.12 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Del Mutolo.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Kellems, on motion of Mr. Waters.
Mrs. Daley, on motion of Mr. Stream.
Mr. Maloney, on motion of Mr. Green.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2652—An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1091—An act to add Section 566 to the Streets and Highways Code, relating to State highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Roads and Highways:

Amendment No. 1

On page 1, line 4, of the printed bill, after "the", insert "State".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert "(a) Hoover Street from Route 165 to Route 173 in the City of Los Angeles."

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "(c)", and insert "(b)".

Amendments read and adopted.
Bill ordered printed and engrossed.

Assembly Bill No. 2033—An act to amend Section 700 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "700 of the Elections Code", and insert "9704 of the Elections Code and Section 752 and 760 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "elections", and insert "officers of fifth class cities, the election and qualification of such officers and the dates of meetings of boards of trustees".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 9704 of the Elections Code is hereby amended to read as follows.

9704. A general municipal election shall be held in all cities of the fifth class on the second [Monday] *Tuesday* in April, 1943, and on the second [Monday] *Tuesday* in April of each fourth year thereafter.

SEC. 2. Section 752 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 752. The members of the board of trustees, and of the board of education, and the city clerk, city attorney, assessor, marshal, treasurer, and recorder shall be elected by the qualified electors of said city at a general municipal election, to be held therein on the second [Monday] *Tuesday* in April, 1903, and on the second [Monday] *Tuesday* in April of each fourth year thereafter and shall hold office for the period of four years from and after the [Monday] *Tuesday* next succeeding the day of such election, and until their successors are elected and qualified: provided, that a general municipal election shall be held in said city on the second [Monday] *Tuesday* in April, 1905, for the election of successors to the members of the board of trustees and of the board of education whose terms of office expire during said year, and said successors shall hold office for the period of two years from and after the [Monday] *Tuesday* next succeeding the day of such election, and until their successors are elected and qualified. The board of trustees may in their discretion appoint a poundmaster, also a superintendent of streets, and a city engineer, all of whom shall hold office during the pleasure of the board.

SEC. 3. Section 760 of said act is hereby amended to read as follows.

Sec. 760. The board of trustees shall meet on the [Monday] *Tuesday* next succeeding the date of said general municipal election, or special election, shall take the oath of office, shall choose one of their number president, and shall hold regular meetings at least once in each month, at such times as they shall fix by ordinance. Special meetings may be called at any time by the president of the board or by three trustees, by written notice delivered to each member at least three hours before the time specified for the proposed meeting. All meetings of the board of trustees shall be held within the corporate limits of the city, at such place as may be designated by ordinance, and shall be public."

Amendments read and adopted.

Bill ordered printed, and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 120—An act to amend Section 4109 of the Revenue and Taxation Code, relating to property taxation, the redemption of property, and the payment of delinquent taxes in installments.

Bill read second time, and ordered to third reading.

Senate Bill No. 484—An act to repeal Section 5.1 of the Retail Sales Tax Act of 1933 and Section 6381 of the Revenue and Taxation Code, both relating to exemption from retail sales taxes; to defer final

assessment and determination of sales and use taxes in certain instances, and providing that this act shall take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 3, line 23, of the printed bill, as amended in the Senate May 27, 1941, strike out the period after "kind", and insert ", or on or before the date on which the assessment or determination becomes final whichever is the later"

Amendment read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 875 WAIVED

Mr. Kilpatrick waived his notice of motion to reconsider the vote whereby Senate Bill No. 875 was passed.

Senate Bill No. 875 ordered transmitted to the Senate.

STATEMENT FOR JOURNAL

Due to answering long distance telephone calls of constituents requesting I vote for Senate Bill No. 877 (Hot Cargo and Secondary Boycott) I was unable to be present at the time the vote was taken on Senate Bill No. 877, on June 2, 1941.

RANDAL F. DICKEY

Speaker Pro Tempore Presiding

At 11.15 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1342—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1342?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "prescriber", insert ", provided, however, that any prescription for phenobarbital or any preparation, mixture or compound of phenobarbital may be refilled"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1342 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Stream, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—49.

NOES—None

Assembly Bill No. 1342 ordered enrolled.

Assembly Bill No. 2164—An act to add Section 15035 and Sections 17821 to 17829, inclusive, to the Health and Safety Code, relating to

definition of "Building unfit for human habitation" and providing for demolition, closing or repair thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2164?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, after "wind", insert "and by reason of such condition are dangerous to human life or detrimental to health".

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, after "lean", insert "and by reason of such condition are dangerous to human life or detrimental to health".

Amendment No. 3

On page 2, line 2, of the printed bill, as amended, after the word "building", insert "and any mortgagee or beneficiary under any deed of trust, of re-record,".

Amendment No. 4

On page 2, line 9, of the printed bill, as amended, after the period, insert "If such building is encumbered by a mortgage or deed of trust, of record, and the owner of such building shall not have complied with the order of the enforcement agency on or before the expiration of 30 days after the mailing and posting of the notice, the mortgagee or beneficiary under such deed of trust, may within 15 days after the expiration of said 30-day period, comply with the requirements of the order of the enforcement agency, in which event the costs to such mortgagee or beneficiary shall be added to and become a part of the lien secured by said mortgage or deed of trust and shall be payable at the same time and in the same manner as may be prescribed in said mortgage or deed of trust for the payment of any taxes advanced or paid by said mortgagee or beneficiary for and on behalf of said owner."

Amendment No. 5

On page 2, line 11, of the printed bill, as amended, strike out "30", and insert "45".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2164 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Poulson, Richie, Russell, Stream, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—47.

NOES—None.

Assembly Bill No. 2164 ordered enrolled.

Assembly Bill No. 2634—An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2.600 to the School Code, all relating to the formation of high school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2634?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended, strike out "of the heads of families or".

Amendment No. 2

On page 1, line 19, of the printed bill, as amended, strike out "of the heads of families or".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stream moved a call of the Assembly.

Motion carried Time, 11 25 a m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 841—An act to amend Sections 1, 5a and 11 of an act entitled "The California Air Navigation Act," relating to air navigation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 841?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "an act entitled "The", and insert "The".

Amendment No. 2

In line 2 of the title of the printed bill, after "Act," strike out the quotation marks.

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert "SECTION 1 Section 1 of the California Air Navigation Act is hereby".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 12, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 841 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Carlson, Clarke, Collins, Sam L, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, T Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaft, Poole, Poulson, Richie, Russell, Sawallisch, Stream, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 841 ordered enrolled.

Assembly Bill No. 2100—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of records and of unpaid or unclaimed dividends of liquidated building and loan associations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2100?

Amendment No. 1

On page 2, line 29, of the printed bill, as amended, strike out "associations", and insert "association".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2100 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hawkins, Heisinger, Howser, F N., Johnson, Kepple, Knight, T Fenton; Leonard, Lyon, Massion, McCollister, Mid

dough, Miller, Millington, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, and Mr Speaker —48.

NOES—None.

Assembly Bill No. 2100 ordered enrolled.

Assembly Bill No. 1052—An act to amend School Code Sections 2.85 and 2.112, relating to school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1052?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended, after "union", insert "or joint union".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1052 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Turner, Waters, Watson, Welch, and Mr. Speaker—49

NOES—None.

Assembly Bill No. 1052 ordered enrolled.

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Sections 124.1 and 128.5 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles, the director thereof and the Chief of the California Highway Patrol.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1272?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Sections 124.1 and 128.5", and insert "Section 124.1".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 37 to 40, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1272 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 1272 ordered enrolled.

Assembly Bill No. 895—An act to amend Section 305 of the Agricultural Code, relative to meat inspection.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 895?

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "27,000", and insert "28,000"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 895 by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—49.
NOES—Dills—1.

Assembly Bill No. 895 ordered enrolled.

Assembly Bill No. 1287—An act to amend Sections 554, 616 and 675 of the Vehicle Code, relating to equipment on vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1287?

Amendment No. 1

On page 2 of the printed bill, after line 10, insert
"SEC. 3. The provisions of Section 675 of the Vehicle Code relating to fire trucks, fire engines and other fire apparatus, in so far as they pertain to fire trucks, fire engines and other fire apparatus in use or in operation on the effective date of this act, shall not become operative until January 1, 1944."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1287 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Miller, Millington, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—50.
NOES—None

Assembly Bill No. 1287 ordered enrolled.

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code, relating to fees for official services.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1639?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended May 9, 1941, strike out "sum than five dollars ($5) per"; and strike out all of line 17, and insert "sums than the following shall be allowed:
(a) Five dollars ($5) when necessarily employed for any twelve (12) hour period or any part thereof.
(b) Seven dollars and fifty cents ($7.50) when necessarily employed for a twenty-four (24) hour period, or any part thereof in excess of twelve (12) hours, except that a fee of five dollars ($5) may be allowed a keeper when necessarily employed for each twelve (12) hour period, or any part thereof, as a custodian on the premises of a business establishment which is carrying on its business during such twelve (12) hour period, or any part thereof."

Amendment No. 2

On page 2, line 38, of the printed bill, as amended, after "arrest," insert "except under the provisions of Title 5, Part 3, of the Code of Civil Procedure relating to civil contempts of court,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1639 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth,

Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Leonard, Lowrey, Massion, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1639 ordered enrolled.

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code, with reference to satisfaction of judgments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1485?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, following "($100)", insert "not including costs or loss of use,"

Amendment No. 2

On page 2 of the printed bill, as amended, at the beginning of line 14, strike out "10", and insert "five".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 1485 by the following vote:

AYES—Bennett, Cooke, Crowley, Doyle, Massion, and Russell—6.

NOES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, McCollister, Middough, Miller, Millington, Pelletier, Poole, Richie, Salsman, Sawallisch, Stream, Thomas, Thorp, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—44.

Assembly Bill No. 1485 ordered to conference.

Assembly Bill No. 2382—An act to amend Section 1580 of the Probate Code, relating to guardians.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2382?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 12 and 13, and insert "(8) If such guardian is not a parent of the ward and it appears to the court to be for the best interest of the ward or his estate to replace the guardian with a parent, or"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2382 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59

NOES—None

Assembly Bill No. 2382 ordered enrolled.

Assembly Bill No. 2457—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2457?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 5 to 19, inclusive, and insert

"3051. Each applicant for examination shall also furnish proof that he has completed two years of collegiate work and showing at least 60 semester units of credit of not less than C grade average.

After June, 1943, included in these semester units the following subjects are required (i) Physics (ii) Physiology, Biology or Zoology, (iii) Chemistry, (iv) Bacteriology, (v) Psychology, and (vi) Analytical Geometry

The two years of collegiate work required by this section shall be in addition to and preliminary to the two-year course of study in optometry prescribed by Section 3049 of this code."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2457 by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—58.

NOES—None.

Assembly Bill No. 2457 ordered enrolled.

Assembly Bill No. 648—An act to amend Section 7057 of the Welfare and Institutions Code, relating to the determination of the alleged defective or psychopathic delinquencies.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 648?

Amendment No. 1

In line 1 of the title of the printed bill, after "7057", insert "and Section 7061".

Amendment No. 2

On page 1 of the printed bill, at the end of line 13, insert

"SEC. 2. Section 7061 of the Welfare and Institutions Code is hereby amended to read as follows:

7061 Each psychologist[,] *or* psychiatrist[, and criminologist] shall receive for each attendance mentioned in Section 7057 the sum of five dollars ($5) for each person examined, together with his necessary actual expenses occasioned thereby, and other witnesses shall receive for such attendance such fees and expenses as the court in its discretion allows, if any, not exceeding the fees and expenses allowed by law in other cases in the superior court.

Any fees or traveling expenses payable to a psychologist, psychiatrist[, criminologist] or witness as provided in this section and expenses connected with the execution of any process under this chapter which are not paid by the person committed or by the person charged with his support shall be paid by the county treasurer of the county in which the person resides, upon the presentation to the treasurer of a certificate of the court that the claimant is entitled thereto."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 648 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Mr Speaker—58.

NOES—None.

Assembly Bill No 648 ordered enrolled.

Assembly Bill No. 650—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support, and maintenance of persons in State institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 650?

Amendment No. 1

On page 1, line 20, of the printed bill, before "Department", insert "institution or the".

Amendment No. 2

On page 1, line 22, of the printed bill, after "demand", insert ", and in the statement to the Controller the amounts refunded shall be itemized and the aggregate deducted from the amount to be paid into the State Treasury, as provided by law"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 650 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 650 ordered enrolled.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lowrey, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No 1135.

Assembly Bill No. 1135—An act to amend Section 554 of the Labor Code, relating to days of rest

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1135?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended May 28, 1941, after "employees", insert "Nor shall the provisions of this chapter apply when the total hours of employment do not exceed 30 per week or six hours in any one day thereof."

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No 1135 by the following vote:

AYES—Burkhalter, Carlson, Dills, and Field—4.

NOES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Mr. Speaker—52.

Assembly Bill No 1135 ordered to conference.

Assembly Bill No. 1795—An act to add Sections 28.25 and 28.35 to the California Irrigation District Act, relating to the manner of selecting directors of certain irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1795?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 28 35", and insert ", 28 35, and 19d".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "directors", and insert "officers".

Amendment No. 3

On page 2 of the printed bill, as amended, after line 32, insert

"SEC. 3. Section 19d is hereby added to the act cited in the title hereof, to read as follows:

Sec. 19d. The California Districts Securities Commission may file a report with the board of supervisors of a county in which an irrigation district or the greater part thereof is situated informing the board that:

(a) Not less than 90 per cent of the land in the irrigation district is deeded for delinquent taxes or assessments to either the State or the irrigation district or both.

(b) No election of directors of the irrigation district has been held for a period of more than four years next preceding the filing of the report.

(c) In the opinion of the commission the interests of the public will best be served by the appointment of directors pursuant to this section.

Upon receipt of the report, the board of supervisors shall promptly give notice by publication in at least two issues of a newspaper published in the county in which the board of supervisors has its office of the time and place at which a hearing will be held to determine whether or not a board of directors for the irrigation district should be appointed as provided in this section. The date of such hearing shall be not less than 10 days nor more than 30 days from the first publication of the notice. At such hearing, if it appears to the satisfaction of the board of supervisors that not less than 90 per cent of the land in the district is deeded for delinquent taxes or assessments to either the State or the irrigation district or both, and that no election of directors has been held for more than four years next preceding, the board of supervisors may appoint for the district a board of directors to consist of three members who need not be residents or land owners in the district, but each of whom shall be a resident land owner of a county supervisorial district in which all or a portion of the land in the irrigation district is situated. The directors so appointed shall take office as soon as they shall have qualified in accordance with the provisions of this act, and shall hold office for a period of four years and thereafter until their successors are elected or appointed and qualified.

Upon its organization as a board, the board so appointed shall fill by appointment the offices of treasurer, collector and assessor, and none of the persons so appointed need be residents or land owners within the district.

Not more than 60 nor less than 30 days before the first Wednesday in February of any odd numbered year a majority of the electors in a district then having a board of directors appointed pursuant to this section, may petition the board of directors that an election be held, showing in such petition that there are persons who could qualify under Section 26 of this act as directors representing each division in the district, that there are more than five owners of land in the district who are residents and electors thereof, and that there are sufficient electors in the district to conduct an election. If the board of directors finds the facts alleged in the petition to be true it shall order that a general election be held, as provided in this act, at which election a director for each division and all other elective officers shall be elected. The directors shall at their first meeting classify themselves into two groups in the same manner and with the same effect as is provided in Section 13 of this act."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1795 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1795 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 431—An act to amend Section 73b of and to add Sections 73c, 73d, 73e, 73f and 73g to the Code of Civil Procedure,

relating to sessions of the superior court held in cities other than the county seat and the transfer of actions or proceedings to the same.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 431 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Bill read third time.

Assembly Bill No. 952—An act to repeal Sections 4000, 4001, 3820-3881, inclusive, and 3500-3511, inclusive, of the Harbors and Navigation Code.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Carlson, Collins, George D., Desmond, Donnelly, Gaffney, Gunlock, Hawkins, Heisinger, Knight, John B., Lowrey, Millington, O'Day, Pelletier, and Robertson—15.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cassidy, Clarke, Collins, Sam L., Cooke, Dilworth, Evans, Field, Gallagher, Green, Hastam, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Massion, McCollister, Middough, Miller, Poole, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Welch—39.

Assembly Bill No. 1570—An act to require cooks, bus boys, waiters, waitresses, dish washers, dish dryers, and domestic servants to obtain certificates that they are free from communicable diseases.

Bill read third time.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Frederick F. Houser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1570.

Demand for Previous Question

Messrs. Collins, Sam L., Andreas, Poole, Allen and Turner demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1570.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Carn, Cassidy, Clarke, Cooke, Cronin, Del Mutolo, Dickey, Dills, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastam,

Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Weber, and Wollenberg—43.

NOES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Carlson, Collins, George D., Collins, Sam L., Crowley, Desmond, Dilworth, Donnelly, Gaffney, Hawkins, Howser, F. N., Knight, T. Fenton; McCollister, Meehan, O'Day, Phillips, Poole, Richie, Robertson, Turner, Voigt, Watson, Welch, and Weybret—27.

Notice of Motion to Reconsider Assembly Bill No. 1570

Mr. Gaffney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1570 was this day passed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No 2633, entitled: "An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately."

My objections to this bill are as follows:

This bill appropriates $60,000 "for contingent expenses of the Assembly to be expended for such purposes and in such manner as the Assembly shall by resolution direct, including expenses of committees, whether to meet and act during the session or after final adjournment"

There has already been appropriated for Assembly contingent expenses for this session of the Legislature the sum of $70,000, of which there is unexpended the sum of $37,001.73, as of May 29th, according to the records of the State Controller. The $60,000 appropriated by this bill, together with the amounts already appropriated, would total $130,000, which far exceeds any amounts ever appropriated at previous sessions of the Legislature for similar purposes.

The appropriations for the last regular session totaled $40,000, and the appropriations made for the expenses of the five special sessions of the Legislature, covering unprecedented amounts for numerous special investigating committees, totaled $64,618.80.

In my message regarding Assembly Bill No. 638 I stated:

> "This additional amount of $25,000 which I have approved together with the amount remaining from previous appropriations, I know is ample to cover all necessary expenditures from the Assembly Contingent Fund. It is inconceivable that the normal contingent expenses that could be incurred by the Assembly during the remainder of this regular session could possibly exceed the sum of $25,000 more than the amount now in the fund, even though the session were to last another 60 days. If at a later date a still further appropriation to this fund should become necessary, I will willingly approve the same."

The thirty-seven odd thousand dollars still remaining for Assembly contingent expenses is ample to cover any expenditures that should be made by this Legislature for such purposes.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Senate and Members of the Assembly
Sacramento, California

GREETINGS: I consider it my duty to again call your attention to the need for immediate revision of the Horse Racing Act increasing the State's portion of the total "take" from contributions to the pari-mutuel betting pools when they are in excess of ten million dollars ($10,000,000). In view of the extraordinary profits of the large track licensees under the present law, and in view of the position taken by the present Racing Board and sustained by an opinion of the Attorney General that the race tracks have not heretofore complied with the statute in calculating the "breakage" retained by them on redistributions, there should be enacted at this session amendments of the provisions of the law with reference to license fees and redistributions so as to return to the State a greater portion of the total amount taken from the pools of the pari-mutuel betting, and at the same time provide for the retention by the licensees of a sufficient part thereof to meet their operating requirements and provide for a reasonable return. This may be done without

increasing the total "take" from the contributions to the betting pools, with the resulting additional return to the State of a million and one-half dollars or more per annum

Bills are pending which may be used to effect such legislation

You have passed Senate Bill No. 386 which would permit race track licensees to continue to deduct as a part of their commissions from the gross amount of money handled in the pari-mutuel pools, in addition to eight per cent (8%) thereof, the odd cents by which the amount payable on *each dollar* wagered exceeds the next lowest multiple of ten cents (10c); this act to be effective only until December 25, 1941, but not subsequent thereto. If no other legislation is enacted at this session making revisions of the Race Track Act as above suggested, the State will be deprived of revenues available from this source of one and one-half million dollars or more per year, and from and after December 25, 1941, redistributions must be made with odd cents taken only on the mutual contributions instead of on each dollar wagered, which has heretofore been the illegal practice and with which the State and county fairs and the smaller tracks are vitally concerned. Senate Bill No. 386 may not be regarded as an urgency measure within the meaning of Section 1 of Article IV of the Constitution of the State of California which is invoked, even though it was passed as an urgency measure and states that "It is necessary that this act take effect immediately in order that injury may be averted while the permanent solution is being worked out."

There will be no call of a special session of the Legislature for working out a permanent solution. Therefore, a permanent solution should be worked out and legislation to that end enacted before the adjournment of this regular session.

My recommendations are that the act be revised to provide that the commission deducted by a licensee on any amount not exceeding $10,000,000 of the total amount of the pari-mutuel pool shall not exceed 8 per cent and the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of 10 cents; that the commission deducted by a licensee on any amount in excess of $10,000,000, but not in excess of $20,000,000, handled in a pari-mutuel pool shall not exceed 6 per cent and one-half of the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of 10 cents; that the commission deducted by a licensee on any amount of a pari-mutuel pool exceeding $20,000,000 shall not exceed 5 per cent and one-half of the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of 10 cents, and that the license fee deducted by the State on any amount of a pari-mutuel pool of not exceeding $10,000,000 shall be 4 per cent thereof; that the license fee deducted by the State on any amount of a pari-mutuel pool in excess of $10,000,000, but not in excess of $20,000,000, shall be 6 per cent and one-half of the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of 10 cents; and that the license fee deducted by the State on any amount of a pari-mutuel pool in excess of $20,000,000 shall be 7 per cent and one-half of the odd cents by which the amount payable on each dollar wagered exceeds the next lowest multiple of 10 cents.

I further recommend that all additional revenue to the State derived from such amendments be for the General Fund.

I also respectfully urge that you consider and act favorably upon other recommendations made by the Horse Racing Board, including provisions for proper rewards to California breeders of winning race horses and for increasing the amount annually appropriated to the board in order to defray the expenses of the officers and employees provided for in the act.

Respectfully submitted.

GUILBERT L. OLSON, Governor of California

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2634

At 11.59 a.m., on motion of Mr. Stream, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Senate amendments to Assembly Bill No. 2634 were concurred in by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wevbret, Wollenberg and Mr. Speaker—63

NOES—None

Assembly Bill No. 2634 ordered enrolled.

MOTION TO CLEAR ASSEMBLY CHAMBER

Mr. Bashore moved that the Assembly Chamber be cleared of everyone except Members of the Assembly and of the Senate, the wives and immediate families of Members of both houses, and attaches for the balance of the legislative session until adjournment sine die.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Dickey, Donnelly, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Massion, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Sheridan, Thorp, Voigt, and Waters—36

NOES—Burns, Michael J., Cassidy, Collins, Sam L., Del Mutolo, Desmond, Dilworth, Doyle, Evans, Gaffney, King, Lowrey, McCollister, Middough, Robertson, Thurman, Turner, Weber, and Welch—18

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 241

WHEREAS Assembly Bill No 2063, Chapter 395 of the Statutes of 1941 provides that the State Printer shall compile or cause to be compiled, published and distributed a State Blue Book; and

WHEREAS, It is fitting that the Members of the Assembly should receive copies of the State Blue Book in order that they and their constituents may be better acquainted with the information therein contained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is authorized to order 870 copies of the State Blue Book for delivery in accordance with the provisions of Assembly Bill No 2063, Chapter 395 of the Statutes of 1941, and the cost thereof not to exceed three thousand nine hundred fifteen dollars ($3,915), shall be payable from the legislative printing appropriation

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 241, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, and Welch—60.

NOES—None.

Request for Unanimous Consent

Mr. Tenney asked for unanimous consent to have his name placed upon the morning roll call due to his attendance at a Senate committee at the time the roll was called.

Mr. Sam L Collins withheld unanimous consent

Explanation of Absence

My absence on the morning of this legislative day was the result of a Senate resolution requesting my presence as Chairman of the Joint Fact-Finding Committee on Un-American Activities in a hearing with the Metzger Committee.

JACK B. TENNEY

NOTICE OF MOTION TO RECONSIDER MOTION TO CLEAR ASSEMBLY CHAMBER

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Mr. Bashore's motion to clear the Assembly Chamber was this day carried

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1951—An act to add Section 2 5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, after "agricultural", insert "or live stock".

Amendment read and adopted

Bill ordered reprinted, and re-engrossed.

RECESS

At 12.15 p m, on motion of Mr Lyon the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

MOTION TO RECONSIDER MOTION TO CLEAR ASSEMBLY CHAMBER

Mr. Bashore moved that reconsideration of the motion to clear the Assembly Chamber of all persons except Members of the Assembly and of the Senate, members of their immediate families, and attaches for the balance of the legislative session be taken up, at this time.

Mr Lyon seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Hastain, Houser, Frederick F., Howser, F. N., Knight, John B., Lowrey, Massion, McCollister, Muddough, Miller, Millington, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Weybret—42.

NOES—Allen, Bashore, Bennett, Carlson, Collins, George D., Cooke, Donnelly, Gallagher, Gunlock, Heisinger, Kilpatrick, Knight, T. Fenton; Lyon, Meehan, O'Day, Pelletier, Phillips, and Thomas—18

The question being on the motion that the Assembly Chamber be cleared of all persons except Members of the Assembly and of the Senate, members of their immediate families, and attaches for the balance of the legislative session

Demand for Previous Question

Messrs. Houser, Frederick F., Dickey, Collins, Sam L., Evans and Robertson demanded the previous question.

Demand for previous question sustained.

The question being on the motion that the Assembly Chamber be cleared of all persons except Members of the Assembly and of the Senate, members of their immediate families, and attaches for the balance of the legislative session

The roll was called, and motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Dills, Dilworth, Donnelly, Evans, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Massion, Meehan, Miller, O'Day, Pelletier, Ptaff, Poulson, Russell, Salsman, Sheridan, Thomas, Thorp, Voigt, and Waters—42

NOES—Burns, Michael J., Call, Collins, Sam L., Doyle, Gaffney, Green, Howser, F. N., King, McCollister, Middough, Poole, Potter, Robertson, Stream, Thurman, Weybret, and Wollenberg—17

RESOLUTIONS

The following resolutions were offered:

By Mr. Evans:

House Resolution No. 242

Resolved by the Assembly of the State of California That a Special Committee on Press Cards and Privileges is hereby created to consist of three Members of the Assembly and a representative each of the International News Service, the United Press, and the Associated Press, appointed by the Speaker, which committee shall examine the credentials of all persons entitled or claiming to be entitled to press cards and privileges, including the privilege of the floor, and shall report to the Assembly on June 4, 1941, whether any persons not granted those privileges have asserted them. The committee may also make recommendations for the proper enforcement of the rules relating to the subject matter of this resolution.

Resolution read, and referred to the Committee on Rules.

By Mr. Cain:

House Resolution No. 243

Congratulating Sacramento Junior College

WHEREAS, Sacramento Junior College won the National track and field championship at the annual Junior College Track Meet held at Denver, Colorado, Saturday, May 31, 1941; and

WHEREAS, Two of the athletes of the Sacramento Junior College lowered American Junior College track records; and

WHEREAS, The splendid performance of the Junior College team reflects the excellent training and clean competitive spirit of the school and redounds to the honor of all the schools of this State; now, therefore, be it

Resolved by the Assembly of the State of California That this body hereby congratulates the members of the winning team and Sacramento Junior College for their outstanding performance, and be it further

Resolved, That the Chief Clerk of this Assembly be hereby instructed to forward a suitably prepared copy of this resolution to Sacramento Junior College in recognition of its victory

Request for Unanimous Consent

Mr. Cain asked for, and was granted, unanimous consent to take up House Resolution No. 243, at this time, without reference to committee.

Demand for Previous Question

Messrs. Allen, Collins, Howser, F. N., Dickey and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 243.

Resolution read, and adopted.

Call of the Assembly

Mr. Pfaff moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Evans, Gunlock, Hawkins, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Massion, McCollister Meehan, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Collins, George D., Crowley, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Millington, Sawallisch, and Sheridan—19.

Time, 2.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, the report of the Second Committee on Conference concerning Assembly Bill No. 1800 was taken up.

Report of Second Committee on Conference

The following report of Second Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: The Second Committee on Conference concerning

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill, as amended on May 22, 1941, be further amended as follows

Amendment No. 1

On page 2, between lines 43 and 44, of the printed bill, as amended, insert

"No money appropriated by this act is available for expenditure for the secretaries mentioned in this item unless there is enacted by the Legislature at its Fifty-fourth Session an act authorizing the employment of such secretaries"

Amendment No. 2

On page 5 of the printed bill, as amended, strike out line 19, and insert

"Court of Appeal ..... $210,600".

Amendment No. 3

On page 8 of the printed bill, as amended, strike out lines 7 to 13, inclusive.

Amendment No. 4

On page 12 of the printed bill, as amended, strike out line 26, and insert

"the Retail Sales Tax Fund ..... $5,879,549.00".

Amendment No. 5

On page 12 of the printed bill, as amended, strike out lines 43 to 46, inclusive, and insert

"(b) Operating Expenses $1,007,646 00
(c) Equipment 28,901.00

Total of Schedule ..... $6,112,945 00"

Amendment No. 6

On page 12 of the printed bill, as amended, strike out line 51, and insert

"Net Appropriation ..... $5,879,549 00".

Amendment No. 7

On page 14 of the printed bill, as amended, strike out lines 16 to 20, inclusive, and insert

"Motor Vehicle Fuel Fund $313,778.00
Schedule:
(a) Salaries and Wages $227,586.00
(b) Operating Expenses 81,156 00
(c) Equipment ..... 5,036.00".

Amendment No. 8

On page 17 of the printed bill, as amended, strike out line 3, and insert

"lowing schedule ..... $608,242 00".

Amendment No. 9

On page 17 of the printed bill, as amended, strike out lines 8 to 17, inclusive, and insert

"Schedule:
(a) Salaries and Wages $534,995 00
(b) Operating Expenses 86,090 00
(c) Equipment 2,157 00

Total of Schedule $623,242 00
Less: Estimated abatements from other agencies 15,000.00

Net Appropriation $608,242 00

No money appropriated by this act is available for expenditure for the salary of Hearing Officer and Confidential Secretary, State Personnel Board."

Amendment No. 10

On page 18 of the printed bill, as amended, strike out lines 40 to 44, inclusive, and insert

"Rate Fund $770,752.00
Schedule:
(a) Salaries and Wages $597,780 00
(b) Operating Expenses 166,260 00
(c) Equipment ..... 6,712 00".

Amendment No. 11

On page 20 of the printed bill, as amended, strike out line 47, and insert

"lowing schedule ..... $2,906,890.00".

Amendment No. 12

On page 21 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert

"Schedule:
(a) Salaries and Wages $2,345,962 00
(b) Operating Expenses 632 280 00
(c) Equipment 60,058.00

Total of Schedule $3,038,300.00
Less. Estimated pro rata cost of administration chargeable to Special Fund and Trust Fund activities 131,410 00

Net Appropriation ..... $2,906,890 00".

Amendment No. 13

On page 23, line 48, of the printed bill, as amended, strike out "$4,162,706 00", and insert "$4,013,108 00".

Amendment No. 14

On page 23, line 51, of the printed bill, as amended, strike out "1,129,476 00", and insert "1,038,078.00".

Amendment No. 15

On page 24, line 1, of the printed bill, as amended, strike out "112,736 00", and insert "54,536 00".

Amendment No. 16

On page 30, line 38, of the printed bill, as amended, strike out "$798,374 00", and insert "$781,044 00"

Amendment No. 17

On page 30 of the printed bill, as amended, strike out lines 43 to 48, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$776,427 00
(b) Operating Expenses	102,060 00
(c) Equipment	23,707.00
Total of Schedule	$902,194.00"

Amendment No. 18

On page 31, line 4, of the printed bill, as amended, strike out "$798,374 00", and insert "$781,044 00".

Amendment No. 19

On page 34, line 19, of the printed bill, as amended, strike out "$1,049,761 00" and insert "$1,034,441 00"

Amendment No. 20

On page 34 of the printed bill, as amended, strike out lines 24 to 29, inclusive, and insert

"Schedule·

(a) Salaries and Wages	$971,227 00
(b) Operating Expenses	158,929.00
(c) Equipment	52,405 00
Total of Schedule	$1,182,561 00".

Amendment No. 21

On page 34, line 35, of the printed bill, as amended, strike out "$1,049,761.00", and insert "$1,034,441 00".

Amendment No. 22

On page 35, line 16, of the printed bill, as amended, strike out "$738,255.00", and insert "$716,057.00".

Amendment No. 23

On page 35 of the printed bill, as amended, strike out lines 21 to 26, inclusive, and insert

"Schedule·

(a) Salaries and Wages	$738,963.00
(b) Operating Expenses	79,099 00
(c) Equipment	39,097 00
Total of Schedule	$857,159 00".

Amendment No. 24

On page 35, line 31, of the printed bill, as amended, strike out "$738,255 00", and insert "$716,057 00".

Amendment No. 25

On page 37, line 3, of the printed bill, as amended, strike out "$513,719 00", and insert "$502,799.00".

Amendment No. 26

On page 37 of the printed bill, as amended, strike out lines 9 to 14, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$388,344.00
(b) Operating Expenses	126,510 00
(c) Equipment	4,945 00
Total of Schedule	$519,799 00".

Amendment No. 27

On page 37, line 20, of the printed bill, as amended, strike out "$513,719 00", and insert "$502,799.00".

Amendment No. 28

On page 39, line 8, of the printed bill, as amended, after "hundred", insert "twelve".

Amendment No. 29

On page 39, line 9, of the printed bill, as amended, after "sand", insert "three hundred eighty".

Amendment No. 30

On page 39, line 10, of the printed bill, as amended, after "necessary", insert a comma

Amendment No. 31

On page 39 of the printed bill, as amended, strike out line 14, and insert
"ser Act ..... $312,380.00".

Amendment No. 32

On page 46 of the printed bill, as amended, strike out lines 11 to 15, inclusive, and insert
'schedule $525,645.00
Schedule
(a) Salaries and Wages $428,910.00
(b) Operating Expenses 90,600.00
(c) Equipment ..... 6,135 00".

Amendment No. 33

On page 46 of the printed bill, as amended, strike out lines 46 to 49, inclusive, and insert
"ance with the following schedule $137,920 00
Schedule.
(a) Salaries and Wages $101,210 00
(b) Operating Expenses ..... 36,010 00".

Amendment No. 34

On page 48 of the printed bill, as amended, strike out lines 12 to 16, inclusive, and insert
"Fire Marshal's Fund $183,618 00
Schedule:
(a) Salaries and Wages $114,410.00
(b) Operating Expenses 68,048.00
(c) Equipment ..... 1,160.00".

Amendment No. 35

On page 48 of the printed bill, as amended, strike out line 52, and insert
"lowing schedule ..... $279,845 00".

Amendment No. 36

On page 49 of the printed bill, as amended, strike out line 6, and insert
"(a) Salaries and Wages ..... $168,140.00".

Amendment No. 37

On page 49 of the printed bill, as amended, strike out line 10, and insert
"Total of Schedule ..... $285,845.00".

Amendment No. 38

On page 49 of the printed bill, as amended, strike out line 15, and insert
Net Appropriation ..... $279,845.00".

Amendment No. 39

On page 50 of the printed bill, as amended, strike out line 8, and insert
"lowing schedule ..... $2,222,295 00".

Amendment No. 40

On page 50 of the printed bill, as amended, strike out lines 15 to 20, inclusive, and insert
'Schedule
(a) Salaries and Wages $1,585,590.00
(b) Operating Expenses 722,460.00
(c) Equipment 16,245.00
Total of Schedule ..... $2,324,295 00".

Amendment No. 41

On page 50 of the printed bill, as amended, strike out line 26, and insert
'Net Appropriation ..... $2,222,295.00'

Amendment No. 42

On page 51 of the printed bill, as amended, strike out line 8, and insert
"ing schedule ..... $2,273,105.00"

Amendment No. 43

On page 51 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$1,570,850.00
(b) Operating Expenses	796,100.00
(c) Equipment	16,155 00
Total of Schedule	$2,383,105.00".

Amendment No. 44

On page 51 of the printed bill, as amended, strike out line 25, and insert

"Net Appropriation ..... $2,273,105 00".

Amendment No. 45

On page 53 of the printed bill, as amended, strike out line 8, and insert

"schedule .....$2,366,181 00".

Amendment No. 46

On page 53 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$1,742,810.00
(b) Operating Expenses	696,460.00
(c) Equipment	12,911.00
Total of Schedule	$2,452,181.00".

Amendment No. 47

On page 53 of the printed bill, as amended, strike out line 25, and insert

"Net Appropriation ..... $2,366,181 00".

Amendment No. 48

On page 54 of the printed bill, as amended, strike out line 3, and insert

"ing schedule .....$1,679,816 00".

Amendment No. 49

On page 54 of the printed bill, as amended, strike out lines 9 to 14, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$1,245,549 00
(b) Operating Expenses	470,230 00
(c) Equipment	15,037.00
Total of Schedule	$1,730,816 00".

Amendment No. 50

On page 54 of the printed bill, as amended, strike out line 20, and insert

"Net Appropriation .....$1,679,816 00".

Amendment No. 51

On page 55 of the printed bill, as amended, strike out line 7, and insert

"ing schedule .....$2,389,981.00".

Amendment No. 52

On page 55 of the printed bill, as amended, strike out lines 13 to 18, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$1,779,730.00
(b) Operating Expenses	670,148.00
(c) Equipment	14,903.00
Total of Schedule	$2,464,781.00".

Amendment No. 53

On page 55 of the printed bill, as amended, strike out line 24, and insert

"Net Appropriation ..... $2,389,981 00".

Amendment No. 54

On page 56 of the printed bill, as amended, strike out line 6, and insert

"ing schedule .....$2,699,203 00".

Amendment No. 55

On page 56 of the printed bill, as amended, strike out lines 12 to 17, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$1,954,600 00
(b) Operating Expenses	817,089.00
(c) Equipment	28,314.00
Total of Schedule	$2,800,003.00".

Amendment No. 56

On page 56 of the printed bill, as amended, strike out line 23, and insert

"Net Appropriation ..... $2,699,203 00".

Amendment No. 57

On page 58 of the printed bill, as amended, strike out line 47, and insert

"lowing schedule ..... $1,115,830 00".

Amendment No. 58

On page 59 of the printed bill, as amended, strike out lines 3 to 8, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$808,525 00
(b) Operating Expenses	334,550 00
(c) Equipment	16,955.00
Total of Schedule	$1,160,030.00".

Amendment No. 59

On page 59 of the printed bill, as amended, strike out line 14, and insert

"Net Appropriation ..... $1,115,830 00".

Amendment No. 60

On page 59 of the printed bill, as amended, strike out line 45, and insert

"lowing schedule ..... $589,144 00".

Amendment No. 61

On page 60 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$450,504.00
(b) Operating Expenses	169,250.00
(c) Equipment	9,390.00
Total of Schedule	$629,144.00".

Amendment No. 62

On page 60 of the printed bill, as amended, strike out line 12, and insert

"Net Appropriation ..... $589,144.00".

Amendment No. 63

On page 60 of the printed bill, as amended, strike out line 41, and insert

"ing schedule ..... $333,225 00".

Amendment No. 64

On page 60 of the printed bill, as amended, strike out lines 47 to 52, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$260,416.00
(b) Operating Expenses	96,910.00
(c) Equipment	4,799 00
Total of Schedule	$362,125.00".

Amendment No. 65

On page 61 of the printed bill, as amended, strike out line 6, and insert

"Net Appropriation ..... $333,225 00".

Amendment No. 66

On page 61, line 33, of the printed bill, as amended, strike out "Homes", and insert "Home"

Amendment No. 67

On page 66 of the printed bill, as amended, strike out lines 39 to 43, inclusive, and insert

"ance with the following schedule $23,440 00

Schedule:

(a) Salaries and Wages	$20,880.00
(b) Operating Expenses	2,460.00
(c) Equipment	100 00"

Amendment No. 68

On page 69 of the printed bill, as amended, strike out line 37, and insert

"California ..... $836,384 00".

Amendment No. 69

On page 69 of the printed bill, as amended, strike out line 51, and insert

"(a) Salaries and Wages ..... $969,484.00".

Amendment No. 70

On page 70 of the printed bill, as amended, strike out line 3, and insert

"Total of Schedule ..... $1,574,984 00".

Amendment No. 71

On page 70 of the printed bill, as amended, strike out line 13, and insert

"Net Appropriation ..... $836,384.00".

Amendment No. 72

On page 72 of the printed bill, as amended, strike out line 38, and insert

"Vehicle Support Fund ..... $12,583,633 00".

Amendment No. 73

On page 72 of the printed bill, as amended, strike out lines 46 to 51, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$9,898,427 00
(b) Operating Expenses	3,170 075 00
(c) Equipment	516,853 00
Total of Schedule	$13,585,355 00".

Amendment No. 74

On page 73 of the printed bill, as amended, strike out line 3, and insert

"cle License Fee Fund ..... $1,001,722 00".

Amendment No. 75

On page 73 of the printed bill, as amended, strike out line 5, and insert

"Net Appropriation ..... $12,583,633 00"

Amendment No. 76

On page 74 of the printed bill, as amended, strike out line 15, and insert

"Motor Vehicle License Fee Fund ..... $1,001,722 00"

Amendment No. 77

On page 74, line 23, of the printed bill, as amended, strike out "5", and insert "3.5"

Amendment No. 78

On page 74 of the printed bill, as amended, strike out line 38, and insert

"the following schedule ..... $90,660.00".

Amendment No. 79

On page 74 of the printed bill, as amended, strike out lines 44 to 49, inclusive, and insert

"Schedule:

(a) Salaries and Wages	$170,690 00
(b) Operating Expenses	26,240 00
(c) Equipment	1,490 00
Total of Schedule	$198,420 00".

Amendment No. 80

On page 75 of the printed bill, as amended, strike out line 4, and insert

"Net Appropriation ..... $90,660 00".

Amendment No. 81

On page 75 of the printed bill, as amended, strike out line 23, and insert

"Department of Natural Resources ..... $1,658,626.00".

Amendment No. 82

On page 75 of the printed bill, as amended, strike out lines 39 to 43, inclusive, and insert

"(a) Salaries and Wages $1,570,642 00
(b) Operating Expenses 1,091,929 00
(c) Equipment 177,721 00

Total of Schedule ..... $2,840,292 00".

Amendment No. 83

On page 76 of the printed bill, as amended, strike out line 6, and insert

"Net Appropriation ..... $1,658,626 00"

Amendment No. 84

On page 76 of the printed bill, as amended, between lines 33 and 34, insert

"Item 149.5—For additional support of Division of Forestry, Department of Natural Resources, to be transferred to Item 149, and to any of the purposes in the schedule thereof, upon executive order of the Director of Finance ..... $250,000 00".

Amendment No. 85

On page 77 of the printed bill, as amended, strike out line 49, and insert

"Fund ..... $270,185 00".

Amendment No. 86

On page 78 of the printed bill, as amended, strike out line 9, and insert

"(b) Operating Expenses ..... $151,855.00".

Amendment No. 87

On page 78 of the printed bill, as amended, strike out line 12, and insert

"Total of Schedule ..... $466,640.00".

Amendment No. 88

On page 78 of the printed bill, as amended, strike out line 20, and insert

"Net Appropriation ..... $270,185 00".

Amendment No. 89

On page 85 of the printed bill, as amended, strike out lines 5 to 11, inclusive, and insert

'Agency Contingent Fund $17,790 00
Schedule:
(a) Salaries and Wages $10,800 00
(b) Operating Expenses 6,890 00
(c) Equipment 100.00

Total of Schedule ..... $17,790 00".

Amendment No. 90

On page 95 of the printed bill, as amended, strike out line 11, and insert

"ding Inspection Fund ..... $150,239.00".

Amendment No. 91

On page 95 of the printed bill, as amended, strike out line 14, and insert

"(b) Operating Expenses ..... $52,509.00".

Amendment No. 92

On page 95 of the printed bill, as amended, strike out line 42, and insert

"Fund ..... $155,542.00".

Amendment No. 93

On page 95 of the printed bill as amended, strike out line 45, and insert

"(b) Operating Expenses ..... $70,522.00"

Amendment No. 94

On page 96 of the printed bill, as amended, strike out line 44, and insert

"Board of Optometry Fund ..... $17,417.00".

Amendment No. 95

On page 96 of the printed bill, as amended, strike out line 47, and insert

"(b) Operating Expenses ..... $7,207.00".

Amendment No. 96

On page 97 of the printed bill, as amended, strike out line 20, and insert

"macy Board Contingent Fund ..... $117,534.00".

Amendment No. 97

On page 97 of the printed bill, as amended, strike out lines 23 and 24, and insert
"(b) Operating Expenses ---------- $38,820.00
(c) Equipment ---------- 740.00".

Amendment No. 98

On page 106 of the printed bill, as amended, strike out line 2, and insert
"ance with the following schedule---------- $828,211.00".

Amendment No. 99

On page 106 of the printed bill, as amended, strike out lines 8 to 13, inclusive, and insert
"Schedule:

(a) Salaries and Wages----------	$534,426.00
(b) Operating Expenses ----------	347,860.00
(c) Equipment ----------	13,305.00
Total of Schedule----------	$895,591.00".

Amendment No. 100

On page 106 of the printed bill, as amended, strike out line 17, and insert
"funds ---------- $67,380.00".

Amendment No. 101

On page 106 of the printed bill, as amended, strike out line 19, and insert
"Net Appropriation ---------- $828,211.00
No money appropriated by this item is available for expenditure in furtherance of the Central Valley Project."

Amendment No. 102

On page 106, between lines 19 and 20, of the printed bill, as amended, insert
"Item 208.1—For additional support of the Division of Water Resources, Department of Public Works, in furtherance of the Central Valley Project---------- $75,000.00".

Amendment No. 102.5

On page 117 of the printed bill, as amended, between lines 2 and 3, insert
"No authorization given by the State Board of Control pursuant to this section in respect to any augmentation of the amount available for expenditure for any purpose is valid unless given with the unanimous consent of the State Board of Control expressed in the form of a resolution which shall set forth the reasons and necessity for the authorization and shall be entered upon the minutes of the board.

The State Board of Control shall submit to each member of the Legislature not later than the fifteenth day of each month a report on all authorizations given pursuant to this section during the preceding month. The report shall contain such information regarding each authorization as shall be sufficient to apprise the members of the Legislature as to the reasons and necessity therefor."

Amendment No. 103

On page 117 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and on page 118, strike out lines 1 to 7, inclusive, and insert
"Section 15. Whenever any of the duties, powers, purposes, responsibilities, or jurisdiction of any office, officer, board, commission, bureau or other agency of the State are transferred by law to any other office, officer, board, commission, bureau or other agency of the State, that portion of any appropriation herein made from the General Fund for the support of such office, officer, board, commission, bureau or other agency of the State, intended to be used and available for the performance of such duties, powers, purposes, responsibilities or jurisdiction, shall, by the State Controller, be transferred to, and the same shall become a part of, the funds available for the support of the office, officer, board, commission, bureau or other agency of the State, to which the duties, powers, purposes, responsibilities, or jurisdiction of such office, officer, board, commission, or other State agency have been transferred."

DELAP	BURNS, HUGH M.
PHILLIPS	PFAFF
TICKLE	WEYBRET
Senate Committee on Conference	Assembly Committee on Conference

Motion to Extend Time for Discussion

Mr. Johnson moved that Mr. Pfaff be given an additional 10 minutes to present the report of the Second Committee on Conference concerning Assembly Bill No. 1800.

Substitute Motion to Temporarily Suspend the Rules

Mr. Lyon moved, as a substitute motion, that the Rules be temporarily suspended for the purpose of allowing additional time for debate during the consideration of the report of the Second Committee on Conference concerning Assembly Bill No. 1800.

Motion carried unanimously.

Hon. Charles W. Lyon Presiding

At 2.55 p m , Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Hon. Augustus F. Hawkins Presiding

At 3 10 p m , Hon. Augustus F Hawkins, Member of the Assembly from the Sixty-second District, presiding.

Hon. Charles W. Lyon Presiding

At 3.11 p m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Demand for Previous Question

Messrs. Knight, John B., Voigt, Middough, Waters and Allen demanded the previous question

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D , Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N , Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Waters, Watson, Welch, Weybret, and Wollenberg—56

NOES—Allen, Burns, Hugh M , Burns, Michael J , Collins, Sam L . Dilworth, Field, Heisinger, Knight, John B , Sawallisch, Stream, and Turner—11.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 3.35 p m., on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with

FURTHER CONSIDERATION OF REPORT OF SECOND COMMITTEE ON CONFERENCE

The question being on the adoption of the report of the Second Committee on Conference concerning Assembly Bill No 1800.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J , Cain, Carlson, Clarke, Collins, George D., Collins, Sam L , Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F N , Johnson, Kepple, Kilpatrick, King, Knight, John B , Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—Allen, Bashore Call, Dickey, Dilworth, Doyle, Field, Green, Heisinger Houser, Frederick F , Millington, and Sheridan—12.

Explanation of Vote

The Legislature has presumed that in the face of sharp rising costs, it can accurately estimate the cost of government for the next two years.

Probable emergencies have not been given proper consideration and serious results may develop thereby

S. L. HEISINGER

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1078—An act appropriating money for the construction of buildings and the improvement of grounds at the site of the California State Nautical School.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1078:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 26, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

ASSEMBLY BILL No. 1078

"An act appropriating money for the construction and equipment of buildings and the improvement of grounds at Morrow Cove, the site of the California Maritime Academy and for the support and maintenance thereof, declaring the urgency hereof, and providing that this act shall take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 1078 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—63

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Wollenberg—63

NOES—None

Bill ordered transmitted to the Senate.

RECONSIDERATION OF SENATE BILL NO. 877

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby the Governor's veto to Senate Bill No. 877 was sustained be reconsidered.

Governor's veto to Senate Bill No 877 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T Fenton, Leonard, Lyon, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Thorp, Thurman, Waters, Watson, Weybret, and Wollenberg—42

NOES—Bennett, Burns, Hugh M., Cain, Collins, George D., Cronin, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, King, Massion, Meehan, O'Day, Pelletier, Sheridan, Tenney, Thomas, and Welch—19.

Senate Bill No 877 ordered to unfinished business file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

Motion to Amend

Mr George D Collins offered amendments to Assembly Bill No. 1325.

Motion for Additional Time for Discussion

Mr. Donnelly moved that Mr. George D. Collins be allowed an additional five minutes for discussion of amendments to Assembly Bill No. 1325.

Motion carried.

Motion to Take Up Amendments Seriatim

Mr. George D. Collins moved that the amendments be taken up seriatim.

Motion carried.

Consideration of Amendments

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 7, line 14, of the printed bill, as amended, after "thereof", insert "; provided, however, that the findings of a court in any proceeding under Section 13 12 or in any liquidation administrative proceeding as to the liabilities of such association and the value of the assets thereof shall be admitted as evidence and shall be conclusively presumed to be correct in any proceeding under this section".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr George D. Collins moved a call of the Assembly.

Motion carried. Time, 4 16 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

Mr. George D. Collins asked for unanimous consent that Assembly Rule No. 33 be temporarily suspended to allow the placing of a call of the Assembly on amendments to Assembly Bill No. 1325.

Mr Sam L. Collins withheld unanimous consent.

REQUEST FOR PERMISSION TO HOLD COMMITTEE MEETING

Mr. Kepple asked for, and was granted, unanimous consent to hold a meeting of the Committee on Social Service and Welfare, at this time.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1820 WAIVED

Mr. Poulson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1820 was refused passage.

EXPLANATION OF ABSENCE OF SPEAKER

Mr. Desmond, announced that, due to illness, Speaker Garland would be unable to attend the afternoon session.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2423 FROM COMMITTEE

Mr. Turner gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2423 from the Committee on Public Morals, and have it placed upon the file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 3, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS. Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the second day of June, 1941, at 11.40

p.m., Assembly Bill No. 2633 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Harold F. Sawallisch, Member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith, without my signature, Assembly Bill No. 1497 entitled "An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine."

My objections to this bill are as follows.

The bill amends Section 2380 of the Business and Professions Code, which now provides that all advertising of medical business, which is intended, or has a tendency, to deceive the public, or to impose upon credulous or ignorant persons, and so be harmful or injurious to the public morals or safety, constitutes unprofessional conduct. Other provisions of the said code make unprofessional conduct a cause for suspension or loss of license.

This bill adds, as unprofessional conduct, the actual practicing of any system or mode of treating the sick or afflicted which is intended, *or has a tendency*, to deceive the public, or to impose upon credulous or ignorant persons.

There can be no objection to legislation prohibiting a mode or system of treating the sick which is intended to deceive or impose upon the public, for any such provision involves the element of intent. My objection to the bill arises out of the language, "which has a tendency."

I think that the question of advertising and the question of practicing a system or mode of treating the sick are different things. A physician does not have to advertise if he does not want to, but, of necessity, he must adopt some system or mode of treating the sick or afflicted. The question of whether a given mode or system of treating the sick has a tendency to impose upon ignorant and credulous persons, or to deceive the public, is one upon which opinions can readily differ.

This is a near criminal statute, since the penalty for violation is the loss of the license to practice medicine. To deprive a licensee of his right to follow his profession is a heavy penalty. The standard of professional conduct should be more objectively stated by the Legislature than is done in this bill, so that those to whom the law applies can clearly understand the character of their professional obligations.

The bill could be construed to subject to this penalty any physician or surgeon who brought forth a new or unusual method of treatment It would, therefore, tend to retard and discourage the research and experimentation which have contributed so notably to the practice of medicine.

If the Legislature has in mind any particular mode or system of treating the sick or afflicted which are considered injurious or deceitful, it would be better to specifically prohibit such practices, rather than to provide so loose and uncertain a standard as that specified in this measure.

Respectfully submitted

CULBERT L. OLSON, Governor of California

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended, strike out "No", and insert "Except as provided in Paragraph 8 of this section, no".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 41 and 42, and insert "lands, until an application for".

Amendment No. 3

On page 3 of the printed bill, as amended, between lines 14 and 15, insert

"8. The provisions of this act shall not apply to tidelands and submerged lands which have been or are hereafter granted or transferred to any municipality, political subdivision or district; nor shall the provisions of this act apply to tidelands or submerged lands within the corporate limits of any city or county where the charter of such city or county prevents the State from exercising or performing any of the powers or duties vested in the Beach Erosion Control Engineer by this act."

Amendments read and adopted

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 660—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None

Above bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Dills, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2647.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2647—An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and disposal facilities and to make leases or contracts for the use of sewers, sewage works, plants and disposal facilities constructed by public utility districts, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—63.

NOES—None

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain,

Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2304—An act to repeal an act entitled "An act providing for the annexation of elementary school districts to high school districts," approved May 31, 1929, to repeal Sections 2.500, 2.501 and 2.503 of, and to add Section 2.500 to, the School Code, relating to the annexation of elementary school districts to high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58

NOES—Evans—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Pfaff asked for, and was granted, unanimous consent to excuse Messrs. Weybret, Burns, Hugh M., and himself for the legislative day of June 2d, and that the request be printed in the Journal of that day.

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 195

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

KEPPLE, Vice Chairman

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 195—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read second time

Motion to Amend

Mr Kepple moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "seven hundred fifty thousand dollars ($1,750,000)", and insert "dollars ($1,000,000)"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of lines 28 to 35, inclusive

Amendments read.

Request for Temporary Suspension of Assembly Rule No. 33

Mr Wollenberg asked for unanimous consent that Assembly Rule No. 33 be temporarily suspended to allow the placing of a call of the Assembly on amendments to Senate Bill No. 195

Mr Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr Wollenberg moved that Rule 33 be temporarily suspended for the purpose of allowing the placing of a call of the Assembly on amendments to Senate Bill No. 195.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Wollenberg—58.

NOES—Bennett, Dills, Evans, Kilpatrick, King, Massion, Pelletier, and Richie—8

The question being on the adoption of the amendments by Mr. Kepple to Senate Bill No. 195.

Roll Call Demanded

Messrs. Kilpatrick, Hawkins and Evans demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton, Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—41.

NOES—Bennett, Burns, Michael J., Cain, Collins, George D., Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Tenney, Thomas, and Welch—25.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT TO ASSEMBLY BILL NO. 1325

At 4:55 p.m., on motion of Mr George D Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 1 to Assembly Bill No. 1325 refused adoption by the following vote:

AYES—Andreas, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Richie, Robertson, Russell, Tenney, Thomas, and Welch—26

NOES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton, Leonard, Lyon, McCollister, Middough, Miller, Millington, Pelletier, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weybret, and Wollenberg—41.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1325

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 2

On page 8, line 12, of the printed bill, as amended, after the period, insert "No association or corporation which issues securities in exchange for claims of investment certificate holders shall acquire such securities at a discount."

Amendment read, and refused adoption.

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 3

On page 9, line 28, of the printed bill, as amended, strike out "or (2) any appraiser or accountant other than appraisers or accountants who are subject to the Civil Service Laws of this State".

Amendment read, and refused adoption

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 4

On page 11 of the printed bill, as amended, strike out lines 41 to 51, inclusive; and on page 12, strike out lines 1 to 11, inclusive.

Amendment read, and refused adoption.

Further Consideration of Assembly Bill No. 1325

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding to said act a new article to be numbered 17, relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article 17, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article 17, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received, and exempting the proposer or propos-

ers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Desmond, Dickey, Dilworth, Evans, Field, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Watson, Weybret, and Wollenberg—41.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, O'Day, Richie, Robertson, Russell, Tenney, Thomas, Turner, Waters, and Welch—26.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 65—An act to amend Sections 53 and 56, to add Division 5a, comprising Sections 7700 to 7923, to and to repeal Chapter 1.5 of Division 1 of the Labor Code, relating to mediation, conciliation and arbitration of labor disputes.

Bill read third time

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Johnson moved to expunge the record, and rescind the action whereby the amendments to Assembly Bill No. 1185 were this day adopted, and that the bill be recalled from the Printer.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Assembly Bill No. 1185 ordered to third reading.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Cronin, ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, June 3, 1941

Hon Gordon H. Garland, Speaker of the Assembly, State Capitol

The board of supervisors of San Francisco yesterday unanimously adopted the following resolution:

"WHEREAS, The Legislature of the State of California has enacted a Reapportionment Bill which allots to the City and County of San Francisco eight seats in the Assembly; and

WHEREAS, Such action on the part of the Legislature is demonstrative of a democratic philosophy of government, and recognizes the importance not only of San Francisco's metropolitan status, but what is paramount, evidences a desire to maintain such a balance of power as is befitting under our form of government; now, therefore, be it

Resolved, That this board of supervisors, representing the people of the city and county, takes this opportunity to express sincere and profound gratitude to the Members of the Senate and the Assembly of the State of California for

their action in alloting San Francisco eight seats in the State Assembly; and be it further

Resolved, That a copy of this resolution be sent by telegram to the Lieutenant Governor and to the Speaker of the Assembly with the request that it be read to the Members of the Senate and the Assembly"

BOARD OF SUPERVISORS

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs Kepple, Bennett, Wollenberg and Donnelly:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

Respectfully submitted

KEPPLE
BENNETT
WOLLENBERG
DONNELLY

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Messrs. Kepple, Bennett, Wollenberg and Donnelly.

An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and the permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2657: By Messrs. Kepple, Bennett, Wollenberg and Donnelly—An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

Referred to Committee on Social Service and Welfare.

MOTION TO EXCUSE MEMBER FOR NEXT LEGISLATIVE DAY

Mr Lyon moved that Mr Pfaff be excused for the next legislative day.

Mr. Allen seconded the motion.

Motion carried.

EXPLANATION OF ABSENCE

Mr Cronin moved that the record show that Mrs. Daley and Mr Maloney are in Washington, D C, on legislative business, and have been excused by the Assembly.

Motion carried unanimously.

RECESS

At 5.25 p m., on motion of Mr. Lyon, the Assembly recessed until 8.30 p.m.

REASSEMBLED

At 8.30 p m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 446—An act to repeal Section 171 of the Fish and Game Code, relating to Fish and Game District 1C.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gunlock moved a call of the Assembly.

Motion carried. Time, 8 35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 446

At 8.40 p.m., on motion of Mr. Gunlock, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 446 passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Collins, George D. Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F. Johnson, Knight, John B., Leonard, Lowrey, Masson, Middough, Millington, Pelletier, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—44.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 747?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "females," insert "and married couples"

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 747 by the following vote:

AYES—Carlson, and Poulson—2
NOES—Allen, Bennett, Burkhalter, Cain, Clarke, Collins, George D, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Knight, John B, Leonard, Lowrey, Massion, Middough, Millington, Phillips, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—41

Assembly Bill No. 747 ordered to conference

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 205?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "Section 7 hereof", and insert "law"

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, strike out "Section 7 hereof", and insert "law".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 205 by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, John B, Leonard, Lowrey, Massion, McCollister, Middough, Millington, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner Waters, Weber, Welch, Weybret, and Wollenberg—50
NOES—None

Assembly Bill No 205 ordered enrolled.

Assembly Bill No. 470—An act to amend Section 112 of the Code of Civil Procedure, relating to original jurisdiction of justices' courts

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 470?

Amendment No. 1

On page 2, line 33, of the printed bill, strike out "Sections 547a and 564, Subdivision 4", and insert "Section 547a".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 470 by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Cooke Crowley Del Mutolo, Desmond, Dickey, Donnelly Doyle, Evans Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger Houser, Frederick F, Johnson, Kepple Knight John B Leonard, Lowrey, Massion, Middough, Millington, Pelletier, Pfaff, Phillips, Potter Poulson, Richie, Robertson, Russell, Salsman, Sheridan

Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—49.
NOES—None.

Assembly Bill No 470 ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 285—An act to amend Section 6062 of the Business and Professions Code, relating to admissions to the practice of law

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Leonard, Lyon, Massion, McCollister, Middough, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—52.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1434—An act to amend Sections 7305, 7402, 7481, 7482, 7483, 7506, 7651, 7678, 8302 and 8306 of and to add Article 2.5, consisting of Sections 7491 to 7493, inclusive, to Chapter 4 of Part 2 of Division 2, and Sections 8254, 8307 and 8403 to the Revenue and Taxation Code, and to amend Sections 2, 5, 6, 7, 8, 9, 10, 12 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the taxation of distributors of motor vehicle fuel and the administration of the tax and providing that this act shall take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1434?

Amendment No. 1

On page 11, line 23, of the printed bill, as amended, strike out "make", and insert "may"

Amendment No. 2

On page 7, line 39, of the printed bill, as amended, after "any", insert "such".

Amendment No. 3

In line 4 of the title of the printed bill, as amended, after "amend", insert "Sections 7305, 7402, 7481, 7482, 7483, 7506, 7651, 7678, 8302 and 8306 of and to add Article 2.5, consisting of Sections 7491 to 7493, inclusive, to Chapter 4 of Part 2 of Division 2 and Sections 8254, 8307 and 8403 to the Revenue and Taxation Code, and to amend".

Amendment No. 4

On page 5, line 2, of the printed bill, as amended, strike out "broad" and insert "board"

Amendment No. 5

On page 9 of the printed bill, as amended, strike out line 21, and insert

"SEC 10 Section 7305 of the Revenue and Taxation Code is hereby amended to read as follows

7305 "Distribution" includes any of the following

(a) The refining, manufacturing, producing, blending, or compounding of motor vehicle fuel in this State, and the sale, donation, consignment for sale, barter, or use of the fuel in this State

(b) The importing of motor vehicle fuel into this State and the sale, donation consignment for sale, barter, or use of the fuel in this State whether in the original package or container in which imported or otherwise

(c) The acquiring of motor vehicle fuel in this State in the original package or container in which it was imported, and the sale, donation, consignment for sale, barter, or use of the fuel in this State whether in the original package or container in which imported or otherwise

"Distribution" does not include the exchange of motor vehicle fuel for motor vehicle fuel, gallon for gallon, *with another duly licensed distributor of motor vehicle fuel*

SEC. 11. Section 7402 of said code is hereby amended to read as follows

7402. In support of *any* exemption from license taxes claimed under this chapter on account of the exportation of motor vehicle fuel, every distributor shall execute an export certificate in such form as shall be prescribed [, prepared, and furnished] by the board, containing a sworn statement made by some person having actual knowledge of the fact of the exportation that the motor vehicle fuel has been exported from the State and giving such details with reference to the shipment as the board may require

SEC. 12. Section 7481 of said code is hereby amended to read as follows

7481. Every person before becoming a producer or broker shall [register as such with the board and] apply for a license on forms [to be prepared and furnished] *prescribed* by the board. Each application shall be accompanied by a license fee of ten dollars ($10) *payable to the board*

SEC. 13. Section 7482 of said code is hereby amended to read as follows

7482. Upon the receipt of the application [of the producer or broker], accompanied by the license fee, the board shall issue to the applicant, *except as otherwise provided in this chapter*, a license to engage in business as a producer or broker from the date of the issuance thereof to and including the following December 31st *unless sooner cancelled or revoked*

SEC. 14. Section 7483 of said code is hereby amended to read as follows

7483. [On or before] *Before* January 1st of each year every producer or broker shall [renew his] *file an application for and obtain a* license for the *succeeding* calendar year [by filing an application therefor].

SEC. 15. Section 7506 of said code is hereby amended to read as follows

7506. The board may revoke the license of any distributor, producer, or broker who refuses or neglects to comply with [the] *any* provisions of this part *or any rule or regulation of the board prescribed and adopted under this part.*

SEC. 16. Article 2.5, comprising Sections 7491 to 7493, inclusive, is hereby added to Chapter 4 of Part 2 of Division 2 of said code, to read as follows

Article 2.5. Denial of License

7491. The board may refuse to issue a distributor's, producer's, or broker's license

(a) If the application therefor is filed by an applicant who formerly held any license under this part which, prior to the time of filing the application, has been revoked for cause by the board; or

(b) If the board determines that the application therefor is not filed in good faith or made by the real person in interest.

7492. Before such refusal, the board shall grant the applicant a hearing and shall give him at least 10 days' written notice of the time and place thereof

7493. The notice may be served personally or by mail. If by mail, service shall be made pursuant to Section 1012 of the Code of Civil Procedure and shall be addressed to the applicant at his address as it appears in the records of the board

SEC. 17. Section 7651 of said code is hereby amended to read as follows

7651. Each distributor shall on or before the fifteenth day of each month file *with the board* on forms prescribed [prepared, and furnished] by the board a sworn statement showing the total number of gallons of motor vehicle fuel distributed by him within this State during the preceding calendar month *or monthly period ended during that calendar month as prescribed by the board*. The distributor need not report distributions not taxable under this part. The report shall also contain such other information as the board may require

SEC. 18. Section 7678 of said code is hereby amended to read as follows

7678. If the license tax and penalties incurred thereon are not fully paid by the delinquent date specified, the Controller shall forthwith notify the board which [shall] *may* cite the distributor to appear [within 10 days] before the board and show cause why his license should not be revoked

SEC. 19. Section 8254 is hereby added to said code to read as follows:

8254. As this State is the source of petroleum products for other States, if such examination or investigation necessitates collaboration or conference with motor vehicle fuel tax officials of other States at places inside or outside this State, such collaboration or conference is declared to be a necessary function in the administration of this part.

SEC. 20. Section 8302 of said code is hereby amended to read as follows

8302. Every distributor shall take a physical inventory [each month] of the petroleum products on hand [on the first day of the] *at least once each month*

[month] *as prescribed by the board* and keep a record of the inventory *If the board or its representatives are dissatisfied with the accuracy of the inventory, they may take a physical inventory of the petroleum products*

SEC 21 Section 8306 of said code is hereby amended to read as follows

8306 Upon demand of the board or its representatives every distributor [, producer, or broker] shall furnish a statement under oath reflecting the contents of any records kept by them under this chapter

SEC 22 Section 8307 is hereby added to said code, to read as follows

8307 On or before the fifteenth day of each month, every producer and broker shall file on forms prescribed by the board a report showing such information with respect to the operations of the preceding calendar month as the board may require to carry out the provisions hereof

SEC 23 Section 8403 is hereby added to said code, to read as follows

8403 It is unlawful for any person firm, association, or corporation, or any officer or agent thereof, to conduct any activities requiring a license under this part without a license or after a license has been revoked.

Any violation of this section is subject to the same punishment as is prescribed in Section 8402

SEC 24. This act, inasmuch as it provides for a tax levy".

Amendment No. 6

On page 9, line 28, of the printed bill, as amended, after "1941", insert "and that the provisions of this act amending the Revenue and Taxation Code shall become operative at the same time as Part 2 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session, at which time the provisions of the Motor Vehicle Fuel License Tax Act amended by this act are hereby repealed"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1434 by the following vote:

AYES—Allen, Bennett, Burkhalter Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Millington, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—55

NOES—None

Assembly Bill No. 1434 ordered enrolled.

Assembly Bill No. 1438—An act to amend Sections 5, 5.1, 10, 12, 14, 19, 20, 23, 27 and 29 of the Use Fuel Tax Act of 1937, relating to the taxation of the use of motor vehicle fuel in this State and providing that this act shall take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1438?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "amend", insert "Sections 8703, 8776, 8782, 8801, 8804, 8991, 8993, 8995, 9011, 9171, and 9351 of, and to add Section 8705 to, the Revenue and Taxation Code, and to amend".

Amendment No. 2

On page 4, line 36, of the printed bill, as amended, strike out "write", and insert "writ".

Amendment No. 3

On page 5 of the printed bill, as amended, strike out line 25, and insert

"SEC 11 Section 8703 of the Revenue and Taxation Code is hereby amended to read as follows

8703 On receipt of an application *and after the deposit of such security as the board may require pursuant to Section 8951 of this code*, the board shall issue to the

applicant a use fuel tax permit authorizing him to become a user of fuel taxable under this part. The permit is valid until revoked.

SEC. 12. Section 8705 is hereby added to said code, to read as follows:

8705. It is unlawful for any person whose permit has been revoked to operate as a user of fuel in this State until he has fully complied with the provisions of this part and has been issued a new permit.

SEC. 13. Section 8776 of said code is hereby amended to read as follows:

8776. If the board is dissatisfied with the report filed, it may compute and determine the amount to be paid upon the basis of any information available to it. [A] *One or more* deficiency determination*s* may be made of the amount of tax due for *one or for* more than one month

SEC. 14. Section 8782 of said code is hereby amended to read as follows:

8782. Except in the case of *fraud, intent to evade the tax, or failure* [a fraudulent report or neglect or refusal] to make a report, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported

SEC. 15. Section 8801 of said code is hereby amended to read as follows:

8801. If any user [neglects or refuses] *fails* to make a report, the board shall make an estimate of the amount of fuel used by the user which is subject to the tax. The estimate shall be made for the month or months in respect to which the user failed to make a report and shall be based upon any information available to the board. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus fixed a penalty equal to 25 per cent thereof. [A] *One or more* determination*s* may be made for *one or for* more than one month

SEC. 16. Section 8804 of said code is hereby amended to read as follows:

8804. If the [neglect or refusal] *failure* of a user to file a report is due to fraud or an intent to evade the tax, a penalty of 50 per cent of the amount required to be paid by the user, exclusive of penalties, shall be added thereto in addition to the 25 per cent penalty provided in Section 8801.

SEC. 17. Section 8991 of said code is hereby amended to read as follows:

8991. The excise tax, *interest, and penalties* [is] *are* a lien upon and [has] *have* the effect of an execution duly levied against any motor vehicle in which fuel taxable under this part is used

SEC. 18. Section 8993 of said code is hereby amended to read as follows:

8993. The lien shall not be removed until the excise tax [is], *interest, and penalties are* paid or the vehicle subject to the lien is sold in payment *thereof* [of the tax].

SEC. 19. Section 8995 of said code is hereby amended to read as follows:

8995. The Department of Motor Vehicles may transfer the registered ownership of any motor vehicle *using fuel taxable under this part* [subject to the lien of the tax] only after a certificate of excise tax clearance has been issued by the board *The certificate may be issued after the payment of all amounts due under this part or after the payment of the amounts is secured to the satisfaction of the board.*

SEC. 20. Section 9011 of said code is hereby amended to read as follows:

9011. Whenever any user is delinquent in the payment of the obligations imposed under this part, the board or its authorized representative may collect the amount due in the following manner: The board [shall] *may* seize any motor vehicle subject to the lien *imposed under this part* [of the tax] and sell the vehicle at public auction to pay the [tax due together with any penalties or interest imposed for the delinquency] *amount due* and any costs incurred on account of the seizure and sale.

SEC. 21. Section 9171 of said code is hereby amended to read as follows:

9171. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any excise tax or other amounts required to be collected *or to prevent or enjoin the revocation of any permit issued under this part or any other action whereby it is sought to enforce the payment of any excise tax or other amounts required to be paid.*

SEC. 22. Section 9351 of said code is hereby amended to read as follows:

9351. Any person who places or causes to be placed fuel into any receptacle on a motor vehicle from which receptacle fuel is supplied for the propulsion of the vehicle is guilty of a misdemeanor unless a valid use fuel tax permit is held by the [owner] *operator* of the vehicle.

SEC. 23. This act, inasmuch as it provides for a tax levy".

Amendment No. 4

On page 5, line 32, of the printed bill, as amended, after "1941", insert ", and that the provisions of this act amending the Revenue and Taxation Code shall become operative at the same time as Part 3 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session, at which time the provisions of the Use Fuel Tax Act of 1937 amended by this act are hereby repealed".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1438 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Assembly Bill No. 1438 ordered enrolled.

Assembly Bill No. 808—An act to amend Sections 4, 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 808?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4,".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 22, inclusive; on page 2, strike out lines 1 to 32, inclusive; and on page 3, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 16 of the printed bill, as amended, strike out lines 1 and 2, inclusive, and insert "this act, if the corporation should have filed a return under this act. In the event that taxes, interest and penalties have been or shall be assessed against, paid by or collected from a corporation under this act, which assessment, payment or collection should have been made under The Corporation Income Tax Act, such taxes, interest and penalties shall be considered as having been assessed, paid or collected under The Corporation Income Tax Act as of the date or dates they were made".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 808 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Millington, Pelletier, Pfaff, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—54

NOES—None.

Assembly Bill No. 808 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 640
Senate Bill No. 805
Senate Bill No. 1341
Senate Bill No. 628

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 1341—An act amending Sections 6050 and 6051 of the Harbors and Navigation Code, relating to Boards of Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Senate Bill No. 805—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Referred to Committee on Agriculture.

Senate Bill No. 628—An act to amend Section 61 of the California Irrigation District Act, relating to indebtedness of irrigation districts.

Referred to Committee on Irrigation.

Senate Bill No. 640—An act relating to taxes paid upon mines and mining claims by co-owners and providing remedies for nonpayment of taxes by co-owners.

Referred to Committee on Mines and Mining.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1048—An act to amend School Code Section 5.820, relating to the Teachers Retirement Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—53

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Michael J. Burns Presiding

At 9 p.m., Hon. Michael J. Burns, Member of the Assembly from the First District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 188—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Millington, Phillips, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Frederick F. Houser—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1013—An act to amend Section 14227 of the Health and Safety Code, relating to fire protection districts in unincorporated areas, and the inclusion of contiguous territory therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 101—An act to amend Section 4274 of the Political Code, relating to compensation for public services in counties of the forty-fifth class.

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Knight, John B., Leonard, Lowrey, Lyon, McCollister, Meehan, Miller, Millington, Phillips, Robertson, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—46

NOES—Carlson, Evans, Field, Heisinger, Houser, Frederick F., Massion, Pelletier, Potter, Poulson, Richie, and Waters—11

Bill ordered transmitted to the Senate

Senate Bill No. 102—An act to amend Section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Leonard, McCollister, Meehan, Middough, Miller, Millington, Phillips, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Thorp, Turner, Weber, Welch, Weybret, and Wollenberg—48.

NOES—Houser, Frederick F., Howser, F. N., Massion, Pelletier, Poulson, and Waters—6

Bill ordered transmitted to the Senate.

Senate Bill No. 827—An act to amend Section 4155 of the Public Resources Code of the State of California, relating to the operation of stationary engines in any woods operation, located in any forest or brush covered land, and limiting the application of the act to wood-burning steam-operated stationary engines

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F.,

Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 54—An act to amend Sections 271 and 290, and to repeal Section 168, of the Fish and Game Code, relating to Silver Lake Game Refuge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Houser, Frederick F., Knight, John B., and Lowrey—3.

Bill ordered transmitted to the Senate.

TEMPORARY LEAVE OF ABSENCE

Mr. Meehan asked for, and was granted, unanimous consent to have the following Members excused for a meeting of the Committee on Public Morals: Messrs. Thorp, Sawallisch, Meehan, Call, Burns, Hugh M., Collins, Sam L., Howser, F. N., and Miss Miller.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 828—An act to amend Section 4157 of the Public Resources Code of the State of California, relating to the operation of steam-operated donkey, stationary engine, locomotive or loader in any forest or brush covered land and excluding the use and operation of internal combustion engines from the provisions of said section.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastam Hawkins, Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—59

NOES—Dills, Heisinger Houser, Frederick F., and Howser, F. N.—4.

Bill ordered transmitted to the Senate

Senate Bill No. 474—An act to amend Section 458 of the Fish and Game Code, relating to export of deer or game birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion,

Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 471—An act to amend Section 1230 of the Fish and Game Code, relating to predatory mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Welch, and Weybret—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 470—An act to amend Section 493 of the Fish and Game Code, relating to fishing hours.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Johnson, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Weber, Welch, Weybret, and Wollenberg—53.

NOES—Collins, Sam L., Houser, Frederick F., Howser, F. N., Lowrey, Middough, Pelletier, Robertson, and Waters—8.

Bill ordered transmitted to the Senate.

PRIVILEGE OF FLOOR GRANTED

Mr. Carlson moved that Miss Wood and her attendant be allowed to resume her customary place in the Assembly Chamber.

Mr. Lyon seconded the motion.

Motion carried unanimously.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1058—An act to amend Section 4271 of the Political Code, relating to compensation for public services in counties of the forty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Bashore, Burkhalter, Carlson, Dilworth, Field, Heisinger, Houser, Frederick F., and Middough—8.

Bill ordered transmitted to the Senate.

Senate Bill No. 1181—An act to add Section 372 5 to the Agricultural Code, relating to reports by railroad corporations as to animals killed by trains.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T Fenton, Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—59

NOES—Bashore, Call, and Howser, F N—3.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1020—An act to amend Sections 5.792, 5.793, 5.794, 5 795, 5 796, 5 798 and 5.799a of the School Code and adding a new section thereto, to be numbered 5 792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications

Bill read third time

Motion to Amend

Mr F. N. Howser moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "having an average daily attendance of 7,500 or more pupils"

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 1, line 10, of the printed bill, as amended, strike out "only"

Amendment No. 4

On page 1, lines 14 and 15, of the printed bill, as amended, strike out "In any district in which the average daily attendance of pupils is less than 7 500, the", and insert "The".

Amendments read.

Demand for Previous Question

Messrs. Robertson, Lowrey, Meehan, Sawallisch and Cooke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Assembly Bill No. 1020.

Roll Call Demanded

Messrs Robertson, Allen and Lyon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Collins, Sam L., Dilworth, Heisinger, Howser, F N., Knight, John B., Knight, T Fenton; Middough, Pelletier, Pfaff, Potter, Poulson, Robertson, Stream, Voigt, Waters, and Watson—18

NOES—Allen, Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke Cronin, Crowley, Del Mutolo Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser,

Frederick F., Johnson, Leonard, Lowrey, Massion, Meehan, Millington, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Weber, Welch, and Weybret—43.

Demand for Previous Question

Messrs. Robertson, Field, Collins, Sam L., Andreas and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1020.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Millington, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—54

NOES—Bashore, Cassidy, Collins, Sam L., Knight, T. Fenton; Pelletier, Potter, Stream, Turner, and Watson—9.

Time, 10:20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1073—An act to amend Sections 26201, 26209, 26243, 26251 and 26271 of the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Allen, Andreas, Carlson, Cooke, Evans, and Pelletier—6.

Notice of Motion to Reconsider Assembly Bill No. 1073

Mr. Carlson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1073 was this day passed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 538—An act to amend School Code Section 6.320, relating to the ordering of State textbooks by heads of State institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—56.

NOES—Bashore, Collins, Sam L., and Evans—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 812—An act to amend Sections 18636, 18673, 18674, 18676, 18680, 18711, 18731, 18737 and 18746 of the Business and Professions Code, relating to the regulation of boxing and wrestling.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Lowrey, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—56.

NOES—Burkhalter, Dilworth, Donnelly, Field, Heisinger, Knight, T. Fenton; Poulson, Richie, Thomas, and Watson—10.

Bill ordered transmitted to the Senate.

Senate Bill No. 458—An act to amend Section 714 of the Probate Code, relating to actions on rejected claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 964—An act to amend Section 688 of the Political Code and to add two new sections, to be numbered 688.1 and 688.2, to the Political Code, relating to claims and actions against the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell,

Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—62

NOES—Watson—1.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 197 FROM COMMITTEE

Mr. Kilpatrick gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 197 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 151 FROM COMMITTEE

Mr. Robertson gave notice that on the second legislative day, he would move to withdraw Senate Bill No. 151 from the Committee on Judiciary General, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 529 FROM COMMITTEE

Mr. Tenney gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 529 from the Committee on Ways and Means, and have it placed upon the file.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Gunlock, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly, on Assembly Bill No. 612.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 612 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Gunlock moved that Assembly Bill No. 612 be withdrawn from the Committee on Public Utilities, and be placed upon the file.

Demand for Previous Question

Messrs. Lyon, Robertson, Howser, F. N., Allen and Kilpatrick demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No. 612 be withdrawn from the Committee on Public Utilities, and placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Crowley, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Heisinger, Johnson, Kilpatrick, Knight, John B., Lowrey, McCollister, Meehan, Pelletier, Richie, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thurman, and Turner—29.

NOES—Allen, Andreas, Bennett, Call, Carlson, Clarke, Collins, Sam L., Cronin, Dickey, Dilworth, Evans, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lyon, Massion, Middough, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Stream, Thorp, Waters, Watson, Weber, Welch, and Wollenberg—35.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 106—An act to add Chapter 7, consisting of Sections 4.40 to 4.44, inclusive, to Part 1 of Division 4 of the School Code, relating to giving the assent of the State to an act of Congress of the United

States entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, and providing for the disposition of moneys received by the State thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—70

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "certain portions of".

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, strike out "; provided, that it is", and strike out lines 17 to 20, inclusive, and insert a period

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1296—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read third time.

Motion to Amend

Mr. Sheridan moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 10 to 17, inclusive, and insert "feited But if at any time within 90 days after such entry in the minutes, the defendant and his bail appear and satisfactorily excuse his neglect or if at any time within 90 days after such entry in the minutes, the defendant and his bail appear and show to the satisfaction of the court that the absence of the defendant was not with the connivance of the bail, the court may direct the forfeiture of the undertaking or the deposit to be discharged upon such terms as may be just. If".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions.

Bill read third time.

Motion to Amend

Mr Phillips moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out "other defendant named", and insert "person other than the plaintiff".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1326—An act to amend Section 12 and Section 19 of the Municipal Water District Act of 1911, relating to the government and powers of municipal water districts.

Bill read third time.

Motion to Amend

Mr. Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "2.".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 25 to 38, inclusive.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Kilpatrick, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Bill ordered printed, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1020

At 11.12 p.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M, Burns, Michael J., Cassidy, Collins, George D, Cooke, Cronin, Del Mutolo, Dills, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F, Johnson, Kilpatrick, King, Knight, John B., Lyon, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole,

Poulson, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, Waters, Weber, Welch, and Wollenberg—41.

NOES—Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Dickey, Dilworth, Donnelly, Field, Hastain, Heisinger, Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Lowrey, Millington, Pfaff, Phillips, Potter, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Watson, and Weybret—32.

Notice of Motion to Reconsider Assembly Bill No. 1020

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1020 was this day passed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 58

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 108
Assembly Bill No. 188
Assembly Bill No. 242
Assembly Bill No. 354
Assembly Bill No. 624
Assembly Bill No. 656
Assembly Bill No. 681
Assembly Bill No. 749
Assembly Bill No. 750
Assembly Bill No. 757
Assembly Bill No. 809
Assembly Bill No. 880
Assembly Bill No. 1346
Assembly Bill No. 1355
Assembly Bill No. 1481
Assembly Bill No. 1917
Assembly Bill No. 2212
Assembly Bill No. 2245

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 855

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 165
Assembly Bill No. 800
Assembly Bill No. 808
Assembly Bill No. 822
Assembly Bill No. 1390
Assembly Bill No. 1392
Assembly Bill No. 1693
Assembly Bill No. 1765
Assembly Bill No. 2326
Assembly Bill No. 2611
Assembly Bill No. 680

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 723
Assembly Bill No. 2253
Assembly Bill No. 2647

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2309

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 946
Assembly Bill No. 1998
Assembly Bill No. 2325

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 195
Senate Concurrent Resolution No. 22

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

Above reported resolutions ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 144

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 24
Senate Concurrent Resolution No. 46
Senate Joint Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolutions ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No. 51

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered engrossed.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 689
Assembly Bill No. 1956

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLINGTON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Senate Bill No. 292
Senate Bill No. 1337

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 2186
Assembly Bill No. 2183

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

TENNEY, Chairman	JOHNSON
HOUSER, FREDERICK F.	BENNETT
DEL MUTOLO	MEEHAN
WATERS	DILLS
SALSMAN	POULSON
O'DAY	CROWLEY
COLLINS, GEORGE D	ROBERTSON

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

(Signed out)

TENNEY, Chairman	SALSMAN
ROBERTSON	WATERS
CROWLEY	POULSON
DONNELLY	JOHNSON
DEL MUTOLO	

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2634—An act to repeal Section 2 600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2 600 to the School Code, all relating to the formation of high school districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of June, 1941, at 4 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2652

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 2654

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

PHILLIPS, Chairman
CRONIN
POTTER
WOLLENBERG
GREEN
CARLSON
MILLINGTON
KEPPLE
DICKEY
F. N. HOWSER
SAM L. COLLINS
SHERIDAN
PFAFF

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2642

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

KEPPLE, Chairman

Above reported bill ordered to second reading.

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No 1992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 1433

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Assembly Bill No. 2649

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DILWORTH, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 606

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1350

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena Zankich, sister of Assemblyman Thomas of San Pedro.

On request of Mr. Thomas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helen Babich of Sacramento, aunt of Assemblyman Thomas.

On request of Messrs. Desmond and Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ruth Mecum, teacher, and the following students of the Low Ninth Social Studies Class of Stanford Junior High School, Sacramento: Vernon Aznoe, Myron Basso, Jack Burke, Gladys Burks, Wesley Carter, Ray Connally, Margaret Evans, Bill Florian, Edith Galyen, Beth Gleason, Russell Grove, Eugene Horrie, Earl Howard, Claude Hudson, Richard Jones, George La Roche, Bonnie Larson, Edward Lyons, Sam Martello, Everett Martin, Alton Mathews, Rose Mauro, Rodney Miller, Alex Muirhead, Takashi Muraoka, Paul Mursachia, Steve Odell, Jack Rhoades, Vera Schoefer, Bill Stokes, Franklyn Wallace, Harry Warner, Daniel Yee, Ivan Young and Barbara Caldwell.

ADJOURNMENT

At 11.18 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, June 4, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED FIFTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 4, 1941

The Assembly met at 10 a m.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Assistant Chief Clerk Frank Reed at the desk.

Mr. Doyle moved that Mr. Lyon preside as temporary chairman in the absence of the Speaker and Speaker pro tempore.

Mr Pelletier seconded the motion.

Motion carried.

ABSENCE OF QUORUM SUGGESTED

Mr Dilworth suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Burkhalter, Cain, Collins, Sam L., Cronin, Del Mutolo, Dilworth, Doyle, Gallagher, Howser, F. N., Kilpatrick, Knight, T. Fenton, Leonard, Lyon, Massion, Miller, Pelletier, Poole, Sawallisch, Thomas, Waters, and Welch—22.

Call of the Assembly

Mr. Dilworth moved a call of the Assembly.

Motion carried Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.15 a m., on motion of Mr. Thorp, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Bennett, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Sawallisch, Stream, Thomas, Thorp, Waters, Watson, Weber, Welch, and Weybret—44.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Kellems, on motion of Mr. Waters.
Mrs. Daley, on motion of Mr. Stream.
Mr. Maloney, on motion of Mr. Cronin.

EXPLANATION OF ABSENCE

Mr. Cronin moved that the record show that Mrs Daley and Mr. Maloney are in Washington, D. C., on legislative business, and have been excused by the Assembly.

Motion carried unanimously.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the third day of June, 1941, at 11 25 p.m., Assembly Bill No. 1452 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted

CULBERT L OLSON, Governor of California

STATE OF CALIFORNIA GOVERNOR'S OFFICE
SACRAMENTO, June 3, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS I am returning herewith, without my signature, Assembly Bill No 1452, entitled, "An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians"

My objections to this bill are as follows

This bill increases the annual renewal fee of registered dispensing opticians from $25 to $50, and provides that application for renewal need not contain the information required by original applications for registration, but shall contain only such information as the board may prescribe

The bill also provides that from the fees paid by registered dispensing opticians there shall be paid to the secretary of the Board of Medical Examiners, in addition to other salaries allowed by law, $40 monthly for services incident to the administration of the provisions of the chapter relating to registered dispensing opticians

I have no objection to the provisions increasing the fees of registered dispensing opticians nor to those provisions concerning the applications for renewal of their licenses, but there is in my opinion no justification for legislation concerning the salary of the secretary of the Board of Medical Examiners Such secretary is a civil service employee Under Section 70 of the State Civil Service Act, the State Personnel Board is empowered to establish and adjust salary ranges for each class of position in the State civil service Such act also provides

> "The salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities In establishing or changing such ranges consideration shall be given to the prevailing rates for comparable service in other public employment and in private business, improvement of living standards, the current costs of living, and the State's financial condition Reasonable opportunity to be heard shall be provided by the board to any employee affected by a change in the salary range for the class of his position"

Under such provisions, if it should appear that the secretary of the Board of Medical Examiners or any other State civil service employee has been given additional services so that the salary range fixed for his classification is not adequate for the duties and responsibilities of the position, the salary range may be increased In my opinion it would be setting a very bad precedent for the Legislature to attempt to add to or deduct from the salary of any State civil service employee, thus setting aside the function of a Constitutional Board, which has the facilities and personnel for determining salary ranges

Respectfully submitted

CULBERT L OLSON, Governor of California

Assembly Bill No. 1452 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 3, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the third day of June, 1941, at 11 25 p.m., Assembly Bill No 432 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted

CULBERT L. OLSON, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 3, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 432 entitled: "An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge and the furnishing of secretarial and stenographic services to such assistants."

My objections to this bill are as follows.

This bill adds Section 73h to the Code of Civil Procedure, requiring the presiding judge to designate an assistant presiding judge for each session of the superior court held elsewhere than at the county seat It is provided that such assistant presiding judge must be a judge "permanently assigned" to such additional session; that he shall have all the powers and duties of the presiding judge in respect to litigation pending before such session, that such assistant presiding judge is authorized to employ persons to perform such secretarial and stenographic services as are necessary to assist the court with respect to the business of the session.

Section 7 of Article VI of the Constitution of California provides as follows:

> "The judges of each superior court in which there are more than two judges sitting, shall choose, from their own number, a presiding judge, who may be removed as such at their pleasure. Subject to the regulations of the Judicial Council, he shall distribute the business of the court among the judges, and prescribe the order of business"

There is doubt as to the constitutionality of this measure in that it can be claimed that the provision conferring powers to employ assistants, to distribute the business of the session, etc, is in conflict with the powers given by the Constitution to the presiding judge.

Irrespective of the constitutional question, the bill is subject to criticism in that no provision is made for the removal of such assistant presiding judges, and no provision is made for such assistant presiding judge to act subject to the orders and directions of the presiding judge. The requirement that the assistant presiding judge, to be appointed, be a judge "who is permanently assigned to such additional session," creates confusion in the law, inasmuch as there is now no provision for "permanent" assignment of judges to particular departments or sessions.

Under the constitutional provision above quoted, the presiding judge is chosen by the majority of the judges of the court His actions, therefore, should reflect the opinion of the majority of the court as to the best methods of handling the business of the court Any such bill as this, providing for assistant presiding judges to preside over the outlying sessions, should be carefully drawn, to the end that the full control of the business of the court, both at the county seat and in the sessions held elsewhere, be left in the hands of the presiding judge, as is plainly intended by the Constitution.

This bill appears to me to be subject to the same objection which I heretofore stated in returning, without my signature, Assembly Bill No 431, namely, that it would interfere with the orderly administration of the business of the superior court, by unnecessarily creating questions of law respecting the powers and duties of the judges thereof.

I think the bill accomplishes nothing which can not at the present time be done in counties, where it may be necessary, by rule of the superior court, or of the Judicial Council.

Respectfully submitted.

CULBERT L. OLSON, Governor

Assembly Bill No. 432 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the third day of June, 1941, at 11.25 p.m., Assembly Bill No. 1683 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly.

Respectfully submitted

CULBERT L. OLSON, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 3, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1683 entitled: "An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d and 3066e to the Civil Code, to provide for liens in favor of private hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action."

My objections to this bill are as follows:

The bill provides for a lien in favor of private hospitals for hospital care, treatment and maintenance for injuries on any recovery by the injured person, or his legal representative, based upon such injuries.

I am in sympathy with the general purpose of this measure, as obviously it is wrong for a patient to secure a recovery based, in part, upon the hospital bill, and then fail to compensate the hospital; however, this bill is objectionable by reason of certain defects and by reason of failure to recognize the equities of other persons having equal claim to a lien with a private hospital.

The major defect in the bill is that it creates a lien for a hospital bill against any recovery in a wrongful death case. Under Sections 376 and 377 of the Code of Civil Procedure, a parent in the case of a minor child, and an heir, or personal representative, in the case of an adult, may bring an action for wrongful death. Damages in such actions are always limited to the heirs' own pecuniary loss.

Bond vs. *United Railroads*, 159 Cal. 270

In such wrongful death actions, recovery can not be had for hospital bills, or medical bills.

Salmon vs. *Rathjens*, 152 Cal. 290, 301;
Nitta vs. *Haslam*, 138 Cal. App. 736.

The argument made on behalf of this measure, that recovery will be based upon the hospital bill, is, therefore, based on an erroneous assumption of law. It seems to me improper for this bill to create a lien against the recovery by the heirs for their own personal pecuniary loss by reason of the death. The hospital bill was not their liability, and they can not hold the third party for it.

I think it is no answer to this criticism to say that the payment of the hospital bill will prevent a claim being filed against the decedent's estate, and that the heirs will, therefore, come out just as well. If there is any estate, the hospital bill for the last illness is a preferred claim (Probate Code 950), and entitled to early payment (Probate Code 951). If there be no estate, then there is all the more reason why the heirs should receive the damages for their own loss through having lost the support of the decedent, without diminution to meet a bill which was not their liability.

Until the rule prohibiting recovery on a hospital bill in a wrongful death case is changed, I think that no such lien on the recovery therein should be allowed.

The second objection which I have to the bill is that it provides such lien for private hospitals only, and overlooks the equities of others having at least an equal claim to a similar right.

No good reason appears why the physician or surgeon rendering aid to such an injured person should not be accorded the same privileges, under the law, as the hospital. By the same token, public hospitals should have the same right to file a lien as may be given to private hospitals.

Finally, the rights of the attorney, through whose efforts the recovery is made, deserve careful consideration California, unlike most other jurisdictions, recognizes no attorney's lien. Even after the attorney has secured a judgment, the client can enter satisfaction, and the attorney must then look only to the personal responsibility of his client (3 Cal Jur. 682). Since such recovery, under such a bill, would be without expense to any person given a lien, other than the attorney, my recommendation would be that the attorney's lien should have priority over any lien given to hospitals, and any lien given to doctors.

While my failure to approve this bill is not based on that ground, I wish to call to your attention certain defects in the provisions relative to notice of lien

Section 3066a, as added by this bill, provides that the lien is obtained by filing in the county recorder's office *in the county in which the hospital is situated.* This should be *the county in which the accident occurred,* for the reason that the third party who is made liable for the lien of the hospital knows where the accident occurred; he does not necessarily know to what hospital, in what county, the injured person was removed for treatment. If, as often happens, emergency treatment is given in one hospital and, thereafter, the injured person is removed to another hospital for further treatment, the filing in the county where the hospital is situated would not necessarily give notice to a third party.

While the bill does provide for mailing by the hospital of a copy of the notice to the person believed to be liable, there is no requirement that such person actually receive the notice. In this connection, the lien dates from the date of filing in the county recorder's office, and of mailing, so that the third party would be liable to the hospital if he paid the injured person while the notice was in transit through the mails.

For the reasons above stated, I am returning the bill without my signature. In doing so, I wish to make it clear that I would be pleased to consider a bill, properly drawn, to accomplish the general purpose of this bill, and meeting the objections here stated.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 1683 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 537

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Senate Bill No. 799

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WEYBRET, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2651

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEYBRET, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No 51

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported resolution ordered to third reading.

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No 977

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

POULSON, Chairman	MASSION
WATERS	BENNETT
BURNS, HUGH M.	GALLAGHER
ALLEN	CRONIN

Above reported bill ordered to second reading

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 65	Assembly Bill No. 2186
Assembly Bill No. 606	Assembly Bill No. 2642
Assembly Bill No. 1091	Assembly Bill No. 2649
Assembly Bill No. 2033	Assembly Bill No. 2654
Assembly Bill No. 2183	

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1296

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 1185

Assembly Bill No. 1951

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER Your Committee on Elections, to which was referred.

Assembly Bill No 2205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CARLSON, Chairman

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on County Government, to which was referred:

Senate Bill No. 303

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 420

Has had the same under consideration, and reports the same back with amendments, with the recommendation. Do pass as amended.

(Signed out)

KEPPLE, Chairman	O'DAY
ALLEN	HAWKINS
CARLSON	SHERIDAN
KNIGHT, T FENTON	PHILLIPS
PFAFF	CAIN

Above reported bill ordered to second reading.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2657

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

KEPPLE, Vice Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2645

Senate Bill No. 1135

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 689—An act to create a Division of Shore Protection, defining its powers and duties, and making an appropriation for the purpose of this act.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1956—An act making an additional appropriation for construction, improvements, and equipment at the State Fair Grounds.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2183—An act to amend Section 1161a of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2186—An act to amend Section 1181 of the Civil Code, relating to proof or acknowledgement of an instrument.

Bill read second time, and ordered engrossed

Assembly Bill No. 2649—An act to amend Section 4104 of the Public Resources Code, relating to the building of camp fires or smoking on National forest land.

Bill read second time, and ordered engrossed.

Assembly Bill No. 606—An act to add a new section to the Alcoholic Beverage Control Act, to be numbered 6.9, relating to the terms and conditions for the sale of wine and providing penalties for violation thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2642—An act authorizing cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofor taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure to take effect immediately

Bill read second time, and ordered engrossed.

Assembly Bill No. 2654—An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1350—An act making an appropriation for the enforcement of standards and quality in the manufacture and sale of alcoholic beverages.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for the enforcement of"; and strike out lines 2 and 3, and insert "to amend Section 107 of the Health and Safety Code, relating to the Director of Public Health."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 107 of the Health and Safety Code is hereby amended to read as follows:

107. The director shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of [six] *seven* thousand *two hundred* dollars ($7,200) per annum and necessary expenses incurred in the performance of his duties."

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 1992—An act to add Section 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on State Grounds and Parks:

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 6817 to", and insert "amend Section 506 of".

Amendment No. 2

Strike out lines 2 and 3 of the title of the printed bill, and insert "relating to the State Park Commission and the Chief of the Division of Parks."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 506 of the Public Resources Code is hereby amended to read as follows:

506. The Division of Parks shall be administered through a chief who shall *have had experience in park administration and who shall* be appointed by the director upon nomination by the State Park Commission. General policies for the administration, *protection, and development* of the State Park System shall be determined by the State Park Commission which shall consist of five members appointed by [and holding office at the pleasure of] the Governor[ ], *with the advice and consent of the Senate.*

The members of the State Park Commission shall serve for terms of four years and until their successors are appointed and qualified except that the terms of the members first hereafter appointed shall expire as follows:

The term of one member on January 15, 1942;

The term of two members on January 15, 1943;

The term of one member on January 15, 1944;

The term of one member on January 15, 1945.

In case of any vacancy the appointment shall be for the remainder of the unexpired term."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 1433—An act to amend Sections 7678, 8306 and 8402 of the Revenue and Taxation Code, relating to the filing of reports under the Motor Vehicle Fuel License Tax Law, the revocation of

licenses under the Motor Vehicle Fuel License Tax Law, and the conduct of activities without a license

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Motor Vehicles:

Amendment No. 1

On page 1 of the printed bill, as amended on April 25, 1941, strike out all of line 10 after "United States"; and strike out all of line 11, and insert a period

Amendment No. 2

On page 1 of the printed bill, strike out all of line 19 after "United States"; and strike out all of line 20, and insert "for use in the performance of contracts with the United States."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 22—Relative to amending the Joint Rules of the Senate and Assembly by adding Joint Rule No. 36, creating a Joint Legislative Budget Committee, defining its powers and duties, and making an appropriation out of the Contingent Funds therefor.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out lines 22 to 25, inclusive, and insert "other Members of the Assembly appointed by the Speaker."

Amendment No. 2

On page 3, line 5, of the printed measure, strike out the period, and insert "; and be it further

Resolved, That if there is created by statute a Legislative Audit Bureau, a Legislative Research Bureau, or other similar agency, under legislative control, charged with the duty of performing one or more of the functions given the Legislative Budget Committee by this resolution, the committee is hereby authorized and directed to avoid duplicating the work of such bureau or agency while the latter is in existence and functioning."

Amendments read and adopted

Resolution ordered printed, and to third reading.

Senate Bill No. 292—An act to provide for the construction of a dam and appurtenant works, including conveyance and distribution facilities; said dam and appurtenant works to impound the waters of Conn Creek, Napa County, to provide a supply for State institutions which may feasibly receive water therefrom and to provide for the beneficial utilization of any surplus water which may be impounded; to authorize the Department of Finance to construct said dam and appurtenant works, to acquire the lands and other property necessary therefor, and to contract and otherwise cooperate with the Federal Government and any of its departments or agencies and with any political subdivision, district, municipal corporation, department or

agency of the State for the construction of said dam and appurtenant works, and for the acquisition of the lands or property necessary therefor; and for utilization of the waters to be supplied thereby; to make an appropriation therefor; and to declare the urgency thereof and to provide it take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "which may feasibly receive water therefrom", and insert "in Napa County and the Veterans' Home.".

Amendment No. 2

On page 1, line 2, of the printed bill, as amended, strike out "certain State institutions", and insert "State institutions in Napa County and the Veterans' Home".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out all of line 1; and in line 2, strike out "from", and insert "institutions in Napa County and the Veterans' Home".

Amendment No. 4

On page 2, line 14, of the printed bill, as amended, after "State", insert ", provided that any State-owned public works on any of such property required for the dam or reservoir site shall be replaced or a substitute provided out of the appropriation made by this act Any use of State highway right of way for any pipe lines or other facilities connected with the project shall be subject to the provisions of Chapter 3 of Division 1 of the Streets and Highways Code"

Amendment No. 5

In line 3 of the title of the printed bill, as amended, strike out "waters", and insert "the waters of Rector Creek".

Amendment No. 6

On page 1, line 6, of the printed bill, as amended, after "waters", insert "of Rector Creek".

Amendment No. 7

On page 2 of the printed bill, as amended, strike out line 23, and insert "seven hundred fifty-seven thousand dollars ($757,000)"

Amendment No. 8

On page 2 of the printed bill, as amended, strike out line 31, and insert

"SEC 6 No site or part thereof for a dam or reservoir or both shall be purchased pursuant to this act until the Director of Public Health has reported in writing to the Department of Finance that no sewage water flows or is emptied on, in, or under the site, or that adequate facilities for the treatment or disposal of the sewage water have been constructed which insure that the sewage water will not contaminate any water to be impounded in the reservoir

SEC 7 This act is hereby declared to be an urgency"

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1337—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for support, construction and equipment, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Division", and insert "Division".

Amendment No. 2

On page 1, lines 2 and 3, of the printed bill, strike out "ninety-eight thousand eight hundred eighty-seven dollars ($98,887)", and insert "one hundred five thousand four hundred four dollars and fifty cents ($105,404.50)".

Amendments read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 1769

In compliance with a notice given on a previous day, Mr. Cronin moved that the vote whereby Assembly Bill No. 1769 was refused passage be reconsidered.

Assembly Bill No. 1769 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Meehan, Middough, Miller, Phillips, Poole, Poulson, Richie, Russell, Salsman, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—43.

NOES—Bennett, Clarke, Collins, George D., Collins, Sam L., Doyle, Gaffney, Hawkins, Lowrey, Massion, Millington, Pelletier, and Robertson—12

Assembly Bill No. 1769 ordered to third reading.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1092 WAIVED

Mr. Johnson waived his notice of motion to reconsider the vote whereby Senate Bill No. 1092 was passed.

Senate Bill No. 1092 ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 309 FROM COMMITTEE

Mr. Lyon gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 309 from the Committee on Public Morals, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2217 FROM COMMITTEE

Mr. Weber gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 2217 from the Committee on Ways and Means, and have it placed upon the file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 56—An act to add Section 305 to the Political Code, relating to disqualification for State compensation and employment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 56?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, after "who", insert ", when legally required to do so,".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, after "who", insert ", when legally required to do so,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 56 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—50.
NOES—None.

Assembly Bill No. 56 ordered enrolled.

Assembly Bill No. 625—An act to amend Section 1946 of the Civil Code, relating to hiring of real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 625?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, after "law", insert "unless one of the parties gives notice to the other of his intention to terminate the same, at least as long before the expiration thereof as the term of the hiring itself, not exceeding one month".

Amendment No. 2

On page 1, line 15, of the printed bill, as amended, after "thereof", insert "at any time".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 625 by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—51.
NOES—None.

Assembly Bill No. 625 ordered enrolled.

Assembly Bill No. 2519—An act to amend sundry article and chapter headings, to repeal Section 679a of, and to add Section 2876 to, the Penal Code, and to amend Section 6603 of the Welfare and Institutions Code, relating to prisons and prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2519?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "headings, to", insert "amend Section 3062 of, and to amend and renumber Sections 3056 and 3057 of, to"

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, after "Section 1.", insert "The chapter heading of Chapter 5 of Title 1 of Part 3 of the Penal Code is hereby amended to read as follows.

CHAPTER 5 EMPLOYMENT OF PRISONERS [AND SALE OF PRISON MADE PRODUCTS]

SEC. 15."

Amendment No. 3

On page 2, line 18, of the printed bill, as amended, after "SEC 7", insert "Section 3056 of the Penal Code is hereby amended and renumbered to read as follows:

[3056.] *3057.* The *State* Board *of Prison Directors* shall have the power and authority to provide for assisting paroled prisoners and to secure employment for the same and for that purpose it may employ necessary officers and employees, may purchase tools, and give any other assistance that, in its judgment, it deems proper for the purpose of carrying out the objects and spirit of this section.

SEC. 8 Section 3057 of the Penal Code is hereby amended and renumbered to read as follows:

[3057.] *3056.* Prisoners on parole shall remain under the legal custody of the State Board of Prison Directors and shall be subject at any time to be taken back within the inclosure of the prison

SEC. 9. Section 3062 of the Penal Code is hereby amended to read as follows:

3062 The Governor of the State shall have like power to revoke the parole of any prisoner. The written authority of the Governor shall likewise be sufficient to authorize any peace officer to retake and return said prisoner to the State prison. His written order revoking the parole shall have the same force and effect and be executed in like manner as the order of [a member] *the chairman* of the board.

SEC. 10"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2519 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, McCollister, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—48

NOES—None.

Assembly Bill No. 2519 ordered enrolled.

Assembly Bill No. 680—An act to add Section 3.103 to the School Code, relating to the observance of Bill of Rights Week in public schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 680?

Amendment No. 1

In the title of the printed bill, as amended, strike out "Bill of Rights", and insert "Constitution".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 680 by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—49.

NOES—None.

Assembly Bill No. 680 ordered enrolled.

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9.3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 800?

Amendment No. 1

On page 11 of the printed bill, as amended, strike out line 43, and insert "year, other than taxes paid or".

Amendment No. 2

On page 11 of the printed bill, as amended, strike out line 46, and insert "within the taxable year imposed by the authority of (1) the".

Amendment No. 3

On page 11 of the printed bill, as amended, strike out line 47, and insert "Government of the United States or any foreign country, (2)".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 800 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—54.

NOES—None.

Assembly Bill No. 800 ordered enrolled.

Assembly Bill No. 822—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243.5, 244, 245, 245.5, 246, 246.5, 247 and 248) to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235.5 thereof, relating to the wrecking and dismantling of vehicles, including the business of automobile wreckers

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 822?

Amendment No. 1

On page 4, line 18, of the printed bill, as amended, after the period, insert "Said record shall be open to inspection during business hours by any peace officer or investigator of the Department of Motor Vehicles."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 822 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—55.

NOES—None.

Assembly Bill No. 822 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Thorp moved to expunge the record and rescind the action whereby Senate amendments to Assembly Bill No. 926 were this day concurred in.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Further Consideration of Senate Amendments to Assembly Bill No. 926

Assembly Bill No. 926—An act to amend Sections 3520 and 3712 of, and to add Sections 606.5 and 3695.3 to, the Revenue and Taxation Code, relating to property taxation and tax-deeded property, including the assessment of property, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 926?

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "Sections 606.5 and", and insert "Section".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 3520 of the Revenue and Taxation Code".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 926 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—None.

Assembly Bill No. 926 ordered enrolled.

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1693?

Amendment No. 1

On page 3, line 24, of the printed bill, as amended, strike out "1942", and insert "1943".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1693 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.
NOES—None.

Assembly Bill No. 1693 ordered enrolled.

Assembly Bill No. 1765—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1765?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period and insert ", except the phonographic reporters and transcribers of its proceedings".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1765 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.
NOES—None.

Assembly Bill No. 1765 ordered enrolled.

Assembly Bill No. 2326—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2326?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, strike out "shall", and insert "may".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2326 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough,

Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Assembly Bill No. 2326 ordered enrolled.

MESSAGES FROM THE GOVERNOR

A communication from the Governor, recommending consideration of Assembly Bill No. 1906 as an emergency bill, prior to the final enactment of the Budget Bill, was received and ordered filed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2611—An act add Section 844 to the Political Code, relating to qualifications for public office, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2611?

Amendment No. 1

In line 2 of the title of the printed bill, after "office", insert "and employment, declaring the urgency hereof".

Amendment No. 2

On page 1, line 14, of the printed bill, after "him", insert "during the war between the Allied Powers and Germany-Austria, 1914-1918, inclusive,".

Amendment No. 3

On page 1, lines 16 and 17, of the printed bill, strike out "during the war with Germany-Austria as in this code defined", and insert "in that war".

Amendment No. 4

On page 1, lines 18 and 19, of the printed bill, strike out "or employment".

Amendment No. 5

On page 1, line 20, of the printed bill, strike out "or employs".

Amendment No. 6

On page 1 of the printed bill, between lines 21 and 22, insert
"Every person who exercises the duties of any employment in violation of this section, and every person who knowingly employs a person ineligible by reason of this section, is guilty of a misdemeanor."

Amendment No. 7

On page 2, line 4, of the printed bill, after "taken", insert "or hereafter takes".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2611 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—59.
NOES—Cooke—1.

Assembly Bill No. 2611 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1016—An act to amend Section 2931a of the Civil Code, relating to certain actions pertaining to real property.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No 1016 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Poulson—1.

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1390—An act to amend Sections 59, 90, 93, 95, 125 and 172 of, and to add Sections 16 5 and 151 6 to the State Civil Service Act, relating to State civil service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1390?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "16 5", insert ", 83.5".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 5 and 6, insert

"SEC 1 5. Section 83.5 is hereby added to the State Civil Service Act, to read as follows:

Sec 83.5. No educational or professional qualifications whatsoever shall be required as a condition of eligibility to compete in an examination, except that if the possession of a license or certificate is by law a condition precedent to the performance of the duties of the position, such possession shall be required."

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 1390 by the following vote:

AYES—Call, and Desmond—2.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—53.

Assembly Bill No 1390 ordered to conference.

Assembly Bill No. 1392—An act to amend Section 1030 of the Political Code, relating to office hours.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1392?

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 18, inclusive, and insert

"Nothing contained in this section shall prevent the head of any department, bureau, board, commission or office from operating with a skeleton crew from 9

o'clock a.m. to 12 o'clock noon of each Saturday; provided, that the total number of hours per week of employees of any such department, bureau, board, commission or office shall not be less than the total number of office hours herein established."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1392 by the following vote.

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Richie, Robertson, Russell, Sawallisch, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—54

NOES—None

Assembly Bill No. 1392 ordered enrolled.

Assembly Bill No. 988—An act to repeal Section 459 and to amend Section 460 of the Fish and Game Code, relating to importation of fish and game.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 988?

Amendment No. 1

On page 1, line 7, of the printed bill, following the period, insert

"The commission may also allow the bringing in of birds, mammals, fish, mollusks and crustaceans, except those taken for commercial purposes, without such written permit if a record is made at the time of entry with the nearest justice of peace or notary public, or with any State or Federal agency designated by the commission.

Such record shall be in a form prescribed by the commission. One copy of the record shall be carried by the person bringing in such birds, mammals, fish, mollusks and crustaceans, except those taken for commercial purposes, while the same are in his possession; one copy left on file with the person or agency before whom such record is made, and one copy sent to the commission."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 988 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—53

NOES—None.

Assembly Bill No. 988 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1497—An act to amend Section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1497 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Crowley, Doyle, Poole, and Tenney—4.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Donnelly, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Russell, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—51.

MOTION TO PURCHASE FLOWERS

Mr. Turner moved that the Chief Clerk be instructed to purchase a floral bouquet and have it sent to Speaker Gordon H. Garland, who is confined by illness.

Motion carried.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 747

The Speaker announced the appointment of Messrs. Crowley, Carlson and Potter as a Committee on Conference concerning Assembly Bill No. 747.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1390

The Speaker announced the appointment of Messrs. Desmond, Johnson and McCollister as a Committee on Conference concerning Assembly Bill No. 1390.

Hon. Nelson S. Dilworth Presiding

At 11.35 a.m., Hon. Nelson S. Dilworth, Member of the Assembly from the Seventy-sixth District, presiding.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 4—Proposed amendment to Article XI of the Constitution by adding Section 4 thereto, relating to county consolidation.

Resolution read.

Demand for Previous Question

Messrs. Knight, John B., Collins, Sam L., Howser, F. N., Burkhalter and Watson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 4.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1135

The Speaker announced the appointment of Messrs. Carlson, Lowrey and Clarke as a Committee on Conference concerning Assembly Bill No. 1135.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1485

The Speaker announced the appointment of Messrs. Sawallisch, Phillips and Burns, Hugh M., as a Committee on Conference concerning Assembly Bill No. 1485.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1915—An act to amend Chapter 10 of Division 2 of the Business and Professions Code, relating to trained attendants.

Bill read third time.

Motion to Amend

Mr. Cronin moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "4655", and insert "4680".

Amendment No. 1.5

On page 1, line 4, of the printed bill, as amended, strike out "4655", and insert "4680".

Amendment No. 2

On page 3 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert

"(g) Any service or services rendered in the office and under the direction of a person licensed under the laws of the State of California to engage in any of the healing arts."

Amendment No. 2.5

On page 3 of the printed bill, as amended, after line 38, insert

"4526 Any civil service employee of the State of California, the duties of whose position involve the practice of nursing as a trained attendant as herein defined, while actually employed by the State of California in such a civil service position in an institution maintained and operated by the State, may perform any and all acts required of him in the fulfilment of the duties of the position without having first obtained a license as in this chapter provided

Any such person, however, who complies with and has the requirements prescribed by Article 3 hereof may be licensed as in this chapter provided, in which event the provisions of Article 4 hereof shall not apply to that person until his status as a civil service employee of the State of California shall have terminated."

Amendment No. 3

On page 4, line 9, of the printed bill, as amended, strike out "Its"; and strike out all of lines 10 and 11.

Amendment No. 4

On page 4 of the printed bill, as amended, strike out lines 27 to 39, inclusive, and insert

"(d) Be of good moral character,

(e) Possess a certificate of good health issued to him by a physician within the preceding 60 days, and

(f) Have either:

(1) Successfully completed the prescribed course of study in an approved center of training, or

(2) Successfully completed one or more years of training in an accredited school of nursing as defined in the Nursing Practice Act, or

(3) Completed a course of training in a school outside this State, which in the opinion of the board maintains and gives a course which is equivalent to the minimum requirements of the board for the course given by an approved center of training in this State, or

(4) Had such training or experience or such a combination thereof as in the opinion of the board is the equivalent of the training required by either Subparagraphs (1), (2) or (3) of this subdivision."

Amendment No. 5

On page 4, line 40, of the printed bill, as amended, strike out "1944", and insert "1943".

Amendment No. 6

On page 5 of the printed bill, as amended, after line 5, insert

"4558. A license issued to a person not a citizen of the United States but who has declared his intention of becoming a citizen, shall terminate and become void at the end of seven years from the date of filing such declaration of intention if the person has not then become a citizen. A license so terminated may be reissued by the board at any time thereafter upon evidence of citizenship and an explanation of the delay satisfactory to the board."

Amendment No. 7

On page 7, line 17, of the printed bill, as amended, strike out the period following "code", and insert: ";

(1) Gross immorality"

Amendment No. 8

On page 7, line 47, of the printed bill, as amended, strike out "executive secretary", and insert "special agent".

Amendment No. 9

On page 7, lines 49 and 50, of the printed bill, as amended, strike out "executive secretary's", and insert "special agent's".

Amendment No. 10

On page 9 of the printed bill, as amended, strike out lines 18 to 22, inclusive, and insert "known as a "trained attendant" and shall not use any initial or initials or any title in connection with or following his name indicating that he performs the services of a "trained attendant," except the words "trained attandant," "practical nurse," or "undergraduate nurse." "

Amendment No. 11

On page 10, line 18, of the printed bill, as amended, strike out "ten dollars ($10)", and insert "five dollars ($5)".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 2315—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals are sold.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert

"(b) "Holiday" shall mean any day designated a holiday".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 17 to 23, inclusive, and insert "fee paid by any retail market under State inspection shall be sufficient to meet all necessary expenditures for the enforcement of this act by the State Department of Public Health, Division of Retail Market Inspection Service. The Director of".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 23, and insert "day, nor on any holiday.

No such market shall be open more than six days a week."

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 31 to 34, inclusive, and insert.

"SEC 5. The provisions of this act, other than Sections 3 and 4, shall not be applicable within any city, county, or city and county providing for the licensing, inspection or regulation of retail markets.

Sections 3 and 4 shall be enforced by the State Department of Public Health or by the health department of any city, county, or city and county."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 4

At 12.01 p.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 4 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Turner, Voigt, Weber, Welch, and Wollenberg—55.

NOES—Call, Cassidy, Clarke, Crowley, Desmond, Dilworth, Donnelly, Hastain, Leonard, Lowrey, Thorp, Thurman, Watson, and Weybret—14.

Resolution ordered transmitted to the Senate.

RECESS

At 12.03 p.m., on motion of Mr. Field, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, of the Fifty-ninth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1840—An act to amend Section 776 of the Vehicle Code, making an appropriation to the Motor Vehicle Support Fund, providing for the use of the moneys therein, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "fifty per cent (50%)", and insert "forty-two and one-half per cent (42½%)".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO REQUEST SENATE TO RETURN SENATE BILL NO. 620 TO THE ASSEMBLY

Mr. Gallagher moved that the Senate be requested to return Senate Bill No. 620 to the Assembly.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2571—An act to amend Section 1182 of the Labor Code, relating to minimum wage to be paid to women.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Collins, Sam L., Robertson, Poulson and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2571.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Kilpatrick, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—53.

NOES—Carlson, Collins, Sam L., Hastain, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Millington, and Watson—11.

Notice of Motion to Reconsider Assembly Bill No. 2571

Mr. Sam L. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2571 was this day passed.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 195—An act to add Section 1.5 to the Unemployment Relief Appropriation Act of 1940, and to amend Section 4 of the California Unemployment Relief Act of 1935, and to add Section 8.5 to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect as therein provided.

Bill read third time

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 195:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS:

SENATE BILL NO. 195

"An act to add section 1 7 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, providing terms and conditions upon which such relief may be granted, making an appropriation therefor, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 195 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Heuser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—66.

NOES—None.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "dollars ($1,000,000)", and insert "seven hundred thousand dollars ($1,700,000)".

Amendment No. 2

On page 1, line 15, of the printed bill, as amended, after "Treasury", insert "Of the total sum appropriated by this subdivision seven hundred thousand dollars ($700,000) shall not be available for expenditure without the unanimous consent of the State Board of Control."

Amendments read.

Demand for Previous Question

Messrs. Poulson, Field, Waters, Howser, F. N, and Collins, Sam L., demanded the previous question.

Demand for Previous Question Withdrawn

Mr. Poulson withdrew his demand for the previous question with the consent of Messrs. Field, Waters, Howser, F. N., and Collins, Sam L.

The question being on the adoption of the amendments by Mr. Kilpatrick to Senate Bill No. 195.

Speaker Pro Tempore Presiding

At 2.37 p.m, Hon Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Hon. Rodney L. Turner Presiding

At 2.41 p.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L, Howser, F. N., Waters and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments by Mr. Kilpatrick to Senate Bill No. 195.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

Roll Call Demanded

Messrs. Hawkins, Kepple and Stream demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Cooke, Crowley, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, Knight, John B., Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Robertson, Russell, Sheridan, Tenney, Thomas, Voigt, and Welch—32.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Dickey, Dilworth, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—33.

The question being on the adoption of the amendments by Mr. Kilpatrick to Senate Bill No. 195

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, and Welch—34

NOES—Allen, Bashore, Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—35.

Demand for Previous Question

Messrs. Robertson, Allen, Waters, Collins, Sam L., and Poulson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 195.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—37.

NOES—Bashore, Burkhalter, Collins, George D., Heisinger, Kilpatrick, King, and Knight, John B.—7.

Bill ordered transmitted to the Senate

Explanation of Vote

My reasons for voting against Senate Bill No. 195 are, First, insufficiency in amount, second, because the Assembly refused to correct the record whereby my amendment providing $1,700,000 was defeated. Assemblyman Bashore's vote was erroneously recorded as "No" when in fact he voted "Aye." Proper recording would have adopted the amendment.

VERNON KILPATRICK

Senate Bill No. 484—An act to repeal Section 5.1 of the Retail Sales Tax Act of 1933 and Section 6381 of the Revenue and Taxation Code, both relating to exemption from retail sales taxes; to defer final assessment and determination of sales and use taxes in certain instances, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.
NOES—Evans—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—63.
NOES—Evans—1.

Bill ordered transmitted to the Senate.

MOTION TO PERMIT SMOKING IN GALLERY

Mr. Cooke moved that the people in the gallery of the Assembly Chamber be allowed to smoke.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1349

Mr. Lyon moved that Assembly Bill No. 1349 be withdrawn from the third reading file, and re-referred to the Committee on Ways and Means.

Motion carried.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

LYNWOOD JUNIOR HIGH SCHOOL
COMPTON UNION SECONDARY DISTRICT
LYNWOOD, CALIFORNIA, June 3, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly of California State Legislature
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: On Thursday, May 29th, we received from you three copies of the resolution passed by the California State Assembly on April 30th.

These beautifully engraved and illuminated resolutions were far beyond our highest expectations in form and content. We feel that Lynwood Junior High School has been signally honored by the recognition given to it through the Legislature and we wish to extend to the California State Assembly, through you, our sincere thanks for the honor that has been accorded us

The beautiful document has been appropriately framed and will be hung in a public place in our school as a memento of one of the highest honors that has ever been conferred upon our institution.

The resolution has been publicly acknowledged before the student body of this school and the presentation of the individual copies of the resolution for Gloria Theod and Marjorie Fraedrich was made before the Lynwood Rotary Club on May 29th.

Thank you again for your courtesy and kind consideration.

Sincerely yours,

WM. W. JONES, Principal

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 946—An act to add Section 50 to the State Lands Act of 1938, to permit drilling of oil and gas wells under certain conditions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Weybret, and Wollenberg—58.

NOES—Collins, George D., and Thomas—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 930—An act to amend Section 10 of the Annexation of Uninhabited Territory Act of 1939, relating to the liability of annexed territory for indebtedness and contracts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Miss Miller moved a call of the Assembly.

Motion carried. Time, 3.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Bennett moved that Rule No. 33 be temporarily suspended for the purpose of considering Senate Bill No. 195, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Tenney, Thomas, Voigt, and Welch—36.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dilworth, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, McCollister, Millington, Pfaff, Potter, Poulson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—30.

Request for Unanimous Consent to Expunge Record and Rescind Action

Mr. Bennett asked for unanimous consent to expunge the record and rescind the action whereby Senate Bill No. 195 was this day passed.

Mr. Field withheld unanimous consent.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Wollenberg moved that Rule No. 33 be temporarily suspended for the purpose of proceeding with the third reading file, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—42

NOES—Bashore, Bennett, Collins, George D., Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Massion, Meehan, O'Day, Pelletier, Richie, and Thomas—20.

Speaker Pro Tempore Presiding

At 4:05 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1626—An act to amend Section 2 of an act entitled "An act to define and limit the power of municipalities in assessing, levying or collecting taxes on motor vehicle carriers who are subject to the jurisdiction of the Railroad Commission of the State of California." approved July 25, 1939, relative to the power of municipalities in assessing, levying or collecting taxes on motor vehicles.

Bill read third time.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cronin, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1626.

Demand for Previous Question

Messrs. Collins, Sam L., Dilworth, Tenney, Howser, F. N., and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1626.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Desmond, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Massion, Meehan, Middough, O'Day, Pelletier, Phillips, Potter, Poulson, Richie, Robertson, Sheridan, Tenney, Thomas, Thorp, Voigt, Waters, Weber, and Wollenberg—42.

NOES—Burkhalter, Collins, Sam L., Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Gunlock, Hastain, Houser, Frederick F., Kepple, Knight, T. Fenton; Leonard, Lowrey, McCollister, Millington, Pfaff, Poole, Russell, Salsman, Stream, Thurman, Turner, Watson, and Weybert—25

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1570 WAIVED

Mr. Gaffney waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1570 was passed.

Assembly Bill No. 1570 ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1071

The Speaker announced the appointment of Messrs. Thurman, Leonard and Millington as a Committee on Conference concerning Senate Bill No. 1071.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swan, Mayo and Parkman as a Committee on Conference concerning:

Assembly Bill No. 1390—An act to amend Sections 125, 152.5 and 172 of and to add Section 151.6 to the State Civil Service Act, relating to State civil service.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Powers, Parkman and Phillips as a Committee on Conference concerning:

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swing, Crittenden and Kuchel as a Committee on Conference concerning.

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code, with reference to satisfaction of judgments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Biggar, Collier and Metzger as a Committee on Conference concerning:

Assembly Bill No. 1135—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Mayo, Dillinger and Swan as a Committee on Conference concerning.

Senate Bill No. 1071—An act to add Sections 30.5 and 38.1 to the Public Utility District Act, relating to the incurring of indebtedness by public utility districts and the manner of refinancing thereof, validating certain indebtedness heretofore incurred by public utility districts, and relating to making delinquent service charges a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's reduction from $62,500 to $10,000 in

Senate Bill No. 1338—An act making an appropriation for the contingent expenses of the Senate, the act to take effect immediately;

Herewith is a copy of the Governor's message relating to said bill.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1941

To the Honorable Members of the Senate
State Capitol, Sacramento, California

GREETINGS: I have this day delivered to the Secretary of State Senate Bill No 1338. I objected to the appropriation made by such bill, and reduced the amount of such appropriation by appending to the bill, at the time of signing it, a statement of the items to which I objected and the reasons therefor.

In accordance with the provisions of Section 16 of Article IV of the Constitution, I am transmitting herewith a copy of such statement.

Respectfully submitted

CULBERT L OLSON, Governor of California

I object to the appropriation of $62,500, and hereby reduce the sum to $10,000. With this reduction I approve the bill.

My reasons for reducing the amount of said appropriation are as follows:

There has previously been appropriated for the contingent expenses of the Senate for this session of the Legislature the sum of $45,000, of which amount there is an unexpended balance of $19,395 63, as of May 29th, according to the records in the office of the State Controller. The appropriation of $62,500 made by this bill, together with the previous appropriation, total $107,500, which sum far exceeds any amount previously appropriated for similar purposes at prior sessions of the Legislature, even exceeding the total of the appropriations covering the last regular session and the five special sessions of the Legislature, which created a large number of Special Investigating Committees.

In my statement on May 3d concerning Senate Bill No. 1292 I said:

> This additional amount of $25,000 which I have approved I know is ample to cover all necessary expenditures from the Senate Contingent Fund. It is inconceivable that the normal contingent expenses that could be incurred by the Senate during the remainder of this regular session could possibly exceed the sum of $10,000, even though the session were to last another 60 days. If at a later date a still further appropriation to this fund should become necessary, I will willingly approve the same.

The nineteen odd thousand dollars still remaining for Senate contingent expenses, together with the $10,000 made available by this bill, is ample to cover any expenditures that should be made by this Legislature for such purposes.

CULBERT L. OLSON, Governor of California

Dated June 2, 1941.

Above bill ordered to unfinished business.

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 568

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 568—An act to add Section 1.92 to the School Code, relating to transportation of pupils to and from elementary and secondary schools other than public schools.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Poulson:

House Resolution No. 244

WHEREAS, The Director of Finance is required by law to audit, or cause to be audited, at least once annually the financial records of all State agencies, including the Department of Finance; and

WHEREAS, No audit has ever been made of the State Lands Commission in the Department of Finance, nor of the functions of the department pertaining to investments in stocks and bonds and the disposition of vehicles forfeited to the State under the Narcotic Laws; and

WHEREAS, An Investigating Committee of this Assembly has found:

(1) That such audits as have been made of particular activities of the Department of Finance have been made by employees of the department under the supervision of the Chief of the Division of Budgets and Accounts.

(2) That the employees who made these audits submitted manuscript reports thereof to the Chief of the Division of Budgets and Accounts, who in turn, submitted typewritten or printed reports thereof to the Director of Finance and the Governor.

(3) That, with one exception, all reports submitted to the Chief of the Division of Budgets and Accounts were submitted by the latter to the Director of Finance and the Governor without alteration.

(4) That one report submitted to the Director of Finance and the Governor, covering a period ending June 30, 1938, contained a number of material alterations, of which the following are illustrative:

(a) The manuscript report stated:

"The accounting records can not be described as anything short of inadequate and unreliable."

The typewritten or printed report stated:

"The accounting records were not found to be adequate in some respects."

(b) The manuscript report stated:

"Our examination of the system of internal check disclosed several instances in which methods did not comply with accepted accounting theories."

The typewritten or printed report stated:

"Our examination of the system of internal check disclosed several instances in which methods can be improved."

(c) The manuscript report stated:

"Records pertaining to the Division of State Lands were found to be in such condition that it was deemed advisable to exclude them from the purview of our examination at this time with the expectation that a special examination and system revision would be instituted in the near future."

The typewritten or finished report stated:

"It was deemed advisable to exclude the Division of State Lands from the purview of our examination at this time for the reason that a special examination and system revision is to be undertaken in the near future;" and

WHEREAS, Since the Department of Finance is the hub of the financial affairs of the State of California, the character and extent of its activities are of particular interest to the people of the State of California, and subjects as to which the Members of this Legislature desire complete and accurate information; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor and the Director of Finance are hereby each respectfully requested to make or to have made without delay a complete, accurate and unbiased audit of each and every activity and function of the Department of Finance, such audit to include:

(1) A complete analysis of each revolving fund of the department or under its control.

(2) A complete analysis of all State property over which the department has control.

(3) A complete survey of the work of the department in handling and disposing of vehicles forfeited to the State under the Narcotic Laws.

(4) A complete survey of the work of the department regarding the investment of State funds in bonds, stocks and other securities, including the names of the stock brokers or other agents through whom such investments are effected and the fees paid to such brokers or other agents; and be it further

Resolved, That a report of such audit, together with all work papers and data pertaining thereto, shall be made available to the Legislature and the members thereof, to any committee of the Legislature or of either house thereof, and to any person duly authorized by any such committee.

Resolution read, and referred to Committee on Governmental Efficiency and Economy.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 120—An act to amend Section 4109 of the Revenue and Taxation Code, relating to property taxation, the redemption of property, and the payment of delinquent taxes in installments.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4109 of", and insert "add Section 4109.5 to"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 4109.5 is hereby added to the Revenue and Taxation Code to read as follows:

4109.5".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—50.

NOES—None

Bill ordered printed, and to third reading

Senate Bill No. 560—An act to add Chapter 7, comprising Sections 7300 to 7310, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of an acute neuropsychiatric hospital, creating a board of trustees therefor, and providing for the powers and duties of the Department of Institutions and the Regents of the University of California in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—49.

NOES—None

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 559:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 4, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: Senate Bill No. 559, "An act to amend Section 356a of the Political Code, relating to contracts between different State agencies",
in my opinion constitutes an emergency bill within the meaning of that term, as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 559 as an emergency measure.

Respectfully submitted,

CULBERT L. OLSON, Governor of California

Senate Bill No. 559—An act to amend Section 356a of the Political Code, relating to contracts between different State agencies.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—49

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1122—An act to add Chapter 7 to Part 3 of Division 13 of the Health and Safety Code, including the addition of Section 19800 to said code, relating to refrigerants and refrigerating plants and regulations governing the same.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 796—An act to amend Sections 970 and 971 and to add Sections 970.1 and 971.1 to the Fish and Game Code, relating to crab and lobster traps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—55

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Evans, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Constitutional Amendment No. 13.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 25½ of Article IV, relating to boxing, sparring and wrestling matches or exhibitions.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Gunlock,

Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Dilworth, Doyle, and Watson—3

Resolution ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 930

At 5.25 p.m., on motion of Miss Miller, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 930 passed by the following vote:

AYES—Andreas, Carlson, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Doyle, Field, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Lyon, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thomas, Turner, Voigt, Waters, Watson, Weber, and Weybret—43.

NOES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Desmond, Dills, Donnelly, Evans, Green, Gunlock, Hastain, Hawkins, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Millington, Pfaff, Russell, Thorp, Thurman, Welch, and Wollenberg—30.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Hawkins moved to expunge the record and rescind the action whereby Senate Bill No. 195 was this day passed.

Point of Order

Mr. Field arose to the following point of order: That Mr. Hawkins' motion was out of order at this time, according to the interpretation of Rule No. 16.

The Speaker pro tempore ruled the point of order well taken.

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

KEPPLE, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, as amended, strike out "the State, as a grant-in-aid, shall pay", and insert "there is hereby appropriated"

Amendment No. 2

On page 2, line 24, of the printed bill, as amended, strike out "50", and insert "25".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 29 to 35, inclusive, and insert

"137. The payments to be made under this article shall".

Amendment No. 4

On page 3 of the printed bill, as amended, strike out all of lines 21 to 29, inclusive; and in line 30, strike out "Sec. 5.", and insert "Sec 4."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 56 FROM COMMITTEE

Mr. Richie gave notice that on the second legislative day he would move to withdraw Assembly Joint Resolution No. 56 from the Committee on Federal Relations, and have it placed upon the file.

RECESS

At 5.43 p.m., on motion of Mr. Field, the Assembly recessed until 9 p.m.

REASSEMBLED

At 9 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 536—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural commodities, and providing for production adjustment payments.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Weybret moved a call of the Assembly.

Motion carried. Time, 9.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 192, entitled: "An act to amend Section 790 of the Fish and Game Code, relating to crab meat."

My objections to this bill are as follows:

This bill amends Section 790 of the Fish and Game Code, which now prohibits pickling, canning or otherwise preserving crab, with a proviso that fresh crab meat may be preserved by means of refrigeration under regulations of the Fish and Game Commission in not less than five pound net weight containers. This bill reduces the weight of such containers for preservation of fresh crab meat by refrigeration to not less than one pound net weight containers.

I have today signed Assembly Bill No. 1574 which amends Section 790 to delete both the prohibition against pickling, canning or preserving crab contained therein and the exception thereto which is amended by this bill.

I am advised that the purpose sought to be accomplished by Assembly Bill No. 192 is to permit preservation of fresh crab meat in one pound tins for the development of family trade since a family will not buy five pound tins. Assembly Bill No. 1574 will, of course, permit such purpose to be accomplished.

Both those engaged in the crab fishery and the Division of Fish and Game have reported to me that the supply of crabs is plentiful and that Assembly Bill No. 1574 will not result in depletion since adequate protection will still be furnished by the provisions of the code limiting season, size and prohibiting the taking of females.

Since it is to the interest of the State that our fishery resources be utilized to the fullest extent possible without injury to the future of the supply, I have signed Assembly Bill No. 1574. Since both bills can not become law, I return Assembly Bill No. 192 without my signature.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 192 ordered to unfinished business file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 536

At 9:16 p.m., on motion of Mr. Weybret, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Weybret moved a call of the Assembly.

Motion carried. Time 9:20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 536

At 9:25 p.m., on motion of Mr. Weybret, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 536 passed by the following vote:

AYES—Andreas, Bennett, Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Coonn, Del Mutolo, Desmond, Dills, Dilworth, Evans, Gaffney, Green, Gunlock, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton, Lowrey, Massion, Meehan, Pelletier, Pfaft, Poole, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Watson, Weber, Welch, Weybret, and Wollenberg—44

NOES—Bashore, and Call—2.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural pro-

ration programs, including definitions, proration program committees, equalization pools and the deposit of moneys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Bennett, Cain, Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Evans Gaffney, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Lowrey, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Weber, Welch, and Weybret—41.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO CONTINUE RECONSIDERATION OF ASSEMBLY BILL NO. 2142

Mr. Bashore moved that reconsideration of Assembly Bill No. 2142 be continued until the next legislative day.

Mr. Carlson seconded the motion.

Substitute Motion

Mr. Johnson moved, as a substitute motion, that reconsideration of Assembly Bill No 2142 be taken up at this time

Substitute motion ruled out of order by the Speaker pro tempore.

The question being on the motion that reconsideration of Assembly Bill No. 2142 be continued until the next legislative day.

Motion carried.

MOTION TO EXCUSE MEMBERS FROM EVENING ROLL CALL

On motion of Mr. Field, the following members of the Committee on Governmental Efficiency and Economy were excused from the evening roll call: Messrs Allen, Clarke, Hastain, Doyle, Leonard, Middough, Poulson, Tenney, Turner, Waters, Wollenberg, O'Day, Burkhalter, Miss Miller, and Mr. Field, Chairman.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 519—An act to repeal Sections 424, 425 and 426 of and to add Sections 407, 408 and 409 to the Fish and Game Code, relating to license agents, compensation for sale and bonding of agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Field, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 529—An act to add Section 4056g to the Political Code, relating to officers, deputies, assistants and employees of the counties, and their rights and privileges in relation to their several county officers and employments during, and after termination of, their

service in the Armed Forces or training and service in the Land or Naval forces of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1020—An act to amend Section 5505 of the Labor Code, relating to proceedings before the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N. Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 344—An act to amend Section 1200 of the Fish and Game Code, relating to doves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, King, Knight, T Fenton; Lowrey, Massion, McCollister, Meehan, Miller, O'Day, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—48.

NOES—Bashore, Burkhalter, Collins, Sam L., Dills, Evans, Howser, F. N., Knight, John B., Leonard, Middough, Pelletier, Pfaff, Poole, Robertson, Thomas, and Waters—15.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2303 FROM COMMITTEE

Mr. O'Day gave notice that on second legislative day, he would move to withdraw Assembly Bill No 2303 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 1671, 1672, 1673 AND 1674 FROM COMMITTEE

Mr. O'Day gave notice that on second legislative day, he would move to withdraw Assembly Bills Nos. 1671, 1672, 1673 and 1674 from the Committee on Judiciary Codes, and have them placed upon the file.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Gallagher moved to expunge the record and rescind the action whereby Assembly Bill No. 1192 was passed to the Senate, and that the Senate be requested to return the bill to the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Gallagher moved to expunge the record, and rescind the action whereby Senate Bill No. 620 was passed to the Senate, and that the Senate be requested to return the bill to the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT

Mr. Field asked for, and was granted, unanimous consent to hold a meeting of the Committee on Ways and Means, at this time.

Motion to Adjourn

Mr. Howser, F. N., moved that the Assembly do now adjourn until the hour of 9 a.m., Thursday, June 5, 1941.

Mr. Cooke seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Gunlock, Hawkins, Howser, F. N., King, Middough, O'Day, Pelletier, Pfaff, Tenney, and Thomas—15.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Knight, T. Fenton; Leonard, Lowrey, Meehan, Miller, Poole, Potter, Poulson, Richie, Sheridan, Stream, Thorp, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—44.

Call of the Assembly

Mr. Field moved a call of the Assembly.

Point of Order

Mr. Doyle arose to the following point of order: That the motion was made during a roll call, and was, therefore, out of order.

The Speaker pro tempore ruled the point of order well taken.

Call of the Assembly

Mr. Field moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J. Call, Carlson, Clarke, Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, McCollister, Meehan, Miller, Poole, Potter, Poulson, Richie, Stream, Thorp, Voigt, Watson, Welch, Weybret, and Wollenberg—42

NOES—Andreas, Bashore, Cain, Cassidy, Collins, George D., Collins, Sam L., Crowley, Evans, Gaffney, Gunlock, Hawkins, Howser, F. N., King, Massion, Middough, O'Day, Pelletier, Pfaff, Russell, Sheridan, Tenney, Thomas, Waters, and Weber—24.

Time, 10.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Richard H. McCollister Presiding

At 10:35 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

MOTION TO PLACE BILLS ON INACTIVE FILE

Mr. Allen moved that all bills, with the exception of appropriation bills, be taken up in order on the third reading file, and that they be placed on the inactive file if passed on file three consecutive times.

Mr. Middough seconded the motion.

Motion carried.

MOTION TO TABLE ASSEMBLY BILL NO. 2598

Mr. Cooke moved that Assembly Bill No. 2598 be laid on the table.

Mr. Dilworth seconded the motion.

Mr. Cooke withdrew his motion.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to add Section 36.5 to the Public Utilities Act, relating to telephone corporations and telephone equipment.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Bashore, Burkhalter, Cassidy, Cooke, Evans, Heisinger, Pelletier, and Poole—8.

NOES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pfaff, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—54.

Notice of Motion to Reconsider Assembly Bill No. 2374

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2374 was this day refused passage.

Notice of Motion to Reconsider Assembly Bill No. 2374 Waived

Mr Bashore waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2374 was refused passage

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2424 FROM COMMITTEE

Mr. Meehan gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 2424 from the Committee on Social Service and Welfare, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 390 AND 391 FROM COMMITTEE

Mr Tenney gave notice that on the second legislative day, he would move to withdraw Assembly Bills Nos. 390 and 391 from the Committee on Ways and Means, and have them placed upon the file

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF URGENCY CLAUSE TO SENATE BILL NO. 269

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby the urgency clause to Senate Bill No. 269 was refused adoption be reconsidered.

Demand for Previous Question

Messrs Allen, Collins, Sam L., Heisinger, Tenney and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the urgency clause to Senate Bill No. 269.

The roll was called, and the urgency clause to Senate Bill No. 269 reconsidered by the following vote:

AYES—Andreas, Bashore Bennett, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Leonard, Lowrey, Massion, McCollister, Meehan, O'Day, Pelletier, Russell, Sheridan, Tenney, Thomas, Thorp, Turner, Weber, Welch, Weybret, and Wollenberg—41

NOES—Allen, Burkhalter Carlson, Clarke, Collins, Sam L., Dilworth, Doyle, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T Fenton; Middough, Miller, Ptaff, Poole, Potter, Poulson, Richie, Stream, Voigt, Waters, and Watson—27.

Senate Bill No. 269 ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2641—An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger Houser, Frederick F., Howser, F. N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1620—An act to amend School Code Section 4.700, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.55 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Waters, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2325.

Assembly Bill No. 2325—An act to repeal Section 123 of the Vehicle Code, relating to the assignment of members of the California Highway Patrol for service outside the county of appointment.

Bill read third time.

Demand for Previous Question

Messrs. Collins, Sam L., Knight, John B., Poole, Howser, F. N., and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2325.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Evans, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Kellems, King, Knight, John B., Leonard, McCollister, Meehan, Middough, Miller, O'Day, Poole, Poulson, Richie, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Weber, Welch, and Weybret—46

NOES—Burkhalter, Cronin, Doyle, Field, Gallagher, Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Massion, Pelletier, Potter, and Wollenberg—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1621—An act to amend School Code Section 3.491, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N, Johnson, Kellems, King, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Poole, Potter, Poulson, Richie,

Russell, Sheridan, Stream, Tenney, Thorp, Turner, Waters, Watson, Weber, Welch Weybret, and Wollenberg—54.

NOES—Bennett, Dills, Dilworth, Houser, Frederick F, Knight, John B, Pelletier, and Thomas—7.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cooke, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 723.

Assembly Bill No. 723—An act to add Section 6363 to the Revenue and Taxation Code, Section 5.24 to the Retail Sales Tax Act of 1933, and Section 4.16 to the Use Tax Act of 1935, relating to the exemption of medicines and drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Cassidy, Collins, George D, Cooke, Cronin, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., King, Knight, John B., Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, Welch, and Weybret—48.

NOES—Cain, Carlson, Clarke, Collins, Sam L., Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, T. Fenton; Leonard, Lowrey, and Wollenberg—14.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2652

Assembly Bill No. 2652—An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff,

Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2033—An act to amend Section 700 of the Elections Code, relating to elections

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—64
NOES—None

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 19485, 19597 and 19620 of, and to add Section 19627 to, the Business and Professions Code, relating to horse racing and the disposition of the revenues therefrom and to repeal an act entitled "An act relating to the disposition of moneys wagered on the result of horse racing, declaring the urgency hereof, to take effect immediately," which became a law without the Governor's approval June 3, 1941

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Introduction of Bills.

By Mr. George D. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Industrial Accident Commission for boat inspection, to take effect immediately

Respectfully submitted

GEORGE D. COLLINS

Request referred to Committee on Introduction of Bills.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1126—An act to amend Sections 799 and 800, and to add Section 802.8 to the Fish and Game Code, relating to abalones.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, following line 18, insert

"SEC. 3. Section 802.8 is hereby added to the Fish and Game Code, to read as follows:

Sec 8028 The commission may open and close districts or parts of districts and establish bag limits for the commercial taking of abalone in districts where the commercial taking of abalones is not prohibited."

Amendment No. 2

On page 1, line 5, of the printed bill, as amended, strike out "17"; and strike out a comma.

Amendment No. 3

On page 1, line 9, of the printed bill, as amended, insert "17", between "16" and "20".

Amendment No. 4

On page 1, lines 12, 13 and 14, of the printed bill, as amended, strike out "In District 17 not more than 10 abalones per day, nor more than 20 abalones per week may be taken"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton, Lowrey, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. George D. Collins

An act making an appropriation to the Industrial Accident Commission for boat inspection, to take effect immediately.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2658: By Mr. George D. Collins—An act making an appropriation to the Industrial Accident Commission for boat inspection, to take effect immediately.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thomas:

An act to amend Sections 19485, 19597, and 19620 of, and to add Section 19627 to, the Business and Professions Code, relating to horse racing and the disposition of the revenues therefrom and to repeal an act entitled "An act relating to the disposition of moneys wagered on the result of horse racing, declaring the urgency hereof, to take effect immediately," which became a law without the Governor's approval June 3, 1941.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2659: By Mr. Thomas—An act to amend Sections 19485, 19597, and 19620 of, and to add Section 19627 to, the Business and Professions Code, relating to horse racing and the disposition of the revenues therefrom and to repeal an act entitled "An act relating to the disposition of moneys wagered on the result of horse racing, declaring the urgency hereof, to take effect immediately," which became a law without the Governor's approval June 3, 1941.

Referred to Committee on Public Morals.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 396	Assembly Bill No. 1824
Assembly Bill No. 811	Assembly Bill No. 1935
Assembly Bill No. 955	Assembly Bill No. 2054
Assembly Bill No. 1436	Assembly Bill No. 2637
Assembly Bill No. 1456	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 2
Assembly Joint Resolution No. 12

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Pursuant to your request I am directed to return Senate Bill No. 620 to the Assembly for further action.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 38

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 235
Senate Bill No. 1321
Senate Bill No. 195

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1071—An act to add Sections 30.5 and 38.1 to the Public Utility District Act, relating to the incurring of indebtedness by public utility districts and the manner of refinancing thereof, validating certain indebtedness heretofore incurred by public utility districts, and relating to making delinquent service charges a lien against the land for which such service was furnished, and be collectible as an assessment against such land.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 278
Assembly Bill No. 342
Assembly Bill No. 505
Assembly Bill No. 495
Assembly Bill No. 916
Assembly Bill No. 1065
Assembly Bill No. 1246
Assembly Bill No. 1378
Assembly Bill No. 1381
Assembly Bill No. 1612
Assembly Bill No. 1906
Assembly Bill No. 1916
Assembly Bill No. 1932
Assembly Bill No. 2096
Assembly Bill No. 2501
Assembly Bill No. 2514
Assembly Bill No. 2600
Assembly Bill No. 2601
Assembly Bill No. 2616
Assembly Bill No. 2621
Assembly Bill No. 2628

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 187—An act to amend Section 16601 of the Business and Professions Code, relating to sales of the good will of a business;

Assembly Bill No. 210—An act to amend Section 1297 of the Penal Code, relating to bail;

Assembly Bill No. 430—An act to add Section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 37—An act to transfer to the City and County of San Francisco a surface easement over certain tidelands and submerged lands and to define the powers and responsibilities of the City and County of San Francisco over such lands;

Assembly Bill No. 93—An act to amend Sections 3.761 and 3.762 of, and to add Section 6.261a to, the School Code, all relating to the teaching of civics in elementary schools,

Assembly Bill No. 106—An act to amend Section 81 of the Code of Civil Procedure, relating to the classification of judicial townships and the jurisdiction of justices' courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 497—An act to amend Section 323 of the Agricultural Code, relating to foreign cold storage meat sales license fees;

Assembly Bill No. 527—An act to amend Section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 540—An act to repeal Article 5, consisting of Sections 5570 to 5578, inclusive, of Chapter 3 of Division 3, and to add a new article numbered 5, consisting of Sections 5560 to 5587, inclusive, to Chapter 3 of Division 3 of the Business and Professions Code, relating to the practice of architecture,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 546—An act to add Section 5.143 to the School Code, relating to the issuance of teachers' credentials to blind or partially blind persons;

Assembly Bill No. 556—An act to add Section 4015a to the Political Code, relating to justices of the peace;

Assembly Bill No. 743—An act to amend Section 5258 of the Welfare and Institutions Code, relating to the order of commitment of feeble-minded persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 744—An act to amend Section 6664 of the Welfare and Institutions Code, relating to payment of expenses when person committed charged with crime;

Assembly Bill No. 745—An act to amend Section 166 of the Welfare and Institutions Code, relating to the disposition of personal property unclaimed by the owner;

Assembly Bill No. 748—An act to amend Section 5104 of the Welfare and Institutions Code, relating to the patients' personal deposit fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 751—An act to amend Section 5701 of the Welfare and Institutions Code, providing for the license fee for private institutions;

Assembly Bill No. 752—An act to add Section 6500.5 to the Welfare and Institutions Code, relating to care and management of institutions;

Assembly Bill No. 753—An act to amend Section 6650 of the Welfare and Institutions Code, relating to liability for care, support, and maintenance of patients in State hospitals;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 754—An act to amend Section 6655 of the Welfare and Institutions Code, relating to the liability to the State of the estates of persons committed to State institutions for the care, support, and maintenance of such persons;

Assembly Bill No. 755—An act to amend Section 6656 of the Welfare and Institutions Code, relating to the deposit of funds by the guardian in the patients' deposit fund;

Assembly Bill No. 756—An act to add Section 6656.5 to the Welfare and Institutions Code, relating to funds belonging to patients in State institutions and patients' personal deposit fund;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 758—An act to add Section 6660.5 to the Welfare and Institutions Code, relating to the care of patients' estates where the value of said estate does not warrant a guardianship;

Assembly Bill No. 759—An act to amend Section 6661 of the Welfare and Institutions Code, relating to estates under three hundred dollars ($300) of persons committed to State institutions;

Assembly Bill No. 760—An act to amend Section 6663 of the Welfare and Institutions Code, pertaining to payment of board bills;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 762—An act to amend Section 7011 of the Welfare and Institutions Code, relating to payments of county officers,

Assembly Bill No. 763—An act to amend Section 7052 and Section 7050 of the Welfare and Institutions Code, relating to the commitment of defective or psychopathic delinquents,

Assembly Bill No. 765—An act to amend Section 7066 of the Welfare and Institutions Code, relating to the parole of defective or psychopathic delinquents,
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 771—An act to amend Section 7508 of the Welfare and Institutions Code, relating to civil actions or claims arising out of the discharge of official duties relating to inmates of State institutions,

Assembly Bill No. 773—An act to amend Section 1554 of the Probate Code, relating to accounts of guardians of insane persons;

Assembly Bill No. 786—An act to amend Section 12024.5 of the Business and Professions Code, relating to the sale of meat, fish and poultry by weight;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 819—An act to amend Section 11005 of the Revenue and Taxation Code, and Section 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License

Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the expenditure by cities and cities and counties of motor vehicle license fee money distributed to them;

Assembly Bill No. 854—An act to amend Section 531 of the Vehicle Code, and to add Section 531.5 thereto, relating to following other vehicles too closely, and to vehicles being operated in caravan;

Assembly Bill No. 886—An act to add Section 982a to the Code of Civil Procedure, relating to appeals from justices' courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 887—An act to amend Section 655 of the Code of Civil Procedure, by including therein justices' courts in counties containing a population of not less than 500,000 and not more than 600,000;

Assembly Bill No. 888—An act to add Section 404 to the Code of Civil Procedure, relating to the rules of procedure and practice in civil actions in the justices' courts of counties containing a population of not less than 500,000 and not more than 600,000;

Assembly Bill No. 891—An act relating to certain tidelands and submerged lands conveyed to the City of Coronado by "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, ratifying and approving the description of such lands and declaring the legislative interpretation of said act;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 894—An act to amend Sections 1299, 1299.1 and 1299.2 and to repeal Sections 1299.3, 1299.4 and 1299.5 of the Agricultural Code, relating to marketing of milk and other dairy products;

Assembly Bill No. 902—An act to amend Section 318 of the Agricultural Code, relating to artificial coloring of meat products and casings;

Assembly Bill No. 907—An act to amend School Code Sections 5.822, 5.854, 5.872 and 5.876, and to add Section 5.872-1 to the School Code, all relating to the California State Teachers' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 917—An act to add a new section to Chapter 7 of Division 5 of the Business and Professions Code, to be numbered 12701.5, relating to weighmaster bond and license;

Assembly Bill No. 918—An act to amend Section 12700 of the Business and Professions Code, relating to public weighmasters;

Assembly Bill No. 989—An act to amend Section 453 of the Fish and Game Code, relating to possession of fish and game after the season closes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1011—An act to amend Sections 8705, 8726, 8727, 8728, 8729, 8730, 8742, 8746, 8748, 8762, 8764, 8765, 8769, 8772, 8781 and 8792, of the Business and Professions Code, relating to the regulation of persons engaged in land surveying;

Assembly Bill No. 1012—An act to amend Sections 6735, 6752, 6757, 6775, 6787 and 6799 of the Business and Professions Code, relating to persons practicing civil engineering;

Assembly Bill No. 1050—An act to add Section 6.94 to the School Code, and to amend Section 6.90a of the School Code, relating to the construction and maintenance of dormitories by school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1066—An act to amend School Code Sections 5.652 and 5.653, relating to permanent employees of school districts;

Assembly Bill No. 1080—An act to amend Sections 6 and 54 of the Alcoholic Beverage Control Act, relating to licenses;

Assembly Bill No. 1113—An act to add Section 767 to the Agricultural Code, relating to the furnishing of boxes to growers of vegetables and deciduous fruit;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1146—An act to amend Section 1 of an act entitled "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 24, 1941, providing a procedure for the disposition of exhibits filed with the court in criminal cases;

Assembly Bill No. 1173—An act making an appropriation for the purchase of water stock at Pacific Colony-State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 1274—An act to add Article 2 to Chapter 2 of Part 2 of Division 3 of the School Code, relating to the supervision of instruction in elementary schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1276—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees on vehicles;

Assembly Bill No. 1277—An act to amend Section 375 of the Vehicle Code, relating to fees to be paid by manufacturers, transporters and dealers;

Assembly Bill No. 1278—An act to amend Sections 382 and 384 of the Vehicle Code, relating to the registration of motor vehicles,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1482—An act to amend Sections 269, 304, 506 and 736 of the Vehicle Code, relating to drivers of motor vehicles;

Assembly Bill No. 1483—An act to add Section 269.1 to and to amend Section 307 of the Vehicle Code, relating to drivers' licenses;

Assembly Bill No. 1514—An act to amend Section 1176 of the Insurance Code, relating to insurance and investments by insurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1518—An act to amend Section 986 of the Insurance Code, relating to insurance;

Assembly Bill No. 1650—An act to amend Section 48 2 of the California Irrigation District Act, relating to property sold or deeded to irrigation districts for delinquent assessments;

Assembly Bill No. 1652—An act to add Section 15.1 to the California Irrigation District Act, relating to the government of irrigation districts, authorizing them to acquire and improve land for airports or aviation schools and operate and lease the same, declaring the urgency hereof, and to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1662—An act to amend Section 352 of the Political Code, relating to the traveling expenses of State officers and employees;

Assembly Bill No. 1664—An act to amend Section 664 of the Political Code, empowering the State Board of Control to prescribe by rule and regulation limitations upon amounts to be expended by officers, agents and employees of the State while traveling on official business of the State;

Assembly Bill No. 1679—An act to amend Section 5722 of the School Code, relating to sabbatical leaves;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1759—An act to amend Section 175 of the Vehicle Code, relating to the registration of vehicles,

Assembly Bill No. 1834—An act to amend Section 1407 of the Probate Code, relating to the appointment of guardians of minors;

Assembly Bill No. 1838—An act to add Sections 5439.5 and 5439.7 to, and to amend Section 5450 of, the Public Resources Code, relating to county recreational districts, declaring the urgency thereof and providing that this act shall take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1839—An act to amend Section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Assembly Bill No. 1871—An act to amend Section 1081 of the Probate Code, relating to determination of heirship;

Assembly Bill No. 1905—An act to amend Sections 1995 and 1997 of the Code of Civil Procedure, and to repeal Sections 2620, 2621, 2622, 2623 and 2624 of, and to add Sections 2620, 2621, 2621.5, 2622 and 2623 to, the Penal Code, relating to the manner of bringing prisoners before the courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1928—An act to add Section 12.5 to the California Unemployment Relief Act of 1935, relating to the relief camps established by the State Relief Administration, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1982—An act to amend Section 2 of The Personal Income Tax Act, relating to the definition of residents;

Assembly Bill No. 1984—An act to add Section 1049 to the Streets and Highways Code, relating to deeds and other evidences of title in connection with rights of way and other property necessary for highway purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2074—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles;

Assembly Bill No. 2088—An act to add Section 2380.5 to the Business and Professions Code, relating to the advertising of medical business.

Assembly Bill No. 2115—An act to add Section 326.5 to the Political Code and to repeal Section 13 of the Business and Professions Code, relating to the construction of statutes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2150—An act to add Section 5.604 to the School Code, relating to the attendance of teachers upon institutes and educational meetings;

Assembly Bill No. 2228—An act to amend Section 1143 of the Penal Code, relating to jurors' fees and mileage;

Assembly Bill No. 2336—An act to amend Sections 653.1, 653.3, 653.5, 653.8, 653.9, 653.14 and 653.15 of the Civil Code, relating to cooperative corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2338—An act to amend Section 374b of the Penal Code, relating to disposal of garbage and refuse upon public and private highways and roads, and providing penalties for the violation thereof;

Assembly Bill No. 2447—An act to amend Section 653.16 of the Civil Code, relating to cooperative corporations;

Assembly Bill No. 2526—An act to amend Section 117b of the Code of Civil Procedure, relating to small claims courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2527—An act to amend Section 117c of the Code of Civil Procedure, relating to small claims courts;

Assembly Bill No. 2578—An act to add Sections 8.1, 8.2 and 8.3 to the County Waterworks District Act, relating to the refunding of the indebtedness of county waterworks districts;

Assembly Bill No. 2596—An act to add Section 696 to the Political Code and to repeal an act entitled "An act appropriating money to create a Revolving Fund for the Department of Finance for State Purchases and repealing an act entitled 'An act appropriating money to create a Revolving Fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the Revolving Fund for State purchases and the purposes for which it may be expended, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2602—An act to amend Section 7602 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers;

Assembly Bill No. 2625—An act making an appropriation for aviation facilities for the California National Guard, declaring the urgency of this act, to take effect immediately;

Assembly Concurrent Resolution No. 56—Relative to Reports of the 1940 and 1941 Annual Conventions of the Military Order of the Purple Heart;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No. 57—Relative to the Reports of the Annual Convention of the Disabled American Veterans of the World War of the Departmen

of California, and the Department Encampment of the Grand Army of the Republic; And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 205—An act to add Section 7c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal court attaches;

Assembly Bill No. 242—An act to amend Section 5752 of the Welfare and Institutions Code, relating to the appointment of guardians of insane or incompetent persons;

Assembly Bill No. 458—An act to amend Section 792 of the Agricultural Code, relating to avocados,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 470—An act to amend Section 112 of the Code of Civil Procedure, relating to original jurisdiction of justices' courts;

Assembly Bill No. 648—An act to amend Section 7057 and Section 7061 of the Welfare and Institutions Code, relating to the determination of the alleged defective or psychopathic delinquencies;

Assembly Bill No. 650—An act to amend Section 6651 of the Welfare and Institutions Code, relating to payment for the care, support and maintenance of persons in State institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 681—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution;

Assembly Bill No. 750—An act to add Section 5502.5 to the Welfare and Institutions Code, relating to the parole and discharge of sexual psychopaths;

Assembly Bill No. 757—An act to amend Section 6660 of the Welfare and Institutions Code, relating to guardianship and administration of the inmates' estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 841—An act to amend Sections 1, 5a and 11 of The California Air Navigation Act, relating to air navigation;

Assembly Bill No. 895—An act to amend Section 305 of the Agricultural Code, relative to meat inspection;

Assembly Bill No. 1052—An act to amend School Code Section 2.85 and 2.112, relating to school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1229—An act to amend Sections 697.5, 720, 860 and 881 of, to repeal Section 865 of, and to add Section 865 to, the Fish and Game Code, relating to the use of nets and the taking and disposal of salmon, shad, and striped bass, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1272—An act to amend Section 128 of, and to add Section 124.1 to, the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles, the director thereof and the Chief of the California Highway Patrol;

Assembly Bill No. 1434—An act to amend Sections 7305, 7402, 7481, 7482, 7483, 7506, 7651, 7678, 8302 and 8306 of, and to add Article 2.5, consisting of Sections 7491 to 7493, inclusive, to Chapter 4 of Part 2 of DIVISION 2, and Sections 8254, 8307 and 8403 to the Revenue and Taxation Code, and to amend Sections 2, 5, 6, 7, 8, 9, 10, 12 and 14 of the Motor Vehicle Fuel License Tax Act, relating to the taxation of distributors of motor vehicle fuel and the administration of the tax and providing that this act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1438—An act to amend Sections 8703, 8776, 8782, 8801, 8804, 8991, 8993, 8995, 9011, 9171 and 9371 of, and to add Section 8705 to, the Revenue and Taxation Code, and to amend Sections 5, 7.1, 10, 12, 14, 19, 20, 23, 27 and 29 of the Use Fuel Tax Act of 1937, relating to the taxation of the use of motor vehicle fuel in this State and providing that this act shall take effect immediately;

Assembly Bill No. 1481—An act to amend Section 9.18 of the Building and Loan Association Act, relating to building and loan associations and the making of loans by such associations, declaring the urgency hereof, and providing that this act shall take effect immediately;

Assembly Bill No. 2100—An act to add Section 13.16c to the Building and Loan Association Act, relating to building and loan associations, including the disposition of records and of unpaid or unclaimed dividends of liquidated building and loan associations and the dissolution of such associations;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2212—An act to amend Section 555 of the Insurance Code, relating to proof by a third party under a policy of insurance;

Assembly Bill No. 2245—An act to add Section 10369 to the Insurance Code, relating to approval of policy forms,

Assembly Bill No. 2382—An act to amend Section 1580 of the Probate Code, relating to guardians,
And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1941, at 6 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 58—Relative to the death of Mrs Emily Hays;
And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of June 1941, at 6 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 1175
And reports the same correctly re-re engrossed

JOHN B KNIGHT, Chairman

Above reported bill re-referred to Committee on Ways and Means

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 941
Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

FIELD, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 98
Senate Bill No. 336
Assembly Constitutional Amendment No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

FIELD, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

House Resolution No. 244

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

FIELD, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1634
Senate Bill No. 1316

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FIELD, Chairman

Above reported bills ordered to second reading

Assembly Journals
(Page missing in original book)

Assembly Journals
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CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-NINTH LEGISLATIVE DAY
ONE HUNDRED FIFTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 5, 1941

The Assembly met at 10.30 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Salsman, Stream, Thorp, Thurman, Waters, Watson, Weber, and Welch—53

Quorum present.

PRAYER

Upon invitation of the Speaker pro tempore, prayer was offered by the Rev. Richard C. Dwyer.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Michael J. Burns.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mrs Daley, on motion of Mr. Stream.

Mr. Maloney, on motion of Mr. Green.

EXPLANATION OF ABSENCE

Mr. Cronin moved that the record show that Mrs. Daley and Mr Maloney are in Washington, D. C., on legislative business, and have been excused by the Assembly.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1249

And reports the same correctly re-re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 2655

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means

MILLER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 1159

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

PHILLIPS, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Education, to which was referred.

Senate Bill No. 568

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER Your Committee on Judiciary Codes, to which were referred:

Senate Bill No. 715

Senate Bill No. 981

Has had the same under consideration, and reports the same back with the recommendation: Do pass

PHILLIPS, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1433

Assembly Bill No. 2315

And reports the same correctly re-re-engrossed

JOHN B KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1350

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1840

Assembly Bill No. 1992

And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1800—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 10.30 a.m

JOHN B. KNIGHT, Chairman

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16 WAIVED

Mr. Waters waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 16 was refused adoption.

Motion to Expunge Record and Rescind Action

Mr. Waters moved to expunge the record and rescind the action whereby the Assembly this day refused to concur in Senate amendments to Assembly Bill No. 811.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 10.54 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO EXPUNGE RECORD ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 811

At 10.57 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the record whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 811 was expunged and the action rescinded by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight,

John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, and Welch—53

NOES—None

Further Consideration of Senate Amendments to Assembly Bill No. 811

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the Armed Forces.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 811?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "add Section 114 to Chapter 1 of Division 1 of", and insert "amend Section 113 of, and to add Section 114 to,".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "licenses for persons who have served in the Armed Forces", and insert "the Department of Professional and Vocational Standards, the officers, employees and licensees of the department and the boards and commissions comprising the department or subject to its jurisdiction"

Amendment No. 3

On page 1, line 1, of the printed bill, after "SECTION 1" insert "Section 113 of the Business and Professions Code is hereby amended to read as follows

113 Upon recommendation of the Director [of the Department of Professional and Vocational Standards, and with the approval of the Governor and the Director of Finance], officers and employees of the department, and officers, members, and employees of the boards and commissions comprising it or subject to its jurisdiction may [leave the State upon official business and shall be entitled to their necessary expenses in connection with such business] *confer in this State or elsewhere, with officers or employees of this State, its political subdivisions, other States or the United States, or with such other persons, associations or organizations as may be of assistance to the department, board or commission in the conduct of its work. The officers, members and employees shall be entitled to their actual traveling expenses incurred in pursuance hereof, but when such expenses are incurred with respect to travel outside of the State they shall be subject to the approval of the Governor and the Director of Finance*

SEC. 2."

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 811 by the following vote:

AYES—Collins, Sam L., Donnelly, Phillips, and Waters—4

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Leonard, Massion, Meehan, Middough, Miller, Pelletier, Poole, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Voigt, Watson, and Welch—46

Assembly Bill No. 811 ordered to conference

Appointment of Committee on Conference Concerning Assembly Bill No. 811

The Speaker announced the appointment of Messrs. Collins, Sam L., Dilworth and Waters as a Committee on Conference concerning Assembly Bill No. 811.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2645—An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1634—An act adding Section 3704 to the Political Code, relating to deputies for members of the State Board of Equalization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2657—An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 977—An act to amend Sections 101, 107, 110, 111 and 113 of, to repeal Sections 102, 103, 104, 106 and 108 of, and to add Sections 102, 103 and 104, to the Health and Safety Code, relating to the State Department of Public Health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Quarantine.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 101, 107, 110, 111 and 113 of, to"; and strike out lines 2 and 3, and insert "Section 113 of the Health and Safety Code,".

Amendment No. 2

On page 1 of the printed bill strike out lines 1 to 27, inclusive, and on page 2, strike out lines 1 to 47, inclusive, and insert

"SECTION 1. Section 113 of the Health and Safety Code is hereby amended to read as follows:

113. Notwithstanding anything in this code as enacted, the board [, except with respect to the bureau of venereal diseases,] may, subject to the approval of the Governor, create such divisions and subdivisions of the State department as may be necessary and may consolidate, divide, or abolish them from time to time."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2651—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4 of the printed bill, strike out "hay produced in this State", and insert "other grains produced in this State which are rolled or crushed".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 and 6, and insert "the producer thereof as rolled or crushed grain and without further processing or the addition of other ingredients."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2388—An act to add Section 4041.5-a to the Political Code, relating to county expenditures out of funds derived from special taxes levied pursuant to Section 4041.5 of the Political Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4041.5-a to", and insert "amend Section 4041.5 of".

Amendment No. 2

Strike out lines 2 to 4, inclusive, of the title of the printed bill, and insert "to the advertising of the resources of counties and the levying of taxes therefor."

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 4041.5 of the Political Code is hereby amended to read as follows:

4041.5 (1) Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, shall have the jurisdiction and powers to levy a special tax not to exceed four cents ($0.04) on the one hundred dollars ($100) of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purpose of inducing immigration to, and increasing the trade and commerce of, said county, or for exhibiting or advertising, for said purposes, the agricultural, horticultural, viticultural, mineral, industrial, commercial, climatic, educational, recreational, artistic, musical, cultural and other resources or advantages of the county, *the board of supervisors being allowed, among other ways, to provide for the expenditure of the money so raised through any corporation or organization engaged without profit to itself or its shareholders or members in advertising or exploiting the county or geographic area of which the county is a part including providing for the support of the corporation or organization to enable it to make the expenditure*; and the boards of supervisors, in their discretion, may use such portion of said fund as they deem proper in furnishing music and musical appearances, either within or outside of the boundaries of their counties, in connection with, as an adjunct to, or for the purpose of supplementing and calling attention to such advertising, exploiting and making known the resources of the county and its name; and the said boards may furnish such music by entering into contracts with or without competitive bidding with individual musicians, orchestras, bands or other musical organizations; and provided, however, that if said rate of four cents ($0.04) will not raise ten thousand dollars ($10,000) in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the four-cent ($0.04) levy and ten thousand dollars ($10,000), and provided further, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used as authorized under the provisions of Section 4056b of this code; and provided further, that nothing herein contained shall prevent any county from creating a bonded indebtedness under the provisions of Section 4088 of the Political Code of California for the purpose of obtaining funds with which to build, construct or furnish an exposition building or buildings for exhibiting and advertising its resources.

(2) To levy a special tax not to exceed five cents ($0.05) on the one hundred dollars ($100) of the assessed valuation of all property within the county, to be used for the erection, maintenance and repairs of public comfort stations.

(3) To levy a special tax which shall produce not to exceed two thousand five hundred dollars ($2,500) to be used for the purpose of compiling a war history of the county.

SEC. 2. The amendment of Section 4041.5 of the Political Code is not a change in, but is declaratory of, the existing law."

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 15, inclusive.

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Constitutional Amendment No. 65—Proposed amendment to Article XX, Section 1, of the Constitution, relating to the seat of government.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed measure, strike out lines 19 and 20, and insert "Legislature, Governor and Lieutenant Governor shall be transferred to the seat".

Amendments read and adopted.

Resolution ordered printed and engrossed.

Assembly Bill No. 2205—An act to repeal Section 2746 and Article 8, comprising Sections 2790 to 2847, inclusive, of Chapter 2 of Division 5, and to add a new Article 8, consisting of Sections 2800 to 2825.5, inclusive, to Chapter 2 of Division 5 and a new Article 8, consisting of Sections 400 to 404, inclusive, and a new Article 8 3, consisting of Sections 2830 to 2831, inclusive, to Chapter 2 of Division 2, and to add Sections 3925.5 and 7024 to, and to amend Sections 26, 951, 2574, 2576, 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2747, 2753, 3925, 3946, 5563, 7966, 8720 and 8721 of, the Elections Code, relating to primary elections and party committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 8 of the title of the printed bill, strike out "951,".

Amendment No. 2

In the title of the printed bill, strike out line 9, and insert "2576, 2609, 2621, 2705, 2747,".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "first Tuesday in May", and insert "last Tuesday in August".

Amendment No. 4

On page 1 of the printed bill, strike out lines 11 to 16, inclusive.

Amendment No. 5

On page 2, line 18, of the printed bill, strike out "May", and insert "August".

Amendment No. 6

On page 3, line 36, of the printed bill, strike out "May", and insert "August".

Amendment No. 7

On page 5 of the printed bill, strike out lines 25 to 51, inclusive; and on page 6, strike out lines 1 to 41, inclusive.

Amendment No. 8

On page 7 of the printed bill, strike out lines 1 to 49, inclusive; strike out page 8, and on page 9, strike out lines 1 to 5, inclusive.

Amendment No. 9

On page 9, line 20, of the printed bill, strike out "May", and insert "August".

Amendment No. 10

On page 11 of the printed bill, strike out lines 44 to 48, inclusive; strike out page 12; and on page 13, strike out lines 1 to 35, inclusive

Amendment No. 11

On page 14 of the printed bill, strike out lines 1 to 5, inclusive, and insert "Finally, under the heading Precinct Committee shall be printed the groups of names of the candidates for election for precinct committeemen of the party, if any."

Amendment No. 12

On page 16, line 10, of the printed bill, strike out "the precinct vice committeeman and", and strike out lines 11 and 12, and insert "and the precinct vice committeeman."

Amendment No. 13

On page 16, line 16, of the printed bill, strike out "first Tuesday in May", and insert "last Tuesday in August"

Amendment No. 14

On page 17, line 17, of the printed bill, strike out ", a member of his party, and of the", and strike out lines 18 and 19, and insert "and a member of his party Such appointment shall be".

Amendment No. 15

On page 19, line 6, of the printed bill, strike out "or otherwise".

Amendment No. 16

On page 19 of the printed bill, strike out lines 36 and 37, and insert "of vice chairman The".

Amendment No. 17

On page 23 of the printed bill, strike out lines 13 and 14, and insert "chairman The person who".

Amendment No. 18

On page 24, line 44, of the printed bill, strike out "seven", and insert "six".

Amendment No. 19

On page 25, line 26, of the printed bill, strike out "first Saturday in June", and insert "third Friday of September following the direct primary election".

Amendment No. 20

On page 25, line 40, of the printed bill, strike out ", may be chosen either"; and strike out lines 41 and 42, and insert "shall be chosen from its own membership"

Amendment No. 21

On page 26 of the printed bill, strike out lines 20 and 21, and insert "of vice chairman. The person"

Amendment No. 22

On page 27 of the printed bill, strike out lines 45 to 50, inclusive

Amendment No. 23

On page 28, line 5, of the printed bill, strike out "party", and insert "committee".

Amendment No. 24

On page 28 of the printed bill, strike out lines 22 to 24, inclusive, and insert "A"

Amendment No. 25

On page 31, line 20, of the printed bill, strike out "second", and insert "third".

Amendments read and adopted

Bill ordered printed and engrossed.

Assembly Bill No. 98—An act to add Section 13 to the Fish and Game Code, relating to the qualifications of the members of the Fish and Game Commission created by the Constitution of this State

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 13 to", and insert "amend Section 11 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "qualifications", and insert "compensation".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "created by the Constitution of this State".

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 11 of the Fish and Game Code is hereby amended to read as follows:

11. [The] *Each of the* commissioners shall receive [no compensation but] *ten dollars ($10) for each day of actual service performed in carrying out his official duties pursuant to the directions of the commission but the amount of such compensation shall not exceed for any one commissioner the sum of fifty dollars ($50) for any one calendar month. In addition to such compensation the commissioners* shall receive their actual and necessary expenses incurred in the performance of their duties. *The compensation and expenses provided in this section shall be paid out of the Fish and Game Preservation Fund.*"

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 941—An act to add Section 49 to the State Lands Act of 1938, relating to the powers of the State Lands Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the remainder of line 1 of the title of the printed bill, following "section", and strike out all of line 2, and insert "6216 to the Public Resources Code, relating to State lands and to the powers and duties of the State Lands Commission in connection therewith, declaring the scope, purpose and intent of the Legislature in enacting the State Lands Act of 1938 and acts amendatory thereof, and validating and confirming the acts of the State Lands Commission."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 6216 is hereby added to the Public Resources Code, to read as follows:

6216. This section is enacted for the purpose of declaring the scope and extent of the powers, duties, purposes, responsibilities and jurisdiction of the State Lands Commission, but nothing herein shall be construed as limiting any power, duty, purpose, responsibility or jurisdiction heretofore or by this code vested in or conferred upon the commission.

(a) Upon the enacting of the State Lands Act of 1938 the Legislature intended to and did vest in the commission all those powers, duties, purposes, responsibilities and jurisdiction of the Department of Finance as set forth in Section 6102 of this code, and of the Chief of the Division of State Lands, and the Division of State Lands, including the full authority, as provided by law, to administer, sell, lease or dispose of the public lands owned by this State or under its control, including not only school lands but tidelands, submerged lands, swamp and overflowed lands, and beds of navigable rivers and lakes. The commission was further authorized to

provide for the extraction of minerals and oil and gas from any or all of such lands, but its authority and jurisdiction over such lands was not and is not now limited thereto.

(b) The provisions of Section 48 of the State Lands Act of 1938, added thereto by Chapter 646 of the Statutes of 1939, as codified in Section 6301 of this code, shall hereafter supersede and control over any other provisions of law, whether general or special, relating to any tidelands or submerged lands or the beds of navigable rivers, streams, lakes, bays, estuaries, inlets or straits, without regard to whether any of such lands contain or may contain oil, gas or other minerals, and any such other provisions of law in conflict therewith are repealed.

(c) Any and all acts of the State Lands Commission heretofore performed by it in pursuance of Section 48 of the State Lands Act of 1938 are hereby confirmed, ratified and validated, without regard to whether the lands affected thereby contain or might contain oil, gas or other minerals. Lands under the jurisdiction of the State Board of Harbor Commissioners at San Francisco are excluded from the jurisdiction established by this section."

Amendments read and adopted.

Bill ordered printed, and engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 303—An act to amend Section 4243 of the Political Code, relating to salaries and compensation for public services in counties of the fourteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1135—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Bill read second time, and ordered to third reading.

Senate Bill No. 1316—An act to amend Sections 1012, 1018, 1019, 1023, 1025, 1028, 1030, 1034, 1035, 1042 and 1043 of, and to add Section 1046 to, the Military and Veterans Code, relating to veterans, including the administration of estates of incompetent and deceased veterans and the conduct of the veterans home and the powers and duties of the officers thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 537—An act to amend Sections 1300.12, 1300.14, 1300.17, 1300.20, 1300.23 and 1300.28 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency of this act, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. ½

On page 1, line 21, of the printed bill, as amended in the Senate May 27, 1941, between "viticultural", and "and", insert "(including wine)".

Amendment No. 1

On page 4 of the printed bill, as amended, strike out all of lines 21 and 22, and insert "order or amendment thereto directly affecting processors engaged".

Amendment No. 2

On page 4, line 27, of the printed bill, as amended, strike out "handlers", and insert "processors".

Amendment No. 3

On page 4, line 28, of the printed bill, as amended, immediately following "order", insert "or amendment thereto".

Amendment No. 4

On page 4, line 29, of the printed bill, as amended, strike out "the", at the end of the sentence, and insert "such".

Amendment No. 5

On page 4, line 30, of the printed bill, as amended, strike out "regulated thereby".

Amendment No. 6

On page 4, line 33, of the printed bill, as amended, strike out "handlers", and insert "processors".

Amendment No. 7

On page 4 line 34, of the printed bill, as amended, immediately preceding the period, insert "or amendment thereto".

Amendment No. 8

On page 6, line 2, of the printed bill, as amended, strike out "for".

Amendment No. 9

On page 6 of the printed bill, as amended, strike out all of lines 17 and 18, and insert 'out the declared policy of this chapter, terminate such marketing order".

Amendment No. 10

On page 6, line 30, of the printed bill, as amended, strike out "amendments have", and insert "amendment has".

Amendment No. 11

On page 10 of the printed bill, as amended in the Senate May 27, 1941, between lines 38 and 39, insert

"Sec. 7. The Legislature hereby declares that the addition of the words "including wine' in Section 1 of this act (in Section 1300 12 (c) of the Agricultural Code) defining "agricultural commodity" is made for the purpose of clarification only, and is in no wise to be construed or interpreted as an indication that wine is not an 'agricultural commodity" as defined in Section 1300 12 (c) as originally enacted by this Legislature in Chapter 404, Statutes of 1937, and as heretofore amended The Legislature hereby further declares that at the time of enacting and at all times since the enactment of Section 1300 12 (c) it intended that wine be, and wine was included within the definition of the term "agricultural commodity."

Any and all marketing orders issued and any and all acts of the Director of Agriculture heretofore performed by him pursuant to Chapter 10 of the Agricultural Code and consistent with the declarations contained in this section are confirmed, ratified and validated."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 420—An act to amend Section 862.2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to sales and conveyances of real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended, strike out the colon , and in line 9, strike out "(a) The", and insert "the".

Amendment No. 2

On page 1, line 11, of the printed bill, as amended, strike out "; or", and insert a period.

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 12 to 24, inclusive; and on page 2, strike out lines 1 to 13, inclusive.

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 336—An act relating to State school lands and declaring the rights of holders of certificates of purchase affected by "An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, to take effect immediately," approved January 31, 1935 (Chapter 8, Statutes of 1935), repealing Section 2 of said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 5 of the title of the printed bill, as amended, strike out "and", and insert a comma.

Amendment No. 2

In line 14 of the title of the printed bill, as amended, strike out the period, and insert ", providing for the protection from forfeiture of the interests of persons having a conveyance of all or part of the lands described in certificates of purchase, declaring the urgency of this act, and providing that this act shall take effect immediately"

Amendment No. 3

On page 2 of the printed bill, as amended, after line 36, insert

"SEC 3. Any person having a conveyance of the whole or any portion of the lands described in any certificate of purchase, but to whom the certificate has never been surrendered, may protect his lands from forfeiture by paying such proportion of the interest delinquent upon all the lands in such certificate described as the acreage claimed by him bears to the aggregate acreage embraced in such certificate He shall first, however, file with the State Lands Commission satisfactory evidence of his possessory right to such land Upon such payment being made within the time prescribed by law such land shall be, and hereby is, excepted from the forfeiture prescribed by law. Said certificate of purchase shall become null and void only as to the remaining lands therein described Should due compliance be made with all other provisions of law governing the issuance of patents, a patent shall issue in the name of the original purchaser of such excepted land, but shall be delivered to the person by whom such payment was made, and the title thereby granted shall inure to the benefit of such person, his heirs or assigns

SEC 4 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. A statement of the facts constituting such necessity is as follows

Persons who have a conveyance of the whole or any portion of lands described in any certificate of purchase who desire to protect their lands from forfeiture have only a short time within which to act under the existing provisions of law providing for a moratorium on forfeitures and prescribing procedure for payment of delinquent interest. Unless this act takes effect immediately it will not become operative until a day subsequent to the last date for action to protect such lands from forfeiture which would result in hardship and suffering and would remove lands from the tax rolls It is therefore necessary that this act take effect immediately in order that its provisions will be effective to accomplish the desired purpose."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 799—An act to amend Section 19.1 of the Agricultural Prorate Act, relating to the marketing of agricultural products, to the conservation of agricultural and economic wealth and providing for acreage adjustment payments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 19.1", and insert "Sections 23 and 24".

Amendment No. 2

In line 2 of the title of the printed bill as amended, strike out ", to the", and insert ", the termination and suspension of proration programs, and violations of the act."

Amendment No. 3

Strike out all of lines 3 and 4 of the title of the printed bill, as amended

Amendment No. 4

On page 1, line 1, of the printed bill, as amended, strike out "19.1", and insert "23".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out all of line 3, and insert

"SEC. 23. After the institution of any proration program, such proration program shall [continue to remain in effect unless there shall be] *be terminated when there is* filed with the commission an application for its termination signed by not less than 40 per cent of the producers and by the owners of 40 per cent of the producing factors of the industry within the zone in which the program is effective. The signatures of the producers [or] *and* owners upon the application shall be those of the producers [or] *and* owners whose names appear on the list or lists provided for in Section 11 or on any corrected list which the commission shall have had prepared during the existence of the program, or their successors in interest. Each petitioner shall upon affixing his signature thereto write in the date of signing, and no signature to such petition shall be valid for any purpose if affixed thereto more than six months prior to the filing of such application with the commission. Such petition shall be accompanied by a good and sufficient undertaking in an amount equal to the probable cost of conducting said hearing. A hearing must be held upon the petition to determine the sufficiency of the signatures thereto, which hearing must be held within 30 days after the presentation of the petition. If upon such hearing, it shall be established that the petition to terminate is signed by said required 40 per cent of such producers and by the owners of 40 per cent of the producing factors [and that the purposes of the act and the objectives thereof are no longer effectuated by the program], the commission shall thereupon terminate the program, provided, that any program on a seasonal crop shall not be terminated except at the end of its marketing season.

In such case, the cost of conducting such hearing shall be paid from the funds of the program to the extent that they are available and thereafter from the undertaking. In the event the petition be found insufficiently signed, the entire cost of conducting such hearing shall be paid from the undertaking. In the event of the termination of a program, any funds remaining for the use of the program committee not otherwise disposed of by the provisions of this act shall be deposited in the State Treasury to the credit of the Department of Agriculture Fund.

The director, on behalf of the commission, may at any time initiate an investigation to determine whether or not the facts specified in Section 10 hereof continue to exist. Upon a finding that any one or more of the prerequisite facts no longer exist, the commission shall terminate or suspend said program. In no case shall any program on a seasonal crop be terminated or suspended except at the end of its marketing season.

SEC. 2. Section 24 of the Agricultural Prorate Act is hereby amended to read as follows:

SEC. 24. Any person who shall possess, market, handle or transport any commodity in violation of any provision of an original or modified proration program approved and made effective or in violation of any rule or regulation adopted by any program committee and approved by the director may be enjoined by the director or by the zone affected with the approval of the director in an action brought in the superior court for the county in which [the] *any of such* violations is alleged to be occurring. There may be enjoined in the same proceeding any number of defendants alleged to be violating the same program although [their properties and interests may be situated in several counties and] their actual violations of the program may be separate and distinct *and occur in different counties*. In any action for injunction brought hereunder, the procedure shall be governed by the provisions of Chapter 3, Title 7, Part 2 of the Code of Civil Procedure of the State of California."

Amendment No. 6

On page 1 of the printed bill, as amended, strike out all of lines 4 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 955—An act to amend Sections 6, 8, 11, 13, 17, 18, 20 and 22 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 955?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out ", 20 and 22", and insert "and 20".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, after "transferred", insert "to this State or to the United States or"

Amendment No. 3

On page 1, line 16, of the printed bill, as amended, strike out "exclusively in trust", and insert "in trust exclusively".

Amendment No. 4

On page 1, line 17, of the printed bill, as amended, after "devoted", insert "exclusively".

Amendment No. 4A

On page 1, line 22, of the printed bill, as amended, strike out "or existing", and insert "solely for charitable, educational, public or other like work".

Amendment No. 4B

On page 1 of the printed bill, as amended, strike out line 23; and in line 24, strike out "other like work under the laws".

Amendment No. 5

On page 2 of the printed bill, as amended, strike out lines 32 to 51, inclusive; and on page 3, strike out lines 1 to 27, inclusive, and insert

"(3) "Previously taxed property" means property transferred by a present decedent to any person described in Subdivision (1) of Section 4 where such property was transferred to the present decedent by a prior decedent in relation to whom the present decedent was in the class described in Subdivision (1) of Section 4 and an inheritance tax was paid to this State on the transfer from the prior decedent In determining the net amount of previously taxed property being transferred in the present decedent's estate its value shall be taken as of the date of the prior decedent's death or as of the date of the present decedent's death, whichever is lower, and due allowance shall be made under rules prescribed by the Controller for the proportion of deductions and exemptions chargeable against such property in the prior decedent's estate and for the proportion of deductions chargeable against such property in the present decedent's estate.

"Proportionate exemption" means the amount which bears the same proportion to the exemption (other than the exemption allowed in this subdivision) allowed on all property transferred by the present decedent to the person to whom the previously taxed property is being transferred as the value of the net amount of previously taxed property bears to the value of the net amount of property transferred by the present decedent to the person to whom the previously taxed property is being transferred

The net amount of previously taxed property, less the amount of the proportionate exemption, is exempt from the tax, except any tax levied under Subdivision (12) of Section 2."

Amendment No. 6

On page 7, line 28, of the printed bill, as amended, after "tenant", insert "or by the happening of a contingency".

Amendment No. 7

On page 7, line 31, of the printed bill, as amended, strike out "at date of death", and insert ", at date of death of the decedent the transfer of whose estate is being taxed,".

Amendment No. 8

On page 8, line 35, of the printed bill, as amended, strike out "in"; strike out line 36; and in line 37, strike out "allowed".

Amendment No. 9

On page 8, line 46, of the printed bill, as amended, strike out "semiannual".

Amendment No. 10

On page 9, line 25, of the printed bill, as amended, strike out "semiannual".

Amendment No. 11

On page 11, line 7, of the printed bill, as amended, strike out "of", and insert "or".

Amendment No. 12

On page 11, line 10, of the printed bill, as amended, after "(e)", insert "Any heir of the decedent or beneficiary under decedent's will.
(f)".

Amendment No. 13

On page 14, line 41, of the printed bill, as amended, after the period, insert "For the purpose of computing discount or interest on the tax, the proceeds of the execution shall be deemed paid to the proper county treasurer as of the date such proceeds are received by the officer levying the writ."

Amendment No. 14

On page 15 of the printed bill, as amended, strike out lines 43 to 52, inclusive; on page 16, strike out lines 1 to 17, inclusive; and in line 18, strike out "SEC 10.", and insert "SEC. 8."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 955 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Masson, Meehan, Middough, Miller, Millington, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, and Weybret—52.
NOES—None.

Assembly Bill No. 955 ordered enrolled.

Assembly Bill No. 1456—An act to amend Sections 323, 405, 459, 2510, 2605, 2607, 2621, 2626, 2803, 2805, 2808, 3354, 3355, 3656, 3695, 3696, 3701, 3720, 3721, 3724, 4109, 4151, 4154, 4155 and 4217 of, and to add Sections 3510, 3700.5 and 3701.5 to the Revenue and Taxation Code, relating to property taxation, including assessments, the levy of taxes, the collection of taxes, tax sales, tax-deeded property, and the redemption of delinquent property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1456?

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert
"An act to amend Sections 323, 405, 459, 2510, 2605, 2606, 2607, 2621, 2626, 2803, 2805, 2808, 2905, 3354, 3355, 3656, 3695, 3696, 3700, 3701, 3720, 3721, 3724, 4109, 4151, 4154, 4155 and 4217 of, and to add Sections 3510, 3696.5 and 3701.5 to the".

Amendment No. 2

In line 7 of the title of the printed bill, as amended, after "taxes," insert "computation of taxes,".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert

"2605. The following taxes on the secured roll are due November 1st.

(a) All taxes on personal property

(b) Half the taxes on real property, and if the amount is not evenly divisible by two, the odd cent is also due.

SEC. 5.5. Section 2606 of the Revenue and Taxation Code is hereby amended to read as follows:

2606. The second half of taxes on real property [other than possessory interests] *on the secured roll* is due January 20th."

Amendment No. 4

On page 3 of the printed bill, as amended, between lines 23 and 24, insert

"SEC. 11.5. Section 2905 of the Revenue and Taxation Code is hereby amended to read as follows:

2905. In collecting taxes on the unsecured roll the tax rate to be used is the rate for property of the same kind on the secured roll last fixed before the lien date for the taxes to be collected. *The taxes on the unsecured roll shall be computed in dollars and cents, rejecting the fractions of a cent.*"

Amendment No. 5

On page 4 of the printed bill, as amended, strike out line 3, and insert

"(j) That if no bid is made and accepted at the sale, and the property is deeded to the State, the right of redemption ceases as provided in Sections 3511.3 and 3511.5.

(k) The date of the notice."

Amendment No. 6

On page 4 of the printed bill, as amended, strike out lines 26 and 27, and insert "not, before the date of sale, file with the tax collector and the board".

Amendment No. 6a

On page 4, line 32, of the printed bill, as amended, strike out "under said lien or assessments".

Amendment No. 7

On page 4, line 39, of the printed bill, as amended, after the period, insert "If the taxing agency objects to the sale and before the date of sale applies in writing to the board of supervisors to purchase the property under Chapter 8 of this part at a price equal to that approved by the board of supervisors, or upon a pro rata division of the proceeds of a sale as may be provided under Chapter 8, the tax collector shall not proceed with the sale."

Amendment No. 8

On page 4 of the printed bill, as amended, strike out lines 48 to 52, inclusive, and on page 5, strike out lines 1 to 12, inclusive, and insert "defray the cost of advertising.

SEC. 18. Section 3696.5 is hereby added to the Revenue and Taxation Code, to read as follows:

3696.5. If a taxing agency objects to the sale, the tax collector shall so notify the applicant, and he may withdraw his application before the sale. The entire deposit shall be returned to the applicant if:

(a) The property is redeemed or payments under an installment payment plan are commenced before the sale.

(b) The applicant fails to secure the property on his bid at the sale, in which event the advertising costs shall be collected from the successful purchaser.

(c) After the objection of a taxing agency to the sale, the applicant withdraws his application before the sale.

(d) A taxing agency objects to the sale and before the date of sale applies to purchase the property under Chapter 8 of this part.

SEC. 18.5. Section 3700 of the Revenue and Taxation Code is hereby amended to read as follows:

3700. On receipt of the copy of the resolution approving the sale the tax collector shall forward a copy of it to:

(a) The Controller for his authorization.

(b) The clerk or secretary of the governing board of each taxing agency, other than the county, having the right to levy taxes or assessments on the property."

Amendment No. 9

On page 5 of the printed bill, as amended, strike out lines 25 to 31, inclusive, and insert "tion due to a taxing agency objecting to the sale, or if a taxing agency objects to the sale and before the date of sale applies to purchase the property under Chapter 8 of this part, the entire proceeding is canceled. After the can-

cellation, it shall be the same as if no application had been made by the applicant, and any such application to purchase by a taxing agency shall be governed by the provisions of Chapter 8 of this part.

Within five days after the cancellation, the tax collector shall give notice of the cancella-".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1456 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Welch, and Weybret—53

NOES—None.

Assembly Bill No. 1456 ordered enrolled.

Assembly Bill No. 1824—An act to add Section 661.9 to the Political Code, relating to the repayment of money borrowed from the Emergency Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1824?

Amendment No. 1

In the title of the printed bill, strike out lines 2 and 3, and insert "the Emergency Fund, including the repayment of money borrowed therefrom and the submission of reports regarding transactions therein"

Amendment No. 2

On page 1 of the printed bill, after line 11, insert

"Not later than 10 days from and after the convening of each regular session of the Legislature, the Director of Finance shall file with the Legislature a report on all loans made from the Emergency Fund since midnight of the first day of January of the year in which the last preceding regular session of the Legislature convened, and until midnight of the first day of January of the year in which the regular session of the Legislature at which the report is filed convenes. The report shall show in detail as to each loan the name of the agency to whom it was made, the amount of the loan, the purpose of the loan, and whether it has been repaid in whole or in part"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1824 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Weybret—51

NOES—None.

Assembly Bill No. 1824 ordered enrolled.

EXPLANATION OF ABSENCE

Mr. Phillips requested that the following members of the Committee on Judiciary Codes be included on the morning roll call: Carlson, Collins, Sam L., Dickey, Green, Howser, F. N., Kepple, Millington, Pfaff, Potter, Richie, and Phillips, Chairman.

Request granted.

EXPLANATION OF ABSENCE

Mr. Allen requested that his name be included on the morning roll call, as he was on legislative business in the Governor's Office at the time of the calling of the roll.

Request granted.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1935—An act to amend Sections 6106, 6501, 6835, 6964, 6966 and 6978 of the Public Resources Code, to add Sections 6210.2, 6210.5, 6501.2, 6505 and 6963 to said code, and to add Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, 6963, 6965, 6967, 6968 and 6969, and Chapter 2, comprising Sections 6601 to 6715, inclusive, of Part 2 of Division 6, thereof, all relating to lands owned by the State and the administration, management, leasing and disposal thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1935?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended, and insert

"An act to amend Sections 6106, 6306, 6501, 6503, 6504, 6827, 6835, 6872, 6964, 6966".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "6210.5," insert "6321.2,".

Amendment No. 3

In line 6 of the title of the printed bill, as amended, after "Sections", insert "6358, 6359, 6360, 6361, 6362, 6363, 6364,".

Amendment No. 4

On page 2 of the printed bill, as amended, between lines 5 and 6, insert

"SEC. 3.1. Section 6306 of said code is hereby amended to read as follows:

6306. All [fees] *money* collected under this chapter shall be remitted monthly to the State Treasury, and credited by the State Controller to the current appropriation for the support of the commission.

SEC. 3.2. Section 6321.2 is hereby added to said code, to read as follows:

6321.2. In addition to the fees provided in Section 6321, the commission may fix and collect reasonable charges or rentals for the use of lands upon which any of the structures authorized under Section 6321 are situated.

SEC. 3.3. Sections 6358, 6359, 6360, 6361, 6362, 6363 and 6364 of said code are hereby repealed."

Amendment No. 5

On page 2 of the printed bill, as amended, between lines 19 and 20, insert

"SEC. 5.1. Section 6503 of said code is hereby amended to read as follows:

6503. Upon receipt of an application to lease land under this chapter, the commission shall appraise the lands and fix the annual rental per acre *or other consideration therefor.*

SEC. 5.2. Section 6504 of said code is hereby amended to read as follows.

6504. Whenever any lease is delivered to an applicant by the commission, the lessee shall within 15 days thereafter, execute and return the lease to the commission and pay the first annual rental *or other consideration.* The commission shall receive the money and give a receipt therefor. All subsequent annual payments of rental *or other consideration* shall be paid in like manner 15 days after they become due. [In case payments are not made as herein provided, the lease and all rights thereunder shall cease and terminate.]"

Amendment No. 6

On page 2, line 27, of the printed bill, as amended, strike out "General Fund", and insert "State Lands Act Fund".

Amendment No. 7

On page 2 of the printed bill, as amended, between lines 32 and 33, insert

"SEC. 8.1. Section 6827 of said code is hereby amended to read as follows:

6827 Leases for the extraction and removal of oil and gas deposits may be made by the commission to the highest qualified bidder, as provided in this chapter. Such a lease shall be for a term of 20 years, [with the option in the lessee to continue the term of the lease as to all wells drilling or producing at the expiration of the original term thereof for so long as oil or gas is produced therefrom] *but such term may be thereafter extended upon such terms and conditions and for such period of time as the commission deems for the best interests of the State or as the Legislature may provide.*

In addition to the royalty provided therein, each bid and each lease shall also provide for an annual rental payment in advance of such sum as the commission shall specify, which rental shall be credited against the royalties, if any, as they accrue for that year."

Amendment No. 8

On page 2 of the printed bill, as amended, between lines 47 and 48, insert

"SEC. 9.1. Section 6872 of said code is hereby amended to read as follows.

6872. Whenever it appears to the commission that oil or gas deposits are known or believed to be contained in any such lands and may be or are being drained by means of wells upon adjacent lands [not owned by the State], the commission shall *thereupon be authorized and empowered to lease any such lands, either as a tract or* in parcels of such size and shape as the commission shall determine, for the production of oil and gas therefrom."

Amendment No. 9

On page 4, line 30, of the printed bill, as amended, after the period, insert "All money received by the State under this chapter shall be deposited in the State Lands Act Fund in the State Treasury."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1935 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Field, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Leonard, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Weybret—51

NOES—None.

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 1935

Mr. T. Fenton Knight gave notice that on the next legislative day he would move to reconsider the vote whereby the Senate amendments to Assembly Bill No. 1935 were this day concurred in.

Assembly Bill No. 2637—An act to add Section 2540.5 to the Elections Code, relating to the qualification of political parties for participation in primary election

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2637?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "statement", and insert "statements".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, after "clerks", insert "25 days".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2637 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Green, Gun-

lock, Hastain, Hawkins, Heisinger, Howser, F. N. Johnson, Kellems, Knight, John B., Knight, T. Fenton, Leonard, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Weybret—56

NOES—None.

Assembly Bill No. 2637 ordered enrolled

Assembly Bill No. 2054—An act to add a new section to the Agricultural Code to be numbered 643.1, relating to inspection of dairies.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2054?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended, strike out "Excluded", and insert "excluded".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2054 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Massion, McCollister, Miller, Millington, Pelletier, Phillips, Poole, Poulson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Weybret—50.

NOES—None

Assembly Bill No. 2054 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 432—An act to add Section 73h to the Code of Civil Procedure, relating to designation of assistants to the presiding judge and the furnishing of secretarial and stenographic services to such assistants.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 432 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Leonard, and Thurman—2.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Knight, John B., Knight, T. Fenton; Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Voigt, Waters, Watson, Weber, Welch, and Weybret—57.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2524—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

Bill read second time.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2524?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 799, 800 and 801", and insert "Section 800".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 1, line 19, of the printed bill, after "mission", insert "An indictment for the acceptance of a bribe by a public official or a public employee, a felony, must be found, and the information filed, or case certified to the superior court, within five years after its commission."

Amendment No. 5

On page 1 of the printed bill, strike out lines 20 to 26, inclusive.

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2524 by the following vote:

AYES—Collins, Sam L., Green, and Leonard—3.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—52.

Appointment of Committee on Conference Concerning Assembly Bill No. 2524

The Speaker announced the appointment of Messrs. Houser, Frederick F., Carlson and Potter as a Committee on Conference concerning Assembly Bill No. 2524.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 814 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Welch moved that Assembly Bill No. 814 be withdrawn from the Committee on Municipal Corporations, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kellems, Knight, John B., Leonard, Lowrey, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—50.

NOES—Allen, Call, Carlson, Collins, Sam L., Hastain, Howser, F. N., Johnson, and Millington—8.

Assembly Bill No. 814 ordered to second reading.

Hon. John W. Evans Presiding

At 11.32 a.m., Hon. John W. Evans, Member of the Assembly from the Sixty-fifth District, presiding.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 529 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Tenney moved that Assembly Bill No. 529 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, King, Lowrey, Massion,

Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Voigt, Weber, and Welch—41.

NOES—Carlson, Clarke, Collins, Sam L., Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Millington, Pfaff, Phillips, Potter, Stream, Thorp, Thurman, Waters, and Watson—21.

Assembly Bill No. 529 ordered to second reading.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 396—An act to amend Section 13101 of the Health and Safety Code, relating to the compensation of the State Fire Marshal.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 396?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "six thousand dollars ($6,000)", and insert "forty-eight hundred dollars ($4,800)."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 396 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Russell, Salsman, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Welch—52.

NOES—Doyle—1.

Assembly Bill No. 396 ordered enrolled.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 684 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Hawkins moved that Assembly Bill No. 684 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Dills, Evans, Gaffney, Hawkins, Kilpatrick, King, Knight, John B., Massion, Middough, O'Day, Pelletier, Richie, Tenney, Thomas, and Turner—21

NOES—Bashore, Carlson, Clarke, Collins, Sam L., Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Leonard, Lowrey, Lyon, Meehan, Miller, Millington, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, and Wollenberg—39.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1071—An act to add Sections 30.5 and 38.1 to the Public Utility District Act, relating to the incurring of indebtedness by public utility districts and the manner of refinancing thereof, validating certain indebtedness heretofore incurred by public utility districts, and relating to making delinquent service charges a lien against the land for which such service was furnished, and be collectible as an assessment against such land;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 15, 1941, be further amended as follows:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended, following the comma after "taxes", insert "if the property is owned, controlled or in the possession of the same person who owned, controlled or was in possession of it during the time such service charges were incurred or if the only transfers made of the property since the date such charges were incurred have been transfers by gift, descent, bequest or devise,".

MAYO	
DILLINGER	THURMAN
SWAN	LEONARD
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N. Kellems, Kilpatrick, King, Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—60.

NOES—None.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1840—An act to amend Section 776 of the Vehicle Code, making an appropriation to the Motor Vehicle Support Fund, providing for the use of the moneys therein, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "priated", insert "Of such forty-two and one-half per cent (42½%) so deposited in the Motor Vehicle Support Fund during the Ninety-third and Ninety-fourth Fiscal Years, not less than fourteen per cent (14%) thereof shall be used for the employment, salaries and equipment of new members of the California Highway Patrol"

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1813—An act to amend Section 9651 of the Revenue and Taxation Code, and Section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, relating to the rate of tax.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 17 to 19, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"Funds are hereby appropriated as follows:

(a) To pay the refunds authorized by this part.

(b) To the State Board of Equalization to carry out the duties imposed upon it by this part.

(c) To the State Controller to carry out the duties imposed upon him by this part.

(d) To the State Highway Fund.

The balance in the fund after the payments specified in subdivisions (a), (b), and (c) shall be transferred by the State Controller to the State Highway Fund. The money so transferred shall be used by the Department of Public Works exclusively for construction, improvement and maintenance of State highway bridges, and for the separation of grades at crossings of railroads by State highways."

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 13 to 24, inclusive, and insert

"All moneys in the Motor Vehicle Transportation Tax Fund are hereby appropriated as follows:

(a) To pay the refunds authorized by this act

(b) To the State Board of Equalization to carry out the duties imposed upon it by this act

(c) To the State Controller to carry out the duties imposed upon him by this act

(d) To the State Highway Fund

The balance in the fund after the payments specified in subdivisions (a), (b), and (c) shall be transferred by the State Controller to the State Highway Fund. The money so transferred shall be used by the Department of Public Works exclusively for construction, improvement and maintenance of State highway bridges, and for the separation of grades at crossings of railroads by State highways.

All sums paid to the Department of Motor Vehicles under this act shall be deposited in the State Treasury to the credit of the Motor Vehicle Fund and are hereby appropriated out of that fund for the support of that department."

Amendment No. 3

On page 2 of the printed bill, as amended, between lines 30 and 31, insert

"SEC. 2.5. There is hereby appropriated from the Motor Vehicle Transportation Tax Fund for expenditure during the Ninety-third and Ninety-fourth Fiscal Years the sum of five hundred sixty-nine thousand three hundred twenty dollars ($569,320) for the support of the State Board of Equalization and the sum of one hundred fourteen thousand eighty dollars ($114,080) for the support of the State Controller in carrying out the provisions of the act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act take effect immediately," approved May 15, 1933, as amended. These appropriations are hereby made subject to all of the provisions of the Budget Act of 1941. Upon the effective date of this section, the appropriations from the General Fund of the State for the support of the State Board of Equalization and the State Controller shall be reduced by the amounts appropriated to each respectively by this section."

Amendment No. 4

On page 2 of the printed bill, as amended, after line 37, insert

"SEC. 3.5. The provisions of Sections 2 and 2.5 of this act shall become operative on October 1, 1941."

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2654—An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—65.

NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1941

MR SPEAKER. Your Committee on Rules, to which was referred.

Senate Concurrent Resolution No. 40

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

LYON, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 40

Senate Concurrent Resolution No. 40—Relative to adjournment sine die of the Fifty-fourth Session of the Legislature of the State of California.

Resolution read.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, following "at", strike out "5 p.m., June 6", and insert "12 noon, June 14".

Amendment No. 2

On page 1, line 5, of the printed bill, following "after", strike out "May 30", and insert "June 8".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—64.

NOES—None.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, as amended, at this time, without reference to reprint or file.

Consideration of Senate Concurrent Resolution No. 40, as Amended

Senate Concurrent Resolution No. 40—Relative to adjournment sine die of the Fifty-fourth Session of the Legislature of the State of California.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Poulson, Richie, Robertson, Russell,

Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—None.

Resolution ordered transmitted to the Senate.

APPROVAL OF JOURNALS

On motion of Mr. Lyon, the Journals of Monday, May 26, 1941; Tuesday, May 27, 1941; Wednesday, May 28, 1941; Thursday, May 29, 1941; and Friday, May 30, 1941; were approved as corrected by the Minute Clerk.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—73.
NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1249—An act creating a division of beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended, preceding the period, insert a comma and "except the construction of any facilities or public works by, or under the jurisdiction of, the Board of State Harbor Commissioners for San Francisco Harbor."

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Lyon moved that Senate Bill No. 877 be made a special order of business for Thursday, June 5, 1941, at 9 p m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.
NOES—None.

MOTION TO SET SPECIAL ORDER

Mr Lyon moved that Assembly Bill No 2633 be made a special order of business for Thursday, June 5, 1941, at 9 30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Del Mutolo,

Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67

NOES—Bennett, Cooke, Donnelly, Kilpatrick, and Pelletier—5

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Bill read second time.

Motion to Amend

Mr. Kepple moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 26, of the printed bill, as amended, after "immediately", insert "and shall become operative July 1, 1941".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Pfaff:

House Resolution No. 245

Relating to proposed trip of T. Fenton Knight to Latin America.

WHEREAS, The Honorable T. Fenton Knight plans a journey through Latin America following adjournment of the present legislative session; and

WHEREAS, The Honorable T. Fenton Knight proposes to include in his itinerary not only the Republics of Mexico, Guatemala and Panama but all of the nations of Central and continental South America that time will permit; and

WHEREAS, The Honorable T. Fenton Knight is recognized by his Colleagues in the Assembly of the State of California as an authority eminently fitted by extensive training and wide experience in economic and agricultural matters to study similar matters as they may be found in our sister republics in the western hemisphere; and

WHEREAS, It is the expressed intention of the Honorable T. Fenton Knight to continue his studies of economic and agricultural conditions during his contemplated journey through Latin America; and

WHEREAS, It is the expressed desire of the Assembly of the State of California to promote and establish a closer social, political and economic relationship between the Commonwealth of California and all of the peoples of the Western Hemisphere; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable T. Fenton Knight is hereby authorized, directed and delegated to conduct a study and investigation of agricultural and economic conditions together with the laws and regulations as they may prevail in the countries he proposes to visit and to report back the results of such studies, together with his recommendations, to this Assembly at the next session, regular or special, following his return; and be it further

Resolved, That the Assembly of the State of California send greetings to all citizens and officials of the American Republics visited by the Honorable T. Fenton Knight who extend to him the courtesy of cooperation in his study and investigation as the representative of the Commonwealth of the State of California.

Request for Unanimous Consent

Mr. Pfaff asked for, and was granted, unanimous consent to take up House Resolution No. 245, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

At 12.20 p.m., on motion of Mr. Lyon the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1296—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Stream, Russell, Gunlock and Carlson demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1296.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—54

NOES—Bashore, Evans, Field, Houser, Frederick F., Knight, T. Fenton; Pfaff, and Richie—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1769—An act to add a new section to the State Civil Service Act, to be numbered 57.5, relating to the officers and employees of the State engaged in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Lyon, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Watson, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following resolution from Affiliate Teachers Organizations of Los Angeles was received and read, and on motion of Mr. Lyon, ordered printed in the Journal:

WHEREAS, It is to the best interest of American Democracy to maintain in public office men and women of unquestioned integrity, high intelligence and devotion to the public welfare; and

WHEREAS, To guarantee such maintenance it is necessary that public officials be adequately compensated; and

WHEREAS, Members of the California State Legislature now receive only $100 per month which is, in our opinion, woefully insufficient in the light of the importance of the services they perform; and

WHEREAS, The present compensation for California's Legislators is so insufficient that most of them serve at material financial loss; now, therefore, be it

Resolved, That the Affiliate Teacher Organizations of Los Angeles does hereby indorse Assembly Constitutional Amendment No. 2, which provides for compensation of State Legislators at a rate of $200 per month, and pledge ourselves to support the proposed amendment when and if it is placed on the ballot

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2110—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same, making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kellems, Kepple, Leonard, Lyon, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thurman, Weber, Welch, and Weybret—43.

NOES—Collins, Sam L., Doyle, Evans Howser, F. N., Knight, John B., Knight, T. Fenton; Massion, McCollister, Pfaff, and Russell—10.

Notice of Motion to Reconsider Assembly Bill No. 2110

Messrs. Massion and Johnson gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Bill No 2110 was this day passed.

Hon. Richard H. McCollister Presiding

At 2.45 p.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2142

In compliance with a notice given on a previous day, Mr Bashore moved that the vote whereby Assembly Bill No 2142 was passed be reconsidered.

Demand for Previous Question

Messrs. Robertson, Collins, Sam L. Knight, John B. Knight, T. Fenton, and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 2142.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 3:04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1634
Assembly Bill No. 2645
Assembly Bill No. 2657
Assembly Constitutional Amendment No. 66

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Kepple, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2657.

Request for Unanimous Consent

Mr. Bennett asked for, and was granted, unanimous consent to take up Assembly Bill No. 2657, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 2657

Assembly Bill No. 2657—An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2657:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 2657

"An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as

used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 2657 as an emergency measure.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bennett:

Resolved, That Assembly Bill No. 2657 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2657—An act to amend Section 2187 of the Welfare and Institutions Code, relating to aid to the aged, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1175

And reports the same correctly re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Request for Unanimous Consent

Mr. Bennett asked for, and was granted, unanimous consent to take up Assembly Bill No. 1175, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 1175

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1175:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS:

ASSEMBLY BILL NO. 1175

"An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 1175 as an emergency measure

Respectfully submitted

CULBERT L. OLSON, Governor of California

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bennett:

Resolved, That Assembly Bill No. 1175 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Muddough, Miller O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1175—An act to provide that Sections 100 to 130, inclusive, of the Welfare and Institutions Code shall constitute and comprise Article 1 of Chapter 1 of Division 1 of said code, to add an

article heading to said article, to add Article 2, comprising Sections 135 to 138, to Chapter 1 of Division 1 of the Welfare and Institutions Code, relating to the administration of aid for welfare purposes, and to make an appropriation therefor.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight T. Fenton, Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68

NOES—None.

Bill ordered transmitted to the Senate

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Turner, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2214.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2214

In compliance with a notice given on a previous day, Mr. Turner moved that the vote whereby Assembly Bill No. 2214 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Turner moved a call of the Assembly.

Motion carried. Time, 3.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1020.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 1020

In compliance with a notice given on a previous day, Mr. Bashore moved that the vote whereby Assembly Bill No. 1020 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 3.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 2214

At 3.56 p.m., on motion of Mr. Turner, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2214 reconsidered by the following vote.

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Cooke, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Leonard, Lyon, Masson, Middough, Miller, Millington, Pelletier, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—47

NOES—Andreas, Burns, Hugh M., Carlson, Collins, George D., Collins, Sam L., Dickey, Doyle, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Knight, T. Fenton; Lowrey, McCollister, Meehan, O'Day, Phillips, Poole, Potter, Poulson, Waters, Watson, and Welch—24

REQUEST FOR UNANIMOUS CONSENT

Mr. Clarke asked for unanimous consent to hold a meeting of the Committee on Irrigation at this time.

Mr. Welch withheld unanimous consent.

Motion to Excuse Committee Members

Mr. Donnelly moved that the Committee on Irrigation be excused for the purpose of considering two Senate bills.

Mr. Hastain seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, King, Knight, John B., Leonard, Lowrey, Masson, Meehan, Miller, Millington, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, and Weybret—56.

NOES—Evans—1.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 794 FROM COMMITTEE

Mr. Meehan gave notice that on the second legislative day he would move to withdraw Senate Bill No. 794 from the Committee on Insurance, and have it placed upon the file.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2571 WAIVED

Mr. Sam L. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No 2571 was passed.

Assembly Bill No. 2571 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 165—An act to amend Section 159 of the Code of Civil Procedure, relating to justices of the peace.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 165?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "the County", insert "and township".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, strike out "In"; and strike out lines 9 to 11, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 165 by the following vote:

AYES—Andreas, Bennett, Burns, Michael J., Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Waters, Weber, Welch, Weybret, and Wollenberg—49.

NOES—None.

Assembly Bill No. 165 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1091—An act to add Section 566 to the Streets and Highways Code, relating to State highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Kellems, Kilpatrick, King, Knight, John B., Leonard, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—51.

NOES—Carlson, and Dilworth—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1396—An act to add Section 555 to the Labor Code, relating to days of rest of employees.

Bill read third time.

Motion to Amend

Mr Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "555", and insert "556".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "555", and insert "556"

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, strike out "555 The provisions of this", and insert "556. This".

Amendment No. 4

On page 1, line 4, of the printed bill, as amended, strike out ", parties to any agreement entered into"; and strike out lines 5 to 7, inclusive, and insert "when the total hours of employment do not exceed 30 hours in any week or six hours in any one day thereof"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Motion to Amend

Mr. Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 10 to 16, inclusive

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Gunlock Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, King, Knight, John B., Leonard, Lowrey, Masson McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—64

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1047—An act to amend Section 5.546 of the School Code, relating to teachers' reports.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended, strike out "who", and insert "or other teachers of such class or any of the pupils thereof who are required to".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo,

Desmond, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastam, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Massion, McCollister, Meehan, Middough, Miller, O'Day, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—53

NOES—None.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 2142

At 4.23 p.m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thurman moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Del Mutolo, Dickey, Gaffney, Gallagher, Gunlock, Hastam, Johnson, Kellems, King, Knight, T. Fenton, Leonard, Lowrey, Massion, Meehan, Miller, Millington, O'Day, Richie, Robertson, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—42

NOES—Cassidy, Doyle, Houser, Frederick F., Kepple, Middough, Pfaff, Poole, Potter, Stream, and Watson—10

Time, 4.28 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Johnson, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Constitutional Amendment No. 66.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 66—Proposed amendment to Article IV, Section 2, of the Constitution, relative to the introduction of bills by members of the Legislature

Resolution read.

Demand for Previous Question

Messrs. Collins, Sam L., Waters, Dills, Bashore and Poole demanded the previous question

Demand for previous question sustained

The question being on the adoption of Assembly Constitutional Amendment No 66

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Dickey, Dills, Doyle, Evans, Field, Gallagher, Green, Gunlock, Hastam, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Poul

son, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—Bashore, Burns, Hugh M., Cassidy, Collins, George D., Cronin, Desmond, Dilworth, Donnelly, Gaffney, Heisinger, Kilpatrick, Knight, T. Fenton; O'Day, Potter, Sawallisch, and Turner—16.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 5 p m, Hon Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 542

In compliance with a notice given on a previous day, Mr. Richie moved that the vote whereby Senate Bill No. 542 was passed be reconsidered.

Demand for Previous Question

Messrs. Green, Collins, Sam L., Robertson, Heisinger and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Senate Bill No. 542.

The roll was called, and Senate Bill No. 542 refused reconsideration by the following vote:

AYES—Bennett, Burkhalter, Carlson, Collins, George D., Cooke, Dickey, Dills, Gunlock, Johnson, Kilpatrick, King, Knight, T. Fenton; Massion, Meehan, Millington, Pfaff, Richie, Russell, Tenney, Turner, Voigt, and Wollenberg—22.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kepple, Knight, John B., Leonard, Lyon, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Watson, Weber, Welch, and Weybret—48.

Senate Bill No. 542 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 51—Relative to amending Rule 35 of the Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Field, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—Bennett, Burkhalter, Dills, Donnelly, Hawkins, and Kilpatrick—6.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1020

At 5.40 p m., on motion of Mr. Bashore, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1020 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Cain, Call, Collins, Sam L., Crowley, Desmond, Dickey, Dilworth, Donnelly, Field, Hastain, Heisinger, Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, McCollister, Millington, Pelletier, Pfaff, Phillips, Poole, Poulson, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, and Weybret—41.

NOES—Bennett, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kellems, King, Massion, Meehan, Middough, Miller, O'Day, Potter, Richie, Sawallisch, Thorp, Weber, Welch, and Wollenberg—33.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 2142

At 5 47 p.m., on motion of Mr. Thurman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2142 reconsidered by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Knight, T. Fenton; Leonard, Lowrey, Meehan, Millington, O'Day, Pfaff, Phillips, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—41

NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Cassidy, Clarke, Collins, George D., Cooke, Dills, Dilworth, Doyle, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Lyon, Massion, McCollister, Middough, Miller, Pelletier, Poole, Potter, Richie, Salsman, Tenney, Waters, and Watson—35.

RECESS

At 5 52 p m., on motion of Mr. Lyon, the Assembly recessed until 8.30 p m.

REASSEMBLED

At 8.30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 855	Assembly Bill No. 1571
Assembly Bill No 1067	Assembly Bill No. 2494
Assembly Bill No. 1112	Assembly Bill No 2631
Assembly Bill No. 1120	

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 481
Assembly Bill No. 799
Assembly Bill No. 957
Assembly Bill No 1025
Assembly Bill No. 1032
Assembly Bill No. 1138
Assembly Bill No 1283
Assembly Bill No. 1315

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 3—An act to amend Sections 50, 81 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight, the definition of street or highway, and the payment of weight fees for commercial vehicles,

And appointed Senators Gordon, Jespersen and Ward, as a Committee on Conference to meet a like committee from the Assembly.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 54
Senate Bill No 101
Senate Bill No. 102
Senate Bill No 188
Senate Bill No 257
Senate Bill No 484
Senate Bill No. 660
Senate Bill No. 828
Senate Bill No. 1005
Senate Bill No. 1048
Senate Bill No 1058

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Pursuant to your request, I am directed to return Assembly Bill No 1192 to the Assembly for further action

J A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Kuchel and Fletcher as a Committee on Conference concerning.

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Swing, Carter and Keating as a Committee on Conference concerning:

Assembly Bill No. 2524—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 354—An act to add Chapter 11, comprising Sections 22000 to 22001, inclusive, to Division 8 of the Business and Professions Code, relating to unfair trade practices in the jewelry business,

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 1 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1915

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred

Assembly Bill No. 1223

Respectfully reports the same back without recommendation

DESMOND, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Unemployment, to which were referred:

Assembly Bill No. 1177

Assembly Bill No. 1216

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DESMOND, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 108—An act to add Section 969.5 to the Streets and Highways Code, relating to improvement and repair of privately owned roads,

Assembly Bill No. 188—An act to amend Section 5055 of the Welfare and Institutions Code, relating to mentally irresponsible persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 624—An act to add Section 5600.5 to the Business and Professions Code, relating to retirement of persons from the practice of architecture,

Assembly Bill No. 656—An act to amend Section 869a of the Civil Code, relating to the effect of omitting beneficiaries in instruments to trustees affecting real property;

Assembly Bill No. 749—An act to amend Section 5502 of the Welfare and Institutions Code, relating to the dismissal of criminal proceedings and the affidavit for commitment of a sexual psychopath;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 808—An act to amend Sections 4a, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, 25.1, 27, 28, 29, 30, 32 and 35 of, and to add a new section to be numbered 24.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately;

Assembly Bill No. 809—An act to amend Sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 29 of, and to add a new section to be numbered 18.1 to, The Corporation Income Tax Act of 1937, relating to taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately;

Assembly Bill No. 880—An act to amend and renumber Section 3045 of the Welfare and Institutions Code (as added by Chapter 916 of the Statutes of 1939), relating to aid to the needy blind;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 926—An act to amend Sections 3520 and 3712 of, and to add Section 3695.3 to, the Revenue and Taxation Code, relating to property taxation and tax-deeded property, including the assessment of property, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1287—An act to amend Sections 554, 616 and 675 of the Vehicle Code, relating to equipment on vehicles;

Assembly Bill No. 1346—An act to amend Section 12.10 of, and to add Section 8 12 to, the Building and Loan Association Act, relating to building and loan associations, investments, and certificates;

Assembly Bill No. 1355—An act to amend Section 5 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1639—An act to amend Section 4300b and to repeal Section 4300d of the Political Code, relating to fees for official services;

Assembly Bill No. 1795—An act to add Sections 28.25, 28.35 and 19d to the California Irrigation District Act, relating to the manner of selecting officers of certain irrigation districts;

Assembly Bill No. 1917—An act to amend Section 11840 of the Insurance Code, relating to periods for which State Compensation Insurance Fund may write workmen's compensation insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2164—An act to add Section 15035 and Sections 17821 to 17829, inclusive, to the Health and Safety Code, relating to definition of "Building unfit for human habitation" and providing for demolition, closing or repair thereof;

Assembly Bill No. 2457—An act to repeal Section 3051 of, and to add Section 3051 to, the Business and Professions Code, relating to the training of persons seeking an optometry license;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1840

And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 987

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Irrigation, to which were referred:

Senate Bill No. 628
Senate Bill No. 1329

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 56—An act to add Section 305 to the Political Code, relating to disqualification for State compensation and employment;

Assembly Bill No. 278—An act to add Section 7071.5 to the Business and Professions Code, relating to contractors;

Assembly Bill No. 342—An act to add Section 12108 to the Business and Professions Code, relating to specifications and standards for weighing devices,

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 495—An act to amend Section 64 of the Fish and Game Code, relating to fish and game districts;

Assembly Bill No. 565—An act to add Section 10601.5 to the Elections Code, relating to filing of declaration of intention to become a candidate for a judicial office;

Assembly Bill No. 625—An act to amend Section 1946 of the Civil Code, relating to hiring of real property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 680—An act to add Section 3.103 to the School Code, relating to the observance of Constitution Week in public schools;

Assembly Bill No. 800—An act to amend Sections 2, 4, 7, 8, 9.2, 9 3, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33 and 34 of The Personal Income Tax Act, relating to taxes upon the incomes of individuals, estates and trusts and to provide that this act shall take effect immediately;

Assembly Bill No. 822—An act to add Chapter 9 (consisting of Sections 240, 241, 242, 243, 243 5, 244, 245, 245 5, 246, 246 5, 247 and 248) to Division 3 of the Vehicle Code, and to repeal Sections 235 and 235 5 thereof, relating to the wrecking and dismantling of vehicles, including the business of automobile wreckers;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 916—An act to amend Section 12701 of the Business and Professions Code, relating to public weighmaster bonds and license fees,

Assembly Bill No. 988—An act to repeal Section 459 and to amend Section 460 of the Fish and Game Code, relating to importation of fish and game;

Assembly Bill No. 1065—An act to amend Sections 551 and 556 of the Business and Professions Code, relating to the prevention of blindness at childbirth;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1246—An act to add Section 5041.5 to the Business and Professions Code, relating to fee and tax exemptions under the chapter on accountants, declaring the urgency thereof, and to take immediate effect;

Assembly Bill No. 1342—An act to amend Section 347½ of the Penal Code, relating to the sale and use of drugs;

Assembly Bill No. 1378—An act to amend Section 27b and Section 67 of the Alcoholic Beverage Control Act, relating to sales of alcohol and alcoholic beverages for use in the trades, professions or industries and to penalties,
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1381—An act to amend Sections 61 and 105 of the Bank Act, relating to the investment of trust funds;

Assembly Bill No. 1392—An act to amend Section 1030 of the Political Code, relating to office and working hours;

Assembly Bill No. 1612—An act to amend Section 8 of the Alcoholic Beverage Control Act, relating to renewal of alcoholic beverage licenses;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1693—An act to amend Section 92 of the Agricultural Code, relating to the basis of allocation to county, district or combined county and district fairs;

Assembly Bill No. 1906—An act to amend Section 2710 of the Penal Code, relating to the San Quentin Manufacturing Revolving Fund;

Assembly Bill No. 1916—An act to amend Section 51, Statutes of 1917, Chapter 586, page 831, relating to workmen's compensation and payments to State Treasury by Compensation Insurance Fund;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1932—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923;

Assembly Bill No. 2096—An act to add Section 6.37 to the School Code, relating to the powers and duties of governing boards of school districts, declaring the urgency thereof and providing that this act shall take effect immediately;

Assembly Bill No. 2326—An act to amend Section 134 of the Vehicle Code, relating to the distribution of publications by the Department of Motor Vehicles,
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2501—An act to amend Sections 19008, 19009, 19010, 19016, 19018, 19050, 19053, 19057, 19060, 19070, 19071, 19080, 19081, 19082, 19084, 19085, 19086, 19090, 19095, 19096, 19124, 19125, 19127, 19151, 19157, 19159, 19170, 19173, 19202, 19203, 19207 and 19208, to add Sections 19007.5, 19010.5, 19012.5, 19049, 19065, 19080.5, 19089.5, 19123.4, 19123.5, 19123.6, and to repeal Sections 19130, 19152, 19156, of the Business and Professions Code, relating to the regulation of the business of manufacturing, selling, repairing, renovating and sterilizing bedding and upholstered furniture;

Assembly Bill No. 2514—An act to amend Section 5 of the State Contract Act, relating to bids;

Assembly Bill No. 2519—An act to amend sundry article and chapter headings, to amend Section 3062 of, and to amend and renumber Sections 3056 and 3057 of, to repeal Section 679a of, and to add Section 2876 to, the Penal Code, and to amend Section 6603 of the Welfare and Institutions Code, relating to prisons and prisoners;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2600—An act to amend Sections 7643, 7662, 7665, 7666, 7668 and to repeal Section 7664 of the Business and Professions Code, relating to embalmers and apprentices;

Assembly Bill No. 2601—An act to amend Section 1 of an act entitled "An act to authorize the payment of certain claims recommended for payment by the State Board of Control and to ratify the payment of such claims heretofore made," approved July 1, 1939, relating to claims recommended for payment by the resolution of March 2, 1938, and not yet paid;

Assembly Bill No. 2611—An act to add Section 844 to the Political Code, relating to qualifications for public office and employment, declaring the urgency hereof, to take effect immediately,
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2616—An act to add Sections 9b and 9c to the California Business Opportunity Act, relating to persons licensed as business opportunity brokers and business opportunity salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately;

Assembly Bill No. 2621—An act to add Section 4465.5 to the Political Code, relating to notice and publication and requiring that whenever by authority or requirement of any law of this State any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required to be published in a newspaper, it must be in a newspaper of general circulation.

Assembly Bill No. 2628—An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation and licensing of private detectives;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 2—Relative to a legislative declaration of the public policy of this State with reference to the acquisition and use of beaches for public park purposes.

Assembly Joint Resolution No. 12—Relative to discrimination in steamship service and freight rates between New York and California ports to the Panama Canal Zone;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Garland:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Section 1615 to the Vehicle Code, relating to the return of 1941 license plates or payment in lieu thereof, providing for the sale of such plates, making an appropriation of the proceeds of such sale and of other money collected thereunder for recreational facilities in Military and Naval Training Camps in this State, declaring the urgency thereof, to take effect immediately.

Respectfully submitted

G. GARLAND

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Garland:

An act to add Section 1615 to the Vehicle Code, relating to the return of 1941 license plates or payment in lieu thereof, providing for the sale of such plates, making an appropriation of the proceeds of such sale and of other money collected thereunder for recreational facilities in Military and Naval Training Camps in this State, declaring the urgency thereof, to take effect immediately

MIDDOUGH, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly

Motion carried. Time, 8:40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 3

The Speaker announced the appointment of Messrs. Field, Potter and Robertson as a Committee on Conference concerning Senate Bill No. 3.

RESOLUTIONS

The following resolution was offered:

By Messrs Desmond, Welch and Howser, F. N.:

House Resolution No. 246

Relative to the Creation of an Interim Assembly Committee on Unemployment Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (1) employment and unemployment conditions in California, (II) the administration, application, operation and effects of the Unemployment Insurance Act, (III) activities and operations of the Department of Employment, including the State Employment Service, (IV) the relationships between the Department of Employ

ment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, and (vi) the requirements and conditions imposed upon the governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, should be found, assembled and analyzed to the end that the Assembly and the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation; and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an Interim Committee of the Assembly charged with the study of every phase of the foregoing subjects; now, therefore, be it

Resolved by the Assembly, That an Interim Assembly Committee, to be known as the Assembly Committee on Unemployment Insurance, is hereby created to consist of five members of the Assembly appointed by the Speaker. The committee shall investigate, study and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation

The committee hereby created is hereby authorized to act during sessions of the Legislature and after final adjournment thereof, but in no event beyond the convening of the Fifty-fifth Legislature, and such committee may make reports to the regular or any special session of this Legislature and to the regular session of the Fifty-fifth Legislature.

For the purposes of this resolution and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to Investigating Committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to Investigating Committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 59: By Messrs. Pfaff, Weybret and Burns, Hugh M.—Relative to the provisions of Sections 10, 11 and 12 of the Budget Act of 1941, and the transfer of funds pursuant thereto.

Referred to Committee on Rules.

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 303—An act to amend Section 4243 of the Political Code, relating to salaries and compensation for public services in counties of the fourteenth class.

Bill read second time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4243", and insert "4242".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "fourteenth", and insert "thirteenth"

Amendment No. 3

On page 1, line 1, of the printed bill, as amended, strike out "4243", and insert "1. Section 4242"

Amendment No. 4

On page 1 of the printed bill, as amended, strike out all of lines 3; and in line 4, strike out "county officers", and insert
"4242. In counties of the thirteenth class, the following".

Amendment No. 5

On page 1, line 6, of the printed bill, as amended, strike out "salaries", and insert "sums".

Amendments read.

The roll was called, and the amendments adopted by the following vote.

AYES—Allen, Andreas, Bashore, Burkhalter, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Field, Gunlock, Hawkins, Heisinger, Howser, F. N., Kellems, Kilpatrick, Knight, John B., Lowrey, Lyon, Massion, Meehan, Middough, Miller, Pelletier, Phillips, Potter, Richie, Russell, Stream, Tenney, Thomas, Thorp, Turner, Watson, Welch, and Weybret—42.

NOES—None.

Bill ordered printed, and to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 82—An act to amend Section 467 of the Streets and Highways Code, relating to State highways,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

BREED	
MAYO	HOWSER, F. N.
LUCKEY	WELCH
Senate Committee on Conference	Assembly Committee on Conference

Assembly Bill No. 82 ordered to unfinished business.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 1343

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1343—An act to amend Sections 8931, 8938, 8939, and 9100 and to repeal Section 9053 of, and to add Section 9055, to the Health and Safety Code, and to repeal Chapter 106 of the Statutes of 1909, relating to cemetery districts

Referred to Committee on County Government.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2649—An act to amend Section 4104 of the Public Resources Code, relating to the building of camp fires or smoking on National forest land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Kellems, Kepple, Knight, John B, Knight T Fenton, Lowrey, Lyon, Massion, Meehan, Muddough, Miller, Pelletier, Pfaff, Phillips, Porter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—52

NOES—None

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cronin, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2642.

Assembly Bill No. 2642—An act authorizing cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring that this act be an urgency measure to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried. Time, 9 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Call, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1433.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1433—An act to amend Sections 7678, 8306 and 8402 of the Revenue and Taxation Code, relating to the filing of reports under the Motor Vehicle Fuel License Tax Law, the revocation of licenses under the Motor Vehicle Fuel License Tax Law, and the conduct of activities without a license.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Johnson, Waters, Collins, Sam L., Stream and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 1433.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Massion, Meehan, Middough, Miller, O'Day, Phillips, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—55.

NOES—Gaffney, Knight, John B., Lowrey, Pelletier, and Watson—5.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Massion, Meehan, Middough, Miller, O'Day, Phillips, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—55.

NOES—Gaffney, Knight, John B., Lowrey, Pelletier, and Watson—5.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 2642

At 9.25 p.m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2642 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pluff

Phillips, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—57
NOES—Carlson, Dills, Dilworth, Field, Kellems, Knight, T. Fenton; and Waters—7.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—57
NOES—Carlson, Dills, Dilworth, Field, Kellems, Knight, T. Fenton; and Waters—7

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 143—An act to amend Section 56 of the Labor Code and to add to Division 1 thereof Chapter 6, consisting of Sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1992—An act to add Section 6817 to the Public Resources Code, relating to the moneys deposited in the State Park Maintenance and Acquisition Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Weybret—62
NOES—Dills—1.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the consideration of the Governor's veto to Assembly Bill No. 2633 was taken up.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2633.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No 2633 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs Robertson, Kellems, Waters, Tenney and Evans demanded the previous question.

Demand for previous question sustained.

The question being, Shall Assembly Bill No. 2633 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Poulson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—57.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Dills, Donnelly, Gaffney, Gunlock, Hawkins, Kilpatrick, Massion, Meehan, Richie, Robertson, Russell, and Thomas—17.

Bill ordered transmitted to the Senate

Speaker Presiding

At 11 05 p m, Hon. Gordon H. Garland, Speaker of the Assembly, presiding

CONSIDERATION OF GOVERNOR'S REDUCTION TO SENATE BILL NO. 1338

Senate Bill No. 1338—An act making an appropriation for the contingent expenses of the Senate, the act to take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No 1338 become a law as originally passed by the Legislature and appropriating $62,000, notwithstanding the objections of the Governor, reducing the amount of the appropriation to $10,000?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote

AYES—Allen, Andreas, Bashore, Burkhalter Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gallagher, Green Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter Poulson Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr Speaker—56

NOES—Bennett, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Gaffney, Kilpatrick, Lowrey, Massion, Meehan, Richie, Robertson, and Thomas—14.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the Governor's veto to Senate Bill No. 877 was taken up.

Senate Bill No. 877—An act to add Chapter 8, comprising Sections 1131, 1132, 1133, 1134 and 1135 to Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 877.

Consideration of Governor's Veto to Senate Bill No. 877

Governor's message stating his objections read previously.

The question being, Shall Senate Bill No 877 become a law notwithstanding the objections of the Governor?

Request for Unanimous Consent

Mr. Gaffney asked for unanimous consent to allow additional time for the arguments on Senate Bill No. 877.

Mr. John B Knight withheld unanimous consent.

Demand for Previous Question

Messrs. Potter, Waters, Andreas, Watson and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being: Shall Senate Bill No. 877 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 11.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1074

Mr. Hugh M. Burns moved that Assembly Bill No. 1074 be withdrawn from the Committee on Public Morals, and re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burns Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, King, Leonard Lowrey, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Poole, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50

NOES—Carlson, Dills, Dilworth, Field, Houser, Frederick F., Miller, Potter, and Waters—8.

REPORTS OF STANDING COMMITTEES

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred

Senate Bill No 1339

Has had the same under consideration, and reports the same back with the recommendation: Do pass

(Signed out)

KEPPLE, Chairman	CAIN
O'DAY	HAWKINS
MEEHAN	ALLEN
LYON	PFAFF
PHILLIPS	CARLSON

Above reported bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO HOLD COMMITTEE MEETING

Mr. Tenney asked for unanimous consent to hold a meeting of the Committee on Judiciary General

Mr. Welch withheld unanimous consent

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1020—An act to amend Sections 5.792, 5.793, 5 794, 5.795, 5 796, 5.798 and 5 799a of the School Code and adding a new section thereto, to be numbered 5 792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Bill read third time.

Motion to Amend

Mr Bashore moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, after "is", insert "more than $50 but".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 16, 17 and 18, and insert ", upon being presented".

Amendment No. 3

On page 2, line 2, of the printed bill as amended, strike out "calculated on the basis", and strike out lines 3 and 4, and insert "submit to the".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 22 to 27, inclusive; and in line 28, strike out "ing board were elected.", and insert "tors within the district."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of allowing Committee on Judiciary General to hold a meeting in the cloak room, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Collins, Sam L., Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon,

Massion, Meehan, Miller, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Cooke, Hawkins, Sheridan, Waters, and Welch—5.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 674 FROM COMMITTEE

Mr. Bashore gave notice that on second legislative day, he would move to withdraw Assembly Bill No 674 from the Committee on Public Morals, and have it placed upon the file.

MOTION TO ALLOW PUBLIC TO ATTEND COMMITTEE MEETING

Mr. Tenney moved that all persons interested in hearing bills before the Committee on Judiciary General be allowed to attend a meeting of the committee in the Cloak Room.

Motion to Withdraw Motion

Mr. Heisinger moved to withdraw his motion to suspend the Rules for the purpose of holding a meeting of the Committee on Judiciary General in the Cloak Room.

The Speaker ruled Mr. Heisinger's motion out of order.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 8 FROM COMMITTEE

Mr. Desmond gave notice that on the second legislative day, he would move to withdraw Assembly Bill No. 8 from the Committee on Judiciary Codes, and have it placed upon the file

REQUEST FOR LEAVE OF ABSENCE

Mr Poulson moved that he be excused from attendance at the Assembly for an indefinite period, due to serious illness in his family.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—66.

NOES—None.

Speaker Pro Tempore Presiding

At 11 40 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Poulson, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Concurrent Resolution No 22.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 22—Relative to amending the Joint Rules of the Senate and Assembly by adding Joint Rule No. 36, creating a Joint Legislative Budget Committee, defining its powers

and duties, and making an appropriation out of the contingent funds therefor.

Resolution read.

Demand for Previous Question

Messrs. Green, Waters, Hastain, Thorp and Poole demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 22.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Cain, Collins, George D., Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Richie, and Russell—16.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

House Resolution No. 244—Relative to an audit of the Department of Finance.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Poulson, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—Cain, Collins, George D., Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Kilpatrick, Massion, Meehan, O'Day, Richie, and Russell—14

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Field, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on House Resolution No. 195.

House Resolution No. 195

WHEREAS, Hundreds of changes in the organization and administration of the State Government are proposed at each session of the Legislature. The complicated machinery of State Government erected to serve the citizens of this State, can function only under law. New circumstances constantly arise which previous statutes did not contemplate. It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the law relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered.

During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based. The Legislature can best function as a fact-finding agency through Legislative Committees, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Governmental Efficiency and Economy, which committee shall study and investigate, accurately and in detail, the organization, functions, and administration of the State Government and of any department, agency, or subdivision thereof and of the governments of the cities and counties of this State, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and

proper to increase the efficiency and effectiveness of the State and local governments and the agencies and subdivisions thereof.

The committee shall consist of 15 members of the Assembly appointed by the Speaker of the Assembly, and the Speaker as an ex officio member. Vacancies on the committee shall be filled by appointment by the Speaker.

Upon the appointment of its members the committee may organize, appoint a secretary and employ such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein.

The committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records, of every kind and description, and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of the committee may each administer oaths, and all of the provisions of Article 8 of Chapter 2, Title 1, Part 3 of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

The committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or convenient to enable it to exercise the powers and duties granted to and imposed upon it.

The committee may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to take or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter, defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee may hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee. The committee may also meet in executive session. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-fifth Legislature. The committee may report to any session of this Legislature or to the regular session of the Fifty-fifth Legislature, on or before March 15, 1943.

Every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee upon request, any and all assistance and information, records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created. The Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals.

The sum of seven thousand five hundred dollars ($7,500), together with the unexpended balance of moneys made available to the Assembly Committee on Governmental Efficiency and Economy created by House Resolution No. 62, is hereby made available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

Strike out the last paragraph of the printed resolution, and insert

"The sum of ten thousand dollars ($10,000), together with the unexpended balance of moneys made available to the Assembly Committee on Governmental Efficiency and Economy created by House Resolution No. 62, is hereby made

available from the Contingent Fund of the Assembly, for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer."

Amendment No. 2

Between the third and fourth paragraphs of the printed resolution, insert

"The committee hereby created shall also investigate, study and survey all facts and acts relating to or touching upon the administration, scope and operation of the Mechanics Lien Laws and shall report to the Legislature its recommendations for needed revisions of such laws."

Amendments read and adopted.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 195, as amended, at this time.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastam, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Salsman, Sawalhsch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—45.

NOES—Cam, Cassidy, Collins, George D., Cooke, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Kilpatrick, King, Massion, O'Day, Richie, Russell, and Thomas—18.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2149—An act to amend the School Code by adding Part 6 to Division 5 thereof, consisting of Sections 5.1500 to 5.1519, inclusive, to provide for and to regulate the certification of librarians.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 45, of the printed bill, after "to", insert "any person serving in any library in the Public School System, and shall not apply to any person serving in any other library".

Amendment No. 2

On page 3, line 47, of the printed bill, after "such", insert "other"

Amendment No. 3

On page 3, line 48, of the printed bill, after "thenceforth", insert "until otherwise provided".

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S REDUCTION

Assembly Bill No. 638—An act making an appropriation for the contingent expenses of the Assembly for the Fifty-fourth Session of the Legislature, including expenses of committees created at that session, and declaring that this act shall take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 638 become a law as originally passed by the Legislature, notwithstanding the objections of the Governor, reducing the amount of the appropriation?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Lyon, Masston, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 131—An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided

Bill read third time

Motion to Amend

Mr. Watson moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 8 to 20, inclusive, and insert "amended, which".

Amendment No. 2

On page 2, lines 29 and 30, of the printed bill, as amended, strike out "or the said city".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 40 to 46, inclusive; and in line 47, strike out "April 5, 1927."

Amendment No. 4

On page 4, line 15, of the printed bill, as amended, strike out "or the said city".

Amendment No. 5

On page 4, lines 36 and 37, of the printed bill, as amended, strike out "or said City of Newport Beach"

Amendment No. 6

On page 4, line 42, of the printed bill, as amended, strike out "or said city".

Amendment No. 7

On page 4, line 49, of the printed bill, as amended, strike out "or said city".

Amendment No. 8

On page 4, line 32, of the printed bill, as amended, strike out "or of the council of said city".

Amendment No. 9

On page 5, line 6, of the printed bill, as amended, strike out "or city".

Amendment No. 10

On page 5, lines 18 and 19, of the printed bill, as amended, strike out "or the said city".

Amendment No. 11

On page 5, lines 21 and 22, of the printed bill, as amended, strike out "or the said city"

Amendment No. 12

On page 5, line 23, of the printed bill, as amended, strike out "or said city".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Bashore, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered reprinted, and to third reading.

MOTION TO STRIKE ASSEMBLY BILL NO. 2166 FROM FILE

Mr. Bashore moved that Assembly Bill No. 2166 be stricken from the file.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Thorp, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2213

Hon. John Edward Cain Presiding

At 11:45 p.m., Hon. John Edward Cain, member of the Assembly from the Eighth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2213—An act to amend Section 13, and to add Section 13a, 13b, 13c to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser

F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Poulson, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—56.
NOES—Dilworth, and Kepple—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1030—An act creating a Commission on Vocational Training, Retraining and Guidance and defining its powers and duties, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2155—An act making an additional appropriation for construction, improvements, and equipment at the University of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11:46 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Motion to Expunge Record and Rescind Action

Mr. Voigt moved to expunge the record, and rescind the action whereby Assembly Bill No. 1327 was this day refused passage.

Mr. Allen seconded the motion

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Field, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—56
NOES—Green—1

MOTION TO POSTPONE CONSIDERATION OF APPROPRIATION BILLS

Mr. Carlson moved that no further bills carrying appropriations be taken up until they are properly entered on the third reading file.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out ", declaring the"; and strike out lines 3 and 4 of the title, and insert a period.

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 4 to 17, inclusive; and in line 18, strike out "An", and insert

"3.808 In all high school districts or unified school districts a suitable course in the Portuguese language shall be provided whenever a petition signed by two hundred fifty (250) qualified voters of the district asking that such a course be provided is filed with the governing board of the school district. No such course shall be offered when the enrollment therein falls below the minimum number of pupils determined by the governing board of the school district as necessary for offering the course.

SEC. 2. In adopting this section the Legislature hereby declares that an"

Amendment No. 3

On page 2, line 6, of the printed bill, as amended, strike out "established,"; and strike out lines 7 and 8, and insert "established"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Poulson, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.

NOES—Dilworth, and Field—2.

Bill ordered reprinted, and to third reading.

COMMUNICATIONS

The following communication from the Department of Finance relative to review of reports rendered by the department, was presented by Mr. Poulson, and ordered printed in the Journal:

Review of Certain Reports Rendered by the Division of Budgets and Accounts, Department of Finance

March 15, 1941

PRICE, WATERHOUSE & CO., 530 WEST SIXTH STREET
LOS ANGELES, March 15, 1941

Assembly Committee on Governmental Efficiency and Economy
California Legislature, Sacramento, California

DEAR SIRS: Pursuant to your instructions we have reviewed some of the reports (about 30 in number) rendered by the Division of Budgets and Accounts of the Department of Finance covering examinations made of the accounts and affairs of various State activities. The purpose of this review was to ascertain generally the procedure followed with respect to examinations, the current status of examinations of some of the larger departments, and some of the more important matters mentioned in the reports we reviewed.

General

We understand from our conversations with Mr. Fred W. Links, Chief of the Division of Budgets and Accounts, and with Mr. E. Morrice, Assistant Superintendent of Accounts, that in addition to periodic examinations and special examinations where the need is clearly indicated, the division is required to make special examinations to determine cash accountability as of the termination of employment of the person charged with responsibility for the cash transactions of any department, bureau, board or commission; that the division must rely on its own judgment in the selection of departments for periodic examinations and that an important factor in this selection is availability of staff. We also understand that upon completion of each examination the accountant in charge (who would be a principal or a senior) submits a signed and dated report in draft, addressed to Mr. Links; that after Mr. Morrice and/or Mr. Links have reviewed the draft report it is typed in final form, addressed to the Director of Finance, and signed by Mr. Links; that copies of the report are sent to the head of the department or bureau under examination and to the State Controller; and that with few exceptions the final report bears the same date as the draft report prepared by the accountant in charge of the examination.

As instructed, we compared the draft copy and the final copy of some of the reports. This comparison disclosed that the draft reports signed by the accountant in charge of the examination were not revised in any material respect before final typing except in the case of the report on examination of the records of the Department of Finance and Board of Control referred to hereinafter.

Our review disclosed that in some instances considerable time elapsed between the close of the period under examination and the date of the report and also between that date and the date copies were released to the department head and to the State Controller; some examples of this are shown below:

Department	*Period Covered*	*Date of Report*	*Release Date*
Twenty-second District Agricultural Association	Jan. 16, 1937, to Feb. 28, 1939	March 9, 1940	June 21, 1940
Department of Natural Resources	Dec. 1, 1936, to June 30, 1939	May 1, 1940	Oct. 30, 1940
Department of Industrial Relations	June 1, 1936, to Dec. 31, 1938	Sept. 30, 1940	Jan. 2, 1941
Department of Social Welfare	July 1, 1934, to Sept. 30, 1939	Nov. 6, 1940	Nov. 26, 1940
Board of Architectural Examiners, Northern Division (special examination)	Jan. 1, 1933 to July 20, 1940	Dec. 13, 1940	Feb. 6, 1941
Department of Finance and Board of Control	May 1, 1936 to June 30, 1938	Sept. 12, 1939	May 23, 1940
Franchise Tax Commissioner	July 1, 1937, to Oct. 31, 1938	Oct. 13, 1939	Feb. 13, 1940
State Controller	Jan. 1, 1934, to June 30, 1936	April 23, 1937	Not ascertained
State Board of Equalization	July 1, 1930, to June 30, 1935	April 30, 1940	Not ascertained

The Division of Budgets and Accounts prepares a monthly report of its activities. This report for the month of January, 1941, showed that examinations of the following departments, among others, were in progress at January 31, 1941.

Department	*Period Covered*	*Approximate hours expended to January 31, 1941*
Division of Highways	Sept 1, 1935, to Dec 31, 1940	24,100
Board of Equalization	July 1, 1935, to June 30, 1940	40,700
State Controller	July 1, 1936, to Dec 31, 1939	21,300
Department of Professional and Vocational Standards	April 1, 1938, to April 30, 1940	8,200
State Lands Commission	Nov. 1, 1934, to June 30, 1940	5,900
State Treasurer	July 1, 1936, to Dec 31, 1939	5,600

We were informed that none of the examinations listed above had reached the point where the reports thereon could conveniently be made available for our review but that the examination of the Division of Highways was substantially completed in January, 1941, and the accountant in charge would probably submit his report in March, 1941.

The January, 1941, report on activities showed that the Division of Budget and Accounts had 119 employees comprising, Chief of division, Assistant Superintendent of Accounts, Financial Research Technician, 100 accountants (7 classed as principals and 6 as seniors) and 16 stenographers, clerks, etc. Other statistical information summarized from this report is shown below:

Productive hours, pay roll, etc., for the seven months ended January 31, 1941—

Productive hours:	
Field audits—specific	81,122
Field work—miscellaneous	9,509
Technical and reimbursable services	30,211
Overhead	14,007
Total productive (90.18 per cent of hours available)	134,849
Amount of pay roll	$155,100
Pay roll cost per productive hour	$1.15

Approximate number of hours—	*Hours*
Required to cover one year's transactions of the departments and bureaus subject to audit	98,000
Required to bring audits of such departments and bureaus to current six months (i.e., to July 31, 1940)	219,600
Expended on audits in progress at January 31, 1941	97,300
Hours in arrears at January 31, 1941, reported as equivalent to about 15 months arrearage based upon above estimate of 98,000 hours	122,300

Review of Reports on Examinations

Our review indicated that the auditors directed their attention to such matters as statutory duties and requirements, organization, accounting procedures and internal control, as well as to the accounting for receipts and expenditures. It appeared that detailed audits of the transactions were not attempted (this would *obviously be impracticable except perhaps in a few instances) but that the auditors* made test-checks of underlying records and other supporting evidence; it is reasonable to suppose that the extent of such test-checks varied according to the condition of the records and the efficacy of the system of internal control but this, of course, *could not be established by reviewing the reports. Judging from the comments and* recommendations in the reports, both the methods of internal control and the condition of the records were usually found to be unsatisfactory.

Some of the more important matters set forth in certain of the reports are summarized as follows.

Department of Finance and Board of Control

The report on examination for the period May 1, 1936, to June 30, 1938, comprising 45 pages of text, was dated September 12, 1939, and released on May 23, 1940. No financial statements accompanied the report which explained that the examination was being continued and that authenticated financial statements would be prepared when it was completed. We observed that the January, 1941, report on activities of the Division of Budgets and Accounts showed the examination of the Department of Finance to be 25 months in arrears and that it would require about 5,800 hours to bring it to the current six months—that is, up to July 31, 1940; the examination was not reported as in progress at January 31, 1941.

The report we reviewed described the history of the department's formation, the activities it took over from other State agencies, subsequent changes therein, and its numerous activities as of June 30, 1938; it also summarized statutory requirements regarding auditing of other State agencies and reported that these had not been fulfilled in all respects. It was explained in the report that the examination was extended to cover activities of the Board of Control. " * * * because of the apparent impossibility of drawing a clear line of demarcation between the department and the board." We understand that at the department's request the Attorney General rendered an opinion in January, 1939, which helped to clarify this situation.

There were numerous criticisms of the department's accounting procedures and controls, its form of organization, its functional duties and manner of discharging them, in this connection the following is quoted from the report:

> "It will be noted that when the provisions of law relating to the powers and duties of the department are grouped around an orderly framework there are marked gaps and vacancies, while at the same time, some statutory duties appear to have no relationship to any possible organization of the duties along functional lines Perhaps it would not be presumptive to suggest that a revision and clarification of the Political Code would be of benefit with a view to stating the functional powers and duties of the Department of Finance in broad, general terms, instead of the present, often narrow, definitions which sometimes overlap and sometimes leave serious gaps."

With regard to non-compliance with the statutory requirement of audits of every State agency at least once a year, the report attributed this to failure of the Legislature to provide the funds necessary for sufficient personnel to keep the department abreast of its increased duties. It pointed out that the Division of Budgets and Accounts had only 17 employees on January 1, 1935, and although the number had increased to 77 early in 1936 only about 50 of these had been employed on audit work since July, 1936, the remainder being engaged in budget preparation, administration and research; that according to recent estimates more than 50 auditors were required to keep abreast of current work, which estimate did not allow for bringing arrearages up to date.

Presumably the information recited in the report regarding the staff available for auditing was as of the close of the period under examination (June 30, 1938) rather than as of the date appearing on the report (September 12, 1939) or the date of its release (May 23, 1940). According to monthly reports of activities, there were about 90 auditors employed at October 31, 1939, and 95 at May 31, 1940; as previously mentioned there were 100 in January, 1941.

Among other matters of general interest mentioned in the report are the following.

> There was no executive head of the Division of Service and Supply to coordinate the various activities of this division. The report stated that an able administrator in this position would be of immeasurable value to the State.
>
> The absence of detailed property records in the accounting office. In this connection the report reiterated a previous recommendation that physical inventories of property should be taken and records established therefrom by the Department of Finance.
>
> An organization chart of the department was included which showed nine divisions each responsible directly to the Director of Finance and not to any other division. The report stated that this chart was theoretical and had little similarity to conditions actually prevailing.

We reviewed the manuscript draft of the report which was signed by the auditor in charge of the examination and addressed to the Assistant Superintendent of Accounts There were a number of points of difference between this manuscript report and the typed report addressed to the Director of Finance and signed by the

Chief of the Division of Budgets and Accounts; some of the more important of these are summarized below:

Following the presentation of the above-mentioned theoretical organization chart, the manuscript draft contained the following which was omitted from the typed report:

> "The Bureaus of Buildings and Grounds, Purchases, and Printing are theoretically responsible directly to the Director of Finance but in actuality they have come under the influence of the Division of Budgets and Accounts to a degree which is difficult to measure and state in definite terms but which nevertheless must be recognized.
>
> Therefore, leaving out of consideration the autonomous units and showing the lines of authority as they actually exist with respect to the units which are primarily subject to the executive authority of the Director of Finance, we have the following chart:"

At this point in the manuscript report there appeared a chart showing one line of authority running to the Director of Finance from the Superintendent of Accounts and one line of authority running directly to the Superintendent of Accounts from each of the following activities: Financial supervision; Division of Budgets and Accounts; Departmental Accounting Office; Bureau of Buildings and Grounds; Bureau of Printing, Bureau of Purchases. We understand that Mr. Links occupies the position of Superintendent of Accounts as well as that of Chief of the Division of Budgets and Accounts.

There was also deleted from the manuscript draft a paragraph pointing out the unusual difficulties attendant upon an examination of the accounting records of the Department of Finance by an employee of that department in which it was stated

> "Regardless of how thoroughly and impartially we have proceeded with our work, our findings will doubtless fail to enjoy the confidence which would be given those of independent auditors At the same time our actions in reviewing and criticizing the work of our associates and supervisors of our own department can obviously lead to friction and personal feelings. We believe that the proper way to avoid a repetition of this situation would be for the Director of Finance to enter into an agreement with the Controller or even with a Joint Legislative Committee for the periodical undertaking of this task. Skilled accountants could be temporarily engaged by the State agency undertaking the work, if necessary personnel were not already available, and the arrangement need not be objectionable to anyone. We suggest that the Director of Finance ascertain from the Attorney General whether such procedure would satisfy the provisions of the Political Code as to the responsibility of the director for auditing all State agencies"

Another section that was deleted read as follows:

> "It appears to be the statutory duty of the Department of Finance to coordinate the needs of all State agencies and institutions, taking into account available surpluses at any point, fixing prices therefor, and supplying the needs of the State as a whole in the most economical manner. We did not find evidence of any attempt to fix prices of surplus commodities. As we have explained in our comments on organization of the department there does not appear to be any recognition of this function.
>
> As to the matter of providing rules and regulations concerning the use of State buildings and grounds, we did not find evidence that such rules have been given formal and public expression. Records of the Bureau of Buildings and Grounds leave much to be desired especially with regard to the terms of occupancy, dates, and periods of occupancy, and similar matters concerning tenants.
>
> We were unable to find clear evidence of the degree to which management of the State Fair has been supervised by the Department of Finance or the manner in which such supervision has been effected."

In some instances statements in the manuscript report were reworded before typing in a manner that altered the implications of the original statement, as evidenced by the following examples:

Per Manuscript Report—	*Per Typed Report—*
"The accounting records can not be described as anything short of inadequate and unreliable."	"The accounting records were not found to be adequate in some respects."
"Records pertaining to the Division of State Lands were found to be in such condition that it was deemed advisable to exclude them from the purview of our examination at this time with the expectation that a special examination and system revision would be instituted in the near future."	"It was deemed advisable to exclude the Division of State Lands from the purview of our examination at this time for the reason that a special examination and system revision is to be undertaken in the near future."
"Our examination of the system of internal check disclosed several instances in which methods did not comply with accepted accounting theories."	"Our examination of the system of internal check disclosed several instances in which methods can be improved."

Board of Equalization

The report on examination covering the period July 1, 1930, to June 30, 1935, was dated April 30, 1940 (we did not ascertain the date it was released), and comprised 267 pages of text, 84 pages of exhibits and seven pages summarizing recommendations. We considered it would be impracticable in the time at our disposal to attempt to review this report in the detail that would be required to ascertain all the significant matters referred to therein A cursory review disclosed that the report emphasized the serious handicaps under which the board had operated because of an enormous increase in the volume of its activities and the complexity of its problems, and referred particularly to the impact of the Alcoholic Beverage Control Act which became effective July 1, 1935.

With regard to these problems in general the report stated:

> "The volume and complexity of the financial transactions connected with the numerous licensing and tax administering functions of the Board of Equalization which were assumed in 1933, and have grown from year to year, call for elaborate accounts, machine methods of record-keeping and effective systems of internal check and budgetary control. These, in turn, need constant supervision, modification and coordination
>
> Until April, 1935, the Department of Finance had done little, if any, system work during the expansion period. Much excellent work had been done by the board in centralizing and safeguarding the handling of cash receipts resulting from the activities of the several divisions; but many bookkeeping and accounting processes needed revision or development
>
> * * * Considerable time was spent in devising new or modified procedures, but only the most important needs were dealt with. The survey, revision and amplification * * * was by no means complete nor was there time to prepare the manuals of procedure which were much needed A great deal remains to be done in perfecting the entire accounting system of the board."

Under the section of the report titled "Summary of findings and recommendations" there appeared the following:

> "As the Department of Finance, pursuant to Section 654 of the Political Code, has general powers of supervision over all matters concerning the financial affairs and business policies of the State, we believe that steps should be taken to ascertain whether the practices of the Board of Equalization questioned herein, were, or are, allowable, in those instances where a legal determination has not already been made."

As previously mentioned an examination of the board's accounts and affairs for the period July 1, 1935, to June 30, 1940, was in progress at January 31, 1941, and had consumed about 40,700 hours to that date We were informed by Mr. Links that such examination included extensive system revision and that the revised system was now being installed and would be referred to in the forthcoming report to June 30, 1940; also, that the Attorney General's opinion had been sought and

obtained with respect to many of the questions raised in the report for the period ending July 1, 1935.

State Controller

The report on examination for the period July 1, 1934, to June 30, 1936, was dated April 23, 1937, and comprised 255 pages and referred to "* * * a mass of historical and statistical material which has been incorporated in additional indexed volumes for future reference * * *" As in the case of the above-mentioned report on the Board of Equalization we considered it impracticable to attempt to review this report in detail However, it was observed from reading certain sections that there were numerous criticisms of the procedures and records and this condition may perhaps best be summarized by quoting two separated paragraphs in the report:

> "We have concluded that the existing policies, cumulatively executed, have in the course of time brought about the performance of unnecessary activities and the neglect of essential functions."
>
> "And so we are confronted with an array of specific, trust, revolving, bond, assessment, interest and sinking funds, approximating 200 in number, each subject to accounting treatment and all involving much painstaking and rather futile clerical labor. There is little evidence of systematic expenditure of effort in the direction of maintaining an equilibrium between cost of services and revenues obtained through excise rates established to meet it, and it is recommended that a survey be initiated so that legislation may be secured designed to preserve such balance and eliminate unnecessary funds."

The report concluded with some 45 specific recommendations each of which was said to be referred to more particularly elsewhere in the report and some of which were said to repeat recommendations in previous reports

According to the January, 1941, report on activities of the Division of Budgets and Accounts, examination of the Controller's accounts for the period July 1, 1936, to December 31, 1939, was in progress and had consumed approximately 21,300 hours to January 31, 1941; other figures in this report suggested that approximately 5,300 additional hours would be required to complete the examination to December 31, 1939.

Franchise Tax Commissioner

The report covering the period July 1, 1937, to October 31, 1938, was dated October 13, 1939, and released on February 13, 1940 The report stated that improvements had been made in accounting records since the last preceding examination but that deficiencies still existed due chiefly to greatly increased volume of transactions and it was recommended that the commissioner study the feasibility of reorganizing the department's internal affairs to cope with this increase.

Among the specific recommendations made in the report were the following.

> "More extensive comparisons should be made of amounts reported on information returns and the amounts reported in the related personal income tax returns. The report stated that a test indicated such a comparison would result in the assessment of substantial additional amounts of income taxes, but that the commissioner's staff was of the opinion that the additional cost involved in the recommended procedure might well exceed the increased revenue.
>
> "Adequate safeguards should be provided against the loss of mail bags by fire or theft before the mail can be opened and the receipts recorded during the peak periods when tax installments are due.
>
> "More extensive use should be made of the commissioner's power under the Bank and Corporation Franchise Tax Act to suspend a corporation's right to do business when taxes become delinquent."

Department of Natural Resources

According to the report which we reviewed, this department comprises an Administrative Division and Operating Divisions for Fish and Game, Forestry, Parks, Oil and Gas, and Mines, which operating divisions are in turn segregated into various bureaus, sections and services The report covered the period December 1, 1936, to June 30, 1939, and was dated May 1, 1940, and released on October 30, 1940. It comprised 92 pages of text and 33 pages of financial statements and incorporated by reference four special reports (which we did not review) described as relating to Division of Forestry fire suppression costs, irregular pay roll transactions of that division, and unsatisfactory conditions in the Kern County unit from July 1, 1936, to March 31, 1940

After stating that there were no known cash shortages and describing the scope of examination in terms suggesting a rather extensive and satisfactory test-check audit, the report stated:

> "* * * Throughout our examination we consistently attempted to subject the records to a detailed scrutiny, however, in several instances the basic

records were so indefinite, incomplete, or in such chaotic condition, that it was necessary to limit our examination to certain gross or test checks."

and then went on to comment unfavorably upon nearly every phase of the department's accounting and other activities including compliance with provisions of the Political Code. Among such unfavorable comments were the following:

The accounting functions were so decentralized that definite control over expenditures, and to some degree revenues, was practically non-existent

Certain employees in positions of trust, and who handled cash, were not under bond.

Equipment and materials of the Forestry Division that had been purchased with State funds were inextricably commingled with like articles purchased with county, district or association funds.

Department of Social Welfare

The report for the period July 1, 1934, to September 30, 1939, comprising 42 pages of text and 20 pages of exhibits, was dated November 6, 1940, and released on November 26, 1940. Considerable space was devoted to rather detailed description of the various aid programs administered or supervised by the department and the difficulties involved in determining eligibility of persons to receive such aid

Reference was made to the greatly increased volume of work since the Federal participation plan was instituted and to the increased cost to the State as a result of participation in the Federal plan. With regard to the latter, the report presented a table showing that total grants and expenditures for aid increased from about $9,500,000 in the (86th) fiscal year ended June 30, 1935, to $55,200,000 in the (90th) fiscal year ended June 30, 1939, of which there came from State funds $5,800,000 in the 86th and $18,375,000 in the 90th fiscal years

It was stated in the report that in July, 1939, the Attorney General had ruled that the Department of Social Welfare no longer had direct or implied authority to examine or report upon activities of penal institutions because an amendment to the Welfare and Institutions Code, effective August 27, 1937, was silent on this point.

The report also stated that because the Attorney General had ruled that counties, rather than the State, should bear the cost of medical fees for eye examinations in blind aid cases, the department was in the position of having expended without legal authority some $64,000 for such purposes.

We received the general impression from the report that the auditor believed the department had performed its duties reasonably well, having regard to increases in the volume and complexity of its work and to insufficient personnel, and that it had probably erred on the side of liberality in granting aid because it had not the staff necessary to make the searching investigations of applicants necessary to determine initial and continuing eligibility for aid.

Twenty-second District Agricultural Association (San Diego County)

We reviewed three reports on the accounts and affairs of this association; one of these related solely to the association's transactions with Del Mar Turf Club for the period January 8, 1936, to December 31, 1937, and the other two covered the periods January 28, 1936, to January 15, 1937, and January 16 1937, to February 28, 1939. We were informed that this association's accounts are now being examined for the period March 1, 1939, to a recent date; also, that all district agricultural associations are under the administrative jurisdiction of the Department of Finance as well as being subject to audit by that department.

The earlier of the three reports we reviewed stated clearly that the association's accounts and affairs were in a deplorable condition; subsequent reports indicated little, if any, improvement in general conditions and pointed out further specific questionable practices although there had been some changes in the personnel of the association's board of directors.

There follows a summary of some of the many unsatisfactory conditions disclosed by the three reports:

"Although every official transaction of the association is subject to approval of the Department of Finance, such approval was sought and obtained only in isolated instances.

Employees acted without authority of the association's board of directors and in many instances appeared to have acted illegally.

Gross misstatements were made to the Department of Finance and significant information was withheld from it.

Directors acting in their official capacities had negotiated contracts in which they had a personal interest, thus violating the provisions of the Political Code. In this connection the report for the period January 28, 1936, to January 15, 1937, recommended that steps be taken to recover some $2,700 from three directors; we were informed that this matter is currently receiving attention of the State Controller and the Attorney General.

Two directors were salaried employees of Works Progress Administration and this condition, in the language of the report, '* * * gave rise to

numerous disputes with respect to claims and to a marked tendency to pay out of association funds such charges as could not pass muster under WPA audit.'

The association's expenditures to December 31, 1938, totaled about $820,000 for a wide variety of purposes and in many instances the records were not adequate to permit ascertaining whether expenditures were made within statutory limitations For example, payments of about $1,700 were made to attorneys although the State Attorney General had ruled that only he or his deputies could legally be employed by the association; payments of about $36,000 were made to architects but the auditor could discover neither a written contract nor statutory authorization for their employment; a payment of $3,000 for balance of professional services was made by Del Mar Turf Club at the written request, and for the account, of the association despite the auditor's prior specific recommendation that such payment be not made.

An employee disbursed some $4,300 from office cash in the period January 28, 1936, to January 15, 1937, notwithstanding refusal of the then president of the association to countersign checks which had been prepared to cover such disbursements. (According to a letter we inspected acknowledging receipt of an audit report, this employee was general manager of the association in July, 1940.)

The transactions with Del Mar Turf Club were referred to in considerable detail. It seems that in accordance with written agreements, the Turf Club financed association expenditures for certain capital outlays and obtained a lease for racing purposes on the property so financed and that the amounts advanced by the Turf Club are recoverable by it only from amounts due the association as rental for the property or from amounts that may be appropriated to the association for capital outlay. (Although the report did not so state, presumably such appropriations, if any, would be made from State funds.) At December 31, 1938, the association's indebtedness to the Turf Club was about $436,000; it was not stated whether this was secured by a lien upon the property financed by the Turf Club. According to the report, the Del Mar Turf Club appears to have exerted a strong influence over the association's affairs and some degree of actual control over its employees.

Real property purchased for $27,730 was said in the report dated March 9, 1940, to have been informally appraised as worth not to exceed $4,000 at time of purchase. The purchase price of one parcel was $25,000 of which $8,500 was payable 'from net revenues and receipts' and was subsequently paid; the report pointed out that while the term 'net revenues and receipts' was ambiguous, it was questionable whether the association '* * * ever had any cash resources which would come within any reasonable interpretation of such term * * *' The report stated that the $8,500 represented the payee's profit on resale of the real estate to the association; also, that prior to the payment, the payee had informed the auditor orally that when he collected the $8,500 he would donate $4,000 back to the association but that there was neither allegation nor record of such donation having been made."

With regard to the last mentioned transaction, we inspected an opinion of the Attorney General, dated April 23, 1937, to the effect that the $8,500 should be paid if the purchase was advantageous to the association and there were funds available. Mr. Links informed us that following receipt of such opinion the Department of Finance had the property appraised and that the appraisal supported the purchase price. We did not ask to see the appraisal report.

Board of Architectural Examiners, Northern Division

The Board of Architectural Examiners has a Southern Division with headquarters in Los Angeles and a Northern Division with headquarters in San Francisco. A special examination was made of the accounts of the Northern Division for the period January 1, 1933, to July 20, 1940, and copies of the report thereon, dated December 13, 1940, were sent to the Director of the Department of Professional and Vocational Standards and to the State Controller on February 6, 1941. We were informed that the purpose of this examination was to establish the accountability at date of resignation of the employee (Mrs. Jeanne Cathcart) who for some years had performed the duties of the board's secretary-treasurer. The special examination disclosed a cash shortage of $4,750 which was established to have occurred during the following years:

1933		$330
1934		270
1935	(overage)	(70)
1936		735
1937		820
1938		130
1939		930
1940	(to July 20)	1,605
		$4,750

The report stated that the amounts of the shortage were developed by reference to collection reports, file copies of renewal certificates, examination applications and other records available in the office of the board together with replies to letters sent by the auditors to all persons known to have sat for recent examination and to persons listed in the 1940 published Roster of Licensed Architects. The report also stated that there was no evidence of forgery or of improper endorsement on checks thus indicating that the misappropriations were made from currency of which relatively substantial amounts were remitted by applicants; also, that recorded collections had been withheld in some instances from four to twelve months before being deposited. According to the report, 49 persons sat for the Northern Division's examinations in June, 1940, but examination fees were reported from only 10 of such persons.

It was said in the report that Mrs. Cathcart was under bond of $1,000 from October 1, 1932, to July 20, 1940; that the person who held the position of secretary-treasurer from July 1, 1933, to April 1, 1936, was not under bond but that his predecessors and successors were each under bond of $2,500. The report expressed the opinion that despite her denial of any wrongful acts, Mrs. Cathcart was clearly personally accountable, and that the State should seek recovery from her and her surety and that if full recovery was not thereby effected then the State should look to the persons who held office as secretary-treasurer during the several periods.

We were informed that the State Controller has conferred with the Attorney General regarding the action to be taken in this matter.

In view of the above-mentioned shortage we referred to reports covering examinations of the Department of Professional and Vocational Standards for the periods January 1, 1931, to June 30, 1935, and July 1, 1935, to March 31, 1938, to ascertain the general scope of those examinations and the reported findings regarding affairs of the Board of Architectural Examiners, Northern Division. The earlier of these two reports contained no specific reference to the scope of examination but recommended the consolidation of the Northern and Southern Divisions of the Board of Architectural Examiners in the interests of economy, pointing out that the two districts cost three times as much to operate as another having a greater number of licensees. Under the section relating specifically to the Board of Architectural Examiners, Northern Division, the report stated "No accounting has been supplied to cover No. 750 of the examination series"; presumably this referred to an examination certificate.

The report for the period July 1, 1935, to March 31, 1938, contained a section entitled "Scope of examination" which stated among other things:

> "We * * * inspected the audit copies of all licenses issued by the boards, bureaus or commissions and reconciled them with accountability therefor; examined the records of examinations of applicants and reconciled them with the amount accreted therefor."

and in the section relating specifically to the Board of Architectural Examiners, Northern Division, the statement was made:

> "Accountability for fees earned during the period November 4, 1935, to April 6, 1938, appears to have been properly discharged."

As previously mentioned, an examination of the accounts of the Department of Professional and Vocational Standards was in progress at January 31, 1941, and had consumed approximately 8,200 hours to that date; this examination covers the period April 1, 1938, to April 30, 1940, and we understand it was commenced during May, 1940, at which time an auditor visited the office of the Bureau of Architectural Examiners, Northern Division, to verify cash balances, etc.

* * * * * * * * * * * *

The foregoing comments summarize the more important matters that we observed in our limited review of reports. In addition to the reports listed above, we reviewed the following:

Department	*Period*
Department of Industrial Relations	June 1, 1936, to Dec. 31, 1938
Board of State Harbor Commissioners	Jan. 1, 1938, to June 30, 1939
Humboldt State College	July 1, 1937, to July 31, 1940
California School for the Blind	April 1, 1938, to May 31, 1940
Legislative Counsel Bureau, California Code Commission	Jan. 1, 1938, to Nov. 30, 1940
San Quentin Prison (cash transactions only)	Oct. 5, 1939, to Aug. 31, 1940
Veterans' Home of California (cash transactions only)	Oct. 15, 1940, to Dec. 16, 1940
Industrial Home for Adult Blind	March 1, 1937, to Sept. 30, 1940
Department of Penology—Division of Pardons and Commutations, Prison Advisory Board	July 1, 1937, to Dec. 31, 1939
45th District Agricultural Association	Jan. 1, 1937, to Dec. 31, 1938
(Imperial County)	Jan. 1, 1939, to Aug. 31, 1940
Eight other district agricultural associations	Various, ending in 1940

Although these reports described conditions to be unsatisfactory in many respects, they contained nothing that appeared to be sufficiently important to warrant specific comment.

Conclusion

We understand that you desire an expression of our views on the subject of post audits of State activities. We have not had an opportunity to study all the ramifications of this problem nor to have the benefit of any extended discussion with Mr. Killion, Director of Finance, or Mr. Links, Chief of the Division of Budgets and Accounts. However, we submit the following general observations which we trust will be helpful to the Committee in its study of the matter.

(1) An appropriate State officer (possibly the Controller) should be specifically authorized to investigate promptly any reported expenditures for purposes or in amounts of questionable value to the State, and to order that no further expenditures be made or obligations incurred for such purposes pending decision by competent authority. We understand that it is not clear at present where, if at all, authority for such action is now vested.

(2) We believe that it is fundamentally unsound for the post auditing function to be vested in a department which exercises administrative control over any of the State activities which it is called upon to audit. In order to obtain the maximum value of post auditing commensurate with its cost, it seems to us essential that the work be done by a department completely independent of any other department; the head of such department will hereinafter be referred to for convenience as the Auditor General.

(3) Primary emphasis should be laid upon the establishment and maintenance of adequate systems of internal control in the various State departments and agencies so as to provide better current control over receipts and expenditures and better accounting therefor. The Auditor General should be empowered and required to enforce recommendations for improvements in methods after adequate discussion with the head of the department affected; absence of some such authority is bound to defeat in large measure the constructive purposes of any auditing program. We understand that it is not clear at present just how far the Department of Finance may go in this matter over the opposition of heads of other departments.

(4) The Auditor General's staff should be expected to do less detailed checking so as to devote more time to the constructive work of improving methods and procedures. To this end we believe that the present statutory requirement for an annual audit of every State agency should be changed; furthermore this requirement has proved too onerous to be practical. We believe it would be preferable to require an audit of each agency once every three years and at such other times as may be deemed necessary by the Auditor General.

(5) The work of the auditing staff should be carefully planned and closely supervised by the Auditor General who should be a skilled accountant and an able executive. We believe that it would be to the best interests of the State for the Auditor General's staff to be relatively small and include a sufficient number of well qualified accountants of supervisory and senior grade, whose work should be principally directed to ascertaining whether the accounts of the various State activities were being properly maintained and their financial affairs properly reported. In order that the staff may be kept small and relatively more efficient we suggest that the policy be adopted of employing independent public accountants to make such extraordinary investigations of State departments or activities as may be required from time to time. The Auditor General, with the approval of an appropriate committee of the Legislature, might be authorized to engage such outside assistance to meet emergencies which would otherwise interfere with the predetermined program of work being carried out by the Auditor General's staff. The reports of independent public accountants employed on emergency work should be addressed jointly to the Auditor General and to the committee of the Legislature.

(6) Inasmuch as the Legislature not only makes appropriations, but also designates within broad limits the purposes for which the funds shall be expended, it would seem desirable and proper that the Auditor General be appointed by, and be responsible only to, the Legislature.

(7) We believe it would be desirable for the Legislature to retain a firm of independent public accountants as auditing consultants. They would be expected to collaborate with the Auditor General in planning the post audit work and in the preparation of his annual report to an appropriate committee of the Legislature and also to submit their own independent report annually to such committee expressing their opinion upon the nature of the auditing program and the effectiveness with which it has been carried out. To obtain the maximum benefit from the services of the consulting auditors, the same firm should be reappointed from year to year so long as their services are considered to be satisfactory. This will obviate loss of the accumulated familiarity which the consultants will obtain with respect to the problems involved and with the progress being made.

It should be understood that we have not attempted to ascertain whether the foregoing suggestions are permissible of adoption under the present State procedure; also, we have not had the opportunity for adequate discussion of the problem with

the Director of Finance and his assistants and such a discussion might indicate the need for revising some of the above suggestions.

We shall be pleased to confer with the committee in its study of the situation if that is desired.

Yours very truly,

PRICE, WATERHOUSE & CO
By T. G. DOUGLAS

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately

Bill read third time.

Motion to Amend

Messrs. Collins, George D., and Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert "six hundred twenty thousand eight hundred twenty-one dollars and seventy-nine cents ($620,821.79) is".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 12 to 16, inclusive, and insert

"SEC. 2. The sum of six hundred twenty thousand eight hundred twenty-one dollars and seventy-nine cents ($620,821.79) shall be paid as follows: Five hundred thirty-one thousand two hundred forty-four dollars and seventy cents ($531,244.70) out of any money in the State Treasury not".

Amendments read.

Motion to Table Amendments

Mr. Field moved that the amendments to Assembly Bill No. 1998 be laid on the table.

Mr. Kepple seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, Sam L., Desmond, Dills, Dilworth, Doyle, Evans, Field, Hastain, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Poole, Potter, Poulson, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, and Weber—38.

NOES—Bennett, Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Johnson, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Salsman, Thomas, Welch, and Wollenberg—30.

Motion to Amend

Mr. King moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "eighteen", and insert "nineteen".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 4, and insert "twenty-six dollars and seventy-nine cents ($619,326.79) is".

Amendment No. 3

On page 1, line 12, of the printed bill, as amended, strike out "eighteen", and insert "nineteen".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert "hundred twenty-six dollars and seventy-nine cents ($619,326.79) shall

be paid as follows: Five hundred twenty-nine thousand seven hundred forty-nine dollars and seventy cents".

Amendment No. 5

On page 1, line 16, of the printed bill, as amended, strike out "($528,744.70)", and insert "($529,749.70)".

Amendments read, and withdrawn by author.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Allen, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1998.

The question being on the passage of Assembly Bill No. 1998.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

FLETCHER
KUCHEL
BREED
Senate Committee on Conference

WATERS
COLLINS, SAM L.
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—62.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on May 23, 1941, be further amended as follows:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, after "Institutions", insert "with respect to the Industrial Home for the Adult Blind".

Amendment No. 2

On page 1, lines 7 and 8, of the printed bill, as amended, strike out ", and married couples".

POWERS	CARLSON
PHILLIPS	POTTER
PARKMAN	CROWLEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—65.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 205
Senate Bill No. 413

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 205—An act to amend Section 13, and to add Sections 13a, 13b, 13c, to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to the regulation and licensing of horse racing and the administration of the act.

Referred to Committee on Public Morals.

Senate Bill No. 413—An act to amend Sections 781 and 786.5 of the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

RESOLUTIONS

The following resolution was offered:

By Messrs. Cronin, Maloney, Call, Gaffney, Green, O'Day, Collins, George D., Wollenberg, Gallagher, and Welch:

House Resolution No. 247

WHEREAS, San Francisco has for over 20 years annually held a Columbus Day Celebration sponsored by the population of Italian extraction of that city; and

WHEREAS, These celebrations have been so colorful and of such magnitude that they have created State-wide interest in the event; and

WHEREAS, The Italian-American population of San Francisco is sponsoring a gala Columbus Day Celebration this year on October 11th and 12th and invitations to attend have been extended to the members of the Legislature and to all citizens of California; now, therefore, be it

Resolved by the Assembly of the State of California, That it extends felicitations to the committee in charge of the Columbus Day Celebration to be held in San Francisco on October 11th and 12th of this year, and wishes it continued success; and be it further

Resolved, That the Speaker of this Assembly designate three of the members hereof as a Committee of the Assembly to assist in the celebration; and be it further

Resolved, That the Chief Clerk send a copy of this resolution to the Columbus Day Celebration Committee of San Francisco.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 247, at this time, without reference to committee.

Resolution read and adopted.

Hon. Charles W. Lyon Presiding

At 11.47 p.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of more than one call of the Assembly, on Assembly Bill No. 1337.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1337 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Desmond moved that Assembly Bill No. 1337 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 11.48 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Desmond, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1338.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1338 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Desmond moved that Assembly Bill No. 1338 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried Time, 11.49 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2229

Mr. Dilworth moved that Assembly Bill No. 2229 be withdrawn from the file, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. F. N Howser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2598.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2598—An act to add Section 87.5 to the Agricultural Code, relating to district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M, Cain, Call, Carlson, Clarke, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T Fenton, Leonard, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawalliseh, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—Field, and Houser, Frederick F—2.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 FROM COMMITTEE

Mr. Meehan gave notice that on the second legislative day he would move to withdraw Assembly Constitutional Amendment No. 14 from the Committee on Constitutional Amendments, and have it placed upon the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON INTRODUCTION OF A BILL

At 11.50 p.m., on motion of Mr. Garland, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill granted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time.

Assembly Bill No. 2660: By Mr. Garland—An act to add Section 161.5 to the Vehicle Code, relating to the return of 1941 license plates or payment in lieu thereof, providing for the sale of such plates, making an appropriation of the proceeds of such sale and of other money collected thereunder for recreational facilities in military and naval training camps in this State, declaring the urgency thereof, to take effect immediately.

Without reference to committee.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Potter.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics

Respectfully submitted.

FRANKLIN J. POTTER

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Potter:

An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin,

Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—69

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2661: By Mr. Potter—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Without reference to committee.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 530 WAIVED

Mr. Cronin waived his notice of motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1124 WAIVED

Mr. Thurman waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1124 was passed.

Assembly Bill No. 1124 ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 531 AND 532 FROM COMMITTEE WAIVED

Mr. Cronin waived his notice of motion to withdraw Assembly Bills Nos. 531 and 532 from the Committee on Roads and Highways.

CONSIDERATION OF HOUSE RESOLUTION NO. 144

House Resolution No. 144

WHEREAS, The Committee on Live Stock and Dairies, created by House Resolution No. 45 of this session to study the problem of milk production and distribution, and swine diseases, has not completed its investigation, although its funds are nearly exhausted, and it is necessary that the investigation be completed so that the Legislature may have facts upon which to base legislative action, now, therefore, be it

Resolved, That the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, in addition to any other moneys heretofore made available, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Committee on Live Stock and Dairies and its members, and for any charges, expenses or claims that the committee may incur under House Resolution No. 45, to be disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the State Treasurer.

Resolution read.

Motion to Amend

Mr. Thorp moved the adoption of the following amendment:

Amendment No. 1

In line 1 of the second paragraph after "*Resolved*, That the sum of"; strike out "$2,500", and insert "$1,500".

Amendment read and adopted.

Request for Unanimous Consent

Mr. Thorp asked for, and was granted, unanimous consent to take up House Resolution No 144, as amended, at this time.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kepple, Kilpatrick, King, Knight, John B, Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Carlson, and Houser, Frederick F.—2

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO SENATE BILL NO. 877

At 11.51 p.m., on motion of Mr. Phillips, further proceedings under the call of the Assembly were dispensed with.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Phillips moved a call of the Assembly.

Motion carried. Time, 11.52 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO SENATE BILL NO. 877

At 11.53 p m., on motion of Mr. Phillips, further proceedings under the call of the Assembly were dispensed with.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Field moved a call of the Assembly.

Motion carried. Time, 11.54 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION FOR TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. O'Day moved that Assembly Rule No. 33 be temporarily suspended by unanimous consent.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Gaffney, Gallagher, Kilpatrick, Massion, Meehan, O'Day, Richie, Russell, and Tenney—16.

NOES—Allen, Call, Carlson, Collins, Sam L., Daley, Desmond, Dilworth, Field, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Miller, Millington, Phillips, Potter, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—28.

Motion to Recess

Mr. Tenney moved that the Assembly recess for five minutes to hear from Mr. Fred Wood, Legislative Counsel, on a decision relating to a call of the Assembly

Point of Order

Mr. Field arose to the following point of order: That under a call of the Assembly other business could not be transacted without unanimous consent.

The Speaker declared the point of order well taken.

Appeal From Decision of the Chair

Mr. Bennett appealed from the decision of the Chair.

Chair Sustained

The roll was called, and the ruling of the Chair sustained by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L, Cooke, Daley, Desmond, Dickey, Dilworth, Field, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—43.

NOES—Bennett, Burkhalter, Cain, Collins, George D, Cronin, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Maloney, Massion, Meehan, O'Day, Richie, Russell, and Tenney—19.

Motion to Dispense With Further Proceedings Under Call of the Assembly on Governor's Veto to Senate Bill No. 877

At 11.55 p.m., Mr. O'Day moved that further proceedings under the call of the Assembly be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Cain, Collins, George D, Cooke, Cronin, Crowley, Del Mutolo, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Richie, Sawallisch, and Tenney—23.

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L, Daley, Desmond, Dickey, Dilworth, Field, Hastam, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kepple, Knight, T Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Potter, Robertson, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—38

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO SENATE BILL NO. 877

At 11.56 p.m., on motion of Mr. Phillips, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to sustain the objections of the Governor to Senate Bill No 877 by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Cooke, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Field, Hastam, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Kellems, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Poulson, Robertson, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—54

NOES—Bennett, Burkhalter, Cain, Cassidy, Collins, George D, Cronin, Crowley, Del Mutolo, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Kilpatrick, King, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Sawallisch, Tenney, and Thomas—26.

Notice of Motion to Reconsider Veto to Senate Bill No. 877

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly refused to sustain the Governor's veto on Senate Bill No. 877

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON WITHDRAWAL OF ASSEMBLY BILL NO. 1337

At 11 58 p m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1337 was withdrawn from committee by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Field, Gunlock, Hastain, Heisinger, Howser, F. N., Knight, John B., Leonard, Lyon, Middough, Miller, Phillips, Poole, Potter, Richie, Robertson, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Burkhalter, Collins, George D., Cooke, Evans, Gaffney, Gallagher, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, Millington, O'Day, Pelletier, Russell, Salsman, Sheridan, and Voigt—23.

Assembly Bill No 1337 ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON WITHDRAWAL OF ASSEMBLY BILL NO. 1338

At 11 59 p m., on motion of Mr Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1338 was withdrawn from committee by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Middough, Miller, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Stream, Tenney, Thorp, Thurman, Turner, Weber, Weybret, Wollenberg, and Mr. Speaker—45.

NOES—Bashore, Bennett, Burkhalter, Collins, George D., Cooke, Evans, Gaffney, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Maloney, Massion, Meehan, O'Day, Pelletier, Salsman, Sheridan, Voigt, and Waters—21.

Assembly Bill No. 1338 ordered to second reading

REPORTS OF STANDING COMMITTEES

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 1400
Assembly Bill No. 1406

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

(Signed out)	SAWALLISCH, Chairman	PHILLIPS
	DESMOND	POTTER
	ROBERTSON	CRONIN
	SALSMAN	

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1765—An act to add a new section to the State Civil Service Act, to be numbered 57.1, relating to the officers and employees of the Railroad Commission of the State of California;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of June, 1941, at 9 p.m.

JOHN B KNIGHT, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto to.

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 811—An act to add Section 114 to Chapter 1 of Division 1 of the Business and Professions Code, relating to licenses for persons who have served in the armed forces.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions.

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 61

J. A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 355
Assembly Bill No. 2342

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 2493

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

Above bill ordered to unfinished business file.

ADJOURNMENT

At 11 59 p.m., on motion of Mr. Field, the Speaker declared the Assembly adjourned until 1.30 p.m., Friday, June 6, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETIETH LEGISLATIVE DAY
ONE HUNDRED FIFTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 6, 1941

The Assembly met at 1 30 p m.

Hon. Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond Dickey, Dilworth, Doyle, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F N., Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, and Weybret—48.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr Pelletier.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day.

Mr. Poulson, on motion of Mr. Waters.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 57: By Messrs. Houser, Frederick F., and Cooke—Relative to expressing the regret of the peoples of the State of California upon the retirement of the Honorable Charles

Evans Hughes, Chief Justice of the Supreme Court of the United States.

Request for Unanimous Consent

Mr Frederick F. Houser asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 57, at this time, without reference to committee, print or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 57

Assembly Joint Resolution No. 57—Relative to expressing the regret of the peoples of the State of California upon the retirement of the Honorable Charles Evans Hughes, Chief Justice of the Supreme Court of the United States.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Frederick F. Houser moved a call of the Assembly.

Motion carried Time, 1.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2660—An act to add Section 161.5 to the Vehicle Code, relating to the return of 1941 license plates or payment in lieu thereof, providing for the sale of such plates, making an appropriation of the proceeds of such sale and of other money collected thereunder for recreational facilities in Military and Naval Training Camps in this State, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2661—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1337—An act making an appropriation for the acquisition of real property in the City of Sacramento and the construction and equipment thereon of a building for the Department of Employment, as provided in Section 92 3 of the Unemployment Insurance Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1338—An act to add Section 92.3 to the Unemployment Insurance Act, relating to the establishment of a System of Unemployment Insurance and Employment Offices for this State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 814—An act to add Section 1.5 and to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 529—An act to add Section 1032.1 to the Military and Veterans Code, relating to veterans' bands.

Bill read second time, and ordered to third reading

Assembly Bill No. 1177—An act to add Sections 39, 40, 41, 41.1, 41 2, 41 3 and 42 to, and repeal Sections 39, 40, 41 and 42 of, the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1216—An act to add a new section to the Unemployment Insurance Act to be numbered 57 1, relating to the qualifications for eligibility for unemployment insurance benefits

Bill read second time, and ordered to third reading.

Assembly Bill No. 1223—An act to amend Sections 2, 6, 6 5, 7, 7 5, 8.5, 9 2, 9.7, 9.8, 10, 11, 13 and 15 of, and to add Sections 6 2, 6 3, 7.3 and 11.1 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Unemployment:

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "46,"

Amendment No. 2

On page 16 of the printed bill, as amended, strike out lines 47 to 52, inclusive, and on page 17, strike out lines 1 to 14, inclusive

Amendment No. 3

On page 17, line 15, of the printed bill, as amended, strike out "12", and insert "11"

Amendment No. 4

On page 17, line 33, of the printed bill, as amended, strike out "13", and insert "12".

Amendment No. 5

On page 17, line 43, of the printed bill, as amended, strike out "14", and insert "13".

Amendment No. 6

On page 18, line 7, of the printed bill, as amended, strike out "15", and insert "14".

Amendment No. 7

On page 18, line 25, of the printed bill, as amended, strike out "16", and insert "15".

Amendment No. 8

On page 18, line 40, of the printed bill, as amended, strike out "17", and insert "16".

Amendment No. 9

On page 19, line 1, of the printed bill, as amended, strike out "18", and insert "17".

Amendment No. 10

On page 19, line 8, of the printed bill, as amended, strike out "19", and insert "18".

Amendment No. 11

On page 19, line 31, of the printed bill, as amended, strike out "20", and insert "19".

Amendment No. 12

On page 19, line 33, of the printed bill, as amended, strike out "21", and insert "20".

Amendment No. 13

On page 19, line 46, of the printed bill, as amended, strike out "22", and insert "21"

Amendments read and adopted

Bill ordered printed, and to third reading.

Assembly Bill No. 987—An act to amend Section 48 of the Fish and Game Code, relating to fines and forfeitures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 48", and insert "Sections 27 and 48".

Amendment No. 2

In line 2 of the title of the printed bill, after "to", insert "county expenditures for fish and game conservation and propagation, including the disposition of".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "48", and insert "27".

Amendment No. 4

On page 1 of the printed bill, between lines 2 and 3, insert

"27. The boards of supervisors of the several counties may [establish and maintain fish hatcheries, and may purchase the spawn or ova of fish] *provide funds for the purpose of conservation or propagation of fish and game and may provide for the expenditure thereof through any association or organization within the county under the supervision of the board or of one of its members.*

SEC. 2. Section 48 of the Fish and Game Code is hereby amended to read as follows:".

Amendments read and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1400—An act to amend Section 10435 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 10435 of", and insert "repeal Article 4, comprising Sections 10490 to 10494, inclusive, of Chapter 5, Part 2, Division 2, of, and to add Article 4, comprising Sections 10490 to 10501, inclusive, to Chapter 5, Part 2, Division 2, of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Article 4, comprising Sections 10490 to 10494, inclusive, of Chapter 5, Part 2, Division 2, of the Insurance Code is hereby repealed.

SEC. 2. Article 4, comprising Sections 10490 to 10501, inclusive, is hereby added to Chapter 5, Part 2, Division 2 of the Insurance Code, to read as follows.

Article 4. Qualifications and Exemptions

10490. This article is applicable only to life and disability insurance. Except as otherwise expressly permitted by this code, life or disability insurance shall not be transacted in this State by any person other than a corporation. A person not exempted by Chapter 10 of this part shall not transact life or disability insurance in this State except pursuant to a valid and unrevoked certificate of authority issued by the commissioner or under a valid and unrevoked certificate of exemption issued by the commissioner pursuant to this article.

10491. Persons possessing a valid and unrevoked certificate of authority to transact life or disability or life and disability insurance issued by the commissioner are not subject to this article.

10492. Any incorporated benefit and relief association of nonprofit, charitable or eleemosynary character formed by public schools or officers or employees of public schools or school districts, that confines its privileges and membership to pupils of public or private schools may, if it complies with the requirements of this article, procure a certificate of exemption from the commissioner.

10493. Any incorporated benefit and relief association of nonprofit, charitable, or eleemosynary character formed by a church, lodge, labor union, or employees of a common employer that confines its privileges and membership to its own employees and the members of the church, lodge, labor union, employees or officers of such common employer, or employees or officers of companies or corporations of which a single employer owns at least one-quarter of the issued capital or voting stock, or to persons who were such corporate officers or employees at the time of becoming members of such association, may, if it complies with the requirements of this article, procure a certificate of exemption from the commissioner.

10494. Any incorporated domestic lodge, order or association of a purely religious, charitable or benevolent description that insures only the lives or health of its members and does not provide for death benefits of more than two hundred fifty dollars ($250) or for disability benefits of more than two hundred fifty dollars ($250) to any one person in any one year and does not issue to applicants or members, policies, benefit certificates, or any other visual evidence of benefits, except complete copies of the articles of association and by-laws, to be received by members or their beneficiaries, may, if it complies with the requirements of this article, procure a certificate of exemption from the commissioner.

10495. A certificate of exemption may be procured from the commissioner by filing with him certified copies of the articles of incorporation and by-laws of the applicant together with certified copies of any evidences of insurance which it may issue and a statement of the operations of the applicant. There shall also be filed with such application a statement of the financial condition of the applicant in such form as the commissioner may prescribe. The commissioner may, pursuant to Article 4, Chapter 1, Part 2, Division 1, require from any person transacting life or disability insurance, whether or not an applicant for a certificate of exemption, such information as will enable him to determine whether or not such person is transacting life or disability insurance in conformity with or in violation of this code.

10496. Any person transacting life or disability insurance without a certificate of authority so to do issued by the commissioner shall not give, allow, or promise to give or allow any compensation for procuring new members. The term "compensation" as used herein is confined to a payment, percentage, bonus or monetary credit given, promised or allowed for the securing of new members which directly or by any arrangement, understanding or device is based in whole or in part upon the number of new members or reinstatements procured, or the nominal or contingent value of their certificates or policies, or the net or gross amount of dues or premiums paid or payable by them or upon any other variable result or contingency.

10497. If the commissioner finds that an applicant for a certificate of exemption meets the applicable requirements of this article and those requirements of this code made applicable to such an applicant by this article, and that the applicant is not formed, conducted or operated for profit or as a commercial insurance enterprise for the benefit of any group or person rather than the relatively equal benefit of its members, he shall issue to the applicant a certificate of exemption.

10498 An applicant for a certificate of exemption must comply with, and the possessor of a certificate of exemption is subject to, the following provisions of this code.

Sections 1 to 41, inclusive;
Chapter 1, Part 1, Division 1;
Chapter 2, Part 1, Division 1,
Chapter 3, Part 1, Division 1,
Article 3, Chapter 4, Part 1, Division 1;
Article 4, Chapter 4, Part 1, Division 1;
Chapter 5, Part 1, Division 1;
Article 1, Chapter 6, Part 1, Division 1;
Article 3, Chapter 6, Part 1, Division 1;
Chapter 9 Part 1, Division 1;
Article 1, Chapter 1, Part 2, Division 1;
Article 4, Chapter 1, Part 2, Division 1;
Article 6, Chapter 1, Part 2, Division 1;
Article 8, Chapter 1, Part 2, Division 1;
Article 9, Chapter 1, Part 2, Division 1;
Article 14, Chapter 1, Part 2, Division 1;
Article 15, Chapter 1, Part 2, Division 1;
Article 16, Chapter 1, Part 2, Division 1;
Article 17, Chapter 1, Part 2, Division 1;
Article 1, Chapter 2, Part 2, Division 1;
Article 2, Chapter 2, Part 2, Division 1;
Article 3, Chapter 2, Part 2, Division 1;
Article 4, Chapter 2, Part 2, Division 1;
Article 5, Chapter 2, Part 2, Division 1,
Article 7, Chapter 2 Part 2, Division 1;
Chapter 1, Part 2, Division 2;
Chapter 2, Part 2, Division 2;
Chapter 3, Part 2, Division 2,
Article 1, Chapter 5, Part 2, Division 2;
Division 3

10499 The commissioner may at any time notify any corporation possessing a certificate of exemption that he has grounds to believe that it is violating any of the applicable provisions of this code or is not operating in strict conformity with the documents filed with the commissioner as a basis of its application for the certificate of exemption. The notice shall fix the time and place for hearing at which the person notified may appear and show cause why the commissioner should not revoke its certificate of exemption The time fixed shall not be less than 15 nor more than 60 days after date of the notice

At the time and place specified in the notice and order to show cause, the commissioner shall hold a hearing at which the possessor of a certificate of exemption may present evidence to show that it is not violating any applicable provision of this code, and that it is operating in conformity with the documents which were filed as a basis for the certificate of exemption If after such hearing the commissioner finds the evidence shows that the operations of the corporation are in violation of any of the applicable provisions of this code, or are in violation of the documents upon which its application for certificate of exemption was based, the commissioner shall revoke the certificate of exemption and the corporation whose certificate of exemption is thus revoked shall cease the transaction of life and disability insurance until it procures a new certificate of exemption or a certificate of authority under other provisions of this code

This article does not prevent the commissioner from acting and bringing proceedings under Article 14, Chapter 1 Part 2, Division 1, if grounds exist for the institution of such proceedings with respect to any person transacting life or disability insurance either with or without a certificate of exemption

10500 Every person not exempted by Chapter 10 of this part who transacts life or disability insurance without a valid and unrevoked certificate of authority or without a valid and unrevoked certificate of exemption issued pursuant to this article, is guilty of a misdemeanor Every employee, officer or agent of any person who knowingly assists any person in the transaction of insurance in violation of this article, is guilty of a misdemeanor

10501 Any person specified in Sections 10492 10493 and 10494 who is transacting life or disability insurance at the time this article takes effect without a valid and unrevoked certificate of authority so to do, may continue the transaction of life or disability insurance for a period of not more than 30 days thereafter if within 15 days after this article becomes effective it files with the commissioner notice of intention to apply for a certificate of exemption

If, after such investigation as he may deem necessary, the commissioner is satisfied that reasonable grounds exist to believe that the filer of a notice of intention to apply for a certificate of exemption is able to or will conform to the requirements of this article he may by written order, extend the time during which

it may transact life or disability insurance pending the filing of a proper application for and issuance of a certificate of exemption."

Amendments read and adopted.

Bill ordered printed, and to third reading

Assembly Bill No. 1406—An act to add Article 18, comprising Section 1120, to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 10434 of the Insurance Code, relating".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 10434 of the Insurance Code is hereby amended to read as follows:

10434. A domestic insurer shall not pay nor contract to pay, directly or indirectly, any compensation contingent upon the acts set forth in subdivision (a) to any of the parties specified in subdivision (b)

(a) It shall not pay to such party any commission or other compensation contingent upon any of the following acts

(1) The writing or procuring of any policy of life, disability or both classes in insurance in such insurer

(2) Procuring an application therefor by any person.

(3) The payment of any renewal premium or the assumption of any life, disability or both of these classes of insurance by such insurer.

(b) It shall not pay such compensation to

(1) Its president.

(2) Its vice president.

(3) Its secretary.

(4) Its treasurer.

(5) Its actuary.

(6) Its medical director or other physician charged with the duty of examining risks or applications for any of these classes of insurance.

(7) Any member of its board of directors

(8) Any officer of the insurer other than its agent or solicitor

(c) This section shall apply to admitted foreign insurers as respects the transaction of life and disability insurance in this State, but not otherwise, *except as provided in subdivision (d).*

(d) Where the commissioner finds after hearing that an admitted foreign insurer is engaged in any other State or country in any of the acts prohibited to domestic insurers by this section and that the solvency of such an insurer is endangered by such acts, he shall notify the insurer to discontinue such acts. Upon receipt of such an order, the insurer shall discontinue such acts."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 26, inclusive.

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 628—An act to amend Section 61 of the California Irrigation District Act, relating to indebtedness of irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1329—An act to add Section 12b to the California Districts Securities Commission Act, relating to notice and hearing of certain proceedings before the California District Securities Commission and relating to the change, modification or amendment of refund-

ing plans and of the terms and conditions of refunding bonds of irrigation districts, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 715—An act to amend Section 6060 and to repeal Section 6061 of the Business and Professions Code, relating to admissions to the practice of law.

Bill read second time, and ordered to third reading.

Senate Bill No. 981—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, relating to the enforcement of this act and the payment of fees, salaries, costs, and expenses therefor from live stock indemnity funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 568—An act to add Section 1.92 to the School Code, relating to transportation of pupils to and from elementary and secondary schools other than public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter; to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to declare the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1159—An act to amend Section 2931a of the Civil Code, relating to making the State of California a party to certain actions pertaining to real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended, strike out "any such liens", and insert "the liens described in the complaint".

Amendment No. 2

On page 2, line 7 of the printed bill, as amended, strike out "reasonable".

Amendment No. 3

On page 2, line 11, of the printed bill, as amended, strike out the period following "deputies", and insert ", and a copy of the complaint shall be delivered to the officer, board, commission, department or division or other body charged with the collection of the tax or obligation."

Amendments read and adopted.

Bill ordered printed, and to third reading.

MOTION TO ADMIT FORMER MEMBERS TO CHAMBER

Mr. Robertson moved that all former Members of the Assembly be admitted to the Assembly Chamber with the exception of those who are acting as advocates on any matters pending before the Assembly, and then upon a pass issued by the Speaker.

Mr. Maloney seconded the motion.

Motion to Table Motion

Mr. Cooke moved that Mr. Robertson's motion be laid on the table.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 58: By Mr. Turner—Relative to memorializing Congress concerning the tariff on tungsten and tungsten products.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 58, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 58

Assembly Joint Resolution No. 58—Relative to memorializing Congress concerning the tariff on tungsten and tungsten products.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Gunlock, Hastam, Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Maloney, Massion McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch Weybret, and Wollenberg—52.

NOES—Heisinger, Houser, Frederick F., Kilpatrick, Potter, and Richie—5.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT REPORTS IN JOURNAL

The following report was received and read, and on motion of Mr. Maloney and Mrs. Daley, ordered printed in the Journal:

Report of Committee Appointed Under Provisions of Senate Concurrent Resolution No. 16

To the Senate and Assembly of the State of California

Your committee, with Colonel Archibald Young, Chairman of the Social Welfare Board of California, appointed under the provisions of the above-numbered resolution, traveled to Washington, D C, and in that city on June 2d and 3d conferred with the members of the California Congressional Delegation, Senator Hiram Johnson, and members and staff officials of the Federal Social Security Board concerning the controversy now existing concerning alleged nonconformity of California law and practices with the Federal Social Security Act as amended in 1939.

As a result of these conferences it is the conclusion and the finding of your committee:

First: That unless certain concessions hereinafter to be discussed are made by the State of California the present aged aid subvention to the State of California amounting to approximately $38,000,000 per annum will be discontinued by the Federal Social Security Board on July 1, 1941. In addition to this, the Federal subvention for aid to the blind, amounting to approximately $2,000,000 annually, will also be discontinued on said date

Second That there are now pending in Congress certain bills, H R. 3021, H.R. 4041, H R. 4042, introduced by Congressman Jerry Voorhis of California, the effect of which, if enacted, would be to cause the Federal Social Security Board to recede from its present position, but there is no chance for passage of these bills prior to July 1, 1941, or any immediate date following.

Third: That a test case in the Federal courts on the interpretation of the Social Security Act by the Federal Social Security Board could not be brought to a successful conclusion in time to prevent the loss of these subventions to the State of California.

Fourth: That the minimum concessions by the State of California which will satisfy the Federal Social Security Board and prevent the loss of the Federal subvention are as follows:

(a) Income and Resources

Adoption of language similar to that contained in Assembly Bill No. 2630, Section 1, amended, however, from $45 to $40 per month. The principle herein involved would leave the maximum payment at the present rate of $40, and if greater need than $40 is shown in any individual case the income and resources allowed under the present law would be added to the $40.

(b) Confidential Nature of Records

That the language contained in Section 4 of Assembly Bill No. 2630 would meet the Federal requirements found in Subsection 8 of Section 2 of the Social Security Act making such records available only for the purposes of administration of the act.

(c) Personnel Standards

That no legislation on this subject is necessary at this time, the Federal Social Security Board being satisfied with the present California law as interpreted by opinions of the Attorney General of California

(d) Single State Agency

The language contained in the second paragraph of Section 6 of Assembly Bill No. 2630 is necessary to satisfy the requirements of the Social Security Board.

(e) Blind Aid

That similar amendments to the laws pertaining to blind aid must be made to Sections 3076 and 3884 of the Welfare and Institutions Code in order to preserve the present subvention.

In conclusion, the committee desires to express its gratitude to Honorable Clarence F. Lea, the Chairman of the California Delegation, and all the members thereof, for the many courtesies extended to it.

ROBERT W KENNY, Chairman
CHARLES H. DEUEL
JEANETTE E. DALEY
THOMAS A. MALONEY

The following reports were received and on motion of Mr. Maloney and Mrs. Daley, ordered printed in the Journal:

June 3, 1941

Mr. Robert W. Kenny, Chairman, Special Legislative Committee
State Senate, Sacramento, California

DEAR MR. KENNY: Pursuant to your request, as Chairman of the California Legislative Delegation, for a summary statement of the subjects discussed at the meeting of your delegation and the Social Security Board in Washington on June 2d, I am reviewing for your consideration the position of the Social Security Board as expressed at that meeting.

As you know, the Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Titles of the Social Security Act were amended by the Congress in 1939 to provide that effective July 1, 1941, the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming assistance.

Sections 2020 and 3084 of the California Welfare and Institutions Code, relating to old age assistance and aid to needy blind, respectively, specifically exempt from consideration in determining need and the amount of assistance to be granted, income from certain specified sources in an amount not exceeding $15 per month for old age assistance and $400 per year for aid to needy blind.

It was indicated at the time of our conference that these two sections of the Welfare and Institutions Code can not be considered as being in accord with the above cited amendment to the Social Security Act, and discussion was had as to possible revisions of the California statutes which would provide a basis for the development of Old Age Assistance and Aid to Needy Blind Programs which will meet the requirements of the Federal Act after July 1, 1941. The alternatives which were discussed are set forth in the attached copy of my letter of March 25, 1941, addressed to Hon. Jerry Voorhis, Congressman from California.

As was pointed out during our discussion, while the second possible alternative mentioned in that letter permits the meeting of the need of individuals having other income or resources it results in a certain amount of inequality of treatment of individuals in that it fails to provide a means of meeting the requirements of individuals in excess of $40 in instances where the individual is not in possession of other income or resources.

It was also pointed out that Titles 1, 4, and 10, of the Social Security Act require that State public assistance plans must provide "for the establishment or designation of a single State agency to administer the plan * * * or to supervise the administration of the plan; * * *." As you know, the California plans provide for the supervision of local administrative units by the State Department of Social Welfare.

The reports of the Committees of Congress which considered this legislation make it clear that a single State-wide plan, in effect in all political subdivisions of the State, administered or supervised by a single State agency which is vested "with final administrative responsibility" and sufficient powers to assure the uniform application of the plan throughout the State is required for Federal participation in such a plan.

Our discussion revealed that since the beginning of the State-Federal Public Assistance Programs in California, the authority of the State Department of Social Welfare effectively to supervise the administration of the California public assistance plans has been in question and occasion has existed to question whether the State agency possesses this requisite authority in fact. In view of the evidence of past experience it is advisable that appropriate legislation be enacted affirmatively establishing this authority and providing adequate remedies essential to achieving compliance with standards established by the single State agency. Any failure to effectuate adequate supervision whether due to lack of authority or to other causes would make it necessary for this board to question the conformity of such administration with the requirements of the Federal Act.

The Social Security Act was further amended in 1939 to provide that effective July 1, 1941, the State plan must provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the public assistance programs. Since the current statutory authority governing this aspect of the California program is inadequate it will be necessary, as was indicated in our discussion, that legislation be enacted to provide safeguards consistent with the above-mentioned amendment to the Social Security Act.

In addition, the Social Security Act requires that effective January 1, 1940, the State shall establish and maintain personnel standards on a merit basis to govern the employment of all personnel engaged in the administration of the public assistance programs. Pursuant to this amendment the Social Security Board adopted standards providing, as a requisite to a merit system, adequate rules and regulations and the establishment and maintenance of classification and compensation plans for all positions included in the administration of the public assistance programs.

As the experience of the State has indicated during the past year, the authority of the State agency to establish and maintain a merit system to govern personnel engaged in the administration of the public assistance programs has on several occasions been questioned. As you will appreciate, the Social Security Board can not accept any plea on the part of the State of lack of authority and the State agency must possess the statutory powers essential for the effectuation of this phase of the State's program.

You will note from the attached copy of the board's standards that while certain exemptions are permitted it is intended that the personnel standards established by the State agency will be applicable to all State and county personnel engaged in the administration of the public assistance programs. Local civil service systems governing personnel in all agencies of the local government, and maintaining standards comparable to those established by the State agency and the board, have been found by the Social Security Board to be in keeping with the above mentioned amendment. However, it has been determined by the board, and the State of California has been so advised, that any local civil service system limited to the selection of personnel engaged only in the administration of the public assistance programs could not be found by the board to meet the requirements of the Social Security Act.

In summary, the provision of the Federal act pertaining to the administration or supervision of public assistance plans by a single State agency; amendments to the act pertaining to the consideration of income and resources in determining need, and to the protection of the confidential nature of public assistance information, and to the establishment and maintenance of personnel standards on a merit system basis, set up requirements for State plans by which the Social Security Board is governed in approving such plans. The authority of this board is derived from the Social Security Act, as amended, and is limited by the terms of the act. Adequate State legislation authorizing inclusion of these required provisions in the State plan is necessary and is prerequisite to the action of this board in approving State plans and in certifying grants in aid to the State.

Sincerely,

OSCAR M. POWELL, Executive Director

March 25, 1941

Hon. Jerry Voorhis
House of Representatives, Washington, D. C.

DEAR MR. VOORHIS: Pursuant to our conversation of March 20th, we are submitting alternative possibilities, as we see them, for revision of Sections 2020 and 3084 of the California Welfare and Institutions Code, relating respectively to old age assistance and aid to the blind, in order to bring those laws into conformity with the amendments to Titles 1 and 10 of the Social Security Act providing for the consideration of "any other income and resources."

For your convenience, we are quoting below Sections 2020 and 3084 of the Welfare and Institutions Code.

"2020. The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, $35 per month.

The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income. Net income from any of the following sources of a combined total value not exceeding $15 per month shall not be considered for any purpose;

(a) Income from the applicant's labor or service; or rent from the premises owned by applicants;

(b) The value of food stuffs or other merchantable products produced by the applicant;

(c) The value of firewood or water produced on the premises of the applicant or given to him by another;

(d) The value of gifts or money, other than contributions by relatives legally responsible by law."

"3084. If the county board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor. The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, $50 per month. Income from any of the following sources of a combined total value not exceeding $400 per annum shall not be considered for any purpose:

(a) Income from applicant's labor or services;

(b) The value of food stuffs produced by the applicant or his family for his use or that of his family;

(c) The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use.

(d) The value of gifts other than regular contributions by relatives legally responsible under this act;

(e) The value of the use and occupancy of premises owned and occupied by the applicant,

(f) The net income from real and personal property owned by the applicant"

The provision of Section 2020 exempting from consideration the value of the home and net income from certain sources of a value not exceeding $15 will, after July 1, 1941, be out of conformity with Federal requirements. Similarly, the provisions of Section 3084 exempting from consideration income from certain sources not exceeding $400 per year will be out of conformity. As you know, under Sections 2(a)(7) and 10(a)(8) of the Social Security Act, the State agency must not be precluded from taking into consideration all income and resources in determining individual need. The above noted provisions of Sections 2020 and 3084 would preclude the State agency from so doing.

We believe that Sections 2020 and 3084 can be amended to bring the statutes into conformity with Federal requirements without lowering present standards of assistance. We should like to suggest the following four possibilities:

1. Sections 2020 and 3084 could be amended to read somewhat as follows:

> "The amount of aid to which any applicant shall be entitled shall be determined in accordance with the rules and regulations of the State department with due regard to his requirements and the conditions existing in his case, and to the income and resources available to him from whatever source, and shall be sufficient, when added to the income and resources determined to be available to him, to provide him with a reasonable subsistence compatible with health and well being."

Under such a provision, awards would be determined on a budgetary basis which is considered by the board to be the most satisfactory basis, and the method of determining need used by most States, including the largest ones. This permits consideration of the requirements of the individual applicant, as well as of his income and resources, and provides for the granting of assistance in accordance with his individual need.

You will note that under this proposal no special provision is made with respect to home ownership. This does not mean that a liberal policy in this regard could be formulated. As a matter of fact, the State could, and should, develop a policy under such a provision whereby consideration would be given to the cost of maintaining the home, which cost would be reflected in the grant of assistance.

2. The following language could be used if the State wishes to continue its provision for a fixed minimum of $40 (State assistance grant plus income and resources). This would also make it possible, in those cases where the individual requirements are determined to be in excess of the fixed minimum, for the award to be made in an amount, not to exceed $40, which when added to the applicant's income and resources would not exceed the individual's actual requirements:

> "The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources) of the applicant from all other sources, $40 per month; provided, however, that if in any case it is found the actual need of an applicant exceeds $40 per month, such applicant shall be entitled to receive aid in an amount, not to exceed $40 per month, which when added to his income (including the value of currently used resources) from all other sources, shall equal his actual need."

It should be clear that the Social Security Board does not recommend the placing of a monetary limitation on the amount of the award. It should be noted, however, that under this proposal if the needs of an individual were determined to be $60 and if that individual had income and resources of a value of $35, he could receive a grant of assistance of $25, provided that the same standards of determining his need were applied alike to a person without any income or resources. This is, therefore, not so restrictive as a rigid monetary limitation upon the award together with income and resources.

3. The deletion of all but the first paragraph of Section 2020 and the first two sentences of Section 3084 would bring those sections into conformity with Federal requirements. This would result in less liberal treatment than is now provided.

4. The deletion of all but the first paragraph of Section 2020 and all but the first two sentences of Section 3084, and the substitution in these sections of the sums of $55 and $83.33, respectively, for the amounts now specified would bring the sections into compliance. You are aware, of course, that under such a modification, all aged persons having income and resources of less than $55 per month and all blind persons having income and resources of less than $83.33 per month would be eligible for assistance. This would, no doubt, increase the cost of the programs.

If you have any questions on any of these alternatives, we shall be glad to discuss them with you further.

Sincerely,

OSCAR M. POWELL, Executive Director

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Johnson moved that the remarks by Mr. Maloney and Mrs. Daley be printed in the Journal.

Mr. Kilpatrick seconded the motion.

Motion carried unanimously.

Statement by Mr. Maloney

In reporting the trip to Washington which Senator Kenny, Senator Deuel, Mrs. Daley, and I made, relative to the Social Security Law, the following are the facts:

On arriving in Washington, D. C., on Monday, June 2, 1941, the delegation met in Congressman Lea's office in the new House Office Building. Besides Congressman Lea, there were present Congressmen Richard J. Welch, Izac, Geyer, Englebright, Anderson, Thomas Ford, Leland M Ford, Ward, Johnson, Sheppard, Kramer, Voorhis, Rolph, Carter and Gearhart

After conferring with the California Congressmen, we immediately proceeded to the Social Security Board, where we discussed the subject matter in question with Mr. Oscar M. Powell, executive director, and Mr. Bigger of the board.

The question involved was relative to an amendment to the Federal Social Security Act becoming effective July 1 1941, which provides that any State agency shall, in determining need, take into consideration other income and resources of the individual claiming old age assistance. If this section of the Federal law is to prevail, it will compel changes in our State law, and curtail grants to the needy aged, further lowering their standards of living within this State. The effect of these interpretations is that the State must, contrary to the provisions of our State law, deduct, from the grant, the value of foodstuffs raised by the recipient for his own use, the value of firewood or water produced on his premises for his own use, and the value of casual gifts and money other than those made by a responsible relative or income from his labor or services

The California law provides that the total combined value of all of these exemptions shall not exceed $15 per month. If the provisions of the amendment enacted by Congress go into effect on July 1st the recipient of old age benefits in California, in our opinion, will be denied this small additional aid. Your committee vigorously made a demand that this law be interpreted so as not to interfere with the rights of California, which under the present law, gives to its recipients the right to earn up to $15 per month so that they may subsist in a clean, decent way of living in which they now do under the provisions of the California law of today.

Our appeal to the members of the board in conference did not meet with much success, as the executives of the board stated that it was a mandate of Congress, and that it was their duty to enforce it. The question was asked pointblank by the members of the committee, as to whether or not the subvention granted by the Federal Government would be withdrawn if California did not conform to the provisions of this amendment. The board answered in the affirmative that it would be. They expressed the desire to have California conform, because they did not wish to take drastic action as was taken in three other States where benefits were suspended by the board for maladministration. The committee, determined to win its point, and not have a Federal Social Security Board withdraw its grant, very emphatically stated to them that they, the committee, did not think that the board would withhold its grant of aid to California if not in conformity.

Meeting with no success with the members of the board, the committee proceeded to Congressman Lea's office, where they again met with the California Congressmen At the suggestion of your committee, a subcommittee was formed consisting of Congressmen Lea, Englebright, and Voorhis. They secured a conference with the board's executive officers to again discuss this amendment, and on the same day, reported back to our committee and to the balance of the California Congressmen that the board would not change its attitude in the interpretation of this amendment and that California must conform.

The California Congressmen have advised your committee that it will be practically impossible to secure an amendment to the act exempting California alone, because such a bill affecting this State alone would get no place were it to be brought before Congress, but that, if in the future amendments are submitted to the act in general, they would do everything in their power to amend it to conform to our present State law

At this writing Mr Voorhis has introduced three bills.

House Resolution No 3021, which repeals the section now under discussion,

House Resolution No. 4042, which gives the right to each State to define needy individuals who are blind, and blind individuals who are needy, and

House Resolution No 4041, which gives to each State the exclusive right to adopt its own interpretation of the phrase "needy individuals".

If the State law before July 1st does not conform with the Federal law, there is a danger of the State losing a grant of $3,000,000 per month, or around $38,000,000 per year for the needy aged in California, and over $2,000,000 for the blind. The question now arises which should be determined by this Legislature either today, June 6th, or Saturday, June 7th, as to whether or not the State can defy the ultimatum laid down by the Federal Social Security Board.

It is my suggestion that the Committee on Social Welfare meet with the State Administration and others interested immediately on this question, and determine whether or not California should take the chance of losing the grant that it now gets from the Federal Government if we do not conform.

(Signed) THOMAS A. MALONEY

MOTION TO EXPRESS APPRECIATION TO COMMITTEE MEMBERS

Mr. Johnson moved that the Assembly express to Mrs. Daley and Mr. Maloney, as well as to Senators Kenny and Deuel, its appreciation of their services to the Legislature and to the people of California in representing the Assembly by presenting to the United States Social Security Board the unique social security problems of California; and that the Assembly express its view that the work accomplished by the committee members in Washington, during their absence from Sacramento, was of great importance to the people of their respective districts and of the entire State.

Motion carried.

MOTION TO CONTINUE WITH FILE

Mr. Doyle moved that the Assembly continue with the daily file.

Motion carried.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Bennett, ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, June 5, 1941

Honorable Members of the Assembly of the State of California
Sacramento, California

GENTLEMEN: There was introduced in the Assembly yesterday a resolution by Assemblyman Poulson requesting the Governor and the Director of Finance to have made without delay a complete audit of activities of the Department of Finance. Audit of the Department of Finance is next on the schedule of audits as planned October 10, 1940, in accordance with which audits have been scheduled since that time. The audit will be undertaken as rapidly as staff is available and in accordance with the fixed schedule.

To preclude misunderstanding of situations to which arguments incorporated in the resolution refer, there are offered comments which should be considered in connection with such arguments, quotations comprising all the arguments for the resolution incorporated therein, and statements of relevant fact.

> "WHEREAS, The Director of Finance is required by law to audit, or cause to be audited, at least once annually the financial records of all State agencies, including the Department of Finance; and
>
> WHEREAS, No audit has ever been made of the State Lands Commission in the Department of Finance, nor of the functions of the department pertaining to investments in stocks and bonds and the disposition of vehicles forfeited to the State under the Narcotic Laws; and"

Field work comprising an audit of the State Lands Commission already has been completed and accountants are preparing a report of the findings.

Functions of the department pertaining to investments in bonds have been investigated in connection with audit of general records of the State maintained by the Controller, which audit has been completed to December 31, 1939. No stocks have ever been purchased by the Department of Finance as investments, such purchase of stocks being prohibited by the Constitution. All investment transactions initiated since 1933 have been presented to, reviewed, and approved by the State Board of Control before such transactions have been completed by the Department of Finance.

All financial transactions related to disposition of vehicles forfeited to the State under the Narcotic Laws were audited as one phase of audits of revenue collected

by the Department of Finance, which have been previously completed and reported. Further verifications of related transactions have been undertaken in connection with previously completed audits of records of the Division of Narcotic Enforcement.

The resolution continues:

"WHEREAS, An Investigating Committee of this Assembly has found

(1) That such audits as have been made of particular activities of the Department of Finance have been made by employees of the department under the supervision of the Chief of the Division of Budgets and Accounts.

(2) That the employees who made these audits submitted manuscript reports thereof to the Chief of the Division of Budgets and Accounts, who in turn, submitted typewritten or printed reports thereof to the Director of Finance and the Governor

(3) That, with one exception, all reports submitted to the Chief of the Division of Budgets and Accounts were submitted by the latter to the Director of Finance and the Governor without alteration.

(4) That one report submitted to the Director of Finance and the Governor, covering a period ending June 30, 1938, contained a number of material alterations, of which the following are illustrative:

(a) The manuscript report stated:

'The accounting records can not be described as anything short of inadequate and unreliable.'

The typewritten or printed report stated:

'The accounting records were not found to be adequate in some respects.'

(b) The manuscript report stated

'Our examination of the system of internal check disclosed several instances in which methods did not comply with accepted accounting theories.'

The typewritten or printed report stated:

'Our examination of the system of internal check disclosed several instances in which methods can be improved'

(c) The manuscript report stated:

'Records pertaining to the Division of State Lands were found to be in such condition that it was deemed advisable to exclude them from the purview of our examination at this time with the expectation that a special examination and system revision would be instituted in the near future.'

The typewritten or finished report stated.

'It was deemed advisable to exclude the Division of State Lands from the purview of our examination at this time for the reason that a special examination and system revision is to be undertaken in the near future,' and"

It will be seen from analysis of the alterations which the resolution describes as material that they are not, in fact, material, that the portions of the formal report text which were quoted are grammatically superior to the expressions which they replaced, and that the formal report text was, for all practical purposes, as informative as were the somewhat less grammatical expressions originally submitted in the report manuscript. It is the sanctioned practice of auditors of public accounting firms and of the State to revise preliminary manuscript and to use language no more forceful than is requisite to necessary understanding and action when preparing formal reports for release

That the report has, in fact, served all practical requirements is further indicated by the following facts A complete survey of all accounting records and procedures of the Department of Finance has been undertaken by an expert on accounting systems who has for several months been engaged in that project Changes in full accord with the expert's recommendation are being made from time to time as portions of the system revision are completed

An audit of the Division of State Lands has been completed since completion of the audit of the Department of Finance Numerous improvements in records of the Division of State Lands have been instituted and preparations have been made for additional work as soon as funds appropriated for the purpose become available July 1, 1941

As heretofore stated, the work program of the Department of Finance formulated October 10, 1940, contemplates that audit of the Department of Finance be undertaken as the next audit project Staff requirements in connection with other audits now in progress and in connection with financial administrative duties which must be performed currently would have precluded commencement of the audit of the Department of Finance until about August 1, 1941, if the normal work program and urgency of necessary functions were considered

Very truly yours,

GEORGE KILLION, Director of Finance

MOTION TO BROADCAST PROCEEDINGS

Mr. Lyon moved that the Mutual Broadcasting System be allowed to set up broadcasting equipment in the Assembly for a half-hour period on June 10, 1941.

Mr. Lyon withdrew his motion.

MOTION TO TAKE PICTURE OF MEMBERS OF ASSEMBLY

Mr Allen moved that the Sergeant-at-Arms be instructed to make the necessary arrangements to have a group picture taken of the members of the Assembly and attaches.

Motion carried unanimously.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr Turner, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on reconsideration of Assembly Bill No. 1045.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 1045

In compliance with a notice given on a previous day, Mr. Turner moved that the vote whereby Assembly Bill No. 1045 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried. Time, 3.22 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2493—An act to amend Section 164 of the Vehicle Code, relating to license plates for vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2493?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, strike out "when the"; and strike out all of lines 19 and 20, and insert "indorse or authorize the indorsement of a receipt or validation upon payment of the required fees, such receipt or validation to be stamped upon the registration card last issued for".

Amendment No. 2

On page 2, line 12, of the printed bill, as amended, after "indorse", insert "or authorize the indorsement of".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2493 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke,

Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, and Welch—63.

NOES—None.

Assembly Bill No. 2493 ordered enrolled.

Assembly Bill No. 855—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 855?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 9 to 51, inclusive, and insert "to be affixed by signers. Each petition and section of it shall have attached thereto an affidavit made by a registered voter of the district and sworn to before an officer competent to administer oaths, stating that the affiant circulated that particular petition or section of it and saw written the signatures appended thereto and that the matters required to be affixed by signers were affixed by each of them respectively, and that according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name purports to be thereunto subscribed and of a registered voter of the district.

No recall petition may be signed until the secretary of the board of directors has indorsed the following on each page of the petition or section of it to be circulated:

The last day on which this recall petition or any section of it may be signed is the_____day of _____, 19____.

_____
Secretary of the Board of Directors of the _____Irrigation District

The date filled in by the secretary shall be the sixtieth day after the day on which the secretary indorses the foregoing on the petition or section of it first to be presented to him. Upon presentation of a recall petition or section of it to the secretary for indorsement he shall forthwith make the indorsements. On or before the day specified in the indorsements, the petition and all sections of it may be filed with the secretary or in his absence, left at the office of the board during office hours, and no petition or section of a petition may be filed after the last day for filing indorsed thereon."

Amendment No. 2

On page 3, line 1, of the printed bill, as amended, after "after", insert "(the filing of all sections of the petition indorsed or if all sections indorsed are not filed, within 10 days after".

Amendment No. 3

On page 3, line 2, of the printed bill, as amended, strike out "signed", and insert "filed, whichever is the earlier".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 855 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—63.

NOES—None.

Assembly Bill No. 855 ordered enrolled.

Assembly Bill No. 1112—An act to add Sections 762.5 and 763.5 to, and to amend Sections 762, 763 and 766 of, the Agricultural Code, and to amend Section 1 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on

such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health,'' approved May 23, 1925, relating to raw tomatoes, and the delivery, inspection, grading, and canning thereof and the rights and obligations of parties contracting in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1112?

Amendment No. 1

In line 10 of the title of the printed bill, as amended, after "thereto", insert ", declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 4, line 35, of the printed bill, as amended, strike out "this chapter", and insert "Sections 762 and 763 of this chapter."

Amendment No. 3

On page 5 of the printed bill, as amended, after line 12, insert

"SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting the necessity:

The canning season has already begun and regulation is necessary to assure the stabilization of industry. Owing to the present National emergency, the Government has called for increased amounts of canned foods, and unless this act takes effect immediately, it will be too late to affect the regulation of the industry during the current canning season."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1112 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sheridan, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—59.

NOES—None.

Assembly Bill No. 1112 ordered enrolled.

Assembly Bill No. 1120—An act to add Section 219.1 to the Penal Code, relating to the unlawful wrecking of motor vehicles operated by a common carrier and prescribing the punishment therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1120?

Amendment No. 1

In line 5 of the title of the printed bill, as amended, after "carrier", insert "and causing bodily harm,".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, strike out "therefore", and insert "therefor".

Amendment No. 3

On page 1, lines 10 and 11, of the printed bill, as amended, strike out "which is capable of being hurled, thrown or projected,".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out line 12, and insert "wrecking such vehicle and doing bodily harm, and thus wrecks the same and causes bodily harm, is guilty".

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert "of a felony and punishable by imprisonment in the State prison for not less than one nor more than 14 years."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1120 by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—57.

NOES—None.

Assembly Bill No. 1120 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1192, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 1192

Assembly Bill No. 1192—An act to amend Section 20, and repeal Section 24 of, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, and Welch—59.

NOES—None

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's veto to:

Senate Bill No. 26—An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside.

Herewith is a copy of Governor's message relating to said bill.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 31, 1941

To the Honorable Members of the Senate
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Senate Bill No. 26, entitled "An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside."

My objections to this bill are as follows:

In 1939, Section 995 of the Penal Code was amended to provide that an information must be set aside upon motion of a defendant by the court in which he is arraigned in case "the defendant had been committed without reasonable or probable cause."

This bill provides that an indictment shall be set aside for the same cause.

I had no objection to the 1939 Enactment since for a great many years Subdivision 7 of Section 1487 of the Penal Code has provided that a person committed on a criminal charge without reasonable or probable cause is entitled to discharge by habeas corpus. The 1939 Bill simply provided a new procedure whereby, by motion to set aside the information, the same result could be secured as by habeas corpus.

This bill, however, changes the general rule of law which has been in effect since there have been grand juries, which is that the sufficiency of the evidence upon which a prisoner was indicted can not be reviewed by habeas corpus. (29 C. J. 46; *In re Kennedy*, 144 Cal. 634; 25 Am. Jur 172) or otherwise. (*People* vs *Hatch*, 13 Cal. App 521, 528; *Brobeck* vs *Superior Court*, 152 Cal. 289.)

The courts for the most part have not stated the underlying reasons for this long standing rule of law. Our Supreme Court in the *Kennedy* case denied the reason given by a few other courts, namely, preservation of secrecy of grand jury proceedings, and stated its reason for the rule to be that any such inquiry into the sufficiency of the evidence on which the grand jury acted would turn the writ of habeas corpus into "a writ of review for the purpose of inquiring whether the grand jury committed an error reversible on appeal" and that "an entirely new field of litigation in criminal cases would be opened up and few indictments would come to trial without this preliminary contest."

The Supreme Court of Iowa gave its reason for the rule as follows: "The judge would become an appellate tribunal to reverse or affirm the decisions of grand juries and may thwart the action of that body altogether if he sees proper." (*Hight* vs. *U S.*, 43 Am Dec. 111, Morris 407.)

I am not implying that any of our courts would intentionally act to thwart the actions of grand juries My objection is based upon the legal and practical effect of this bill. In my opinion the court, regardless of its feeling about the case, would be compelled by this law to set aside an indictment if any insufficiency in the proceedings of the grand jury were shown by the reporter's transcript. This follows, since the identical words "without reasonable or probable cause" as used in Section 1487, Subdivision (7) of the Penal Code, relating to habeas corpus, have been construed by our courts to have that effect in the cases of commitments on preliminary hearings.

It has been held that the evidence at the preliminary hearing must establish each and every essential element of the crime charged. (*In re Jang*, 25 Cal. App (2d) 529.)

If a showing as to venue is neglected, reasonable and probable cause for the commitment is not shown. (*In re Huber*, 103 Cal App. 315.)

It does not follow that because a defendant will be released on account of such defects in the evidence on which he was committed after a preliminary hearing before a magistrate, that the same should be true in the case of an indictment by the grand jury. There is a practical and real distinction between the two proceedings.

The district attorney is in charge of preliminary examinations, presents the evidence, and cross-examines on behalf of the people. He is able, and it is his duty to see to it that evidence showing reasonable cause for commitment is presented to the magistrate

His position before the grand jury is entirely different The grand jury is an independent body provided for by our Constitution, Section 1, Article VIII Under Section 925 of the Penal Code, the grand jury may ask the district attorney's advice, but there is nothing requiring the grand jury to do so While the district attorney may be present and examine witnesses, the courts have said that it is his duty to refrain from advising the grand jury as to the sufficiency of the evidence unless they request such advice (*People* vs *Hatch*, 13 Cal App 521, 528; 13 Cal. Jur. 78.)

While, as a practical matter, the district attorney should be present at all of the proceedings of the grand jury, there is nothing to prevent the grand jury from meeting when the district attorney is not in attendance In some of the smaller counties where the district attorneys do not have large staffs of assistants, the district attorney is not always able to be present at all sessions of the grand jury. If for any reason the grand jury brings in an indictment in a case in which the transcript of the testimony taken will show that the evidence is insufficient as to venue, corpus delicti or any other essential element of the crime, this bill would require such indictment to be set aside The district attorney, on looking over the transcript, will see that the essential element was not proved before the grand jury If the district attorney has the proof at hand to prove that element at the trial, he is in position to proceed. If he does not have such proof and knows that it can not be secured, he has authority to request a dismissal of the indictment and the court has power to dismiss. (Penal Code, Section 1385.) An illustrative case wherein such procedure was followed is *Brobeck* vs *Superior Court*, 152 Cal 289.

It may be that a grand jury has acted in part on hearsay or incompetent evidence. Under the present law this would not be cause for setting aside the indictment. (*Poole* vs. *Fealy*, 33 Cal. App 605.) Under this bill an indictment would have to be set aside, notwithstanding that the district attorney had competent and first hand evidence to offer on the trial If he did not have such evidence, it would be his duty to go to the court and ask that the indictment be dismissed.

California has relaxed the common law rule which originally prevailed as to secrecy of grand jury proceedings. The defendant is now furnished with a complete transcript of the proceedings before the grand jury to enable him to prepare his defense. (Penal Code, 925.) This bill provides, in effect, that this must be

a legally perfect transcript proving all the essential elements of the crime charged and that otherwise the court must set the indictment aside. This will result in delay in the trial of persons accused of crime.

The grand jury is a lay body provided for by the Constitution, legally entitled but not required to ask advice of the district attorney. It is this independence of the grand jury which gives it its value. To provide that the grand jury should hear only such evidence as is presented by the district attorney and should return only such indictments as are approved by him would destroy its value as a part of our Judicial System. It would be better to abolish the grand jury and to base all prosecutions on information. Yet the only way to insure against technical imperfections in the proceedings of grand juries is to restrict their independence of action

It would appear to me that should an indictment be set aside, after the statute of limitations had run, for some technical defect in the proceedings of the grand jury, the person charged would escape prosecution.

I think that we should assume that the district attorneys will perform their sworn duties in good faith and will not needlessly prosecute.

The grand jury has always been a part of our System of Jurisprudence. No particular abuses of the rights of individuals have been called to my attention. Such search of the authorities as time permits indicates that the present California law prohibiting going behind the indictment is the general rule in this country.

For the reasons stated above, I am returning the bill without my signature.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1898
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1020
And reports the same correctly re-re-re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1396
Assembly Bill No 1813
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 2149
And reports the same correctly re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1249
And reports the same correctly re-re-re-re-re-re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 98
Assembly Bill No. 814
Assembly Bill No. 941
Assembly Bill No. 977
Assembly Bill No. 2205
Assembly Bill No. 2388
Assembly Bill No. 2651
Assembly Constitutional Amendment No. 65

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 2660
Assembly Bill No. 2661
Assembly Concurrent Resolution No. 59

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 1528

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

LYON, Chairman

Above reported bill ordered to second reading.

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 1454
Assembly Bill No. 2650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRONIN, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 1847

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

TURNER, Chairman

Above reported bill ordered to second reading.

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

(Signed out) SAWALLISCH, Chairman
MALONEY
PHILLIPS
MEEHAN
McCOLLISTER
CROWLEY
POTTER
ROBERTSON

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1454—An act to amend Section 2553 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2650—An act to add Section 593 (a) to the Civil Code, relating to the formation, qualifications and operations of nonprofit corporations organized to render certain professional services.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1847—An act to amend Section 5 of the Retail Sales Tax Act of 1933, relating to the exemption of sales to nonresidents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

Amendment No. 1

In line 2 of the title of the printed bill, strike out "nonresidents", and insert "nonresident aliens".

Amendment No. 2

On page 2 of the printed bill, strike out lines 15 to 32, inclusive, and insert

"(g) The gross receipts from sales of tangible personal property purchased by nonresident aliens residing in a freeport zone outside of but contiguous to the boundaries of this State for use solely in and immediately transported outside the State to such zone. Claims of exemption on account of such sales must be supported by evidence that the purchaser is an alien and a bona fide resident of another country and that the property was purchased for use solely outside this State in the freeport zone in which the purchaser resides and with the intent of immediately transporting it to such zone. A certificate signed by the purchaser in substantially the following form constitutes prima facie evidence that the purchaser is an alien and a bona fide resident of another country, and that the property was purchased for use solely in such zone and with the intent of immediately transporting it to such zone.

"I hereby certify that I am a citizen of _____ and a bona fide resident of _____, residing at _____; that the merchandise described in this invoice is purchased for use solely outside this State in the freeport zone in which I reside and will be immediately transported outside this State. My passport number appearing on my Nonresident Alien's Border Crossing Identification Card is No. _____.

(Signed)_____" ".

Amendments read and adopted.

Bill ordered printed, and to third reading

Assembly Bill No. 1903—An act to amend Section 1150 of the Insurance Code, relating to investments in real estate by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1150 of", and insert "add Section 11738.5 to".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "to workmen's compensation insurance in connection with defense projects of the Federal Government and defense agencies thereof, declaring the urgency hereof, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 11738.5 is hereby added to the Insurance Code, to read as follows

11738.5. (a) Notwithstanding any other provision of this article, the commissioner may approve special rates or rating plans applicable only to workmen's compensation insurance covering workmen and employers engaged in National defense projects in connection with which the cost of insurance is a direct item of expense to the United States or a defense agency thereof by reason of a specific agreement by the United States Government or special defense agency to pay such cost, or reimburse the insured, as a separate item of expense, or similar plans submitted by the United States Government or defense agency thereof

(b) This section is enacted to meet the National emergency arising out of the necessities of National defense and shall not be effective beyond the period of National emergency, termination of which shall be proclaimed by the commissioner, and in any event this section shall not be effective after September 30, 1949.

SEC. 2. The Legislature hereby declares that in enacting Section 11738.5 of the Insurance Code, it is its intention to permit the Insurance Commissioner to determine when the emergency of National defense has expired and to terminate the effect of said section of the Insurance Code in accordance with the proclamation of the Insurance Commissioner determining that the period of National emergency has elapsed. If the delegation of such power to the Insurance Commissioner is for any reason unconstitutional, the Legislature hereby declares that it would have enacted said Section 11738.5 of the Insurance Code notwithstanding such contingency, and that it is its intention in such circumstance that the authority granted the Insurance Commissioner by Section 11738.5 of the Insurance Code shall remain vested in him until September 30, 1949.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, Article 4 of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such necessity:

The Federal Government through its War Department and other defense agencies is now engaged upon a vast program of construction and other undertakings in the interest of National defense. In order efficiently to supervise, manage and control work under such program, it is necessary that such matters connected therewith be handled uniformly on a National basis, and that workmen's compensation insurance connected with such projects be similarly handled and procured at a cost commensurate with the sizes of the undertakings involved. There is doubt under the present law whether the Insurance Commissioner has power to approve special rating plans or classifications necessary to facilitate the construction of and work under these National defense projects, and the delay which would be encountered in procuring satisfactory legal determination of such questions would be inimical to the National defense. It is, therefore, necessary in the interests of National defense to expedite the commencement and continuation of such projects in this State by removing all doubt as to the authority of the Insurance Commissioner to make special provision for workmen's compensation insurance on National defense projects."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 6, inclusive

Amendments adopted.

Bill ordered printed, and engrossed.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1898—An act appropriating money for the acquisition of Hinckley Basin by the State.

Bill read third time.

Motion to Amend

Mr. Leonard moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 2 and 3, and insert "dred dollars ($48 500) or so much thereof as may be necessary is hereby appropriated out of any moneys in the General Fund not otherwise appropriated to be expended by the".

Amendment read and adopted.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1571—An act to amend Section 658 of the Fish and Game Code, relating to the taking of salmon.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1571?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", to repeal Section 658.3 of, and to add Section 658.1 to.".

Amendment No. 2

On page 1 of the printed bill, as amended, between lines 6 and 7, insert

"SEC. 2. Section 658.3 of the Fish and Game Code is hereby repealed.

SEC. 3. Section 658.1 is hereby added to the Fish and Game Code, to read as follows.

658.1. In Districts 10 and 11, salmon may be taken with hook and line between September 1st and October 31st. The bag limit is two per day. Not more than one daily bag limit may be possessed by any person during any one day. No such salmon may be sold."

Amendment No. 3

On page 1, line 7, of the printed bill, as amended, strike out "SEC. 2", and insert "SEC. 4".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1571 by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Welch, and Weybret—55

NOES—None.

Assembly Bill No. 1571 ordered enrolled.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. F. N. Howser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on conference report concerning Assembly Bill No. 82.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1941

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 82—An act to amend Section 467 of the Streets and Highways Code, relating to State highways;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in.

BREED	
MAYO	HOWSER, F. N.
LUCKEY	WELCH
Senate Committee on Conference	Assembly Committee on Conference

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr F. N. Howser moved a call of the Assembly.

Motion carried. Time, 4.10 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2494—An act to add Sections 11650, 11651, 11652 and 11653 to the Elections Code, relating to abuse of the initiative, referendum, and recall.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2494?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "11650, 11651, 11652 and 11653 to the", and insert "11638, 11639, 11650, 11651, 11652, 11653 and 11654 to Article 5 of Chapter 2 of Division 14 of, and to amend Section 11641 of the".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 1, and insert

"SECTION 1. Section 11638 is hereby added to Article 5 of Chapter 2 of Division 14 of the Elections Code, to read as follows:

11638 As used in this article, "proponent or proponents of an initiative or referendum measure" means the person or persons who submit a draft of a petition proposing the measure to the Attorney General with a request that he prepare a title and summary of the chief purpose and points of the proposed measure.

SEC. 1.3. Section 11639 is hereby added to the Elections Code, to read as follows:

11639 As used in this article, "proponent or proponents of a recall petition" means the person or persons who have charge or control of the circulation of, or obtaining signatures to, such petitions.

SEC. 1 7. Section 11641 of the Elections Code is hereby amended to read as follows:

11641. Any petition, or any section of a petition, filed by any person other than the proponents of an initiative or referendum measure and with an intention of defeating an expression of the public will is null and void.

[For the purposes of this section the proponents of an initiative or referendum measure shall be deemed to be those persons who submit a draft of the petition proposing the measure to the Attorney General with a request that he prepare a title, and summary of the chief purposes and points of the proposed measure.]

SEC. 1 9 Section 11650 is hereby added to the Elections".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 23 to 25, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 26 to 35, inclusive.

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 15 to 24, inclusive, and insert

SEC. 5. Section 11654 is hereby added to said code, to read as follows:

11654. Any person working for the proponent or proponents of an initiative or referendum measure or recall petition who solicits signatures to qualify such measure or petition and accepts any payment therefor and who fails to surrender such

measure or petition to the proponents thereof for filing is punishable by imprisonment in the State prison or in the county jail for not exceeding two years, or by a fine not exceeding five thousand dollars ($5,000), or by both fine and imprisonment."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2494 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Waters, Weber, and Weybret—50.

NOES—None.

Assembly Bill No. 2494 ordered enrolled.

Assembly Bill No. 2631—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the management, maintenance and control thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2631?

Amendment No. 1

On page 2, line 41, of the printed bill, as amended, insert

"5716 If the proposed harbor improvement district is partly within a city, a copy of the petition shall be filed with the city council of such city, and the board of supervisors shall not have jurisdiction to proceed to act upon the petition until the city council of such city has approved such petition and consented thereto by resolution spread upon its minutes"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2631 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, and Welch—58

NOES—None.

Assembly Bill No. 2631 ordered enrolled.

UNANIMOUS CONSENT REQUESTED

Mr. Cronin asked for, and was granted unanimous consent, to hold a meeting of the Committee on Medical and Dental Laws in the cloak room.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER. The Committee on Conference concerning:

Assembly Bill No. 2524—An act to amend Section 800 of the Penal Code, relating to time of commencing criminal actions;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in and that the bill, as amended on May 27, 1941, be further amended as follows:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "five", and insert "six".

SWING	HOUSER, FREDERICK F.
CARTER	POTTER
KEATING	CARLSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills Dilworth, Donnelly, Doyle, Field Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Lyon, Massion, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thomas, Turner, Voigt, Weber, and Welch—50.

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2484—An act to amend Section 20820 of the Business and Professions Code, relating to the sale and distribution of gasoline or other motor fuel.

Bill read third time.

Motion to Amend

Mr. Potter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 20820 of", and insert "add Section 20820.5 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 20820.5 is hereby added to the Business and Professions Code, to read as follows:

20820.5. No person shall sell, deliver or transfer to another any motor fuel by delivery through any dispensing apparatus at any price other than that posted on such dispensing apparatus as provided in this article. This section does not apply to any sale made for the use of any city, county, or other political subdivision of the State, nor to any sale made for the use of any vehicle upon which appears a license plate bearing the initials "B. E.," "C. R. C." or "I. C. C."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Weber, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 2217.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2217 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Weber moved that Assembly Bill No. 2217 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Weber moved a call of the Assembly.

Motion carried. Time, 4.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 877 WAIVED

Mr Maloney waived his notice of motion to reconsider the vote whereby Senate Bill No. 877 was passed.

Senate Bill No 877 ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Heisinger. Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 65.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 65 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Heisinger moved that Assembly Bill No. 65 be withdrawn from the Committee on Judiciary General, and be placed upon the file.

Motion to Table Motion

Mr. Maloney moved that the motion by Mr. Heisinger to withdraw Assembly Bill No. 65 from committee be laid on the table.

Mr. Gunlock seconded the motion

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Call, Carlson, Collins, George D, Cronin, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N, Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Thurman, Turner, Waters, Watson, and Weybret—43.

NOES—Bashore, Burkhalter, Burns, Hugh M, Clarke, Cooke, Del Mutolo, Dilworth, Donnelly, Heisinger, Houser, Frederick F, Knight, T Fenton; McCollister, Miller, Poole, Sawallisch, Stream, and Weber—17

RESOLUTIONS

The following resolution was offered:

By Miss Miller.

House Resolution No. 248

WHEREAS, There is now pending before the Legislature Assembly Bill No 2028 the object of which is to provide within the School System of the State special facilities for the education of mentally handicapped children, and

WHEREAS, It is impossible, without further knowledge, to determine what the cost of such an instructional program will be and what additional expenditure of State funds will be necessary if such program is adopted; now, therefore, be it

Resolved, That the Speaker of the Assembly shall appoint three Members of the Assembly, one of whom shall be designated as chairman, to constitute a committee whose duty it shall be to investigate and determine as nearly as may be the approximate number of children in this State who would be affected by the program contemplated by the said Assembly Bill No 2028, and the approximate cost of such a program to the State of California; and be it further

Resolved, That such committee may sit and carry on its investigations either during this session of the Legislature or after adjournment until the commencement of the Fifty-fifth Regular Session and may visit and hold sessions in different places in this State as it may deem necessary; and be it further

Resolved, That said committee is instructed to report its findings and recommendations to this Assembly during the Fifty-fifth Session of this Legislature; and be it further

Resolved, That the State Department of Education and all its officers and employees, and every officer and board forming a part of the School System of this State, shall furnish to the committee hereby created all the information in its possession pertinent to the matter of inquiry herein, when requested by the committee, and be it further

Resolved, That the sum of five hundred dollars ($500) or so much thereof as may be necessary is made available from the Contingent Fund of the Assembly to defray the expenses of the committee and its members, to be disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

By Mr. O'Day:

House Resolution No. 249

WHEREAS, Juvenile delinquency, its prevention and cure, has been the subject of study by various groups and organizations during recent years, and

WHEREAS, All such groups and organizations agree on, and include as part of their proposed program, outdoor camps for delinquent boys; and

WHEREAS, There are reported to be numerous camps and camp sites formerly used by the Civilian Conservation Corps and other organizations in this State, which might be utilized for delinquent boys at a small cost, and

WHEREAS, An investigation of these resources can be best made by a competent Legislative Committee, now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Committee on Camps for Juvenile Delinquents is hereby created, to consist of five members of the Assembly appointed by the Speaker, which committee shall investigate, ascertain, and report to the Legislature at its next regular or extraordinary session the location and availability of camps and camp sites which might be used for juvenile delinquents, and the cost of equipping and operating them

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to Investigating Committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to Investigating Committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

The committee hereby created is hereby authorized to act during sessions of the Legislature, including any recess thereof, and after final adjournment, but except for the purpose of making a report, not beyond the convening of the fifty-fifth Legislature

In addition to the powers conferred upon the committee by the Rules it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.055) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of one thousand dollars ($1,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer

Resolution read, and referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 401

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 401—An act to add Section 555 to the Labor Code, relating to working hours and days.

Referred to Committee on Municipal Corporations.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 250

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

Hart's Lunch (Lunch, June 5, 1941)	$33 10
Hart's Lunch (Lunch, June 5, 1941)	16 80
Pacific Telephone & Telegraph Co (Tolls)	93 25
Hotel Senator Flower Shop (Flowers to Gordon Garland)	10 30
Department of Finance (Alterations Speaker's Room)	18 34
Western Union (Tolls)	9 56

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 250, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crown, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—59

NOES—Bashore, Burkhalter, and Evans—3.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1581—An act to amend Section 161a of, and to add Section 171m to the Civil Code, relating to the management and control of community property

Bill read third time.

Demand for Previous Question

Messrs. Green, Gunlock, Cooke, Poole and Pfaff demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1581.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Clarke, Daley, Dills, Dilworth Doyle, Field, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, McCollister, Millington, Potter, Richie, Salsman, Stream, Tenney, and Turner—23.

NOES—Cain, Call, Carlson, Cassidy, Collins, George D, Cooke, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins Howser, F N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Sheridan, Thomas, Thurman, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—42.

RESOLUTIONS

The following resolution was offered:

By Messrs. Johnson, Cain and Desmond:

House Resolution No. 251

Relative to the First Annual Artists' Fair sponsored by the Mills College Alumnae of Sacramento

WHEREAS, On next Sunday, June 8, 1941, the Mills College Alumnae of Sacramento are sponsoring the First Annual Artists' Fair for Northern California at the Farmer's Free Market in the City of Sacramento, and

WHEREAS, This picturesque affair will focus attention on Northern California art and artists in addition to offering to the artists a market for their work and to the people of Northern California an opportunity to observe "art in action groups", and

WHEREAS, Proceeds from the Artists' Fair will be used to create a scholarship to enable a Mills College art student to undertake research study at the Crocker Art Gallery in Sacramento, thereby adding to the many valuable contributions to the cultural development of the Commonwealth of California by the founders of Mills College and the thousands of splended women who constitute its devoted alumnae and student body; now, therefore, be it

Resolved, That the Assembly of the California Legislature express to the Mills College Alumnae of Sacramento our hope that the Artists' Fair will be a complete success; and be it further

Resolved, That this Assembly express to the artists of Northern California our enthusiastic support of their efforts to develop a distinctive and lasting art, characteristic of this region of our Commonwealth.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 251, at this time, without reference to committee.

Resolution read and adopted.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 1135—An act to amend Section 354 of the Labor Code, relating to days of rest.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 30, 1941, be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 12, 13 and 14, and insert "such employees. Nothing in this"

Amendment No. 2

On page 1, line 16, of the printed bill, as amended, strike out "the employee desires or".

COLLIER	CARLSON
BIGGAR	LOWREY
	CLARKE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Wollenberg—68.

NOES—None

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 57

At 5.37 p.m., on motion of Mr. Frederick F. Houser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Joint Resolution No. 57 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—71.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1045

At 5.40 p.m., on motion of Mr. Turner, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1045 was refused reconsideration by the following vote:

AYES—Allen, Bashore, Burkhalter, Call, Cassidy, Collins, George D., Crowley, Daley, Dills, Dilworth, Evans, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Massion, Millington, O'Day, Pelletier, Poole, Richie, Robertson, Salsman, Sheridan, Tenney, Thurman, Turner, Voigt, and Weber—33.

NOES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Field, Gaffney, Green, Gunlock, Johnson, Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Phillips, Potter, Russell, Sawallisch, Stream, Waters, Watson, Welch, Weybret, and Wollenberg—40

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 82

At 5.47 p.m., on motion of Mr. F. N. Howser, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 82 refused adoption by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Cain, Call, Carlson, Cassidy, Cooke, Cronin, Daley, Desmond, Dickey, Evans, Field, Gallagher, Green, Howser, F. N., Johnson, Leonard, McCollister, Meehan, Middough, Millington, Pfaff, Phillips, Potter, Robertson, Salsman, Sawallisch, Sheridan, Thurman, Turner, Waters, Weber, Weybret, and Wollenberg—36

NOES—Bashore, Bennett, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Miller, O'Day, Pelletier, Poole, Richie, Russell, Stream, Tenney, Thomas, Voigt, and Watson—35.

Assembly Bill No. 82 ordered to second conference.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 2217

At 5 55 p m , on motion of Mr Weber, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the motion that Assembly Bill No. 2217 be withdrawn from the Committee on Ways and Means and placed on file carried by the following vote,

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M , Burns, Michael J , Cain, Collins, George D , Collins Sam L , Cooke, Cronin, Del Mutolo, Desmond Dills Donnelly, Doyle, Field Gaffney, Gallagher, Green, Hastain, Hawkins Howser, F N , Kilpatrick, King, Lyon, Maloney Massion, Meehan, Middough Miller, O'Day, Pelletier, Potter, Robertson, Sawallisch Sheridan Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—46

NOES—Bashore, Call, Carlson Cassidy, Clarke, Crowley, Daley, Dickey, Dilworth, Evans, Gunlock, Heisinger, Houser, Frederick F , Johnson, Kepple, Knight, *John B , Knight, T Fenton , Leonard, Lowrey, McCollister Millington, Pfaff, Poole,* Russell, Salsman, Voigt, and Watson—27

Assembly Bill No 2217 ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1824—An act to add Section 6619 to the Political Code, relating to the Emergency Fund including the repayment of money borrowed therefrom and the submission of reports regarding transactions therein,

Assembly Bill No. 2054—An act to add a new section to the Agricultural Code, to be numbered 643 1, relative to inspections of dairies,

Assembly Bill No. 2637—An act to add Section 2540 5 to the Elections Code, relating to the qualification of political parties for participation in primary election,

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 5 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1283—An act to amend Sections 525, 543 and 553 of, to repeal Section 604 of, and to add Section 525 5 to the Vehicle Code, relating to the regulation of traffic,

Assembly Bill No. 1315—An act to amend Section 672 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools in detention homes,

Assembly Bill No. 1456—An act to amend Sections 323, 405, 459, 2510, 2605, 2606, 2607, 2621, 2626 2803 2805, 2808, 2905, 3354, 3355, 3656, 3695, 3696, 3700, 3701, 3720, 3721, 3724, 4109, 4151, 4154, 4155 and 4217 of, and to add Sections 3510, 3696 5 and 3701 5 to, the Revenue and Taxation Code, relating to property taxation, including assessments, the levy of taxes, the collection of taxes, computation of taxes, tax sales, tax-deeded property, and the redemption of delinquent property;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 5 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1025—An act to amend the Agricultural Code by adding a new section thereto to be numbered Section 796 2, by amending Section 829 5 thereof and by repealing Section 795 5, and to require uniformity of size regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit;

Assembly Bill No. 1032—An act to amend the Agricultural Code by amending Sections 795 828, 828 5, 828 85, 829 1 thereof, by adding new sections thereto to be numbered 795 1, 795 2, 796, 796 1, 828 83, and by repealing Sections 796 and 797

thereof; and to provide standards for oranges, grapefruit, lemons and other citrus fruits and for the enforcement thereof, to provide for mandatory standard containers for citrus fruits and the marking thereof;

Assembly Bill No. 1138—An act to amend Sections 3696, 3699, 3705 and 3706 of, and to add Section 3707 to the Revenue and Taxation Code, relating to property taxation, including sales at public auction of tax-deeded property;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 5 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 799—An act to amend Section 1179 of the Fish and Game Code, relating to nongame birds,

Assembly Bill No. 955—An act to amend Sections 6, 8, 11, 13, 17, 18 and 20 of the Inheritance Tax Act of 1935, relating to inheritance taxation, to take effect immediately;

Assembly Bill No. 957—An act to amend Section 1 of an act entitled "An act to promote the utilization of the water of streams in this State and for that purpose authorizing the storage of the same underground and the damming of streams and the flowage of lands in effecting such storage for beneficial use," approved May 23, 1919, relating to storage of water underground;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 165—An act to amend Section 159 of the Code of Civil Procedure, relating to justices of the peace;

Assembly Bill No. 396—An act to amend Section 13101 of the Health and Safety Code, relating to the compensation of the State Fire Marshal;

Assembly Bill No. 481—An act to add Section 2175 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the jurisdiction of the Department of Institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 5 p.m.

JOHN B KNIGHT, Chairman

RECESS

At 6.01 p.m., on motion of Mr. Lyon, the Assembly recessed until 8.30 p.m.

REASSEMBLED

At 8.30 p.m., the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1396—An act to add Section 555 to the Labor Code, relating to days of rest of employees.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins, moved a call of the Assembly.

Motion carried. Time, 8.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1396

At 9 04 p.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 9 05 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1350.

Assembly Bill No. 1350—An act to amend Section 107 of the Health and Safety Code, relating to the Director of Public Health

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Lyon moved a call of the Assembly.

Motion carried. Time, 9.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1396

At 9 08 p m., on motion of Mr Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1396 passed by the following vote:

AYES—Allen, Andreas, Cain, Call, Carlson, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Maddough, Miller, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Waters, Watson, Weybret, and Wollenberg—48

NOES—Bashore, Burkhalter, Dills, and Heisinger—4.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2645—An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Potter, Richie, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Watson, and Weybret—48

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1634—An act adding Section 3704 to the Political Code, relating to deputies for members of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, Leonard, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, and Weybret—44.

NOES—Knight, John B.—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 384—An act to amend Section 697.5 of the Fish and Game Code, relating to striped bass.

Bill read third time.

Motion to Strike Assembly Bill No. 384 From File

Mr. Hawkins moved that Assembly Bill No. 384 be stricken from the file.

Motion carried.

Assembly Bill No. 1882—An act to amend Section 2814 of the Business and Professions Code, relating to the Board of Nurse Examiners Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—54.

NOES—None.

Bill ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Lyon, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on all bills taken up until the motion is rescinded.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1231—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Humboldt State College.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried Time, 9.28 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2556—An act for the care and education of pupils of the California School for the Blind who are both deaf and blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2651—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

Motion to Amend

Mr. Millington moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out "rolled or crushed and sold by", and insert "sold".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, strike out "the producer thereof"

Amendments read and adopted.

Bill ordered reprinted and re-engrossed

Hon. Charles W. Lyon Presiding

At 9.45 p.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, and providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muldough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1688—An act to amend School Code Sections 5.850, 5 853, 5.854, 5.871 and 5 873, relating to the California State Teachers' Retirement System.

Bill read third time

Demand for Previous Question

Messrs. Pfaff, Robertson, Waters, Green and Lowrey demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1688.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F N, Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—66.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

MOTION TO SUSPEND RULES

Mr. Robertson moved that the Rules be suspended to allow the consideration of Assembly Bill No. 2579 out of order.

The roll was called, and the motion carried by the following vote:

AYES—Andreas Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Howser, F N, Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thurman, Turner, Waters, Watson, Weber, and Weybret—55.

NOES—Dilworth, Evans, Houser, Frederick F, McCollister, Potter, and Voigt—6.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2579—An act to amend Sections 5.850, 5.851, 5.853, 5.860, 5.861, 5.870, 5.871 and 5.873 of, and to add Section 5.870a to the School Code, relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, and making an appropriation.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Weber, Bashore, Collins, Sam L., and Pfaff demanded the previous question.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Lowrey, Massion, McCollister, Meehan, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Thomas, Voigt, and Weber—37

NOES—Burkhalter, Carlson, Collins, George D., Cronin, Dilworth, Gaffney, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Maloney, Miller, Millington, Phillips, Potter, Thurman, Turner, Waters, Watson, and Weybret—21.

The question being on the passage of Assembly Bill No. 2579.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., King, Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Weber, and Weybret—54

NOES—Burkhalter, Dilworth, Johnson, Kepple, Knight, John B., Lyon, McCollister, Turner, and Watson—9

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1231

At 10.15 p.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1231 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Green, Hastain, Hawkins, Heisinger, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—55.

NOES—Carlson, Evans, Field, Gaffney, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Millington, Pfaff, and Potter—12.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 98—An act to add Section 13 to the Fish and Game Code, relating to the qualifications of the members of the Fish and Game Commission created by the Constitution of this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—65.
NOES—Houser, Frederick F.—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2388—An act to add Section 4041.5-a to the Political Code, relating to county expenditures out of funds derived from special taxes levied pursuant to Section 4041.5 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—58.
NOES—Allen, Dills, Evans, Richie, and Stream—5.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1350

At 10.23 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

Motion carried Time, 10.27 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR PERMISSION TO HOLD COMMITTEE MEETING

Mr. Michael J. Burns asked for, and was granted, unanimous consent to hold a meeting of the Committee on Motor Vehicles in the post office.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1885—An act to amend Section 4060 of the Public Resources Code, relating to the State Board of Forestry Fire Prevention Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kepple, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Thomas, Thurman, Turner, Waters, Weber, and Weybret—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 49—An act to add Chapter 4 to Division 3 of the Agricultural Code, comprising Sections 440 to 446, relating to pure-bred animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie Russell Sheridan, Stream, Thomas Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—61

NOES—Evans—1.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO HOLD COMMITTEE MEETING

Mr. Field asked for, and was granted unanimous consent to hold a meeting of the Committee on Governmental Efficiency and Economy in the Cloak Room.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1350

At 10.35 p m., on motion of Mr. Hugh M. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1350 passed by the following vote:

AYES—Andreas, Burns, Hugh M, Burns, Michael J, Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F N, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Phillips, Poole, Potter, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, and Weybret—46

NOES—Allen, Bashore, Bennett, Burkhalter, Carlson, Collins, George D., Dilworth, Donnelly, Evans, Field Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, John B, Knight, T. Fenton, Massion, O'Day, Pelletier, Pfaff, Richie, and Robertson—22.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1888—An act to amend Section 3110 of the Public Resources Code, relating to the Petroleum and Gas Fund and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cain moved a call of the Assembly.

Motion carried. Time, 10.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

STATEMENT BY ASSEMBLYMAN THOMAS A. MALONEY—TWENTIETH DISTRICT, SAN FRANCISCO

On Friday, 3 50 a.m., in the Assembly Chamber, the electric totalizer on the board indicated 53 votes in favor of Senate Bill 877 and 27 votes against. I protested against Chairman Lyon refusing to announce vote. All members were present. A call was placed, but all members were present.

THOMAS A. MALONEY

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1888

At 10.50 p.m., on motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1888 passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Sheridan, Stream, Thomas, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Explanation of Vote

Had I been present when the vote on Assembly Bill No. 2579 was recorded, I would have voted "aye."

BERNARD A SHERIDAN

MOTION TO ADJOURN

Mr. Bennett moved that the Assembly do now adjourn until the hour of 10 a.m., Saturday, June 7, 1941.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Bashore moved a call of the Assembly.

Motion carried. Time, 10.57 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

STATEMENT ON SENATE BILL NO. 877

Eighty Members, the entire elected membership of the Assembly, were shown voting 53 in favor and 27 against by the electric totalizer. I protested the call

of the House and raised the point of order that a call of the House was out of order and there were no members to bring in. Point of order ruled not well taken Raised point of order that the time of day was 3 55 a.m, June 6. Speaker informed me that clock had been 20 minutes to 12 for past three hours

JACK B. TENNEY

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended, strike out "one million dollars ($1,000,000)", and insert "three hundred fifty thousand dollars ($350,000)".

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hugh M. Burns moved a call of the Assembly.

Motion carried. Time, 11 07 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO SUSPEND RULES

Mr O'Day moved that the Rules be suspended in so far as they appertain to the two-day notice required to withdraw a bill from committee.

Mr. Maloney seconded the motion.

Demand for Previous Question

Messrs Johnson, Call, Howser, F. N., Hastain and Collins, Sam L., demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Burkhalter, Call, Carlson, Clarke, Collins, Sam L, Dilworth, Field, Green Hastain, Howser, F N, Johnson, Kepple, King, Knight, John B, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Potter, Robertson, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—31

NOES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J, Cain, Collins, George D, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Lowrey, Maloney, Masson, Meehan, O'Day, Pelletier, Richie, Russell, Sheridan, Tenney, and Thomas—29.

The question being on the motion that the Rules be suspended in so far as they appertain to the two-day notice required to withdraw a bill from committee.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion carried. Time 11.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

MOTION TO SUSPEND RULES

Mr. Desmond moved to suspend the Rule which prohibits the continuation of business under a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Phillips, Poole, Potter, Robertson, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—39.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cooke, Crowley, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., King, Maloney, Massion, Meehan, Pelletier, Richie, Russell, Sawallisch, Tenney, and Thomas—27.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 15

At 11.40 p.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments to Assembly Bill No. 15 refused adoption by the following vote:

AYES—Allen, Bashore, Burkhalter, Carlson, Collins, Sam L., Dickey, Dilworth, Doyle, Evans, Field, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Lyon, McCollister, Middough, Millington, Phillips, Poole, Potter, Robertson, Sheridan, Turner, Waters, Watson, and Weybret—27.

NOES—Andreas, Burns, Michael J., Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dills, Donnelly, Green, Hastain, Hawkins, Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Miller, Pelletier, Richie, Stream, Tenney, Thurman, Weber, and Wollenberg—28.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Further Consideration of Assembly Bill No. 15

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended, strike out "one million dollars ($1,000,000)", and insert "five hundred thousand dollars ($500,000)".

Amendment read and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND RULES

At 11.41 p m., on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. O'Day to suspend the Rules lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Howser, F. N., King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sheridan, Tenney, and Thomas—38.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Dickey, Dilworth, Field, Green, Hastain, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—30.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO ADJOURN

At 11.42 p m., on motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to adjourn lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, King, Knight, John B., Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Tenney, and Thomas—27

NOES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Potter, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—39.

MOTION TO CONTINUE UNFINISHED BUSINESS FILE

Mr. Maloney moved that all matters on the unfinished business file be continued until the next legislative day.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 2110

In compliance with a notice given on a previous day, Mr. Cooke moved that the vote whereby Assembly Bill No. 2110 was passed be reconsidered.

Demand for Previous Question

Messrs. Heisinger, Thomas, Voigt, Johnson and Pelletier demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 2110.

The roll was called, and Assembly Bill No. 2110 reconsidered by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton; Lowrey, Massion, Middough, Miller,

O'Day, Pelletier, Phillips, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Turner, Voigt, Waters, Watson, and Wollenberg—48.

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Call, Leonard, Maloney, Meehan, Millington, Potter, Sawallisch, Thurman, and Welch—12.

Ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 59: By Mr. Lyon—Relative to Federal taxation of pari-mutuel pools conducted on horse racing.

Referred to Committee on Public Morals.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 2022 AND 255

Mr. Michael J. Burns moved that Assembly Bill No. 2022 be withdrawn from the Committee on State Grounds and Parks, and re-referred to the Committee on Ways and Means.

Motion carried.

Mr. Field moved that Assembly Bill No. 255 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 6, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith without my signature Assembly Bill No. 2332, entitled. "An act to add Article 4, comprising Sections 11610 to 11613, inclusive, to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to contracts of insurance against hazards incident to ownership, maintenance, operation and use of motor vehicles."

My objections to this bill are as follows:

This bill provides in part that "An admitted insurer, insurance agent, or broker shall not fix, make, or procure any rate or schedule of rates nor charge a rate for any contract of insurance against hazards incident to ownership, maintenance, operation or use of motor vehicles in this State to any group of persons by reason of such group being engaged in any business, trade, calling, profession or occupation, or by reason of membership in any society, club or association or by reason of common employment or by reason of common occupancy of the same building or group of buildings or for any other reason which would result in a lower cost to an individual in such group than such individual would have had to pay to that insurer if he were not a member of such group." Under such provisions it will no longer be possible for a group of persons to secure automobile insurance on their respective automobiles at the lower rates which are offered to large individual owners or such groups. To be specific, this bill would prevent a group of farmers, contractors, employees, professional men, or a group of any occupational class, or members of any cooperative association from obtaining insurance available to them on what is known as the "fictitious fleet basis".

The State does not prohibit life, health, or accident group insurance. There would seem to be no reason why automobile insurance should be singled out as a type of insurance which can not be written on a group basis. In that respect there is no logical support for a distinction between it and any other type of insurance. If we go outside the field of insurance we find that many persons, including farmers, trade associations, employee associations, and countless others, have associated together to secure the benefits of group buying. I can see no logical reason for singling out automobile insurance as the one thing which may not be purchased at low rates or prices, by groups of people. Some of the proponents of this bill, in communications to me, have stated that the writing of insurance at low rates, to a group covering a large number of cars individually owned by members of the group, will result in higher costs to persons who are not members of such groups, and will result in discrimination against the general public. Exactly the same

argument is applicable to the granting of a low rate of insurance to a single individual or company which owns a large number of cars.

If it is desirable by legislation to regulate the rates which may be charged for insurance and to prohibit a higher or lower rate, such legislation should operate equally upon all persons whether included in a classification of a "legitimate" or a "fictitious" group. A substantial number of insurance salesmen support this bill on the ground that it is needed to prevent a narrowing of the field of their endeavors to sell automobile insurance. But the field is open for them without this bill to organize occupational groups for group or "fictitious" fleet insurance, and thus serve to increase the scope of low cost insurance. Public policy should encourage and extend the opportunities for low cost insurance until all persons may be given the benefit thereof instead of limiting those opportunities to a favored class as this bill would do.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 252

WHEREAS, This has been one of the longest sessions in the history of the California Legislature, and the Members have worked many days without compensation; and

WHEREAS, With the Proclamation of the President declaring a National emergency, extraordinary sessions of this Legislature may be called to enact emergency legislation; and

WHEREAS, The extraordinary length of this session and past sessions may in part be attributed to inadequate Rules and unsatisfactory procedure in the handling of legislative business; and

WHEREAS, The length of the legislative sessions could be materially shortened and the cost reduced by adoption of a better method of procedure; and

WHEREAS, A scientific and careful study of the committee system with the idea of the possible elimination of duplication of committees by consolidation and reduction in their number is desirable; and

WHEREAS, Parliamentary practice must keep pace with modern ways in order that efficiency be obtained and the best and quickest results effected in enacting legislation; and

WHEREAS, A study of modernizing the Assembly Chamber and the offices of the Members, as well as the lighting and ventilating systems in the Assembly Chamber, should be done during the interim; and

WHEREAS, Many of the code sections dealing with legislative procedure are obsolete and should be amended or repealed, and there are many conflicts between the Assembly Rules and the Joint Rules, now, therefore, be it

Resolved, That a committee of three members be appointed by the Speaker of the Assembly, of which one member shall be the Speaker, to study and report on this matter to assist the next Legislature, and be it further

Resolved, That the members of this committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way which would be incurred in connection with their services upon the committee, and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses and meals an allowance of eight dollars ($8) per day, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in the sum of one thousand five hundred dollars ($1,500) in favor of this committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2633—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately; which had been vetoed by the Governor was passed by both Houses of the Legislature by the constitutional majority on the fifth day of June, 1941, said bill presented to the Governor on the sixth day of June, 1941, at 11 p.m

JOHN B. KNIGHT, Chairman

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred

Senate Bill No 1341

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MALONEY, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 413

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2658

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2484

And reports the same correctly re-engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1454
Assembly Bill No. 1847
Assembly Bill No. 2650

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2658
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 355—An act to amend Section 256 of the Probate Code, relating to estates of illegitimate children;

Assembly Bill No. 2342—An act to add Section 511.5 to the Vehicle Code, relating to speed limits;

Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 22 to Article V, relating to the compensation of State officers;
And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 586
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 2651
And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 586
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

KEPPLE, Chairman	PFAFF
LYON	ALLEN
CAIN	CARLSON
HAWKINS	MEEHAN
KNIGHT, T. FENTON	PHILLIPS

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred: Assembly Bill No. 1429
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FIELD, Chairman

Above reported bill ordered to second reading.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 1197

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

STREAM, Chairman	BASHORE
POOLE	LOWREY
WEBER	HOWSER, F. N.
KNIGHT, JOHN B	ANDREAS
DEL MUTOLO	

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No 8

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

PHILLIPS, Chairman	WOLLENBERG
CARLSON	HOWSER, F. N.
MILLINGTON	COLLINS, SAM L.
POTTER	GREEN
DESMOND	DICKEY

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 130

Assembly Bill No. 2585

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2379

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

TENNEY, Chairman	WATERS
DEL MUTOLO	DONNELLY
DILLS	COLLINS, GEORGE D.
MEEHAN	BENNETT

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER Your Committee on Fish and Game, to which was referred:

Assembly Bill No 20

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

WATSON, Chairman

Above reported bill ordered to second reading.

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No 1002

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

(Signed out) HOWSER, F. N. CARLSON
SHERIDAN THOMAS
THURMAN

Above reported bill ordered to second reading.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No 1904

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended

(Signed out) TENNEY, Chairman O'DAY
SALSMAN COLLINS, GEORGE D.
DEL MUTOLO DONNELLY
WATERS BENNETT

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2217—An act to add Article 8a to the State Civil Service Act, relating to standards of conduct of employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 130—An act to make an appropriation to the Division of Parks for the construction and equipment of a swimming pool in Cuyamaca State Park, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 6, of the printed bill, after "in", insert "the men's and boys' area of".

Amendment No. 2

On page 1, lines 4 and 5, of the printed bill, strike out "Treasury not otherwise appropriated", and insert "Park Maintenance and Acquisition Fund"

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2585—An act making an appropriation to the State Park Commission for the acquisition of land in Marin County as part of the State Park System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out all of line 5, and insert "Park Maintenance and Acquisition Fund the sum of".

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1528—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 1 of", and insert "repeal".

Amendment No. 2

In line 5 of the title of the printed bill, strike out ", relating to boats".

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert
"SECTION 1. The act cited in the title hereof is hereby repealed".

Amendment No. 4

On page 1 of the printed bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 2379—An act to provide for the retirement of justices of Class A justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary General:

Amendment No. 1

On page 1 of the printed bill, after line 3, insert
"SEC. 2. Every justice of a Class A justice court having attained the age of 70 years and having been a justice of a Class A justice court for 12 years in the aggregate within the period of 15 years immediately preceding, may retire by filing written notice of retirement with the Secretary of State and a successor shall thereupon be appointed to fill the vacancy. Every justice of a Class A justice court who has attained the age of 70 years and who has been a justice of the peace for 12 consecutive years may retire if he pays into the Judges' Retirement Fund a sum equal to the amount he would have paid had he been a justice of a Class A justice court during the whole time he was a justice of the peace during that 12 year period.

Any Class A justice of the peace who has served 30 days less than 12 years shall be deemed to have been a justice for 12 years within the meaning of this section.

SEC. 3. From and after the effective date of this act the auditor of each county shall deduct 2½ per cent from the amount of the salary paid by such county to each Class A justice of the peace, and cause the same to be paid into the Judges' Retirement Fund.

SEC. 4 From and after the effective date of this act the auditor or other disbursing officer of any city, whether chartered or otherwise, which pays any portion of the salary of a Class A justice of the peace shall deduct 2½ per cent from the amount of monthly salary paid by such city of each such justice and cause the same to be paid into the Judges' Retirement Fund.

SEC. 5. Should any Class A justice die, resign, or cease to be a justice or judge of any of the said courts, except in the event of his appointment or election to a court of higher rank, prior to the time he shall have been retired as provided by law, the amount of his accumulated contribution shall be paid to him or to his estate."

Amendment read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 20—An act to add Section 869 to the Fish and Game Code, relating to tuna.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "869", and insert "926.5".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "tuna", and insert "nets in District 20".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "869", and insert "926.5".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 11, inclusive, and insert "926.5. In District 20 purse seine and round haul nets may be used to take bluefin tuna between the hours of 8 o'clock p.m. and 6 o'clock a.m. from July 1st to September 30th; provided, however, that the length of the meshes of the nets so used shall be not less than 4½ inches. Round haul nets pursed and closed prior to 6 o'clock a.m. may be possessed and transported in said district after 6 o'clock a.m. of the day on which it was so pursed and closed prior to 6 o'clock a.m. Round haul nets may not be used at any time within a radius of two miles from the Casino at Avalon, Santa Catalina Island, nor within a radius of two miles from the end of the pier at the Isthmus of Santa Catalina Island."

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1002—An act to amend Sections 8941, 8950 and 8970 of, and to add Sections 8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5 to, the Business and Professions Code, relating to the regulating, licensing and supervision of persons engaged in business activities incident to the ownership and operation of yachts and ships.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Commerce and Navigation:

Amendment No. 1

Strike out lines 1 to 6, inclusive, of the title of the printed bill, and insert "An act to repeal Chapter 16, comprising Sections 8900 to 8970, inclusive, of Division 3 of the Business and Professions Code, relating to yacht and ship brokers".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert "SECTION 1. Chapter 16, comprising Sections 8900 to 8970, inclusive, of the Business and Professions Code, is hereby repealed."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 24, inclusive; and strike out all of pages 2 and 3.

Amendments read and adopted.

Bill ordered printed, and engrossed.

Assembly Bill No. 1904—An act to amend Section 7560 of the Business and Professions Code or Section 5a of an act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved

June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary General:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7560 of", and insert "add Section 7512.5 to".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "or Section 5a of an act entitled "An act to license"; and strike out lines 3 to 6, inclusive; and in line 7, strike out "June 3, 1927".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "7560 of", and insert "7512.5 is hereby added to".

Amendment No. 4

On page 1, line 2, of the printed bill, strike out "is hereby amended".

Amendment No. 5

On page 1 of the printed bill, between lines 2 and 3, insert

"7512.5. This chapter shall not apply to patrol special police officers appointed by the police commission of any city, county, or city and county under the express terms of its charter who also under the express terms of the charter (1) are subject to suspension or dismissal after a hearing on charges duly filed with the commission after a fair and impartial trial, (2) must be not less than 21 years of age nor more than 40 years of age, (3) must possess physical qualifications prescribed by the commission, and (4) are designated by the police commission as the owners of a certain beat or territory as may be fixed from time to time by the police commission."

Amendment No. 6

On page 1 of the printed bill, strike out lines 3 to 24, inclusive.

Amendments read and adopted.

Bill ordered printed, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on *this day adopted*:

Assembly Joint Resolution No. 58

J. A. BEEK, Secretary of the Senate
By CHARLES W BRANDT, Assistant Secretary

Assembly Joint Resolution No. 58 ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1135—An act to amend Section 554 and to add Section 555 to the Labor Code, relating to days of rest.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2524—An act to amend Sections 799, 800 and 801 of the Penal Code, relating to time of commencing criminal actions.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 457
Assembly Bill No. 468
Assembly Bill No. 2487

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 301
Assembly Bill No. 588
Assembly Bill No. 2197

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's veto to.

Senate Bill No. 339—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax.

Herewith is a copy of the Governor's message relating to said bill.

J. A BEEK Secretary of the Senate
By JOHN F LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 22, 1941

To the Honorable Members of the Senate
State Capitol, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Senate Bill No 339, entitled "An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax." This bill exempts so-called "diversified management companies" from all taxes under the Bank and Corporation Franchise Tax Act, just as its companion bill, Senate Bill No. 338, exempts such companies from all tax under the Corporation Income Tax Act of 1937.

My objections to this bill are as follows:

It has the effect of singling out a group of privately owned corporations operating for profit and granting them exemptions heretofore accorded only to eleemosynary and like corporations, and which have never been accorded even to mutual nonprofit cooperative corporations.

The scope of the permissible profit making activities of diversified management companies can be readily obtained from the statement of policies required to be filed as a condition of registering under Section 8 of the Federal Investment Company Act of 1940. Under that act, each registering company must file a recital of policy concerning (among other things) (1) "engaging in the business of underwriting securities issued by other persons," (2) "the purchase and sale of real estate and other commodities, or either of them;" (3) "making loans to other persons," and (4) "portfolio turn-over (including a statement showing the aggregate dollar amount of purchases and sales of portfolio securities, other than Government securities, in each of the last three full fiscal years . .)".

It is clear to me that sound tax and fiscal policy demands that companies which can, and do, underwrite securities, and which can, and do, engage in the activity of buying and selling securities and property for speculative profit in competition with other underwriters and speculators, should not be accorded exemption from a State tax which all other profit corporations must pay.

Further, I note from the Federal Investment Company Act of 1940, that diversified management companies are required to have a degree of diversification in their portfolio of investments, but that there is no requirement of diversification in the stock ownership of such companies. That is, there is no assurance that the stock ownership of such companies will be spread over many small stockholders (one of the arguments in favor of the present bill) and there is the possibility that the effective ownership of such companies may be concentrated in the hands of a few persons or corporations. Therefore, a blanket tax exemption of diversified management companies would defeat the announced purpose of its proponents, which was to exempt only such companies, the shares of which are widely held by many small investors.

I am aware of the argument made by the proponents of this bill, that tax exemption is necessary to prevent a so-called triple tax on the small investor; that is, where income is taxed once to the corporation earning it, again to the diversified management company which receives a dividend from the first company, and again to the small investor, who owns stock in the diversified management company on the receipt of the dividend from the diversified management company. On close analysis this argument fails for the following reasons

(a) There is no certainty that the stockholder of the diversified management company will be a "small" investor;

(b) Section 8 (h) of the California Bank and Corporation Franchise Tax Act, and Section 7 (h) of the California Corporation Income Tax Act, already permit a corporation which receives a dividend to deduct from income a percentage of the dividend income taxed to the declaror corporation under either act This fact eliminates one incidence of the so-called "triple tax" as far as taxation by this State is concerned

(c) The income of diversified management companies is not limited to dividend income, but can and does, arise from the speculative purchase and sale of securities and property, interest, etc

In conclusion, I am also impressed by the fact that the United States Congress despite the fact that it enacted the Federal Investment Company Act of 1940, regulating investment companies) has not deemed it proper to exempt from Federal taxation the complement of investment companies which would be exempt from State taxation by this bill and its companion, Senate Bill No. 338.

Respectfully submitted.

CULBERT L OLSON, Governor of California

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's veto to.

Senate Bill No. 338—An act to amend Section 4, of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax

Herewith is a copy of the Governor's message relating to said bill.

J A BEEK Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 22, 1941

To the Honorable Members of the Senate
State Capitol, Sacramento, California

GREETINGS: I am returning herewith, without my signature, Senate Bill No. 338, entitled "An act to amend Section 4 of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax" This bill exempts so-called "diversified management companies" from all taxes under the Corporation Income Tax Act, just as its companion bill, Senate Bill No. 339, exempts such companies from all tax under the Bank and Corporation Franchise Tax Act

My objections to this bill are as follows:

It has the effect of singling out a group of privately owned corporations operating for profit, and granting them exemptions heretofore accorded only to eleemosynary and like corporations, and which have never been accorded even to mutual nonprofit cooperative corporations

The scope of the permissible profit making activities of diversified management companies can be readily obtained from the statement of policies required to be filed as a condition of registering under Section 8 of the Federal Investment Company Act of 1940 Under that act, each registering company must file a recital of policy concerning (among other things) (1) "engaging in the business of underwriting securities issued by other persons"; (2) "the purchase and sale of real estate and other commodities, or either of them"; (3) "making loans for other persons"; and (4) "portfolio turn-over (including a statement showing the aggregate dollar amount of purchases and sales of portfolio securities, other than Government securities, in each of the last three full fiscal years * * *)."

It is clear to me that sound tax and fiscal policy demands that companies which can, and do, underwrite securities, and which can, and do, engage in the activity of buying and selling securities and property for speculative profit in competition with other underwriters and speculators, should not be accorded exemption from a State tax which all other profit corporations must pay.

Further, I note from the Federal Investment Company Act of 1940, that diversified management companies are required to have a degree of diversification in their portfolio of investments, but that there is no requirement of diversification in the stock ownership of such companies That is, there is no assurance that the stock ownership of such companies will be spread over many small stockholders (one of the arguments in favor of the present bill) and there is the possibility that the effective ownership of such companies may be concentrated in the hands of a few persons or corporations. Therefore, a blanket tax exemption of diversified manage-

ment companies would defeat the announced purpose of its proponents, which was to exempt only such companies, the shares of which are widely held by many small investors.

I am aware of the argument made by the proponents of this bill, that tax exemption is necessary to prevent a so-called triple tax on the small investor that is, where income is taxed once to the corporation earning it, again to the diversified management company which receives a dividend from the first company, and again to the small investor, who owns stock in the diversified management company, on the receipt of the dividend from the diversified management company. On close analysis this argument falls for the following reasons:

(a) There is no certainty that the stockholder of the diversified management company will be a "small" investor;

(b) Section 8 (h) of the California Bank and Corporation Franchise Tax Act, and Section 7 (h) of the California Corporation Income Tax Act, already permit a corporation which receives a dividend to deduct from income a percentage of the dividend income taxed to the declarer corporation under either act. This fact eliminates one incidence of the so-called "triple tax" as far as taxation by this State is concerned;

(c) The income of diversified management companies is not limited to dividend income, but can, and does, arise from the speculative purchase and sale of securities and property, interest, etc.

In conclusion, I am also impressed by the fact that the United States Congress (despite the fact that it enacted the Federal Investment Company Act of 1940, regulating investment companies) has not deemed it proper to exempt from Federal taxation the complement of investment companies which would be exempt from State taxation by this bill and its companion, Senate Bill No. 339.

Respectfully submitted.

CULBERT L OLSON, Governor of California

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 529
Senate Bill No. 812
Senate Bill No. 820
Senate Concurrent Resolution No 22
Senate Constitutional Amendment No. 13
Senate Bill No. 1092
Senate Bill No. 964

J A. BEEK, Secretary of the Senate

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day rescinded its action whereby it struck from the file Assembly Bill No. 2299, and requests said bill be returned to the Senate for further action.

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

MOTION TO RETURN ASSEMBLY BILL NO. 2299 TO SENATE

Mr. Meehan moved that Assembly Bill No. 2299 be returned to the Senate.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

And appointed Senators Kenny, DeLap and Kuchel as a Second Committee on Conference to meet a like committee from the Assembly.

J. A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 82

The Speaker announced the appointment of Messrs Call, Bashore and Watson as a Second Committee on Conference concerning Assembly Bill No 82

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 17
Senate Bill No 62
Senate Bill No 223
Senate Bill No 232
Senate Bill No. 253
Senate Bill No. 260
Senate Bill No. 308
Senate Bill No 410
Senate Bill No. 415
Senate Bill No 556
Senate Bill No. 583
Senate Bill No 592
Senate Bill No. 686
Senate Bill No. 719
Senate Bill No 763
Senate Bill No 859
Senate Bill No. 944
Senate Bill No 945
Senate Bill No. 967
Senate Bill No. 969
Senate Bill No. 1051
Senate Bill No. 1073
Senate Bill No. 1168
Senate Bill No. 1211
Senate Bill No. 1264
Senate Bill No. 1309
Senate Bill No 1293
Senate Bill No. 1318
Senate Bill No. 1342
Senate Bill No. 1344
Senate Bill No. 1345

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 17—An act to amend Section 758 of the Political Code, and to add thereto Section 758b, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 62—An act to repeal Article 2, comprising Sections 4051 to 4060, inclusive, of Chapter 1 of Division 4 of the Public Resources Code, relating to private fire patrols of forest lands, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 223—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for forest protection against the white pine blister rust.

Referred to Committee on Ways and Means.

Senate Bill No. 232—An act to amend School Code Section 4.102a, relating to, and making, an appropriation for vocational rehabilitation.

Referred to Committee on Education.

Senate Bill No. 253—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Sections 2, 4 and 5 of and to add Section 4.5 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Referred to Committee on Ways and Means

Senate Bill No. 260—An act to amend Section 343 and 344 of the Agricultural Code, relating to fees for inspection of animals.

Referred to Committee on Live Stock and Dairies.

Senate Bill No. 308—An act to amend Section 54 of the Fish and Game Code, relating to game management.

Referred to Committee on Fish and Game

Senate Bill No. 410—An act to provide for the acquisition of Montgomery Woods in Mendocino County as part of the State Park System, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 415—An act to amend Section 109 of the State Employees' Retirement Act, relating to a retirement system for employees and officers of the State of California, and making an appropriation therefor.

Referred to Committee on Ways and Means

Senate Bill No. 556—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf

Referred to Committee on Ways and Means.

Senate Bill No. 583—An act making an appropriation for construction, improvements and equipment and the purchase of land for the Fresno State College.

Referred to Committee on Ways and Means.

Senate Bill No. 592—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Chico State College.

Referred to Committee on Ways and Means.

Senate Bill No. 686—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and counties of this State, to authorize the connection of this system with that of any adjacent State, to make an appropriation therefor, and to repeal certain acts inconsistent therewith.

Referred to Committee on Ways and Means.

Senate Bill No. 719—An act to add Section 3.5 to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31,

1917, relating to the organization of said bureau and defining its powers and duties and making an appropriation.

Referred to Committee on Ways and Means

Senate Bill No. 763—An act to amend Sections 111, 1551, 2005, 2182, 3077, 3078, 3079, 3085, 3086 and 3089, and to repeal Sections 2141, 2142 and 3076 of the Welfare and Institutions Code, relating to the organization, powers and duties of the State Department of Social Welfare.

Referred to Committee on Social Service and Welfare.

Senate Bill No. 859—An act to add Section 3560.1 to the Harbors and Navigation Code, relating to the possession, control and jurisdiction of the Board of State Harbor Commissioners for the Bay of San Diego over lands, including tidelands and submerged lands within the Bay of San Diego.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 944—An act making an appropriation to the Department of Finance for the purpose of paying refunds of taxes, licenses, and fees.

Referred to Committee on Ways and Means.

Senate Bill No. 945—An act to amend Section 689 of and to add Section 689.5 to the Political Code, relating to collections by the State Department of Finance from other State agencies.

Referred to Committee on Ways and Means.

Senate Bill No. 967—An act making an appropriation for the control of disease-harboring rodents on and near areas established for defense purposes.

Referred to Committee on Ways and Means.

Senate Bill No. 969—An act relating to and providing for the completion of the preparation of a Water Code, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 1051—An act to add Section 862.5a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to powers of sixth class cities to acquire and develop park and recreational facilities, and to issue revenue bonds therefor, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1073—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

Referred to Committee on River Navigation, Reclamation, and Flood Control.

Senate Bill No. 1168—An act to add Section 135.8 to the Vehicle Code, requiring reports of damaged fences.

Referred to Committee on Ways and Means.

Senate Bill No. 1211—An act making an appropriation for the support, activities and functions of the California Farm Debt Adjustment Commission, disposing of unexpended money of a previous appropriation for such purposes, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1264—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Referred to Committee on Ways and Means

Senate Bill No. 1309—An act to provide for manufacture of tobacco products in institutions of the State of California, the sale of such products to State agencies, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1293—An act making an appropriation to the Department of Finance for State participation in the Los Banos May Day Festival and Live Stock Show, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1318—An act making an appropriation from the unexpended moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," approved May 29, 1940, for flood control works in or along the Eel River, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1342—An act to amend Section 4014a of the Political Code, relating to township officers.

Referred to Committee on County Government.

Senate Bill No. 1344—An act to amend Section 2302 of, and to add Section 2305 to, the Elections Code, relating to delegates to National conventions.

Referred to Committee on Elections.

Senate Bill No. 1345—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., to take effect immediately.

Referred to Committee on Rules.

COMMUNICATIONS

A communication from Agnes G. Durhamel, relative to Senate Bill No. 1078, was presented, and ordered filed with the Secretary of State.

A communication from R W Queckborner, relative to Senate Bill No. 1078, was presented, and ordered filed with the Secretary of State.

A communication from Jennie E Carlson, relative to Senate Bill No 1078, was presented, and ordered filed with the Secretary of State.

A communication from Mrs. Francis Bates, Jr., relative to Senate Bills Nos. 1717 and 1719, was presented, and ordered filed with the Secretary of State.

A communication from Robert H. Strader, D.C., Ph.C., of Buffalo, New York, relative to Senate Bill No. 1078, was presented, and filed with the Secretary of State.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Eva H. Francis, teacher, and the following students of Stanford Junior High: Leo Romaneski, Clarissa Kimber, Barbara Jo Oldham, Lois Schauer, Ruth Best, Harold Doyle, Ernest Neves, Lilian Belef, Lois Beckey, Tom Brainard, Barbara Brandt, Edward Newman, Marian Parks, Carl Peterson, James Reid, Ted Richards, Alberta Riggins, Lena Rossi, Herbert Saul, Dewey Shay, Mary Sowerwine, Dorothy Stone, Virginia Watson, Robert Webber, Vivian Berry, Jacquelyn Davenport, Betty Fisher, Helen Fisher, Gloria Greenman, Shirley Griffin, Dorothy Haskell, Sammy Heredia, Lois Higg, Norma Hinton, Elizabeth Kimber, Bob Long, John LaForte, Marie Lowe and Donald Nepstead.

On request of Mr. Pfaff, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Al Ryness of Los Angeles.

On request of Mr Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. J Gaspard, M D., of Los Angeles.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ed. Harris and Mrs. B. C. Widney of Hollywood

On request of Mr Gallagher and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs J. F Colverley, President of Southern Council of Civic Clubs, Alfred J. Ennes of Central Council of Civic Clubs, and Robert J. Lougherty of Great Highway Improvement Club, all of San Francisco.

On request of Mr. O'Day and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Frances J Kelly, Miss Mary E. Burke and Charles Meyers of San Francisco

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clifford L. Berry, son of Assemblyman and Mrs Franklin J Potter

On request of Mr Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Clarence Shaw of Los Angeles.

ADJOURNMENT

At 11.57 p m, on motion of Mr Field, the Speaker declared the Assembly adjourned until 10 30 a m, Saturday, June 7, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FIRST LEGISLATIVE DAY
ONE HUNDRED FIFTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, June 7, 1941

The Assembly met at 10.30 a m

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond Dickey, Dilworth, Donnelly, Doyle, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Kepple, Lyon, Massion, McCollister, Middough, Miller, Millington, O'Day, Poole, Richie, Russell, Salsman, Stream, Thomas, Thurman, Turner, Waters, Weber, Welch, and Weybret—41.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Middough

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr Poulson, on motion of Mr Waters

Mr. Field, on motion of Mr Lyon.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 8
Assembly Bill No. 1197
Assembly Bill No. 1429

And reports the same correctly engrossed

JOHN B KNIGHT Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 15

And reports the same correctly re-engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading

RESOLUTIONS

The following resolutions were offered:

By Mr. Weber:

House Resolution No. 253

Relative to creation of Assembly Committee on Legislative Organization

WHEREAS, In order to enable the Assembly to determine what rules, organization and facilities are best suited to its needs in its consideration of legislation, it is imperative that all pertinent facts directly or indirectly related thereto be found, assembled and analyzed, and that such facts be reported to the Assembly for consideration by its members, and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed by the Assembly through a committee of the Assembly charged with the study of every phase of legislative rules, organization and facilities, to act during this session and any other sessions of this Legislature or after final adjournment thereof, but except for the purpose of making its report, not beyond the convening of the regular session of the Fifty-fifth Legislature, and to report to the Assembly as soon as may be; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee, designated the "Committee on Legislative Organization," of three members of the Assembly appointed by the Speaker thereof is hereby created, the Speaker to designate the chairman thereof; and be it further

Resolved, That the committee shall have and exercise the duty and power.

(1) To study the Standing Rules of the Assembly, the Joint Rules of the Legislature, the existing organization of the Legislature, questions of economy in the legislative procedure, the physical facilities for the use of the Legislature, the rearranging of space in the State Capitol, and the advisability of creating as an adjunct to the Legislature an office or position to be filled by a person qualified to report directly to the Legislature on all matters respecting departmental budgets and personnel assignments in so far as the same may be embraced in matters pending before the Legislature;

(2) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as to it may appear appropriate;

(3) To make a complete study, survey and investigation of every phase of all subjects within the scope of its power to consider and to report its findings and recommendations to the Assembly from time to time and at any time;

(4) To meet at any and all times during this session of the Legislature, whether the Assembly be actually then sitting or not, and at any and all places in the State in the performance of its duties and in carrying out the objects and purposes of this resolution;

(5) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution; and, be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish such committee upon request, any and all such assistance, and information, records and documents as the committee deems proper for the accomplishment of the purposes for which the committee is created; and, be it further

Resolved, That the committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, or after final adjournment, but in no event beyond the convening of the Fifty-fifth Legislature. The committee may report to any session of this Legislature or to the Regular Session of the Fifty-fifth Legislature, on or before March 15, 1943. The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals. The sum of two hundred dollars ($200) is hereby made available from the

Contingent Fund of the Assembly, for expenses of the committee and its members, and for any other charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and referred to Committee on Rules.

By Mr. Weber:

House Resolution No. 254

Relating to Permanent Standing Rules of the Assembly

Resolved, That Rule 14 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"14 Any member requesting permission to introduce a bill except a resolution or constitutional amendment after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the Speaker to the Committee on Legislative Procedure The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly."

Resolved, That Rule 16 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on House Functions shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present"

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"61. Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly by a majority vote of the entire membership, shall refer it to some other committee"

Resolved, That Rule 67 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows.

"67 It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed The report of the Committee on Legislative Procedure shall be in order at any time"

Resolved, That Rule 74 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"74 After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Section 539 of the Political Code The Committee on Legislative Procedure shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal."

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows.

"75. There shall be Standing Committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows

1 House Functions, _____members
2 Legislative Procedure, _____members.
3 Conservation and Planning, _____members
4 Highways, _____members

5. Fish and Game, _____members
6. Governmental Efficiency, _____members
7. Revenue and Taxation, _____members.
8. Ways and Means, _____members
9. Education, _____members
10. Crime and Correction, _____members.
11. Public Morals, _____members
12 Public Health, _____members.
13. Social Welfare, _____members.
14. Civil Service and Departments, _____members.
15. Military and Police, _____members.
16. County and Municipal Government, _____members.
17. Elections and Reapportionment, _____members
18 Judiciary Codes, _____members.
19. Judiciary General, _____members
20 Constitution and Direct Legislation, _____members.
21 Agriculture, _____members.
22 Manufacturing and Mineral Industry, _____members.
23 Corporations and Utilities, _____members
24. Labor and Capital, _____members
25 Commerce and Transportation, _____members
26 Motor Vehicles, _____members
27 Finance and Insurance, _____members

Prior to the assignment of Members to serve on the several standing committees, the Speaker or the Committee on House Functions shall consider the preferences of the Members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that Members will not serve on more than one committee which meets at the same time and the Speaker thereafter shall determine the number and the Members to serve on each standing committee. Upon publication in the Journal of the number of Members on each standing committee, no further change in the number of Members of the committee shall be made otherwise than by a majority vote of the Assembly."

Resolved, That Rule No. 75a is added to the Permanent Standing Rules of the Assembly, to read as follows:

"75a. For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

Two committees to consider matters concerning legislative organization and procedure: One on House Functions, No. 1; and one on Legislative Procedure, No. 2.

Eighteen committees to consider legislative measures affecting government and governmental organization. Three on conservation and planning, Nos. 3 to 5; three on fiscal matters, Nos. 6 to 8; one on education, No. 9; four on social welfare, Nos. 10 to 13; one on civil service and departments, No. 14; one on military and police, No. 15; two on political subdivisions, Nos. 16 and 17; three on judiciary and laws, Nos. 18 to 20.

Seven committees to consider legislative measures affecting industry: Two on production, Nos. 21 and 22; two on labor and capital, Nos. 23 and 24; two on distribution and transportation, Nos 25 and 26; one on finance, No 27.

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule 79a is added to the Permanent Standing Rules of the Assembly to read as follows:

"79a Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file.

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, with the consent of each author, and this shall not be deemed a violation of Assembly Standing Rule No. 49. If such a recommendation of a committee is adopted by a majority vote of the Assembly, the bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolved, That Rule 81 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"81. The Committee on House Functions shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty pending final action by the Assembly."

Resolved, That Rule 82a is added to the Permanent Standing Rules of the Assembly, to read as follows

"82a. There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings"

Resolved, That Rule 82b is added to the Permanent Standing Rules of the Assembly, to read as follows:

"82b There is a Committee on Legislative Procedure consisting of_____ members, including the Speaker, which shall also be the Committee on Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolved, That Rule 85 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"85 The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on House Functions or by the Speaker, and delivered to him prior to beginning such printing or work All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order"

Resolved, That Rule 86 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"86 Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on House Functions All requests by members for additional copies of bills, documents or other printed matter shall be referred to the Committee on House Functions"

Resolved, That Rule 93 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows

"93. The Committee on House Functions may at any time report a Temporary Rule Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such Temporary Rule shall have the effect for the time being of a Standing Rule. If such Temporary Rule shall be in conflict with a Standing Rule, it shall supersede such Standing Rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on House Functions."

Resolution read, and referred to Committee on Rules.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1935 WAIVED

Mr. T. Fenton Knight waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1935 was passed.

Assembly Bill No. 1935 ordered to enrollment.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 82

The Speaker announced the appointment of Messrs. Call, Carlson and Kepple as a Committee on Conference concerning Senate Bill No. 82.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1436—An act to amend Sections 2, 5, 7, 8, 11, 13 and 20 of and to add Sections 8.5 and 10.5 to "An act imposing a license fee or tax for the transportation of persons or property for hire

or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately." approved May 13, 1933, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1436?

PRINTER'S NOTE —There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 7 of the title of the printed bill, as amended, after "1933," insert "and to amend Sections 9779, 9854, 9876, 9901, 10276, 10277, 10282 and 10451 of, to repeal Sections 9706 and 9707 of, and to add Article 3 5, comprising Sections 9911 to 9913, inclusive, to Chapter 4, Part 4, Division 2 of, and to add Sections 9706, 9855, 9877.5, 9901.5, and 10050 to, the Revenue and Taxation Code,".

Amendment No. 2

On page 7 of the printed bill, as amended, strike out line 21, and insert

"SEC. 10. Sections 9706 and 9707 of the Revenue and Taxation Code are hereby repealed

SEC. 11. A new Section 9706 is hereby added to said code, to read as follows:

9706 Every license issued is valid until canceled or revoked by the board. A fee of five dollars ($5) shall be paid to the board for the issuance of a license to any person to whom a license was previously issued and subsequently canceled

SEC. 12. Section 9779 of said code is hereby amended to read as follows:

9779. Transfer by the department of the registered ownership of any motor vehicle licensed under this part may be effected only after a certificate of license tax clearance has been issued therefor by the board The certificate of license tax clearance *may be issued after the payment of all amounts due under this part or after the payment of such amounts is secured to the satisfaction of the board The certificate* completely extinguishes the lien provided for in Article 3, Chapter 5, of this part in the motor vehicle described in the certificate.

SEC 13. Section 9854 of said code is hereby amended to read as follows:

9854 The board for good cause may extend for not to exceed [10] *20* days the time for making any return or payment required under this part.

SEC. 14. Section 9855 is hereby added to said code, to read as follows:

9855 The board, if it deems it necessary in order to insure payment of the tax imposed by this part, or to facilitate the administration of this part, may require returns and payment of the tax to be made for other than monthly periods.

SEC. 15 Section 9876 of said code is hereby amended to read as follows:

9876. If the board is not satisfied with the return [made] *filed or amount of tax paid* by any operator, it may make a deficiency determination of the tax required to be paid by the operator based upon information contained in the return or upon any information in its possession *A deficiency determination may be made of the amount of tax due for one or for more than one month*

SEC. 16. Section 9877 5 is hereby added to said code, to read as follows.

9877 5 In making a determination the board may offset overpayments for a month or months against underpayments for another month or months, against penalties, and against the interest on the underpayments.

SEC. 17. Section 9901 of said code is hereby amended to read as follows:

9901 If any operator fails, neglects, or refuses to file a return within the time required, the board shall make an estimate of the amount of the taxable gross receipts of the operator for the month or months for which the operator failed to make a return. Upon the basis of this estimate the board shall compute and determine the tax payable by the operator, adding to the amount of tax so determined a penalty equal to 10 per cent thereof. *A determination may be made of the amount of tax due for one or for more than one month*

SEC 18. Section 9901 5 is hereby added to said code, to read as follows:

9901 5. In making a determination the board may offset overpayments for a month or months against underpayments for another month or months, against penalties, and against the interest on the underpayments

SEC. 19. Article 3.5, comprising Sections 9911 to 9913, inclusive, is hereby added to Chapter 4, Part 4, Division 2, of said code, to read as follows:

Article 3 5. Jeopardy Determinations

9911. If the board believes that the collection of any amount of tax imposed under this part will be jeopardized by delay, it shall thereupon make a determination of the amount of tax due, noting that fact upon the determination. The amount determined is immediately due and payable.

9912 If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within 10 days after service upon the operator of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and interest provided in Article 6 of this chapter shall attach to the amount of tax specified

9913. The operator against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 4 of this chapter. He shall, however, file the petition for redetermination with the board within 10 days after the service upon him of notice of the determination. The operator shall also within the 10-day period deposit with the board such security as it may deem necessary to insure compliance with this part. The security may be sold by the board in the manner prescribed by Section 10050.

SEC. 20. Section 10050 is hereby added to Article 1 of Chapter 5, Part 4, Division 2, of said code, to read as follows:

10050 The board, whenever it deems it necessary to insure compliance with this part or any rule or regulation adopted under this part, may require any person subject to the tax imposed under this part to deposit with it such security as it may determine. The board may sell the security at public sale if it becomes necessary so to do in order to recover any amount due under this part. Notice of the sale may be served upon the person who deposited the security personally or by mail in the manner prescribed for service of notice of a deficiency determination Upon any sale, any surplus above the amount due shall be returned to the person who deposited the security

SEC 21 Section 10276 of said code is hereby amended to read as follows

10276 No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any license tax *or other amounts* sought to be collected by the board

SEC 22. Section 10277 of said code is hereby amended to read as follows:

10277. After payment of any license tax under protest duly verified and setting forth the grounds of objection to the legality of the tax, the operator paying the tax may bring an action against the [State Treasurer] *board* in the Superior Court *of the County of Sacramento for the recovery of the license tax so paid*

SEC 23. Section 10282 of said code is hereby amended to read as follows

10282 A judgment shall not be rendered in favor of the plaintiff in any action brought against the [State Treasurer] *board* to recover any license tax paid when the action is brought by or in the name of an assignee of the operator paying the tax or by any person other than the person who paid the tax

SEC 24 Section 10451 of said code is hereby amended to read as follows

10451 All taxes, interest, and penalties due under this part shall be paid in the form of remittances payable to the State Controller The Controller shall transmit the payments to the State Treasury to be deposited to the credit of the Motor Vehicle Transportation Tax Fund, which fund is continued in existence *All license fees paid under this part shall be deposited by the board in the State Treasury to the credit of the same fund*

SEC 25 This act, inasmuch as it provides for a tax levy".

Amendment No. 3

On page 7, line 27, of the printed bill, as amended, after "hereof", insert "amending the act cited in the title hereof".

Amendment No. 4

On page 7, line 28, of the printed bill, as amended, after "1941", insert "and that the provisions hereof amending the Revenue and Taxation Code shall become operative at the same time as Part 4 of Division 2 of the Revenue and Taxation Code passed by the Legislature at its Fifty-fourth Session, at which time the provisions of the act cited in the title hereof amended or added by this act are hereby repealed"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1436 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Call, Carlson Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff,

Richie, Robertson, Russell, Salsman, Stream, Thurman, Turner, Waters, Welch, and Weybret—42.
NOES—None.

Assembly Bill No. 1436 ordered enrolled.

Assembly Bill No. 1067—An act to amend School Code Sections 5.490 and 5.491, and to repeal School Code Section 5.492, relating to the employment of lecturers in public schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1067?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended, strike out "year", and insert "term"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1067 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Kepple, Knight, John B., Knight, T Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Stream, Thurman, Turner, Waters, Welch, and Weybret—42.
NOES—Dilworth—1

Assembly Bill No. 1067 ordered enrolled.

Assembly Bill No. 588—An act to amend Sections 581 and 582, and to amend and renumber Sections 581a, 581b and 583 of, and to add Sections 581a, 581e and 581f to, the Code of Civil Procedure, relating to the dismissal and rendition of judgment in civil actions

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 588?

Amendment No. 1

On page 4, line 1, of the printed bill, strike out "filing, or".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 588 by the following vote:

AYES—Andreas, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Stream, Thurman Turner, Waters, Welch, and Weybret—43.
NOES—None

Assembly Bill No 588 ordered enrolled.

Call of the Assembly

Mr. Millington moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Call, Carlson, Clarke, Collins, Sam L Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Stream, Thurman, Turner, Waters, Welch, and Weybret—48.
NOES—None.

Time, 10.58 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TEMPORARILY SUSPEND RULES

Mr. Bennett moved that the Rules be temporarily suspended in so far as they appertain to the requirement of a two-day notice in order to withdraw a bill from committee.

Mr. O'Day seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Collins, George D., Cooke, Cronin, Del Mutolo, Donnelly, Doyle, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Maloney, Massion, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Thomas, Voigt, and Welch—27.

NOES—Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Hastain, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Salsman, Stream, Thurman, Turner, Watson, and Weybret—25.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 301—An act to amend Section 17086 of the Business and Professions Code or to amend Section 10 of an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to close-out sales.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 301?

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2 to 10, inclusive, and insert "code, relating to unfair trade practices"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 11 to 52, inclusive; and strike out all of pages 3 and 4.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 301 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Richie, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—50

NOES—None.

Assembly Bill No. 301 ordered enrolled.

Assembly Bill No. 2197—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts, and auto and trailer camps.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2197?

Amendment No. 1

On page 11 of the printed bill, as amended, between lines 44 and 45, insert "18721.5 This part does not apply to any hotel or apartment house which is subject to the provisions of Part 1 of this division."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2197 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—56.

NOES—None.

Assembly Bill No. 2197 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1452—An act to amend Section 2554 of the Business and Professions Code, relating to registered dispensing opticians

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1452 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—54.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 192—An act to amend Section 790 of the Fish and Game Code, relating to crab meat.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 192 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Massion—1.

NOES—Allen, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—53.

Hon. Rodney L. Turner Presiding

At 11.20 a m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 975—An act to add Chapter 7 5, comprising Section 1126, to Part 3, Division 2, of the Labor Code, relating to enforceability of collective bargaining contracts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in and that the bill, as amended on May 21, 1941, be further amended as follows.

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 25 and 26, and insert "law or in equity, and a breach of such collective bargaining agreement by any party thereto shall be subject to the same remedies, including injunctive relief, as are available on other contracts in the courts of this State"

GORDON	VOIGT
BROWN	LYON
KEATING	HOUSER, FREDERICK F.
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—46.

NOES—Bennett, Burkhalter, Dills, Hawkins, Kilpatrick, Meehan, Pelletier, and Thomas—8.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 390 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Tenney moved that Assembly Bill No. 390 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Motion to Table Motion

Mr. T. Fenton Knight moved that the motion to withdraw Assembly Bill No. 390 from Committee on Ways and Means, and placed on file, be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight T. Fenton; Lyon, Millington, Pfaff, Poole, Robertson, Salsman, Stream, Thurman, Turner, Voigt, Waters, Watson, and Wollenberg—29.

NOES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Gallagher, Hawkins, Houser, Frederick F., Kilpatrick, Maloney, Massion, Meehan, Middough, Miller, O'Day, Phillips, Richie, Russell, Sawallisch, Tenney, Thomas, Weber, and Welch—27.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 11.55 a.m., on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

RECESS

At 11.56 a m , on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 609 FROM COMMITTEE WAIVED

Mr. Cain waived his notice of motion to withdraw Assembly Bill No. 609 from the Committee on Social Service and Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2022

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Michael J. Burns:

Resolved, That Assembly Bill No. 2022 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2022

Assembly Bill No. 2022—An act making an additional appropriation for construction, improvements, and equipment at State parks.

Bill read second time.

Assembly Bill No. 2022—An act making an additional appropriation for construction, improvements, and equipment at State parks

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert
"An act making an appropriation for acquisition and development of, and construction, improvements and equipment at State beaches, parks and monuments."

Amendment No. 2

On page 1 of the printed bill, strike out lines 2 to 6, inclusive, and insert "ated, the sum of three hundred thousand dollars ($300,000) is hereby appropriated to the State Department of Natural Resources out of any money in the State Park Maintenance and Acquisition Fund not otherwise appropriated, for the acquisition and development of, and construction, improvements and equipment at State parks, beaches and monuments during the Ninety-third and Ninety-fourth Fiscal Years, exempt from the provisions of Section 5014 of the Public Resources Code

Not more than one hundred thousand dollars ($100,000) of the money appropriated by this act may be expended for the acquisition of State beaches, not more than one hundred thousand dollars ($100,000) of the money appropriated by this act may be expended for the acquisition of State parks and monuments, and not more than one hundred thousand dollars ($100,000) of the money appropriated by this act may be expended for the development of, and construction, improvements and equipment at State beaches, parks, and monuments."

Amendments read and adopted.

Bill ordered reprinted and re-engrossed.

REQUEST FOR PERMISSION TO HOLD COMMITTEE MEETING

Mr. Johnson asked for, and was granted, permission to hold a short meeting of the Committee on County Government in the cloak room.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 130
Assembly Bill No. 1223
Assembly Bill No. 2585
And reports the same correctly re-engrossed

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 987
Assembly Bill No. 1002
Assembly Bill No. 1400
Assembly Bill No. 1406
Assembly Bill No. 1903
Assembly Bill No 1904
Assembly Bill No. 2379
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER Your Committee on Ways and Means, to which was referred
Assembly Bill No 1909
Has had the same under consideration, and reports the same back with the recommendation. Re-refer to the Committee on Social Service and Welfare.

MILLINGTON, Chairman

Above reported bill ordered re-referred to Committee on Social Service and Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 975—An act to add Chapter 7, comprising Sections 1126, 1127, 1128, 1129 and 1130, to Part 3, Division 2 of the Labor Code, relating to enforceability of collective bargaining contracts and prohibiting attempts to cause or induce violations thereof

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Concurrent Resolution No 40

J A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 57

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 401
Senate Bill No. 971

J. A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No. 48

J A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 401—An act to add Section 555 to the Labor Code, relating to days of rest of officers and employees of cities of the first class.

Referred to Committee on Municipal Corporations.

Senate Bill No. 971—An act relating to the education of persons in connection with programs of National defense, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 47—An act to add Chapter 7, comprising Sections 860 to 867, inclusive, to Part 2 of Division 2 of the Labor Code, relating to time of labor of persons employed as household employees.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 48—An act to add to the Code

of Civil Procedure Section 117s, relating to proceedings in aid of execution in small claims courts.

Referred to Committee on Rules.

TEMPORARY SUSPENSION OF RULE NO. 33

Mr. Heisinger moved that Assembly Rule No. 33 be temporarily suspended for the balance of this legislative day.

Mr. Maloney seconded the motion

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cronin, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—Collins, Sam L., Crowley, Dilworth, Howser, F. N., Lowrey, Pelletier, Robertson, and Waters—8.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 90 FROM COMMITTEE WAIVED

Mr. Dills waived his notice of motion to withdraw Assembly Bill No. 90 from the Committee on Social Service and Welfare, and have it placed upon the file.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 391 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Tenney moved that Assembly Bill No. 391 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Desmond, Dills, Donnelly, Evans, Gallagher, Hawkins, Howser, F. N., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Poole, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, and Welch—29

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Doyle, Green, Hastain, Heisinger, Johnson, Kepple, Knight, John B., Lyon, McCollister, Millington, Pelletier, Potter, Robertson, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—33.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 997 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Evans moved that Assembly Bill No. 997 be withdrawn from the Committee on Public Morals, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Carlson, Cooke, Cronin, Crowley, Dilworth, Evans, Gallagher, King, Lowrey, Massion, Middough, Pfaff, Russell, Sheridan, Thomas, Welch, and Mr. Speaker—20.

NOES—Burns, Hugh M., Clarke, Collins, Sam L., Daley, Dickey, Donnelly, Green, Hastain, Heisinger, Johnson, Kepple, Knight, John B., Lyon, Maloney, McCollister, Meehan, Millington, Poole, Potter, Richie, Sawallisch, Stream, Tenney, Turner, Voigt, Waters, Watson, and Wollenberg—28.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 20 FROM COMMITTEE WAIVED

Mr. Thomas waived his notice of motion to withdraw Assembly Bill No. 20 from the Committee on Fish and Game, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2423 FROM COMMITTEE WAIVED

Mr. Turner waived his notice of motion to withdraw Assembly Bill No. 2423 from the Committee on Public Morals.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 309 FROM COMMITTEE WAIVED

Mr. Lyon waived his notice of motion to withdraw Assembly Bill No. 309 from the Committee on Public Morals, and have it placed upon the file.

MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 56 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Richie moved that Assembly Joint Resolution No. 56 be withdrawn from the Committee on Federal Relations, and be placed upon the file.

Demand for Previous Question

Messrs. Turner, Waters, Dilworth, Collins, Sam L., and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Joint Resolution No 56 from the Committee on Federal Relations and place upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Carlson, Cronin, Evans, Green, Kilpatrick, Massion, Meehan, Pelletier, Richie, Sheridan, Thomas, Voigt, and Weber—15.

NOES—Allen, Andreas, Burns, Michael J., Call, Clarke, Collins, George D., Collins Sam L., Cooke, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Maloney, McCollister, Middough, Miller, Millington, Poole, Russell, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

MOTION TO HOLD COMMITTEE MEETING

Mr. Maloney moved that the Committee on Social Service and Welfare be permitted to leave the Assembly Chamber in order to hold a short meeting for the purpose of considering a bill re-referred to that committee from the Committee on Ways and Means.

Demand for Previous Question

Messrs Knight, John B., Houser, Frederick F., Waters, Collins, Sam L., and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion that the Committee on Social Service and Welfare be permitted to leave the Assembly Chamber in order to hold a short meeting for the purpose of considering a bill re-referred to that committee from the Committee on Ways and Means

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sheridan,

Tenney, Thomas, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Carlson, Clarke, Dilworth, Hastain, Johnson, Knight, John B., Lyon, Millington, Phillips, and Potter—10.

REQUEST FOR PERMISSION TO MAKE STATEMENT

Mr. Cooke requested that Mrs. Daley be allowed to make any statement which she wished regarding the meeting to be held by the Committee on Social Service and Welfare.

Request granted.

MOTION FOR RECESS

Mr. O'Day moved that the Assembly recess for half an hour to hear arguments on a bill now before the Committee on Social Service and Welfare.

Mr. O'Day withdrew his motion.

MOTION TO ADJOURN

Mr Bashore moved that the Assembly do now adjourn until Monday, June 9, 1941, at 10.30 a m.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Collins, George D., Collins, Sam L., Evans, Howser, F. N., King, Knight, John B., O'Day, Waters, and Weber—10.

NOES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Thomas, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

MOTION FOR PERMISSION TO HOLD COMMITTEE MEETING

Mr. Maloney moved that the Committee on Social Service and Welfare be permitted to leave the Assembly Chamber for the purpose of holding a short meeting.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion lost.

The question being on the motion that the Committee on Social Service and Welfare be permitted to leave the Assembly Chamber for the purpose of holding a short meeting.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—57.

NOES—Allen, Clarke, Collins, Sam L, Dilworth, Hastain, Johnson, Knight, John B., Knight, T Fenton; Lyon, and Phillips—10.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2022
Assembly Bill No. 2108

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 859

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

(Signed out)

ALLEN
MIDDOUGH
HASTAIN
DOYLE
TENNEY
WATERS
MILLER
STREAM
TURNER
CLARKE
WOLLENBERG

Above reported bill ordered to second reading.

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 2108
Senate Bill No. 1342
Senate Bill No. 1343

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

JOHNSON, Chairman

Above reported bills ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2494—An act to add Sections 11638, 11639, 11650, 11651, 11652, 11653 and 11654 to Article 5 of Chapter 2 of Division 14 of, and to amend Section 11641 of, the Elections Code, relating to abuse of the initiative, referendum, and recall;

Assembly Bill No. 2631—An act to add Part 1.5, comprising Sections 5700 to 5784, inclusive, to Division 8 of the Harbors and Navigation Code, relating to the formation of harbor improvement districts in more than one county, providing for the issuance of bonds and the levying of taxes therefor, and for the management, maintenance and control thereof;

Assembly Joint Resolution No. 58—Relative to memorializing Congress concerning the tariff on tungsten and tungsten products;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1571—An act to amend Sections 658 and 659 of, to repeal Section 658.3 of, and to add Section 658.1 to, the Fish and Game Code, relating to the taking of salmon;

Assembly Bill No. 2487—An act to amend Section 1203.4 of the Penal Code, relating to probation;

Assembly Bill No. 2493—An act to amend Section 164 of the Vehicle Code, relating to license plates for vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 855—An act to amend Section 28½ of the California Irrigation District Act, relating to recall elections;

Assembly Bill No. 1112—An act to add Sections 762.5 and 763.5 to, and to amend Sections 762, 763 and 766, of the Agricultural Code, and to amend Section 1 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to raw tomatoes, and the delivery, inspection, grading and canning thereof and the rights and obligations of parties contracting in relation thereto, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 1120—An act to add Section 219.1 to the Penal Code, relating to the unlawful wrecking of motor vehicles operated by a common carrier and causing bodily harm, and prescribing the punishment therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 457—An act to amend Section 1063 of the Fish and Game Code, relating to grades of fish and fish products;

Assembly Bill No. 747—An act to amend Section 3254 of the Welfare and Institutions Code, relating to the duties of the Department of Institutions with respect to the Industrial Home for the Adult Blind;

Assembly Bill No. 811—An act to amend Section 113 of, and to add Section 114 to, the Business and Professions Code, relating to the Department of Professional and Vocational Standards, the officers, employees and licensees of the department and the boards and commissions comprising the department or subject to its jurisdiction;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 20
Assembly Bill No. 1528

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bills ordered to third reading.

RECESS

At 3.55 p.m., on motion of Mr. Maloney, the Assembly recessed until 5.25 p.m.

REASSEMBLED

At 5.25 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1941

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred

Assembly Bill No. 2016

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and be re-referred to Committee on Ways and Means.

(Signed out)	DALEY, Chairman	WOLLENBERG
	KEPPLE	WATSON
	COOKE	HAWKINS
	BURKHALTER	TURNER
	PHILLIPS	HOUSER, FREDERICK F.
	WEYBRET	JOHNSON

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2016—An act to add Section ____ to the Welfare and Institutions Code, relating to the establishment of a subsidiary fund to the Social Welfare Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Service and Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section _____ to", and insert "amend Section 124 of".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "to the establishment of a subsidiary fund to the Social Welfare Fund.", and insert "to the Social Welfare Fund and the purposes for which the money therein may be used and making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 124 of the Welfare and Institutions Code is hereby amended to read as follows:

124 There is a Social Welfare Fund established in the State Treasury, in which fund there shall be deposited:

(a) All grants of money received by this State from the United States, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare [and for the administrative costs incurred by the counties in the administration of aid to needy children under Chapter 1 of Part 2 of Division 2, to the aged under Chapter 1 of Division 3, and to the needy blind under Chapter 1 of Division 5 of this code.] *The department may use the money within this subdivision for the purposes for which the money in subdivision (a) is made available by the United States for expenditure by this State but all money so used by the department shall be returned to the support appropriation from the next subsequent grant or grants of the United States but in no event any later than one year from the time it was so used by the department.* The money to be deposited in the Social Welfare Fund under this subdivision shall be transferred to the Social Welfare Fund monthly, *in case of a biennial appropriation,* in amounts of not [less] *more* than [one twenty-fourth of the biennial] *one twentieth of the* appropriation *or, in cases of appropriations for greater or lesser periods, in amounts of not more than 20 per cent more than an equal monthly rate determined by the number of complete calendar months within the period.*

The State Department of Social Welfare shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursements therefrom.

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and [four] *three* years from the time the appropriation became available, the unexpended amount thereof shall revert to the State fund from which the appropriation was made.

SEC. 2. There is hereby appropriated from any money in the State Treasury not otherwise appropriated, thirty-eight thousand six hundred ninety-six dollars and twenty-three cents ($38,696 23) to be expended by the State Department of Social Welfare during the Ninety-second Fiscal Year to cover a deficiency in the Federal grants administered by the department.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety and shall, therefore, under the provisions of Section 1 of Article IV of the Constitution take effect immediately.

The facts constituting such necessity are as follows.

The Federal Government made a deduction from the money otherwise available to this State, for interest received by this State upon money previously granted by the Federal Government. This appropriation is necessary to cover the deficiency without which the functions of the department will be impaired and it will not be able to function normally for the purposes for which it is established, to the consequent detriment of the State."

Amendments read and adopted.

Bill ordered printed, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 46
Assembly Concurrent Resolution No. 49

And reports the same correctly engrossed.

JOHN B. KNIGHT, *Chairman*

Above reported resolutions ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: *Your Committee on Rules, to which was referred.*

Assembly Concurrent Resolution No 48

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 48

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported resolution ordered to third reading.

RECESS

At 5.27 p.m., on motion of Mr. Lyon, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m, the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Millington suggested the absence of a quorum.

The roll was called, and the following answered to their names:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Collins, Sam L., Cooke, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Hastain, Heisinger, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Wollenberg—44.

NOES—None.

Quorum present.

Call of the Assembly

Mr. Millington moved a call of the Assembly.

Motion carried. Time, 8 25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on County Government, to which was referred:

Senate Bill No. 416

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 46
Assembly Concurrent Resolution No. 49

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolutions ordered engrossed.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2016

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 8 30 p.m , on motion of Mr Allen, further proceedings under the call of the Assembly were dispensed with.

PROTEST OF VOTE

Mr. Maloney protested the lifting of the call of the Assembly at 8 30 p.m.

MOTION TO TAKE UP BILLS OUT OF ORDER

Mr. Heisinger moved that the Rules be suspended in so far as they appertain to the taking up of bills out of order.

Motion withdrawn.

MOTION TO TABLE MOTIONS AND BILLS

Mr. Millington moved that all motions and bills not taken up when that particular matter is reached on the file, be laid on the table.

Demand for Previous Question

Messrs. Heisinger, Andreas, Johnson, Robertson and Thurman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Millington that all motions and bills not taken up when that particular matter is reached on the file, be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Carlson, Collins, Sam L., Dilworth, Doyle, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Middough, Miller, Millington, Pelletier, Phillips, Robertson, Waters, Welch, and Wollenberg—20.

NOES—Cain, Call, Collins, George D, Crowley, Desmond, Dills, Donnelly, Gaffney, Gallagher, Hastam, Hawkins, Heisinger, Houser, Frederick F., King, Leonard, Lowrey, Maloney, McCollister, Pfaff, Richie, Stream, Tenney, Thorp, Thurman, Turner, Watson, and Weybret—27.

Hon. Jack B. Tenney Presiding

At 8.55 p.m., Hon. Jack B. Tenney, Member of the Assembly from the Forty-sixth District, presiding.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 427 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Burkhalter moved that Assembly Bill No 427 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Howser, F. N., Dickey, Allen, Collins, Sam L, and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the motion that Assembly Bill No 427 be withdrawn from the Committee on Ways and Means, and placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, George D, Collins, Sam L., Cooke, Crowley, Donnelly, Gaffney, Gallagher, Hawkins, Heisinger, Kil-

patrick, King, Lowrey, Massion, Meehan, Miller, O'Day, Poole, Richie, Tenney, Thomas, Thorp, Turner, Waters, and Watson—29.

NOES—Allen, Call, Carlson, Cronin, Dickey, Dilworth, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Millington, Pfaff, Phillips, Robertson, Russell, Stream, Thurman, Welch, Weybret, and Wollenberg—27.

Speaker Presiding

At 9.05 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION FOR SUSPENSION OF RULES

Mr. O'Day moved that the Rules be suspended to allow withdrawal of bills from committee without the usual two-day notice.

The Speaker ruled the motion out of order.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 FROM COMMITTEE WAIVED

Mr. Meehan waived his notice of motion to withdraw Assembly Constitutional Amendment No. 14 from the Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2110—An act to add Sections 1a, 1b and 1c to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the use of sealed containers and providing for the sterilization of bottles, receptacles and containers used for foods, drugs and liquors; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the installation and maintenance of refrigerators for the cooling, preservation and proper care of foods, and prescribing for the approval of such refrigerators.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Cronin, Desmond, Dilworth, Gaffney, Heisinger, Johnson, Kepple, Leonard, Lowrey, Maloney, Meehan, Millington, Phillips, Poole, Robertson, Sawyllisch, Stream, Thomas, Thorp, Thurman, Turner, Welch, Weybret, and Mr. Speaker—30.

NOES—Bashore, Burkhalter, Clarke, Collins, Sam L., Cooke, Dills, Donnelly, Gallagher, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick,

King, Knight, John B., Knight, T. Fenton; Middough, Miller, Pelletier, Richie, Voigt, Waters, and Wollenberg—23.

Time, 9.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2142—An act to amend Section 3391 and the heading of Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to property taxation and the publication of delinquent lists

Bill read third time.

Demand for Previous Question

Messrs Robertson, Carlson, Dills, Waters and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2142.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Cooke, Cronin, Desmond, Dills, Dilworth, Evans, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Poole, Robertson, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Welch, Weybret, and Mr. Speaker—37.

NOES—Bashore, Carlson, Collins, Sam L., Dickey, Donnelly, Meehan, Phillips, Voigt, and Wollenberg—9

Time, 9.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Charles W. Lyon Presiding

At 9.33 p.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1020—An act to amend Sections 5.792, 5.793, 5.794, 5.795, 5.796, 5.798 and 5.799a of the School Code and adding a new section thereto, to be numbered 5.792a, all relating to the employment, payment, dismissal, government and control of employees of school districts in positions not requiring certification qualifications.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Hastain, Knight, John B., Evans, and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1020.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 9.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO HEAR ASSEMBLY BILL NO. 1909 IN COMMITTEE OF THE WHOLE

Mr Pfaff moved that Assembly Bill No. 1909 be re-referred from Committee on Social Service and Welfare and brought on the floor to be considered in Committee of the Whole.

Mr. Maloney seconded the motion

The Chair ruled the motion out of order.

MOTION TO TEMPORARILY SUSPEND RULES

Mr. Maloney moved that the Rules be temporarily suspended in so far as they appertain to the two-day notice required to withdraw a bill from committee.

The Chair ruled the motion out of order.

MOTION TO SUSPEND RULES

Mr. Tenney moved that Rules Nos. 4, 16 and 38 be suspended.

Division of the Question

Mr. Lyon asked for a division of the question.

The question being on the motion to suspend Rule No. 4.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—40

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Stream, Thorp, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—31.

The question being on the motion to suspend Rule No. 16.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins George D Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Voigt, Welch, and Mr Speaker—44

NOES—Allen, Carlson, Clarke, Collins, Sam L, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Phillips, Potter, Thorp, Thurman, Turner, Waters, Watson, and Wollenberg—25

Time, 10 03 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

The question being on the motion to suspend Rule No. 58.

Substitute Motion

Mr. O'Day moved, as a substitute motion, to suspend that portion of Rule No. 58 which requires a two-day notice in order to withdraw a bill from committee.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Cassidy, Cooke, Crowley, Donnelly, Doyle, Evans, Gaffney, Hawkins, Kilpatrick, Lowrey, Maloney, Massion, Middough, Pelletier, Poole, Richie, Russell, Sawallisch, Tenney, and Mr. Speaker—26.

NOES—Allen, Burns, Michael J, Carlson, Clarke, Collins, George D, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B, Knight, T. Fenton; Leonard, McCollister, Meehan, Miller, Millington, O'Day, Phillips, Potter, Stream, Thorp, Waters, Watson, Welch, Weybret, and Wollenberg—34.

The question being on the motion to suspend that portion of Rule No. 58 which requires a two-day notice in order to withdraw a bill from committee.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M, Cain, Cassidy, Collins, George D, Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Ptaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—40.

NOES—Allen, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Stream, Thorp, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—32.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Tenney moved to expunge the record and rescind the action on the rule adopted by the Assembly in regard to the suspension of Rule No. 33.

The Chair ruled the motion out of order.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER Your Committee on Rules, to which was referred,
Assembly Concurrent Resolution No 37
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

Amendment No. 1

On page 2, line 23, of the printed bill, following "of", strike out "five thousand dollars ($5,000)", and insert "two thousand five hundred dollars ($2,500)".

Amendment read and adopted.

Bill ordered printed and engrossed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2214—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion lost.

The question being on the passage of Assembly Bill No. 2214

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, Sam L., Daley, Desmond, Dilworth, Hastain, Hawkins, Heisinger, Howser, F. N., Knight, John B., Lyon, Maloney, Meehan, Middough, Millington, Poole, Richie, Robertson, Stream, Thomas, Thorp, Thurman, Turner, and Voigt—28.

NOES—Andreas, Bashore, Bennett, Burns, Hugh M., Collins, George D., Cooke, Cronin, Crowley, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Lowrey, McCollister, Miller, O'Day, Pfaff, Phillips, Potter, Sawallisch, Waters, Watson, Welch, and Mr. Speaker—30.

ASSEMBLY BILL NO. 2581 STRICKEN FROM FILE

Mr. Voigt moved that Assembly Bill No. 2581 be stricken from the file.

Mr. Lyon seconded the motion.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No 37
And reports the same correctly engrossed.

JOHN B KNIGHT, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code, relating to Fish and Game District 3E.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", and to add Section 462 to,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out ", until December 31, 1946,".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert

"SEC. 2. Section 462 is hereby added to Chapter 2 of Part 1 of Division 4 of the Fish and Game Code, to read as follows

462 It is unlawful for any person, other than an accredited employee"

Amendment No. 4

On page 1, line 16, of the printed bill, as amended, after "3 E", insert ", Mount Diablo Base and Meridian".

Amendments read

Demand for Previous Question

Messrs. Waters, Howser, F. N., Watson, Voigt, and Collins, Sam L., demanded the previous question.

Demand for previous question sustained

The question being on the adoption of amendments to Assembly Bill No. 1185.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cooke, Desmond, Doyle, Howser, F. N., Knight, John B., Knight, T. Fenton; Lyon, Maloney, Millington, Sawallisch, Sheridan, Thomas, Thorp, Watson, Welch, and Mr. Speaker—22.

NOES—Allen, Andreas, Bashore, Bennett, Carlson, Cronin, Daley, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Lowrey, Massion, McCollister, Miller, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thurman, Turner, Voigt, Waters, Weber, and Wollenberg—38.

The question being on the passage of Assembly Bill No. 1185

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Point of Order

Mr. Bennett arose to the following point of order: That with the suspension of Rule No. 33 a call can not be placed upon a call.

The Speaker ruled the point of order not well taken.

Appeal From Decision of Speaker

Mr. Bennett appealed from the decision of the Speaker.

The question being: Shall the decision of the Speaker be sustained?

Speaker Sustained

The roll was called, and the decision of the Speaker sustained by the following vote:

AYES—Allen, Burns Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T Fenton, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—45

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Dills, Donnelly, Gallagher, Hawkins, Kilpatrick, King, Lowrey, Massion, O'Day, Poole, Richie, Russell, Tenney, and Thomas—23

The question being on the motion for a call of the Assembly

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Daley, Desmond, Dilworth, Doyle Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lyon Maloney, McCollister, Middough, Miller, Pfaff, Phillips, Potter, Robertson, Sawallisch, Stream, Thomas Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr Speaker—38

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Kilpatrick, King, Massion, Pelletier, Richie, Russell, and Tenney—19

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2315—An act to regulate retail markets at which meat, poultry, fish, game birds, and game mammals are sold.

Bill read third time.

Motion to Amend

Mr. Hugh M. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 12, of the printed bill, after "S a m", insert "theater, bowling alley, pool hall, hospital, mortuary, or any other place of business".

Amendment read.

Roll Call Demanded

Messrs. Maloney, Thurman and Clarke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burns, Hugh M, Collins, Sam L., Daley, Knight, John B., Millington, and Sawallisch—6

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Howser, F N., Johnson, Kepple, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

Demand for Previous Question

Messrs. Robertson, Tenney, Howser, F. N., Collins, Sam L., and Waters demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No 2315.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Thomas moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1185

On motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Motion to Recess

Mr. Johnson moved that the Assembly be in recess for three minutes.

Motion withdrawn.

Call of the Assembly

Mr. Johnson moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cronin, Desmond, Dilworth, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington Pfaff, Phillips, Poole, Potter, Robertson, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—40

NOES—Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, Sam L., Dickey, Donnelly, Evans, Gaffney, Hawkins, Kilpatrick, King, Lowrey, Masson, O'Day, Pelletier, Russell, Tenney, and Turner—20.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 43—Relative to memorializing the President and Congress to enact legislation prohibiting sale of alcoholic beverages on military property and in zones around Army camps

Resolution read.

Motion to Table

Mr. Crowley moved that Assembly Joint Resolution No. 43 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Andreas, Call, Cassidy, Crowley, Gaffney, King, Meehan, Middough, Millington, Sawallisch, Tenney, and Welch—13

NOES—Burns, Hugh M., Carlson, Clarke, Collins, Sam L, Cronin, Dilworth, Gallagher, Hastain, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, John B, Knight, T Fenton; Maloney, McCollister, Miller, Pfaff, Phillips, Poole, Potter, Sheridan, Stream, Thorp, Turner, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—30.

Demand for Previous Question

Messrs. Desmond, Waters, Weber, Collins, Sam L, and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 43.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Carlson, Clarke, Dilworth, Hastain, Heisinger, Houser, Frederick F, Johnson, Kepple, Knight, T. Fenton, McCollister, Miller, Phillips, Poole, Potter, Stream, Thorp, Waters, Watson, and Mr. Speaker—19

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Call, Cassidy, Cooke, Cronin, Crowley, Desmond, Dickey, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F N, King, Knight, John B., Maloney, Massion, Meehan, Middough Millington, O'Day, Pelletier, Pfaff, Robertson, Russell, Sawallisch, Tenney, Voigt, Weber, Welch, Weybret, and Wollenberg—40.

Motion to Expunge Record and Rescind Action

Mr Lyon moved to expunge the record and rescind the action whereby the clock was stopped.

Motion carried

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2110

On motion of Mr Call, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 2110 passed by the following vote:

AYES—Andreas, Basbore, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Collins, Sam L, Cronin, Crowley, Desmond, Dickey, Green, Hastain, Hawkins, Howser, F N, Kepple, Leonard, Lyon, Maloney, McCollister, Meehan, Millington, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—42.

NOES—Allen, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D, Cooke, Daley, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B, Knight, T Fenton; Lowrey, Massion, Middough, Miller, O'Day, Pelletier, Robertson, Voigt, and Watson—30.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2315

On motion of Mr Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2315 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Collins, George D., Crowley, Dills, Doyle, Evans, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—45.

NOES—Burns, Hugh M., Burns, Michael J., Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Hastam, Heisinger, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, McCollister, Millington, Phillips, Robertson, Sawallisch, Thorp, Watson, Wollenberg, and Mr. Speaker—28.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1185

On motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1185 passed by the following vote.

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Carlson, Cassidy, Clarke, Cooke, Daley, Desmond, Dilworth, Doyle, Green, Hastam, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Potter, Richie, Sawallisch, Stream, Thomas, Thorp, Thurman, Waters, Weber, Weybret, and Wollenberg—42

NOES—Bashore, Bennett, Burkhalter, Cain, Call, Collins, Sam L., Cronin, Dickey, Dills, Donnelly, Gaffney, Gallagher, Kilpatrick, King, Massion, O'Day, Pelletier, Poole, Robertson, Russell, Sheridan, Tenney, Turner, Voigt, Watson, Welch, and Mr. Speaker—27.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2142

Mr. Thurman moved that further proceedings under the call of the Assembly be dispensed with

The roll was called, and the motion carried by the following vote.

AYES—Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Donnelly, Gaffney, Gallagher, Green, Knight, T. Fenton, Leonard, Lowrey, Maloney, McCollister, Meehan, Millington, O'Day, Pelletier, Phillips, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Wollenberg, and Mr. Speaker—38

NOES—Allen, Bennett, Burkhalter, Cassidy, Clarke, Collins, George D., Cooke, Dills, Dilworth, Doyle, Evans, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight John B., Lyon, Massion, Middough, Miller, Pfaff, Poole, Potter, Richie, Robertson, Tenney, Waters, Watson, Weber, and Weybret—34.

The names of the absentees were called, and Assembly Bill No. 2142 refused passage by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cassidy, Clarke, Collins, George D., Cooke, Crowley, Dills, Dilworth, Doyle, Evans, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight John B., Lyon, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Stream, Tenney, Thomas, Waters, and Watson—38

NOES—Andreas, Bashore, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Donnelly, Gaffney, Gallagher, Green, Knight, T.

Fenton Leonard, Lowrey, Maloney, Meehan, Millington, O'Day, Phillips, Robertson, Russell, Sawallisch, Sheridan, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—36

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1020

On motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called and Assembly Bill No. 1020 passed by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Desmond, Dills, Donnelly, Doyle, Evans, Gallagher, Hawkins, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Phillips, Poole, Potter, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Allen, Burkhalter, Cain, Collins, Sam L., Daley, Dickey, Dilworth, Gaffney, Hastam, Heisinger, Howser, F. N., Kepple, Knight T. Fenton; Miller, Millington, O'Day, Pfaff, Stream, Turner, and Watson—20

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SUSPENSION OF RULE NO. 16

On motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—42.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Green, Hastam, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—31.

RECESS

On motion of Mr. Lyon, the Assembly recessed for two minutes.

REASSEMBLED

The Assembly reconvened.

Hon Earl D Desmond, Speaker pro tempore of the Assembly, presiding.

ASSEMBLY BILL NO. 977 STRICKEN FROM FILE

Mr. Waters moved that Assembly Bill No. 977 be stricken from the file.

Motion carried.

Call of the Assembly

Mr. Middough moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 24—Relative to the duty of the Joint Legislative Committee on State Buildings at Sacramento created by Assembly Concurrent Resolution No. 17 of the Fifty-fourth Session of the Legislature, to study the State Building Program at other places in California

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Desmond moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTIONS

The following resolution was offered:

By Mr. Bashore:

House Resolution No. 255

WHEREAS, The Assembly has been informed of the death of Fielding P. Field, brother of Assemblyman C. Don Field, and

WHEREAS, The sorrow which has visited our Colleague brings sadness to all the Members; now, therefore, be it

Resolved by the Assembly of the State of California, That it offers its heartfelt sympathy to C. Don Field and to the family of the late Fielding P. Field for their great loss, and be it further

Resolved, That the Chief Clerk is authorized and directed to send a suitable floral piece on behalf of the Assembly of California.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 255, at this time, without reference to committee.

Resolution read and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 689—An act to create a Division of Shore Protection, defining its powers and duties, and making an appropriation for the purpose of this act

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Roll Call Demanded

Messrs. Waters, Watson and Desmond demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Cooke, Crowley, Daley, Desmond, Dilworth, Gaffney, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Stream, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker—41.

NOES—Collins, George D., Donnelly, Doyle, Kilpatrick, and Millington—5.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1956—An act making an additional appropriation for construction, improvements, and equipment at the State Fair Grounds.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Knight, John B., Middough, Knight, T. Fenton; and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1956.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2183—An act to amend Section 1161a of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dills, Doyle, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Poole, Robertson, Stream, Thorp, Thurman, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—42

NOES—Collins, George D., Donnelly, Gaffney, Gallagher, King, Massion, Pelletier, Russell, and Thomas—9.

Bill ordered transmitted to the Senate

Assembly Bill No. 2186—An act to amend Section 1181 of the Civil Code, relating to proof or acknowledgement of an instrument.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pfaff, Poole, Robertson, Russell, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—52

NOES—King, and Pelletier—2.

Bill ordered transmitted to the Senate

MOTION TO TABLE ASSEMBLY BILL NO. 606

Mr. Poole moved that Assembly Bill No. 606 be laid on the table.

Mr. Pelletier seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Doyle, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Miller, Pelletier, Poole, and Russell—11

NOES—Andreas, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Donnelly, Gaffney, Gallagher, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Leonard, Lyon, Maloney, Massion, McCollister, Millington, O'Day, Phillips, Potter, Robertson, Stream, Thomas, Thorp, Thurman, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—39.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2567—An act to add Section 717 to the Political Code, relating to State buildings in the City of Sacramento.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—48

NOES—Burkhalter, Dilworth, Gaffney, Houser, Frederick F., Kilpatrick, King, Knight, John B., Massion, Pelletier, and Potter—10

Bill ordered transmitted to the Senate

Assembly Bill No. 1264—An act to add Section 758b to the Political Code, and to amend Section 758 of the Political Code, relating to the officers of the district courts of appeal and to the creation and establishment of one additional division of the District Court of Appeal

for the Second Appellate District, and making an appropriation therefor

Bill read third time.

Demand for Previous Question

Messrs Bashore, Hastam, Allen, Howser, F. N, and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1264.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2651—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Hastam, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Knight, John B, Knight, T Fenton; Leonard, Lyon Maloney, Meddough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg and Mr. Speaker—48

NOES—Bashore, Bennett, Burkhalter Donnelly, Gaffney, Gallagher, Heisinger, Kilpatrick, King, Massion, McCollister, O Day, Russell, and Thomas—14

Bill ordered transmitted to the Senate.

RECESS

On motion of Mr. Lyon, the Assembly recessed for two minutes

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 65—Proposed amendment to Article XX, Section 1 of the Constitution, relating to the seat of Government.

Resolution read.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "the City of Monterey", and insert "Mount Wilson, in the suburbs of Altadena.".

Motion to Table Amendment

Mr. Pfaff moved that the amendment by Mr. Kilpatrick be laid on the table.

Mr. Call seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Cain, Call, Carlson, Dickey, Dilworth, Hastain, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, McCollister, Meehan, Pfaff, Phillips, Potter, Richie, Robertson, Sheridan, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—28.

NOES—Crowley, Heisinger, Kilpatrick, and Middough—4.

Motion to Table Assembly Constitutional Amendment No. 65

Mr. Kilpatrick moved that Assembly Constitutional Amendment No. 65 be laid on the table.

Mr. Cain seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Burkhalter, Cain, Crowley, Desmond, and Kilpatrick—5.

NOES—Allen, Call, Carlson, Dickey, Dilworth, Hastain, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, McCollister, Meehan, Middough, Millington, Pfaff, Phillips, Poole, Potter, Richie, Sheridan, Stream, Thurman, Waters, Watson, Weybret, and Mr. Speaker—27.

Resolution read.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

Strike out the word "Monterey" and insert "Fresno"

Motion to Table Amendment

Mr. Robertson moved that the amendment by Mr. Heisinger be laid on the table.

Mr. F. N. Howser seconded the motion.

Motion carried.

Motion to Amend

Mr. Stream moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "Monterey", and insert "San Diego".

Motion to Table Amendment

Mr. F. N. Howser moved that the amendment by Mr. Stream be laid on the table.

Mr. Robertson seconded the motion.

Motion carried.

Motion to Amend

Mr. Voigt moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "Monterey", and insert "Culver City".

Motion to Table Amendment

Mr. Johnson moved that the amendment by Mr. Voigt be laid on the table

Mr Cooke seconded the motion.

Motion carried.

Demand for Previous Question

Messrs Robertson, Cooke, Allen, Evans and Collins, Sam L, demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 65.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Weybret moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Cooke, Cronin, Dickey, Dills, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Masson, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Sheridan, Tenney, Thurman, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—50

NOES—Cain, Daley, Dilworth, Donnelly, Knight, T Fenton, McCollister, Stream, and Thorp—8.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Harrison W. Call Presiding

Hon. Harrison W. Call, Member of the Assembly from the Twenty-ninth District, presiding.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 48

Assembly Concurrent Resolution No. 48—Making additional funds available to the Joint Fact-Finding Committee on Un-American Activities in California, created by Assembly Concurrent Resolution No. 13.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed measure, following "sum of", strike out "$25,000", and insert "$10,000".

Demand for Previous Question

Messrs. Robertson, Howser, F. N., Pfaff, Dills and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Concurrent Resolution No. 48.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Collins, George D, Cooke, Crowley, Donnelly, Doyle, Gallagher, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kepple, Kilpatrick, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Pfaff, Richie, Russell, Sheridan, and Voigt—26.

NOES—Allen, Burns, Hugh M, Call, Clarke, Cronin, Daley, Dickey, Dilworth, Evans, Gafiney, Hastam, King, Knight, John B., Knight, T. Fenton; Lyon, Middough, Miller, Millington, Phillips, Poole, Potter, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—31.

Demand for Previous Question

Messrs. Johnson, Heisinger, Middough, Bashore and Knight, T. Fenton, demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 48.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Clarke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Evans, Green, Hastam, Houser, Frederick F., Kepple, King, Knight, John B, Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Phillips, Poole, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Andreas, Bennett, Cain, Carlson, Collins, George D., Cooke, Donnelly, Gaffney, Hawkins, Heisinger, Howser, F. N, Johnson, Kilpatrick, Massion, O'Day, Pelletier, Pfaff, Richie, and Russell—19

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J Burns moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1070—An act to add Section 249 to, and to amend Sections 250, 257 and 268 of the Health and Safety Code, relating to services for physically handicapped children, providing for receipt and administration of Federal funds, providing for cooperation with the Federal Government and making an appropriation.

Bill read third time.

Demand for Previous Question

Messrs. Carlson, Dilworth, Middough, Knight, John B., and King demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1070.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hugh M. Burns moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1561—An act to provide for the compilation, publication, and distribution by the Secretary of State of a roster of public officials of California and to make an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1915—An act to amend Chapter 10 of Division 2 of the Business and Professions Code, relating to trained attendants.

Bill read third time.

Demand for Previous Question

Messrs. Heisinger, Green, Turner, Waters and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 15.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Motion to Expunge Record and Rescind Action

Mr. O'Day moved to expunge the record and rescind the action whereby Assembly Bill No 1919 was this day passed.

Mr. Gallagher seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M, Burns, Michael J, Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, and Weybret—56.

NOES—Doyle, Knight, John B, Knight, T. Fenton; Middough, and Potter—5.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1919

Assembly Bill No. 1919—An act to amend Section 1031 of the Military and Veterans Code, relating to the Veterans' Home of California, and abolishing the Veterans' Home of California Federal Fund.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2149—An act to amend the School Code by adding Part 6 to Division 5 thereof, consisting of Sections 5.1500 to 5.1519, inclusive, to provide for and to regulate the certification of librarians.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2099—An act to add a new section to the Health and Safety Code, to be numbered 116, relating to pro rata charges of administrative expenses in the Department of Public Health.

Bill read third time.

Urgency Clause

Urgency clause read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2097—An act to add a new section to the Health and Safety Code, to be numbered 115, relating to the creation of the Department of Public Health Fund, and providing for the expenditure of moneys from said fund.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1457—An act making an appropriation to the Department of Finance for the purpose of reconditioning and framing the picture "Driving the Last Spike."

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2149

On motion of Mr Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2149 passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Desmond, Dickey, Doyle, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Andreas, Bashore, Cain, Cooke, Dills, Dilworth, Donnelly, Gaffney, Kilpatrick, King, Lowrey, O'Day, Pelletier, Russell, and Tenney—15.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1918—An act to amend Section 11792 of the Insurance Code, relating to State Compensation Insurance Fund.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 264—An act to add Section 2264 to the Political Code, relative to field work in connection with the School for the Blind at Berkeley, and making an appropriation therefor.

Bill read third time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Crowley moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1070

On motion of Mr. Hugh M. Burns further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 1070 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—69.
NOES—King—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1457

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1918

On motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1918 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.
NOES—Dilworth, McCollister, Pelletier, and Waters—4.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Voigt moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1813—An act to amend Section 9651 of the Revenue and Taxation Code, and Section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, relating to the rate of tax.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RECESS

On motion of Mr. Lyon, the Assembly recessed for two minutes.

REASSEMBLED

The Assembly reconvened.

Hon Gordon H. Garland, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No 705

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

(Signed out)

PHILLIPS, Chairman	CARLSON
PFAFF	DESMOND
RICHIE	GREEN
SHERIDAN	KEPPLE
CRONIN	HOWSER, F. N.

Above reported bill ordered to second reading.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Thorp moved to expunge the record and rescind the action whereby Assembly Bill No 897 was stricken from the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thorp moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1814—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the licensee fee on vehicles.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Heisinger moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 272—An act to provide for the control of certain live stock diseases, to prevent their spread and transmission by requiring processing of garbage and controlling live stock movements and to make an appropriation relative thereto.

Bill read third time.

Demand for Previous Question

Messrs. Pfaff, Allen, Knight, John B., Doyle and Howser, F. N, demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 272.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Michael J. Burns moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

STATEMENT

MR. SPEAKER: I desire to have the records show that I am not bound by either group in the procedure on appropriations

I am voting my own convictions on all bills and will continue to do so even to the SRA Appropriation Bill.

THOMAS J. DOYLE

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1000—An act making an appropriation for purchase of land for an institution for defective and psychopathic delinquents, and for construction, improvements and equipment thereat.

Bill read third time.

Demand for Previous Question

Messrs. Collins, Sam L., Allen, Howser, F. N, Dickey and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1000.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kepple moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Elections, to which was referred:

Senate Bill No. 1344

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

CARLSON, Chairman

Above reported bill ordered to second reading.

RECESS

On motion of Mr. Lyon, the Assembly recessed for one minute.

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 191—An act making an appropriation for acquisition of real property and construction of improvements for the California National Guard Coast Artillery Training Camp in Santa Cruz County.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Leonard moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2619—An act to amend Sections 56 and 57 of the Labor Code, to amend Sections 13100 and 13250 of, and to repeal Section 13101 of the Health and Safety Code, and to add Article 1.5, comprising Sections 12935 to 12937, inclusive, to Chapter 2, Division 3 of the Insurance Code, relating to the abolishing of the office of State Fire Marshal and the abolishing of the Division of Fire Safety in the Department of Industrial Relations, and transferring to the Insurance Commissioner the authority, duties, jurisdiction and property of and appropriations made available to the State Fire Marshal and the Division of Fire Safety.

Bill read third time.

Demand for Previous Question

Messrs. Dickey, Allen, Collins, Sam L., Waters and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2619.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Call, Clarke, Daley, Dickey, Dilworth, Hastain, Knight, John B., Leonard, Millington, Pfaff, Potter, Sheridan, Thorp, and Weybret—15.

NOES—Andreas, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—50

RESOLUTIONS

The following resolution was offered:

By Messrs. Garland, Houser, Frederick F., Lyon, Potter and Burkhalter:

House Resolution No. 256

Relating to adjournment out of respect to the memory of Fielding P. Field

WHEREAS, The Members of the Assembly have learned with grief of the death of Fielding P. Field, brother of C. Don Field, Member of the Assembly, upon this day; and

WHEREAS, The Members of this Assembly wish to extend an expression of their deep sympathy to their Colleague and to the family of his deceased brother in their bereavement; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day it do so out of respect to the memory of Fielding P. Field; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to transmit a suitably prepared copy of this resolution to Mrs. Fielding P. Field, the widow of the deceased and to his four children.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 256, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

On motion of Mr. Lyon, the Assembly recessed for two minutes.

REASSEMBLED

The Assembly reconvened.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Frank Reed, Assistant Chief Clerk, at the desk.

Mr. Carlson moved that Mr. Lyon be named Temporary Chairman of the Assembly.

Mr. Millington seconded the motion.

Motion carried.

Hon. Charles W. Lyon Presiding

Hon Charles W. Lyon, Member of the Assembly from the Fifty-ninth District presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2498—An act making an appropriation for the improvement and rehabilitation of Sea Cliff State Park in Santa Cruz County.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Leonard moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1249—An act creating a Division of Beaches under the Department of Public Works, defining its duties and powers and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—56.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1073 WAIVED

Mr Carlson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1073 was passed.

Assembly Bill No. 1073 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 689

On motion of Mr. Watson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 689 refused passage by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Call, Clarke, Cooke, Crowley, Daley, Desmond, Dilworth, Doyle, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Pot-

ter, Robertson, Stream, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bashore, Bennett, Burkhalter, Collins, George D., Dills, Donnelly, Gaffney, Gallagher, Kilpatrick, King, Massion, Poole, and Russell—13

Speaker Presiding

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1846—An act to define junk dealers, providing for the licensing thereof, and regulating the business of buying, selling, purchasing and dealing in junk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kellems, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1561

On motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1561 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57

NOES—Daley, Dilworth, Gaffney, Houser, Frederick F., King, O'Day, Pelletier and Richie—8.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 264

On motion of Mr. Crowley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 264 passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie Robertson, Russell, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1000

On motion of Mr. Kepple, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1000 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Burkhalter, Cain, Collins, George D., Evans, Gaffney, Kilpatrick, King, Lowrey, Massion, Pelletier, Russell, Tenney, and Thomas—13.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1327

On motion of Mr. Voigt, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1327 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—55.

NOES—Carlson, Cassidy, Gaffney, Gallagher, King, Lowrey, O'Day, Phillips, Potter, Sheridan, Thomas, and Wollenberg—12.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 272

On motion of Mr. Thorp, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 272 passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—57.

NOES—Andreas, Collins, George D., Evans, Gaffney, Gallagher, Houser, Frederick F, Lowrey, O'Day, Pelletier, Tenney, and Thomas—11.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO EXPUNGE RECORD ON ASSEMBLY BILL NO. 897

On motion of Mr. Thorp, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the record was expunged, and the action rescinded whereby Assembly Bill No. 897 was stricken from the file, by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—54.

NOES—Andreas, Bennett, Evans, Gaffney, O'Day, Pelletier, Richie, and Thomas—8.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to use certain funds in the Department of Agriculture Fund, derived under the provisions of Chapter 241, Statutes of 1935, and Chapter 401, Statutes of 1935, and making an appropriation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—54.

NOES—Andreas, Bennett, Evans, Gaffney, O'Day, Pelletier, Richie, and Thomas—8.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1345

Mr. Lyon moved that Senate Bill No. 1345 be withdrawn from the Committee on Rules, and re-referred to the Committee on Ways and Means.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1813

On motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 15

On motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 15 passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—Carlson, Dilworth, Gaffney, Houser, Frederick F., Howser, F. N., King, Robertson, and Waters—8.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1898

On motion of Mr. Leonard, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1898 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Richie, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Burkhalter, Collins, Sam L., Knight, T. Fenton; Pfaff, and Waters—5.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1465—An act to amend Section 19621 of the Business and Professions Code, or Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the distribution of moneys in the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister,

Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1464—An act to add Section 19622.5 to, and to amend Section 19626 of the Business and Professions Code, or to amend Section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the disposition of the moneys in the Fair and Exposition Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Cassidy, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1457

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1457 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—Bashore, Evans, Hawkins, Houser, Frederick F., King, Meehan, O'Day, Pelletier, and Richie—9

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 191

On motion of Mr. Leonard, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 191 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo,

Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Riehle, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—58.

NOES—Cassidy, Collins, George D., Evans, Gaffney, Hawkins, Heisinger, King, Massion, Meehan, Pelletier, Potter, Tenney, and Waters—13

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2177—An act establishing a Legislative Budget Bureau and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Knight, John B., Pfaff, Waters and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2177.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Weber moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RECESS

On motion of Mr. Lyon, the Assembly recessed for one minute.

REASSEMBLED

The Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1840—An act to amend Section 776 of the Vehicle Code, making an appropriation to the Motor Vehicle Support Fund, providing for the use of the moneys therein, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain,

Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59

NOES—Doyle—1.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—Doyle—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Bill No 260

Has had the same under consideration and reports the same back with the recommendation Do pass

THORP, Chairman

Above reported bill ordered to second reading.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 401

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

KEPPLE, Chairman	PHILLIPS
KNIGHT, T. FENTON	HAWKINS
PFAFF	MEEHAN
ALLEN	CAIN
CARLSON	

Above reported bill ordered to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1951—An act to add Section 2.5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus

products made or produced at or by public institutions owned, managed or controlled by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Collins, George D., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—59.

NOES—Burkhalter, Dilworth, and Doyle—3

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 82—An act to amend Section 467 of the Streets and Highways Code, relating to State highways;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 13, 1941, be further amended as follows:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended, strike out "from", and insert "from:

(a)".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 11, insert "(b) Route 174 in South Gate via Atlantic Boulevard to Route 26"

KENNY	BASHORE
KUCHEL	CALL
DELAP	WATSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2177

On motion of Mr. Weber, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2177 passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Evans,

Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Andreas, Bennett, Burkhalter, Cam, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Pelletier, Richie, and Russell—22.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2249—An act to provide a unified and coordinated program of construction, repair, and improvement of State colleges, including buildings, and making an appropriation for the purposes of this act.

Bill read third time.

Demand for Previous Question

Messrs. Pfaff, Burkhalter, Knight, John B., Cooke and Howser, F. N., demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 2249.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Hugh M. Burns moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TEMPORARILY SUSPEND RULE NO. 16

Mr. Kilpatrick moved that Rule No. 16 be temporarily suspended for the purpose of considering motions out of order on the Daily File.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cam, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Lowrey, Lyon, Maloney, Massion, Miller, O'Day, Pfaff, Poole, Robertson, Russell, Sawallisch, Tenney, Thomas, Waters, and Welch—40

NOES—Call, Carlson, Dilworth, Hastain, Johnson, Knight, T. Fenton; Millington, Phillips, Salsman, Turner, Weybret, Wollenberg, and Mr. Speaker—13

MOTION TO TEMPORARILY SUSPEND RULES

Mr. Kilpatrick moved that the Rules be temporarily suspended in so far as they appertain to requiring a two-day notice of motion to withdraw a bill from committee in order to move to withdraw Assembly Bill No. 2630

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cam, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Don-

nelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, Meehan, O'Day, Pfaff, Poole, Potter, Russell, Sawallisch, Tenney, Thomas, Thorp, Turner, Waters, Watson, Welch, and Mr Speaker—46

NOES—Call, Carlson, Dilworth, Johnson, Knight, T Fenton; Millington, Phillips, Salsman, Weybret, and Wollenberg—10.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2630 FROM COMMITTEE

Mr. Kilpatrick moved that Assembly Bill No. 2630 be withdrawn from the Committee on Social Service and Welfare for the purpose of amendment.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Pfaff, Poole, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Turner, Voigt, Watson, Weber, Welch, and Mr. Speaker—52.

NOES—Call, Carlson, Dilworth, Johnson, Millington, Phillips, and Potter—7.

MOTION TO TEMPORARILY SUSPEND RULE NO. 16

Mr. O'Day moved that Rule No. 16 be temporarily suspended for the purpose of considering motions out of order on the Daily File.

Mr. Gallagher seconded the motion.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Meehan, O'Day, Pelletier, Russell, Tenney, Thomas, Thorp, Voigt, Welch, and Mr Speaker—36.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Evans, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Miller, Millington, Pfaff, Phillips, Salsman, Stream, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—29.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Day moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1154—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—Houser, Frederick F., and Potter—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1813

On motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1813 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Mr. Speaker—56.

NOES—Call, Carlson, Collins, Sam L., Desmond, Houser, Frederick F., Johnson, Kepple, King, Lyon, Maloney, Millington, Pfaff, Phillips, Potter, Richie, Robertson, Sawallisch, Sheridan, Stream, Weybret, and Wollenberg—21.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2249

On motion of Mrs. Daley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2249 passed by the following vote.

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Carlson, Dilworth, Houser, Frederick F., Kepple, Knight, T. Fenton; Massion, Pelletier, Potter, Thorp, Turner, Voigt, Waters, and Watson—13

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Heisinger moved to expunge the record and rescind the action whereby Assembly Bill No. 1814 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Miller, Millington, O'Day, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Wollenberg, and Mr. Speaker—41.

NOES—Allen, Carlson, Collins, Sam L., Dickey, Evans, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Lowrey, Pfaff, Phillips, Poole, Potter, Salsman, Waters, and Weybret—18

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1919

On motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1919 passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Salsman, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Watson, Weber, Welch, and Mr. Speaker—55.

NOES—Allen, Burns, Hugh M., Carlson, Clarke, Crowley, Dickey, Dilworth, Howser, F. N., Knight, John B., Lyon, McCollister, Millington, Poole, Richie, Russell, Thorp, Voigt, Waters, Weybret, and Wollenberg—20.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1529—An act to appropriate funds to the State Department of Education for publications by the California State Historical Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hastain, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57

NOES—Carlson, Collins, George D., Collins, Sam L., Del Mutolo, Evans, Houser, Frederick F., Knight, T. Fenton, Massion, and O'Day—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2599—An act making an appropriation for the cost of repair and restoration of property damaged or destroyed by storms and floods and for the cost of prevention of further damage and destruction; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burkhalter moved a call of the Assembly.

Motion carried

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1758—An act to amend Sections 4, 9 and 11 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to license fees upon motor vehicles, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2253—An act to make an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission for the extension of the State Park System, providing for the acquisition of land in Del Norte County for State park purposes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., King, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Muddough, O'Day, Pelletier, Phillips Poole, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—56

NOES—Carlson Dilworth, Hastain, Houser, Frederick F., Knight, John B., Knight, T Fenton, Millington, Pfaff, Potter, and Waters—10

Bill ordered transmitted to the Senate

Hon. Frederick F. Houser Presiding

Hon Frederick F Houser, Member of the Assembly from the Fifty-third District, presiding.

Assembly Bill No. 2484—An act to amend Section 20820 of the Business and Professions Code, relating to the sale and distribution of gasoline or other motor fuel.

Bill read third time.

Demand for Previous Question

Messrs. Pfaff, Robertson, Hastain, Collins, Sam L., and Voigt demanded the previous question

Demand for previous question sustained

The question being on the passage of Assembly Bill No 2484

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Meehan, Middough, Miller, O'Day, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—45

NOES—Bashore, Cassidy, Cooke, Donnelly, Evans, Gaffney, Hastain, Heisinger, Johnson, Kepple, King, Knight, John B., Lowrey, Massion, Pelletier, Robertson, Tenney, Turner, and Voigt—19.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1264

On motion of Mr. Robertson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Motion to Recess

Mr. Robertson moved that the Assembly do now recess for one minute.

Mr. Bashore seconded the motion.

Motion lost.

Call of the Assembly

Pending the announcement of the vote, Mr. Robertson moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1915

On motion of Mr Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1915 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin,

Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F. Howser, F. N. Johnson, Kilpatrick, Knight, John B. Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough Miller, Millington, O'Day, Pfaff Poole, Potter, Robertson, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61

NOES—Bashore, Cooke, Crowley, Dills, Evans, Heisinger, Kepple, King, Lyon, Phillips, Richie, Russell, and Waters—13.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2630—An act to amend Sections 2020 and 2021 and to repeal 2025 of, and to add Sections 2143, 2144 and 2145 to, the Welfare and Institutions Code relating to aid to the aged and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "118,"

Amendment No. 2

In line 2 of the title of the printed bill, strike out "2143, 2144 and 2145", and insert "103.5 and 119.5".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "aid to the aged", and insert "public assistance".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "2020 of", and insert "103.5 is hereby added to".

Amendment No. 5

On page 1, line 2, of the printed bill, strike out "is hereby amended".

Amendment No. 6

On page 1 of the printed bill, between lines 2 and 3, insert

"103.5. It is hereby declared that provision for public aid to the needy aged and aid to dependent children as in this code provided is a matter of State-wide concern.

The board is hereby designated as the single State agency with full power to supervise every phase of the administration of the public assistance plans for which grants-in-aid are received from the United States Government in order to secure full compliance with the provisions of Titles 1 and 4 of the Federal Social Security Act.

SEC. 2. Section 118 of said code is hereby amended to read as follows:

118. All applications and records concerning any individual made or kept by any public officer or agency under any provision of this code, *including Chapter 1 of Part 2 of Division 2, and Chapter 1 of Division 3, or* which relates to the Department of Social Welfare, or which gives it any authority, shall be confidential, and shall not be open to examination [by anyone not in the employ of the office or agency or of the department] *for any purpose not directly connected with the administration of such provision of this code* [except upon an order of a court of competent jurisdiction and except that they may be examined by a peace officer or other public officer or employee, or by the representative of a private agency devoted to social welfare activities, if it is shown that information is desired for a proper public purpose].

No person shall publish or disclose or permit or cause to be published or disclosed any list of persons receiving public assistance. Except for purposes directly connected with the administration of old-age assistance and aid to dependent children, no person shall publish, disclose, or use or permit or cause to be published, disclosed, or used any confidential information pertaining to an applicant or recipient. Any violation of this section is a misdemeanor.

The State Department of Social Welfare may make rules and regulations governing the custody, use and preservation of all records, papers, files and communications pertaining to the administration of the public assistance laws. The rules and regulations shall be binding on all departments, officials and employees of the State, or of any political subdivision of the State.

SEC 3 Section 1195 is hereby added to said code, to read as follows

1195 For the purposes of the administration of aid to needy children under Chapter 1 of Part 2 of Division 2 and aid to the aged under Chapter 1 of Division 3, the State Department of Social Welfare shall establish and maintain personnel standards on a merit basis (including therein standards of qualifications, competency, education, experience, tenure and compensation) necessary for the proper and efficient administration of the cited portions of this code which standards shall be applicable to the counties, as agents of the State for the purposes of administering State and Federal funds provided for assistance under the cited portions of this code, in employing personnel for such purposes.

Nothing in this section shall prevent any county from establishing its own merit system and determining thereunder the personnel standards to be applicable to its employees, but as to those employees engaged in the administration of State and Federal funds granted to a county as agent of the State for the cited portions of this code, the State Department of Social Welfare shall have a supervisory power to insure compliance with the personnel standards it establishes to the end that this State shall at all times conform to the requirements of Federal law for the continued receipt of Federal grants-in-aid

SEC 4 Section 2020 of said code is hereby amended to read as follows:".

Amendment No. 7

On page 2, line 5, of the printed bill, strike out "2.", and insert "5."

Amendment No. 8

On page 2, line 22, of the printed bill, strike out "3", and insert "6"

Amendment No. 9

On page 2 of the printed bill, strike out all of lines 23 to 32, inclusive; and on page 3, strike out lines 1 to 22, inclusive.

Amendment No. 10

On page 3, line 30, of the printed bill, strike out "the Old Age Security Law", and insert "Chapter 1 of Part 2 of Division 2 and Chapter 1 of Division 3 of the Welfare and Institutions Code".

Amendment No. 11

On page 3, lines 38 and 39, of the printed bill, strike out "the Old Age Security Law", and insert "Chapter 1 of Part 2 of Division 2 and Chapter 1 of Division 3 of the Welfare and Institutions Code of this State".

Amendments read and adopted.

Bill ordered printed and engrossed.

Assembly Bill No. 2660—An act to add Section 161.5 to the Vehicle Code, relating to the return of 1941 license plates or payment in lieu thereof, providing for the sale of such plates, making an appropriation of the proceeds of such sale and of other money collected thereunder for recreational facilities in Military and Naval training camps in this State, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2097

On motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2097 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—72.

NOES—Meehan—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 2099

On motion of Mr. Bennett, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2099 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72.

NOES—Evans, Knight, John B., and Meehan—3.

Bill read third time, and passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—72

NOES—Evans, Knight, John B., and Meehan—3

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Garland, Desmond, Lyon and Maloney:

House Resolution No. 257

WHEREAS, Mrs Ernest C. Crowley has been the constant companion and assistant to her legislator husband during each session of the Assembly commencing in 1929 and continuing through seven regular sessions and eight special sessions; and

WHEREAS, During all that time no Member has attended sessions more regularly or given more careful attention to legislative proceedings than has Mrs Crowley; now, therefore, be it

Resolved by the Assembly of the State of California, That, as a sincere tribute to the faithful and untiring services she has performed for her husband and for this body, Mrs Ernest C. Crowley is hereby declared to be an Honorary Member of the Assembly; and be it further

Resolved, That the Chief Clerk is hereby directed to prepare and present a suitably engrossed copy of this resolution to Mrs Ernest C Crowley.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 257, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO EXCUSE MEMBER

Mr. Crowley asked for, and was granted, leave of absence for the remainder of this legislative day.

Motion granted unanimously.

RECESS

On motion of Mr. Lyon, the Assembly recessed for one minute.

REASSEMBLED

The Assembly reconvened

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

COMMUNICATIONS

The following communication was received, and on motion of Mr. Maloney, ordered printed in the Journal.

The City of San Francisco With Its Bay and Adjacent Territory Is the Geographical Center of the Pacific Coast and Is of the Highest Strategic Importance to Any Adequate Defense of This Country

EXTENSION OF REMARKS OF HON RICHARD J. WELCH OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES

Thursday, March 27, 1941

Mr. WELCH. Mr. Speaker, the strategic importance of the City of San Francisco, its bay, and the adjacent territory to any adequate defense of the entire Pacific Coast is beyond verbal description. San Francisco is the outlet for that vast empire embracing the San Joaquin and Sacramento Valleys, each of which is traversed its length by different large navigable rivers emptying into San Francisco Bay, and the Livermore, Napa, Sonoma, and Santa Clara Valleys, all rich and profitable land. The immeasurable importance of this empire to National defense is only limited by the adequacy of transportation facilities available.

San Francisco Bay is not only the geographical center of the Pacific Coast, but it is the most important and finest harbor for Naval and Military purposes on the entire western seaboard. This important fact has been referred to on many occasions by the highest-ranking officials of both the Army and the Navy. Admiral Charles F. Hughes, while Chief of Naval Operations, testified before a committee of Congress that:

> San Francisco Bay is, as you know, the principal harbor of the Pacific Coast. To my mind it belongs to the Nation; it is not the property of California nor of the cities that are on its shores. From its natural advantages and its location, San Francisco Bay is certain to be the major continental fleet base for any extensive campaign in the Pacific. It will be the point where the fleet will concentrate at the beginning of a war.

Within this vast area—the spearhead of Pacific Coast National defense—are many of the principal Military establishments on the Pacific Coast. Within the City of San Francisco are the Presidio Military Reservation, Fort Winfield Scott, Fort Mason, the Army transport docks, United States Risdon Naval Plant, and the United States Naval Drydocks at Hunters Point. Outside of San Francisco proper, but within the bay area, are the Mare Island Navy Yard, the Oakland Naval Air Base, one of the largest in the world, the Oakland Naval Supply Base, the United States Army Moffett Air Field, Fort Barry, Fort Baker, and the United States Bombardment Base. Every single one of these Military and Naval establishments is essential to National defense, but from the lessons of modern warfare we now know their weakest link is inadequate highways. When the completed story of the battle of France is finally written it will show the battle was lost and won mostly on the highways.

The Federal Government, of necessity, is spending billions for proper National defense. In this program careful consideration must be given to strategic National-defense highways and to bridges which are an integral part of those highways. Particularly is this true in the case of San Francisco, with all of its Military and Naval activities.

San Francisco, one of our great seaport cities, has a population of approximately three-fourths of a million people. Thousands of men are now engaged in building Naval and merchant ships in private shipyards for the United States Government. The city itself is built on the tip of a peninsula, with an area of approximately 40 square miles, one of the smallest areas of any large city in the country. This geographic location enhances its strategic importance, but there is but one approach from the easterly or continental side of San Francisco Bay—by way of the San Francisco-Oakland Bay Bridge, which is nine miles long and 200 feet high. San Francisco Bay is 70 miles long, with an average width of some eight miles. The only other approaches are by two roads entering the city from the south on the San Francisco Peninsula and the Golden Gate Bridge at the extreme north. Thus the transportation of all materials and supplies over highways is restricted, and for purely Military purposes in this Defense Program the Government must provide another approach. This matter has been favorably considered by Military authorities already.

Several years ago the War Department approved a low-level bridge at Hunters Point connecting San Francisco with Alameda County on the east side of San Francisco Bay. Hunters Point extends well out into the bay; is 5½ miles south of the San Francisco-Oakland Bay Bridge and 11½ miles north of the next bridge to the south, the San Mateo Bridge. It is directly opposite Bay Farm Island, Alameda County, which is slightly south of the Oakland Naval Air Base and the Oakland Municipal Airport. This provides an ideal location for another approach to San Francisco for the distance is only 5¾ miles from Hunters Point to the opposite shore and two-thirds of this distance is shallow water where a road could be built up by the same process as was used for the Oakland Naval Air Base and for Treasure Island where the recent Golden Gate Exposition was held. They were reclaimed by the use of centrifugal pumps at a nominal cost. Following the type of construction used in the approaches to the San Francisco-Oakland Bridge and the San Mateo Bridge, the remainder of the road could readily be constructed on concrete piling.

A further defense requisite for adequate highways would be to provide such a bridge for the evacuation of San Francisco should that ever be necessary. In such an emergency the Golden Gate Bridge might by reason of its exposed location be of limited value and a single shell could put the 200-foot high-level San Francisco-Oakland Bridge out of commission for an indefinite period. Thus without an additional approach, there are but two roads available—the ferry systems having been long since abandoned—and these are heavily congested even under ordinary conditions.

I was Harbor Master of the Port of San Francisco at the time of the great catastrophe in 1906 when five square miles in the heart of the city was reduced to ashes. The scene of its evacuation even at that early date beggars description. Picture another evacuation caused by shell fire from the air into a city principally of wooden construction, and the conditions will be beyond description.

The need for such a low-level bridge as an integral part of the defense program for the Pacific Coast, has long since been established. It would make possible the extension of all transcontinental freight lines directly into San Francisco and the important Military establishments to which I have referred. Lessons from the European War emphasize that need more certainly. National defense is predicated on the preservation of the Government and the lives and property of its citizens. The War Department approved the project years ago, and such a bridge should be immediately constructed extending from Hunters Point to the continental side of the bay, not only for the Military and Naval value it will be, but the great value it would be should such an emergency as necessary evacuation ever arise.

SENATE BILLS NOS. 32 AND 1287 WITHDRAWN FROM INACTIVE FILE

Mr. Thomas moved that Senate Bill No. 32 be withdrawn from the inactive file, and re-referred to the Committee on Judiciary Codes.

Motion carried unanimously.

Mr Thomas moved that Senate Bill No. 1287 be withdrawn from the inactive file, and re-referred to the Committee on Judiciary Codes.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER Your Committee on Education, to which was referred:

Senate Bill No 232

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

MILLER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was introduced, and read the first time:

Assembly Concurrent Resolution No. 60: By Mr. Stream—Relative to civics textbooks for use in the public schools.

Request for Unanimous Consent

Mr Stream asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 60, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 60

Assembly Concurrent Resolution No. 60—Relative to civics textbooks for use in the public schools.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Burkhalter, Burns Hugh M., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kepple, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thurman, Waters, Weber, Welch, Wevbret, and Mr. Speaker—45.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 61: By Mr. Weber—Relative to amending the Joint Rules of the Senate and Assembly by adding Joint Rule No. 38, further defining the powers and duties of the Joint Legislative Budget Committee.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 61, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 61

Assembly Concurrent Resolution No. 61—Relative to amending the Joint Rules of the Senate and Assembly by adding Joint Rule No 38, further defining the powers and duties of the Joint Legislative Budget Committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Del Mutolo, Desmond, Dilworth, Doyle, Evans, Gallagher, Green, Heisinger, Houser, Frederick F., Kepple, Knight, T Fenton; Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thurman, Waters, Weber, Welch, Weybret, and Mr. Speaker—41.

NOES—Andreas, Bennett, Collins, George D., Cooke, Donnelly, Gunlock, Hawkins, Lowrey, Meehan, and Pelletier—10.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 60: By Mr. Lowrey—Relative to condemnation of lands for wild fowl refuge purposes by United States Department of Interior, Fish and Wild Life Service

Request for Unanimous Consent

Mr Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 60, at this time, without reference to committee, print or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 60

Assembly Joint Resolution No. 60—Relative to condemnation of lands for wild fowl refuge purposes by United States Department of Interior, Fish and Wild Life Service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Evans, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kepple, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Sawallisch Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Mr. Speaker—48

NOES—Collins, Sam L, Doyle, and Millington—3

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 258

WHEREAS, The proper provision for the retirement of public school teachers is a subject of debate at each session of the Legislature, and

WHEREAS, The Retirement System set up in 1937 has been in operation for four years and has provoked much thought among persons and groups interested in its operation; and

WHEREAS, Future legislation dealing with the proposals affecting teachers retirement can best be based on a thorough investigation of the present system and of suggestions for changes in it; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Committee on Teachers' Retirement is hereby created, to consist of three Members of the Assembly appointed by the Speaker, which committee shall investigate and survey, accurately and in detail, the California State Teachers Retirement System in all its phases, administrative and actuarial and legal, and proposals for changes therein, and shall report to the Legislature not later than March 15, 1943, its recommendation for legislation.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The committee hereby created is hereby authorized to act during sessions of the Legislature, and after final adjournment, but except for the purpose of making a report, not beyond the commencing of the Fifty-fifth Legislature.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day

The sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

By Mr. Thorp:

House Resolution No. 259

Be it resolved, That the Investigating Committee on Live Stock and Dairies, created by House Resolution No 45 of this session, is hereby authorized to meet and *act after final adjournment of this, the Fifty-fourth Session of the Legislature*, and until the convening of the Fifty-fifth Session of the Legislature, and to study and report upon the problems of milk production and distribution and swine diseases and to submit its recommendations for legislative action in connection therewith to the Fifty-fifth Session of the Legislature; and be it further

Resolved, That the funds heretofore made available to the committee pursuant to House Resolutions numbered 45 and 144, shall continue to be available for expenses of the committee and its members, and for any charges, expenses or claims it may incur in connection with any study authorized by this resolution, to be disbursed as provided by House Resolutions numbered 45 and 144

Request for Unanimous Consent

Mr. Thorp asked for, and was granted, unanimous consent to take up House Resolution No 259, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Hugh M. Burns:

House Resolution No. 260

Relative to the inadequate transportation facilities between Sacramento and points south

WHEREAS, The biennial problem of moving the State Capital from the City of Sacramento to some less charming but more accessible spot is due in large part to

the antiquated and grossly inadequate transportation facilities between Sacramento and the San Joaquin Valley and Southern California; and

WHEREAS, Neither railroads, bus lines nor airplane lines have shown any particular inclination to improve that transportation service, but on the contrary continue to use equipment more appropriate for junk yards or for use in motion pictures depicting scenes in the Gay Nineties; and

WHEREAS, Under present conditions a reasonably diligent hitchhiker can leave Sacramento and arrive in Southern California hours ahead of any existing commercial transportation service; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chamber of Commerce of the City of Sacramento is hereby urged to rouse itself to a point of considering this problem and endeavoring to secure a substantial improvement in the transportation facilities between the City of Sacramento and points in the San Joaquin Valley and Southern California; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to the President and Secretary of the Sacramento Chamber of Commerce

Resolution read, and referred to Committee on Rules.

By Mr. Crowley:

House Resolution No. 261

Directing an investigation and report relative to a bridge on Route 99 wherein that highway crosses Cache Slough, Solano County, California

WHEREAS, The agricultural interests of this area are inadequately being served by a ferry; and

WHEREAS, Said ferry is incapable of operation during seasons of floods, high water and high winds, which occur at the height of the asparagus harvesting season; and

WHEREAS, The construction of the proposed bridge would shorten the haul to the produce centers of Stockton and San Francisco some 27 miles, the annual savings to the farmers from this area estimated on the ton mile would be approximately seventy-five thousand dollars ($75,000); now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission is hereby authorized and directed to make a study and survey for the construction of a suitable bridge over Cache Slough, Solano County, California, wherein Route 99 crosses said slough; and be it further

Resolved, That the Director of Public Works shall prepare a report of the study, and survey on or before January 1, 1942.

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 261, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Mr. Meehan:

House Resolution No. 262

Relative to the regulation of "dilatory tactics"

WHEREAS, The cool Sacramento summer weather and the high rates of pay of Legislators make it desirable that the Legislature remain in session during the whole of June, July, August, and most of September; and

WHEREAS, This Assembly as one of the houses of the Legislature is proceeding to transact its business with too rapid dispatch; and

WHEREAS, Only by the use of "dilatory tactics" will the Legislature, and both houses thereof, be able to remain in Sacramento until the middle of September, now, therefore, be it

Resolved by the Assembly of the State of California, That all business transacted in this House without the use of "dilatory tactics" is out of order; and be it further

Resolved, That "dilatory tactics" consists of putting any matter to a vote without at least three hours debate and five calls of the House, and be it further

Resolved, That the Chief Clerk of the Assembly deliver to each member guilty of not engaging in "dilatory tactics" a suitably prepared copy of the Assembly Journal containing this resolution.

Resolution read, and referred to Committee on Rules.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

BERKELEY, CALIFORNIA, June 6, 1941

Hon. Gordon H. Garland
Assembly Chambers, Sacramento, California

Please read to the Assembly "The Disabled American Veterans of the World War in regular convention assembled in the City of Berkeley June 6th strongly urge upon your honorable body the early passage of Senate Bill No. 292 at the session of the Legislature in order that the serious water situation at the Veterans' Home, Yountville, be immediately rectified Will you please expedite?

RAY LOBRE, Commander
California Department, Disabled Veterans of the World War

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Ways and Means to which was referred:

Assembly Bill No. 2016

Has had the same under consideration, and reports the same back with the recommendation Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2661—An act to amend Sections 11166.12, 11200 and 11712 of the Health and Safety Code, relating to narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Mr. Speaker—48

NOES—Collins, George D., Cooke, Gallagher, and O'Day—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 814—An act to add Section 1.5 and to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cronin, Del Mutolo, Donnelly, Doyle, Evans, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—50

NOES—Carlson, and Collins, Sam L.—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2630
And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 529—An act to add Section 1032.1 to the Military and Veterans Code, relating to veterans' bands.

Bill read third time.

Demand for Previous Question

Messrs. Middough, Howser, F. N., Andreas, Voigt and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 529.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1177—An act to add Sections 39, 40, 41, 41.1, 41.2, 41.3 and 42 to, and repeal Sections 39, 40, 41 and 42 of, the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1216—An act to add a new section to the Unemployment Insurance Act to be numbered 57.1, relating to the qualifications for eligibility for unemployment insurance benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1223—An act to amend Sections 2, 6, 6.5, 7, 7.5, 8.5, 9.2, 9.7, 9.8, 10, 11, 13 and 15 of, and to add Sections 6.2, 6.3, 7.3 and 11.1 to, the Unemployment Insurance Act, relating to a system of unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 987—An act to amend Section 48 of the Fish and Game Code, relating to fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1400—An act to amend Section 10435 of the Insurance Code, relating to insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Houser, Frederick F—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1406—An act to add Article 18, comprising Section 1120, to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Unemployment, to which were referred:

Assembly Bill No. 1317
Assembly Bill No 1217

Respectfully reports the same back without recommendation

DESMOND, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1317—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to definition of "unemployed."

Bill read second time, and ordered to third reading

Assembly Bill No. 1217—An act to add a new section to the Unemployment Insurance Act to be numbered 14, relating to the definition, for purposes of determining eligibility for unemployment insurance benefits, of "work," "job" and "employer"

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONCURRENT RESOLUTION NO. 24

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Green, Gunlock, Hastain, Heisinger, Howser, F. N., King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Phillips, Poole, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr Speaker—46

NOES—Andreas, Bashore, Burkhalter, Carlson, Collins, George D., Gaffney, Gallagher, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T Fenton; Massion, Millington, Pfaff, Potter Waters, and Weybret—18.

Resolution ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 586—An act to repeal Section 3721 of the Political Code, relating to assessment and taxation of property affected by the annexation, incorporation and inclusion of territory by municipal corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock,

Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Charles W. Lyon Presiding

Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Assembly Bill No. 2658—An act making an appropriation to the Industrial Accident Commission for boat inspection, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs Waters, Dills, Collins, Sam L., Thurman and Poole demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2658.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr George D Collins moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1429—An act to amend Section 1 of an act entitled "An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof," approved April 10, 1925, relating to lands granted to the City of South San Francisco.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—Dills, Houser, Frederick F., and Knight, T. Fenton—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1197—An act to amend Section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Richie, Russell, Sawaillsch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Carlson, Collins, Sam L., Dilworth, Evans, Houser, Frederick F., Johnson, Kepple, Lowrey, Poole, and Potter—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 8—An act to amend Section 69 of the Civil Code, relating to marriage licenses and applications therefor.

Re-reference of Assembly Bill No. 8

Assembly Bill No. 8 re-referred to Committee on Judiciary Codes.

Speaker Presiding

Hon. Gordon H Garland, Speaker of the Assembly, presiding

Assembly Bill No. 1454—An act to amend Section 2553 of the Business and Professions Code, relating to registered dispensing opticians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1814—An act to amend Section 10752 of the Revenue and Taxation Code and Section 2 of "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to the value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Motor Vehicle License Fee Fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to the amount of the license fee on vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber Welch, and Mr Speaker—43.

NOES—Allen, Call, Carlson, Houser, Frederick F., Johnson, Lowrey, Lyon, Miller, Millington, Pfaff, Potter, Waters, Weybret, and Wollenberg—14

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 529

On motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 529 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Collins, Sam L., Doyle, Johnson, Kepple, Knight, T. Fenton; Pfaff, Potter, and Richie—8.

Bill ordered transmitted to the Senate.

Explanation of Vote

We voted "No" on Assembly Bill No. 529 as we believe this money should be spent for needed necessities at the home rather than a band.

DOYLE
POTTER
PFAFF

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1337—An act making an appropriation for the acquisition of real property in the City of Sacramento and the construction and equipment thereon of a building for the Department of Employment, as provided in Section 92.3 of the Unemployment Insurance Act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cain moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1338—An act to add Section 92.3 to the Unemployment Insurance Act, relating to the establishment of a system of unemployment insurance and employment offices for this State.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2599

On motion of Mr. Burkhalter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2599 adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—58.

NOES—Collins, Sam L., Dilworth, Hastam, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Miller, Phillips, Potter, Salsman, Waters, and Mr. Speaker—14

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—58

NOES—Collins, Sam L., Dilworth, Hastam, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Miller, Phillips, Potter, Salsman, Waters, and Mr. Speaker—14.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2217—An act to add Article 8a to the State Civil Service Act, relating to standards of conduct of employees.

Bill read third time.

Demand for Previous Question

Messrs. Allen, Dills, Waters, Evans and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2217.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Donnelly, Evans, Gallagher, Heisinger, Howser, F. N., Kepple, Knight, John B., Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Robertson, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Carlson, Clarke, Dills, Dilworth, Doyle, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Knight, T. Fenton; Lowrey, Massion, Millington, Pfaff, Potter, Richie, Russell, Voigt, Waters, and Weybret—22.

Bill ordered transmitted to the Senate.

MOTION TO EXCUSE SUBCOMMITTEE ON WAYS AND MEANS

Mr. Millington moved that the following members of the Subcommittee on Ways and Means be excused for the past ten minutes, having

been engaged in hearing several bills before that committee: Messrs. Dickey, Leonard, Knight, John B, Hastain and Watson.

Motion carried.

MOTION TO EXCUSE MEMBER

Mr Thurman moved that Mr. Gunlock be excused for the balance of this legislative day for optical treatment.

Motion carried

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2650—An act to add Section 593 (a) to the Civil Code, relating to the formation, qualifications and operations of non-profit corporations organized to render certain professional services.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N., Johnson, Kepple, Kilpatrick, King, Knight, John B, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1338

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1338 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N, Kilpatrick King, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Robertson, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Wollenberg, and Mr. Speaker—47.

NOES—Allen, Call, Carlson, Doyle, Houser, Frederick F, Johnson, Knight, T. Fenton; Massion, Miller, Millington, Pfaff, Phillips, Potter, Russell, and Weybret—15.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 59—Relative to the provisions of Sections 10, 11 and 12 of the Budget Act of 1941, and transfer of funds pursuant thereto.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J, Call, Carlson, Cassidy, Clarke, Collins, Sam L, Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T Fenton; Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robert-

son, Russell, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—54
NOES—Collins, George D., Donnelly, Knight, John B, Lowrey, and O'Day—5

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1903—An act to amend Section 1150 of the Insurance Code, relating to investments in real estate by insurers.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, King, Knight, John B, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1847—An act to amend Section 5 of the Retail Sales Tax Act of 1933, relating to the exemption of sales to nonresidents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, T Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1528—An act to amend Section 1 of an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931, relating to boats.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips.

Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Burns, Michael J., and O'Day—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 20—An act to add Section 869 to the Fish and Game Code, relating to tuna.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 130—An act to make an appropriation to the Division of Parks for the construction and equipment of a swimming pool in Cuyamaca State Park, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr Speaker—55

NOES—Carlson, Collins, Sam L., Del Mutolo, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Lowrey, Pfaff, and Potter—10.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Kilpatrick, Knight, John B., Knight, T Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—58.

NOES—Carlson, Collins, Sam L., Del Mutolo, Evans, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, King, Lowrey, Pfaff, and Potter—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2585—An act making an appropriation to the State Park Commission for the acquisition of land in Marin County as part of the State Park System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Daley, Dickey,

Dills, Dilworth, Donnelly, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—57.

NOES—Bennett, Burkhalter, Collins, Sam L., Del Mutolo, Doyle, Houser, Frederick F., Howser, F. N., Kilpatrick, Massion, Poole, Potter, Thomas, and Weybret—13.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1264

On motion of Mr. Robertson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gallagher, Heisinger, Houser, Frederick F., Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, Meehan, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, Welch, and Mr. Speaker—36.

NOES—Allen, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Dickey, Dilworth, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Robertson, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—30.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1264

On motion of Mr. Robertson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1264 refused passage by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Cooke, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Millington, Pfaff, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Voigt, Waters, Welch, Weybret, and Mr. Speaker—45.

NOES—Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Dickey, Dills, Dilworth, Gaffney, Gallagher, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, McCollister, Miller, O'Day, Pelletier, Phillips, Potter, Stream, Thorp, Turner, Watson, Weber, and Wollenberg—31.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1002—An act to amend Sections 8941, 8950 and 8970 of, and to add Sections 8911, 8912, 8935.5, 8937.5, 8939.5, 8940.5, 8941.5, 8944, 8945 and 8955.5 to, the Business and Professions Code, relating to the regulating, licensing and supervision of persons engaged

in business activities incident to the ownership and operation of yachts and ships

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Doyle, Gallagher, Green, Hastain, Howser, F. N., Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Cassidy, Donnelly, Evans, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, and Thomas—8

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 20

On motion of Mr. Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 20 passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cronin, Del Mutolo, Desmond, Dills, Donnelly, Evans, Gallagher, Green, Hawkins, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—43.

NOES—Allen, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Dickey, Dilworth, Doyle, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Lyon, McCollister, Middough, Miller, Millington, Richie, Sawallisch, Thorp, Watson, Wollenberg, and Mr. Speaker—29.

Bill ordered transmitted to the Senate.

ASSEMBLY BILLS NOS. 2135 AND 2136 WITHDRAWN FROM INACTIVE FILE

Mr. Johnson moved that Assembly Bill No. 2135 be withdrawn from the inactive file, and re-referred to the third reading file.

Motion carried.

Mr. Johnson moved that Assembly Bill No. 2136 be withdrawn from the inactive file, and re-referred to the third reading file.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1337

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—54.

NOES—Allen, Bashore, Carlson, Dilworth, Houser, Frederick F., Johnson, Knight, T. Fenton; Massion, Millington, Pfaff, Potter, Voigt, Watson, and Weybret—14.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2379—An act to provide for the retirement of justices of Class A justices' courts.

Bill read third time.

Point of Order

Mr. Johnson arose to the following point of order: That Assembly Bill No. 2379 had been signed out by the Committee on Judiciary General without having failed to meet on two separate days.

The Speaker ruled the point of order well taken.

Assembly Bill No. 1904—An act to amend Section 7560 of the Business and Professions Code or Section 5a of an act entitled "An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, C'Elias, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY ON ASSEMBLY BILL NO. 2498

Mr. Bennett moved that further proceedings under the call of the Assembly be dispensed with

Motion lost.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1608—An act to establish a county merit system commission for every county, defining its powers and duties, and providing for the organization and government of a merit system for the welfare department employees in every county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, O'Day, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—50

NOES—Bennett, Dills, Hawkins, Houser, Frederick F., Massion, Meehan, Poole, Richie, and Russell—9.

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Cain:

Resolved, That Assembly Bill No. 2016 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2016

Assembly Bill No. 2016—An act to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund and the purposes for which the money therein may be used and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2022—An act making an additional appropriation for construction, improvements, and equipment at State parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—Houser, Frederick F., and Potter—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 2135—An act to add Section 474a to the Political Code, relating to escheat actions brought by the Attorney General.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns Hugh M., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2136—An act to amend Section 474 of the Political Code, relating to escheated property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Call:

Resolved, That Assembly Bill No. 2108 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F. Howser, F. N., Johnson, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole,

Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2108

Assembly Bill No. 2108—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of San Mateo, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Dills, and Houser, Frederick F.—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 65

On motion of Mr. Weybret, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 65 refused adoption by the following vote:

AYES—Allen, Andreas, Bashore, Call, Collins, Sam L., Cooke, Daley, Del Mutolo, Dills, Dilworth, Evans, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Meehan, Middough, Pelletier, Pfaff, Poole, Potter, Russell, Sheridan, Stream, Tenney, Thomas, Turner, Voigt, Waters, Watson, Welch, and Weybret—39.

NOES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Phillips, Richie, Sawallisch, Thorp, Thurman, Weber, and Wollenberg—33.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND RULE NO. 16

On motion of Mr. O'Day, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to temporarily suspend Rule No. 16 lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—41.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton, Leonard, Lyon, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—34.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 21—Relative to peace in industry.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 46—Relative to creating a Joint Legislative Committee to report plans to commemorate the discovery of California by Juan Rodriguez Cabrillo.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 49—Relative to Cabrillo Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 37—Relative to a Joint Fish and Game Investigating Committee, to study and report on matters relating to fish and game.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gallagher, Green, Hastain, Howser, F. N., Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Russell, Sawallisch, Sheridan, Stream, Tenney,

Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr Speaker—52

NOES—Bennett, Carlson, Dills, Donnelly, Hawkins Heisinger, Houser, Frederick F, Johnson, Kilpatrick, Massion, O'Day, and Richie—12

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1956

On motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1956 refused passage by the following vote·

AYES—Allen, Burns, Hugh M, Burns, Michael J., Cain, Call, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Evans, Gallagher, Green, Leonard, Lowrey, McCollister, Meehan, O'Day, Phillips, Richie, Robertson, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—38

NOES—Andreas, Bashore, Bennett, Burkhalter, Carlson, Collins, George D, Collins, Sam L., Cooke, Dills, Dilworth, Doyle, Gaffney, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N, Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Lyon, Maloney, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Russell, and Sheridan—35

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF ASSEMBLY BILL NO. 830

In compliance with a notice given on a previous day, Mr. O'Day moved that the vote whereby Assembly Bill No 830 was passed be reconsidered.

Demand for Previous Question

Messrs Evans, Dills, Howser, F N., Collins, Sam L, and King demanded the previous question

Demand for previous question sustained

The question being on the motion to reconsider Assembly Bill No. 830.

The roll was called, and Assembly Bill No. 830 reconsidered by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J, Cain, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kepple, Kilpatrick, King, Knight, John B, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Turner, Voigt, Watson, and Weber—49

NOES—Call, Carlson, Desmond, Leonard, McCollister, Middough, Millington, Thomas, Thorp, Thurman, Welch, Weybret, Wollenberg, and Mr Speaker—14.

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Kepple moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing an opinion by Mr. Fred B Wood of the Legislative Counsel on Assembly Bill No. 1264.

Motion carried.

IN COMMITTEE OF THE WHOLE

Hon Rodney L. Turner presiding.

On motion of Mr. Millington, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Gordon H. Garland presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr Bennett moved to expunge the record and rescind the action whereby Assembly Bill No. 1264 was this day refused passage.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bennett moved a call of the Assembly.

Motion lost.

The roll was called, and the motion to expunge the record and rescind the action whereby Assembly Bill No 1264 was refused passage lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Cooke, Cronin, Desmond, Dills, Donnelly, Doyle, Evans, Hawkins, Houser, Frederick F., Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Millington, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—38.

NOES—Allen, Carlson, Clarke, Collins, George D., Collins, Sam L., Daley, Dilworth, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Knight, John B., Knight, T. Fenton; McCollister, Miller, O'Day, Pfaff, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Wollenberg—28

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2658

On motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2658 refused passage by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Potter, Richie, Russell, Sawallisch, Tenney, Thomas, Weber, Welch, and Wollenberg—45

NOES—Bennett, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dilworth, Howser, F. N., Johnson, Miller, Millington, Pfaff, Poole, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr Speaker—23

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2498

On motion of Mr. Leonard, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2498 refused passage by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Dickey, Dilworth, Gallagher, Gunlock, Howser, F. N., Kepple, Knight, T. Fenton; Leonard, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Robertson, Russell, Stream, Thorp, Thurman, Turner, Welch, and Weybret—32

NOES—Donnelly—1.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 304 LAPSED

Notice of motion to reconsider the vote whereby Assembly Bill No. 304 was passed lapsed

Assembly Bill No. 304 ordered transmitted to the Senate

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Merton B. Hustler of Sacramento and George Ulass, Seventy-ninth Brigade Camp, San Luis Obispo

On request of Messrs. Potter and Bennett, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur Guerin and Ben Rosenthal, both Municipal Judges of Los Angeles.

On request of Messrs. Carlson and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Perry Edward Byerly, student at Berkeley High School.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clint Sherwood and Robert Stefan of the College of the Pacific

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Brother Ignatius of Christian Brothers' School

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Leroy Walter of Caruthers.

ADJOURNMENT

At 11:55 p.m., on motion of Mr. Carlson, the Speaker declared the Assembly adjourned until 1:30 p.m., Tuesday, June 10, 1941, out of respect to the memory of the late Fielding P. Field of North Hollywood

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-SECOND LEGISLATIVE DAY
ONE HUNDRED FIFTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 10, 1941

The Assembly met at 1.30 p m

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Stream, Thurman, Turner, Waters, Watson, Welch, and Weybret—43

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Middough.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Lyon.

Mr Poulson, on motion of Mr. Waters.

COMMUNICATIONS

A communication from the Henry George Luncheon Forum, relative to requesting legislation requiring reports for historical records was ordered filed with Secretary of State

The following communication was received and read, and ordered printed in the Journal:

NATIONAL PALACE, June 2, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly Chamber
State Capitol, Sacramento, California, U. S. A.

DEAR SIR: The President of the Republic has taken note of the letter that you so kindly addressed to him on the 23d of May last and, through me, begs you to be so kind as to transmit to the Members of the Honorable Legislature of your State, his thanks for the expressions of condolence contained in the resolution passed by them on account of the recent earthquakes that demolished the occidental region of our country.

Your sincere and attentive servant,

J. JESUS GONZALEZ GALLO
Office of the Private Secretary

Translated by Nina Ronstadt Original ordered filed with Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel;

And appointed Senators Kenny, Tickle and Parkman as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Kenny, DeLap and Kuchel as a second Committee on Conference concerning:

Assembly Bill No. 82—An act to add Section 620 to the Streets and Highways Code, relating to State highways.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 108—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to conduct of business by a receiver,

And appointed Senators Kenny, McCormack and Luckey as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 260—An act to amend Sections 343 and 344 of the Agricultural Code, relating to fees for inspection of animals.

Bill read second time, and ordered to third reading.

Senate Bill No. 401—An act to add Section 555 to the Labor Code, relating to working hours and days.

Bill read second time, and ordered to third reading.

Senate Bill No. 859—An act to add Section 3560.1 to the Harbors and Navigation Code, relating to the possession, control and jurisdiction of the Board of State Harbor Commissioners for the Bay of San

Diego over lands, including tidelands and submerged lands within the Bay of San Diego

Bill read second time, and ordered to third reading.

Senate Bill No. 1342—An act to amend Section 4014a of the Political Code, relating to township officers.

Bill read second time, and ordered to third reading

Senate Bill No. 1343—An act to amend Sections 8931, 8938, 8939, and 9100 and to repeal Section 9053 of, and to add Section 9055, to the Health and Safety Code, and to repeal Chapter 106 of the Statutes of 1909, relating to cemetery districts.

Bill read second time, and ordered to third reading

Senate Bill No. 705—An act to amend Section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, and ordered to third reading

Senate Bill No. 416—An act to amend Sections 9, 30, 34, 35, 46, 49, 76, 85a, 90, 92 and 101 of the State Employees Retirement Act, relating to a retirement system for employees and officers of the State of California, and of such cities, school districts, and counties as may elect to include their employees by contract

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "30, 34, 35, 46, 49, 76," and insert "34, 35, 46, 49, 76, 79,"

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "Employees", and insert "Employees'".

Amendment No. 2a

On page 2 of the printed bill, as amended, strike out lines 1 to 13, inclusive

Amendment No. 3

On page 5 of the printed bill, as amended, between lines 8 and 9, insert

"SEC. 4.5. Section 79 of said act is hereby amended to read as follows:

SEC. 79. Upon attaining the age of 60 or more years and completing 20 years of continuous State service credited under this act, among which must be included one year of service after becoming a member of the retirement system, any member, who is not a member of the California Highway Patrol, city fireman or city policeman, shall be retired upon his written application to the board.

A member who is also a member of the California Highway Patrol and who has completed 20 years of continuous State Highway Patrol service credited under this act and attained the age of 50 or more years shall be retired upon his written application to the board.

A city fireman or city policeman who has completed at least 20 years of continuous State service credited under this act, and who has attained at least the minimum optional retirement age, which shall be not less than 55 years or more than 60 years, specified in the contract provided by Section 38c in lieu of 60 years required of other members, shall be retired upon his written application to the board. *Any member, other than members employed by a contracting city and members of the California Highway Patrol who is separated from State service because of a curtailment of such service or a change in the manner of performing such service, but not because of resignation or dismissal under charges, and who has attained the age of 50 years and is credited with 15 or more years of State service, shall be retired upon his written application to the board; provided said board determines*

said separation to be of an extended and uncertain duration, and not the separation normally experienced by members in positions known at the time of employment to be of limited duration or employed on a seasonal or intermittent basis"

Amendments read and adopted
Bill ordered printed, and to third reading

Senate Bill No. 1344—An act to amend Section 2302 of, and to add Section 2305 to, the Elections Code, relating to Delegates to National conventions.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 18 and 19, and insert "dates, in order to be voted for as a member of a group, shall"

Amendment read and adopted
Bill ordered printed, and to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 154—An act to amend Sections 26541 and 26542 of the Health and Safety Code, relating to food, and the standards prescribed by the State Board of Public Health in relation thereto.

Bill read third time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "food", insert "and beverages".

Amendment No. 2

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert "than the standards required pursuant to the definitions in force, or currently promulgated by the Federal Security Agency, Food and Drug Administration, under the Federal act, in the event that any such standards are required thereunder."

Amendment No. 3

On page 1 of the printed bill, strike out lines 16 and 17, and insert "similar standards promulgated by the United States Bureau of Internal Revenue, Alcohol Tax Unit, or other Federal agency; provided, however, that the provisions of this section shall not apply to wine."

Amendment No. 4

On page 2 of the printed bill, strike out lines 7 to 11, inclusive, and insert "tions which are in force, or promulgated by the Federal Security Agency, Food and Drug Administration, under the provisions of the Federal act, in the event that any such definitions, standards, or regulations are in force thereunder. The violation of a regulation promulgated under this".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon,

Maloney, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Sheridan, Stream, Thomas, Turner, and Waters—42.
NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1047—An act to amend Section 5.546 of the School Code, relating to teachers' reports

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Stream, Tenney, Thomas, Turner, Waters, Weber, and Welch—42.
NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 120—An act to amend Section 4109 of the Revenue and Taxation Code, relating to property taxation, the redemption of property, and the payment of delinquent taxes in installments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, and Welch—43
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 628—An act to amend Section 61 of the California Irrigation District Act, relating to indebtedness of irrigation districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Poole, Richie, Robertson, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, and Welch—42.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 420—An act to amend Section 862 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to sales and conveyances of real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B, Knight, T Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan,

Middough, Miller, Pelletier, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, and Welch—45.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 518—An act to repeal Chapter 5 of Part 1 of Division 2, and Chapter 3 of Part 2 of Division 2, of the School Code, relating to consolidated school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L. Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, and Welch—46.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 303—An act to amend Section 4243 of the Political Code, relating to salaries and compensation for public services in counties of the fourteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L. Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Gaffney, Green, Gunlock, Hastain, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, and Welch—42
NOES—Heisinger, and Houser, Frederick F.—2

Bill ordered transmitted to the Senate.

Senate Bill No. 749—An act to amend Section 960 of, and to add Sections 960.1, 960.2, 960.3 and 960.4 to, the Streets and Highways Code, relating to the abandonment and vacation of county highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, Sam L. Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gaffney, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Robertson, Russell, Stream, Tenney, Thorp, Turner, and Welch—42.
NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 230 STRICKEN FROM FILE

Mr. McCollister moved that Senate Bill No. 230 be stricken from the file.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 861—An act to amend Section 4246 of the Political Code, relating to compensation for public services in counties of the seventeenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, and Welch—41.

NOES—Burkhalter, Carlson, Dilworth, Heisinger, Houser, Frederick F., and Pelletier—6.

Bill ordered transmitted to the Senate.

Senate Bill No. 1206—An act to add Article 6.5 to Chapter 7 of Part 2 of Division 6 of the Health and Safety Code, relating to use of county assessment rolls for sanitary district taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Poole, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, and Welch—44

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 175—An act to amend Section 6.36 of the School Code, relating to the powers and duties of the governing boards of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, and Welch—48.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 314—An act to add Section 6.231 to the School Code, relating to the sale of textbooks by governing boards of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, and Welch—48.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 957—An act to amend Sections 5217, 5229, 5271, 5286, 5287 and 5312 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Bennett, Burkhalter, Cain, Call, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Turner, Waters, Weber, and Welch—42.

NOES—Collins, Sam L., Donnelly, and Thorp—3

Bill ordered transmitted to the Senate.

Hon. Harrison W. Call Presiding

At 2 25 p m, Hon Harrison W. Call, Member of the Assembly from the Twenty-ninth District, presiding.

Senate Bill No. 874—An act to amend School Code Section 2.1428, relating to the courses of study and projects in the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Richie, Robertson, Russell, Stream, Tenney, Thomas, Thorp, Turner, Waters, Weber, and Welch—46

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1272—An act to add Section 13.21 to the Building and Loan Association Act, relating to building and loan associations, the Building and Loan Commissioner, the rights of investors and creditors of any such association in the possession of the commissioner (unless the proceeding provided for by Section 13.12 of this act shall have been commenced and no judgment which shall have become final shall have been rendered therein, or unless the time within which such proceeding may be commenced has not expired, or unless a proceeding under Section 13.16d of this act is pending) to obtain assets of such association in exchange for investment certificates or unsecured creditors' claims, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to exchange investment certificates, or other rights or claims for property or for securities issued by a corporation organized to hold or liquidate such property, and to continue to hold as a legal investment any property or securities so received.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Voigt, Waters, Weber, and Welch—46

NOES—Evans, Howser, F. N., Knight, T. Fenton; and Middough—4.

Notice of Motion to Reconsider Senate Bill No. 1272

Mr. T. Fenton Knight gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1272 was this day passed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 70
Assembly Bill No. 1019
Assembly Bill No. 1271
Assembly Bill No. 1274
Assembly Concurrent Resolution No. 39
Assembly Bill No. 1511
Assembly Bill No. 2300
Assembly Bill No 2573

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 782
Assembly Bill No. 788
Assembly Bill No. 1288
Assembly Bill No. 1290
Assembly Bill No. 1541
Assembly Bill No. 1415
Assembly Bill No 1756
Assembly Bill No. 1841
Assembly Bill No. 1937
Assembly Bill No. 2090
Assembly Bill No. 2128
Assembly Bill No. 2254
Assembly Bill No. 2384

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 240
Assembly Bill No. 813
Assembly Bill No. 954
Assembly Bill No. 1119
Assembly Bill No 1147
Assembly Bill No. 1152
Assembly Bill No. 1463
Assembly Bill No 1635
Assembly Bill No 1690
Assembly Bill No. 2015
Assembly Bill No 2105
Assembly Bill No 2355
Assembly Bill No. 2626
Assembly Bill No 2632
Assembly Bill No 2635
Assembly Bill No. 2639

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 356
Assembly Bill No. 1055
Assembly Bill No. 1059
Assembly Bill No. 1579
Assembly Bill No. 1598
Assembly Bill No. 1867
Assembly Bill No. 2624
Assembly Bill No 2644

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 24—An act to amend Section 12902 of the Insurance Code, relating to the Insurance Commissioner.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Collins, Sam L., Burkhalter, Evans and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 24.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Cain, Clarke, Collins, Sam L., Cooke, Crowley, Del Mutolo, Donnelly, Gaffney, Green, Hawkins, Houser, Frederick F., Howser, F. N., King, Lowrey, Lyon, Maloney, Meehan, Miller, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Waters, and Weber—30

NOES—Burkhalter, Cronin, Dilworth, Evans, Gallagher, Heisinger, Knight, T. Fenton; Masson, McCollister, Middough, Pelletier, Poole, Russell, Voigt, and Wollenberg—15

Time, 2.58 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO FOLLOW FILE

Mr. Frederick F. Houser moved that the file be followed seriatim.

Mr. Cronin seconded the motion.

Motion carried unanimously.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Cain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 269.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cain moved a call of the Assembly.

Motion carried. Time, 3.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 447—An act to amend Section 4265 of the Political Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read third time.

Motion to Amend

Mr. Millington moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4265", and insert "4267".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "sixth", and insert "eighth".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "4265", and insert "4267".

Amendment No. 4

On page 1 of the printed bill, strike out all of line 3; and in line 4, strike out "officers", and insert

"4267. In counties of the thirty-eighth class, the following".

Amendment No. 5

On page 1 of the printed bill, strike out all of line 6, and insert "sums".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Murolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Hawkins, Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—53

NOES—None.

Bill ordered reprinted, and to third reading.

MOTION TO EXCUSE MEMBERS

On motion of Mr. Millington, the following members of the Subcommittee on Ways and Means were excused from 2 till 3.15 p m: Messrs. Allen, Bashore, Burns, Michael J., Crowley, Dickey, Doyle, Hastain, Knight, John B., Leonard, Pfaff, Potter, Sheridan, Thurman, Watson, Weybret and Millington, chairman.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1935—An act to amend Sections 6106, 6306, 6501, 6503, 6504, 6827, 6835, 6872, 6964, 6966 and 6978 of the Public Resources Code, to add Sections 6210.2, 6210.5, 6321.2, 6501.2, 6505 and 6963 to said code, and to add Chapter 4.1, comprising Sections 6991 to 6995, inclusive, to Part 2 of Division 6 thereof, and to repeal Sections 6358, 6359, 6360, 6361, 6362, 6363, 6364, 6505, 6506, 6507, 6508, 6509, 6510, 6963, 6965, 6967, 6968 and 6969, and Chapter 2, comprising Sections 6601 to 6715, inclusive, of Part 2 of Division 6, thereof, all relating to lands owned by the State and the administration, management, leasing and disposal thereof;

Assembly Bill No. 2197—An act to repeal Part 2 of Division 13 of the Health and Safety Code, and to add a new Part 2 to said Division 13, relating to auto courts and resorts, and auto and trailer camps;

Assembly Bill No. 2524—An act to amend Section 800 of the Penal Code, relating to time of commencing criminal actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1941, at 3 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1067—An act to amend School Code Sections 5.490 and 5.491, and to repeal School Code Section 5.492, relating to the employment of lecturers in *public schools*;

Assembly Bill No. 1135—An act to amend Section 554 of the Labor Code, relating to days of rest,

Assembly Bill No. 1436—An act to amend Sections 2, 5, 7, 8, 11, 13 and 20 of and to add Sections 8.5 and 10.5 to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 13, 1933, and to amend Sections 9779, 9854, 9876, 9901, 10276, 10277, 10282 and 10451 of, to repeal Sections 9706 and 9707 of, and to add Article 3.5, comprising Sections 9911 to 9913, inclusive, to Chapter 4, Part 4, Division 2 of, and to add Sections 9706, 9855, 9877.5, 9901.5 and 10050 to, the Revenue and Taxation Code, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 301—An act to amend Section 17086 of the Business and Professions Code, relating to unfair trade practices;

Assembly Bill No. 468—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments;

Assembly Bill No. 588—An act to amend Sections 581 and 582, and to amend and renumber Sections 581a, 581b and 583 of, and to add Sections 581a, 581e and 581f to, the Code of Civil Procedure, relating to the dismissal and rendition of judgment in civil actions;
And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 57—Relative to expressing the regret of the people of the State of California upon the retirement of the Honorable Charles Evans Hughes, Chief Justice of the Supreme Court of the United States;
And reports that the same has been correctly enrolled, and presented to the Governor on the tenth day of June, 1941, at 3 p.m.

JOHN B. KNIGHT, Chairman

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 11—Relative to providing for the appointment of a Joint Committee to Study and to Report Upon the Water Problems of the State.

Resolution read.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Sawallisch, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Concurrent Resolution No. 11.

Demand for Previous Question

Messrs. Howser, F. N., Knight, John B., Doyle, Evans and Middough demanded the previous question.

Demand for previous question sustained

The question being on the adoption of Senate Concurrent Resolution No. 11.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Wollenberg—49.

NOES—Cain, Collins, George D., Cooke, Donnelly, Gunlock, Houser, Frederick F., Johnson, Massion, McCollister, Meehan, Millington, Russell, and Voigt—13.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1162—An act to amend Sections 4 and 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to loans by and between credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—66

NOES—None.

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Tenney, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 318

Senate Bill No. 318—An act to amend Sections 7332, 7376, 7400, 7420 and 7442 of, and to repeal Section 7351 and Article 13, comprising Sections 7450 to 7457, inclusive, of Chapter 10 of Division 3 of, and to add Section 7351 to, the Business and Professions Code, relating to the practice of and the training for cosmetology and manicuring.

Bill read third time.

Demand for Previous Question

Messrs. Johnson, Middough, Burkhalter, Evans and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 318

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Cassidy, Collins, George D., Collins, Sam L., Cronin, Desmond, Dills, Donnelly, Evans, Gaffney, Gallagher, Houser, Frederick F., Howser, F. N., King, Lowrey, Maloney, Middough, Potter, Richie,

Sawallisch, Sheridan, Tenney, Thomas, Thurman, Waters, Watson, and Wollenberg—29.

NOES—Bennett, Clarke, Crowley, Dickey, Doyle, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Massion, McCollister, Millington, Pelletier, Pfaff, Poole, Russell, Salsman, Stream, Turner, Voigt, Welch, and Weybret—25.

Time, 4.16 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 24

At 4.17 p.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 24 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Green, Hastain, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Miller, Millington, Pfaff, Poole, Potter, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Waters, Weber, and Welch—44.

NOES—Burkhalter, Call, Clarke, Dilworth, Evans, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Knight, T. Fenton; Massion, Middough, Pelletier, Russell, Thorp, Voigt, and Wollenberg—21.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 436—An act to add Section 83.5 to the State Civil Service Act, relating to qualifications of applicants for civil service positions.

Bill read third time.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Bashore, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 436.

Demand for Previous Question

Messrs. Evans, Waters, Andreas, Collins, Sam L., and Potter demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 436.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Millington, Pelletier, Pfaff, Poole, Russell, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weybret, and Wollenberg—50.

NOES—Call, Dilworth, Green, Houser, Frederick F., Johnson, McCollister, Miller, Potter, and Salsman—9.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 108

The Speaker announced the appointment of Messrs. Burns, Hugh M., Sawallisch and Howser, F. N., as a Committee on Conference concerning Senate Bill No. 108.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter; to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to declare the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—59.
NOES—Howser, F. N.—1.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Clarke, Collins, George D. Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—59.
NOES—Howser, F. N.—1.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 20—Relative to memorializing the President and the Congress of the United States to abolish tax-exempt bonds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Weybret—49.

NOES—Collins, Sam L., Green, Heisinger, Howser, F. N., Knight, T. Fenton; Miller, and Watson—7.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 269

At 5.12 p.m., on motion of Mr. Cain, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 269 passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Pelletier, Pfaff, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, and Wollenberg—46.

NOES—Allen, Burkhalter, Collins, Sam L., Daley, Dilworth, Doyle, Evans, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Lyon, Middough, Miller, Millington, Poole, Potter, Richie, Stream, Voigt, and Watson—23.

Notice of Motion to Reconsider Senate Bill No. 269

Mr. Voigt gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 269 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 318

At 5.20 p.m., on motion of Mr. Tenney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 318 refused passage by the following vote:

AYES—Allen, Bashore, Cain, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Dilworth, Evans, Gaffney, Gallagher, King, Knight, John B., Leonard, Lowrey, Middough, Miller, O'Day, Potter, Richie, Robertson, Stream, Tenney, Voigt, Watson, and Wollenberg—27.

NOES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Millington, Pelletier, Pfaff, Poole, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Turner, Waters, and Welch—42.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 862—An act to amend Section 4007 of the Public Resources Code, relating to forestry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie,

Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Wevbret, Wollenberg, and Mr Speaker—58.

NOES—Bashore, Houser, Frederick F, Knight, John B, Massion, and Middough—5.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1325

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding thereto a new section, to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1325?

Amendment No. 1

On page 6 of the printed bill, strike out all of lines 18 and 49, and insert "ment or continuance of any act, action or proceeding against such association to enforce a lien".

Amendment No. 2

On page 9 of the printed bill, as amended strike out lines 29 and 30, and insert "(a) appraisers or accountants who are subject to the civil service laws of this State, or (b) noncivil service appraisers or accountants who have rendered or are rendering services in any proceeding under Section 13 12 pertaining to such association, the employing or engaging of which noncivil service appraisers or accountants under this Section 13 16d is specifically authorized by the court and whose compensation is either fixed in the authorization or required in the authorization to be approved by the court."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1325 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1325 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 50—Relative to the observance of the Centennial of the Raising of the Bear Flag of the California Republic at Sonoma, June 14, 1846.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 50, at this time, without reference to committee, print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 50

Senate Concurrent Resolution No. 50—Relative to the observance of the Centennial of the Raising of the Bear Flag of the California Republic at Sonoma, June 14, 1846.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 82—An act to amend Sections 1, 2, 4 and 6 of, and to add Section 8 to an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Sections

3, 4 and 5 of and to add Section 9 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: The Committee on Conference concerning

Senate Bill No. 82—An act to amend Sections 1, 2, 4 and 6 of, and to add Section 8 to an act entitled "An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Sections 3, 4 and 5 of and to add Section 9 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 23, 1941, be further amended as follows:

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended, strike out "Sections 3, 4 and", and insert "Section".

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, strike out "or"; strike out lines 5 to 7, inclusive; and in line 8, strike out "ously immediately preceding his retirement".

Amendment No. 3

On page 2, line 29, of the printed bill, as amended, strike out "or"; and strike out lines 30 to 36, inclusive.

Amendment No. 4

On page 2, line 41, of the printed bill, as amended, strike out "30", and insert "24".

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 12 to 15, inclusive; and in line 16, strike out "office to which he was elected by the people.", and insert "SEC. 2."

Amendment No. 6

On page 3, line 17, of the printed bill, as amended, strike out "before attaining the age of 70 years,".

Amendment No. 7

On page 4 of the printed bill, as amended, strike out lines 31 to 52, inclusive.

KENNY	CALL
KUCHEL	KEPPLE
DELAP	CARLSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—Dills, and Doyle—2

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 232

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

RESOLUTIONS

Consideration of House Resolution No. 232

House Resolution No. 232

WHEREAS, The Department of Agriculture is one of the largest agencies in the State Government, rendering many types of services, administering both general and special fund activities, directly affecting the lives of thousands of persons in this State engaged in the production, processing, or marketing of agricultural commodities, and

WHEREAS, Numerous proposals for legislation involving both restriction and expansion of these activities are presented to every session of the Legislature, which ordinarily can be given little attention despite the complexities of the subject; and

WHEREAS, A thorough investigation of the administration of the laws enforced by the Department of Agriculture, to assist the next session of the Legislature in the consideration of these problems, can best be made by a competent Legislative Committee, therefore, be it

Resolved, by the Assembly of the State of California, That an Assembly Fact-finding Committee on Agriculture is hereby created, to consist of the Speaker of the Assembly ex officio, and five Members of the Assembly appointed by the Speaker, which committee shall study and survey, accurately and in detail, all facts and acts relating to or touching upon the administration of the laws relating to agriculture enforced by the Department of Agriculture, and the need for restriction or expansion of State inspection and regulation of agriculture, and shall report to the regular session of the Fifty-fifth Legislature on or before March 15, 1943, its recommendations for legislation.

The committee hereby created is authorized to act either during sessions of the Legislature or after final adjournment thereof, but, except for the purpose of making its report, not beyond the convening of the regular session of the Fifty-fifth Legislature. The committee is authorized to exercise all the powers conferred upon investigating committees by Rule No. 35 of the Joint Rules of the Senate and Assembly, both during this session of the Legislature and after final adjournment and said Rule is hereby made a part hereof the same as though said Rule were set out herein.

The Sergeant-at-Arms of the Assembly or any person designated by him is hereby authorized and directed to serve any and all subpenas, orders, and other process of the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of_____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Amend

Mr Hastain moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the typed resolution, in line 1 of the last paragraph, after "of", insert "two thousand five hundred".

Amendment No. 2

On page 2 of the typed resolution, in line 2 of the last paragraph, within the bracket insert "2,500".

Request for Unanimous Consent

Mr. Hastain asked for, and was granted, unanimous consent to take up House Resolution No 232, as amended, at this time

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond Dilworth, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Middough, Miller, Millington, O'Day, Pelletier, Poole, Robertson, Sawallisch Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—44.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Donnelly, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Masson, Potter, Richie, and Russell—16.

RESOLUTIONS

The following resolutions were offered:

By Mr. Cassidy:

House Resolution No. 263

WHEREAS, Frank Killam, the Chief of the Bureau of State Buildings and Grounds, by virtue of Section 716 of the Political Code, has the powers of a peace officer in all parts of the State; and

WHEREAS, By virtue of being a peace officer he is the proud possessor of a police whistle; and

WHEREAS, In pursuit of his customary and official duties he has little occasion to blow said whistle, much as he might desire so to do; and

WHEREAS, Said Frank Killam is by nature and inclination a baseball fan of the deepest dye and purest ray serene; and

WHEREAS, In pursuit of his avocation as a baseball fan he is occasionally overwhelmed by his suppressed desire to toot said whistle and does so vigorously, violently and vociferously; and

WHEREAS, It is reported that the City of Oakland has granted him special permission to blow said whistle to his heart's content when Sacramento plays Oakland on Oakland's home grounds; and

WHEREAS, The consideration of the City of Oakland in so doing is diminished only slightly by the fact that the Oakland team's home baseball park does not happen to be in Oakland but in Emeryville; and

WHEREAS, The State of California should not be outdone in encouraging such extra-curricular activities; now, therefore, be it

Resolved by the Assembly of the State of California, That the right and privilege of said Frank Killam to tootle his police whistle in any ball park within the State is hereby confirmed, ratified, validated and recognized, and shall be construed to be limited only by his lung power and the patience and forbearance of such other fans as may be so unfortunate as to be seated in his vicinity.

Request for Unanimous Consent

Mr. Cassidy asked for, and was granted, unanimous consent to take up House Resolution No 263, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Heisinger:

House Resolution No. 264

Relating to the creation of an Assembly Committee on State Highways, County Highways, and on City Streets

WHEREAS, The maintenance of the State, and the county highways and the city streets of California approximates a cost to the taxpayers of one hundred million dollars ($100,000,000) annually; and

WHEREAS, Within this State, and adjacent to the rural county highways of California, there is produced over four hundred million dollars ($400,000,000) of agricultural products annually; and

WHEREAS, The greater percentage of these products are conveyed over the county highways, State highways and city streets to market; and

WHEREAS, Nearly all processed and manufactured products purchased by the farmers are transported in reverse over the same arteries of travel; and

WHEREAS, It is apparent that a complete motor vehicle highway system must embrace the county highways and city streets as well as the State highways; and

WHEREAS, Some county supervisors complain that certain of their county highways carry extra heavy motor traffic of a Nation-wide and State-wide nature, the wear and tear of which entails undue maintenance costs; and

WHEREAS, The governing boards of some of the larger cities claim that many of their streets are more in the nature of State highways than local streets, the motor traffic on which streets causes such heavy maintenance upkeep as to bring about very high taxes upon the local property owners; and

WHEREAS, The State laws provide that all State highways and State highway bonds are financed from motor vehicle funds, but county highways, city streets, county highway bonds and city street bonds are largely financed from taxes upon local property; and

WHEREAS, Many taxpayers believe that the maintenance of county highways, city streets, county highway bonds and city street bonds should be financed by motor vehicle funds; and

WHEREAS, The Legislature has no definite knowledge of all these matters; and

WHEREAS, The Legislature should be in possession of factual and authentic information and data pertaining to all such and kindred matters; and

WHEREAS, It is the duty of the Legislature to enact laws that are just and equitable to the local taxpayers as well as to State taxpayers; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee on State and County Highways and City Streets is hereby created to study and survey, accurately and in detail, all matters hereinbefore referred to, and to report its recommendations to the Legislature not later than March 15, 1943.

The committee hereby created shall consist of two Members of the Assembly appointed by the Speaker of the Assembly. The Speaker of the Assembly also may serve on the committee and may sign any report made by the committee

The committee hereby created is authorized to act either during sessions of the Legislature or after final adjournment, but except as otherwise provided herein, not beyond the convening of the Fifty-fifth Legislature. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules and the Rules of the Assembly as they are now or may hereafter be amended, and may exercise such powers after final adjournment.

The Sergeant-at-Arms of the Assembly, or other officers designated by him, is hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day

The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Messrs. Sawallisch and Burns, Hugh M.:

House Resolution No. 265

WHEREAS, Each session of the Legislature is confronted with hundreds of bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that an investigation be made of such proposals, and of the administration of present laws regulating such matters, and of the necessity of amendment of such laws; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee on Public Morals, to consist of five Members, appointed by the Speaker,

is hereby created, which committee shall study and investigate all matters pertaining to public morality, and shall report its recommendations for legislation to the Legislature not later than March 15, 1943.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution

The committee hereby created is hereby authorized to act either during sessions of the Legislature, including any recess thereof, and after final adjournment, but, except for the purposes of making a report, not beyond the convening of the Fifty-fifth Legislature.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 560 entitled:

> "An act to amend Sections 2, 7, 11, 12, 13, 15, 41, 44.2, 45, 45.9, 45.10, 52.2, 53, 54, 55, 56, 57, 57.5, 61, 66, 75, 91, 92 and 94, to amend and renumber Section 70, and to repeal Sections 47, 48, 49, 50, 51, 58, 67, 68, 69, 71 and 72 of, and to add Sections 7.1, 7.2, 23.1, 28, 67, 68, 69, 70, 71 and 73 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance."

My objections to this bill are generally that instead of improving the present law, it would cause recession from progress made and obstruct the further development of the California Unemployment Compensation Program in carrying out the general social policy of our law and the Federal Social Security Act. It would jeopardize or interrupt administrative grants from the Federal Government and work injury both to employers and employees directly concerned in its equitable application and administration. Both from a social standpoint and from the standpoint of the general taxpayer who bears the burden of unemployment relief, this is not a good bill.

It would modify the benefit rights of the working people of this State under the existing law in a manner so drastically restrictive and unjust as to defeat to a measurable degree the primary purposes of our unemployment insurance legislation; it would make wholly inadequate provision for protecting the benefit rights of workers inducted into Military Service; it would needlessly encumber administration of the act with detailed, rigid, procedural provisions which would be costly and burdensome to claimants, employers and the department; and it does not conform to the mandatory requirements of the reciprocal Federal legislation administered by the Social Security Board.

It is obvious that the provisions of this bill are designed to deny benefits through harsh disqualifications to many deserving unemployed workers who themselves have contributed to the fund and for whom unemployment insurance was clearly intended, and by that means to accomplish an avoidance or reduction of contribution requirements. Nowhere in the bill can be found any provision liberalizing the present law or extending its scope to the thousands of working people now excluded from its beneficent protection On the contrary, the bill provides for new exclusions from coverage, reduces benefits to partially employed persons, imposes severe and unjust penalties and disqualifications.

Many of the provisions of the bill, urged as reformations of alleged abuses of the law, actually are designed to deny millions of dollars in unemployment benefits payable under the present law to honest working people during periods when they are unable to find employment, notwithstanding the fact that their earnings have contributed to the Unemployment Insurance Fund. Of this character are the disqualification provisions proposed in Section 20 of the bill, which would have a far-reaching effect in reducing benefit payments. The Social Security Board, in a letter from Oscar M. Powell, Executive Director of the board, has stated that: "These provisions are the most severe that have ever been brought to the attention of the Bureau of Employment Security and seem to be incompatible with unemployment compensation principles. Under these provisions claimants would be disqualified without sufficient cause; second, unusually severe penalties would be imposed as 'disqualifications' and, third, these penalties would operate arbitrarily with little relation to the circumstances leading to the individual's disqualification."

Typical examples, illustrative of the harsh and unjust consequences which would be visited upon thousands of claimants were these provisions adopted, are easily discerned. Many employees, who have been honest laborers over many years of service and who have contributed to the Unemployment Fund, must occasionally surrender their jobs for compelling personal reasons, such as serious illness in their families. Others may quit one job to take another which they consider better or of longer duration. In either of these cases, the individual having returned to work may later suffer unemployment due to a plant shut-down, shortage of materials, loss of business, etc. In all such cases the individual would not be able to draw any unemployment insurance until at least 15 months after he left his employment, notwithstanding his willingness and ability to work. In none of these cases can the individual's unemployment be ascribed to his "fault," nor can he be regarded as a malingerer on the fund.

The act should provide for a reasonable deferment of benefits to prevent malingering, but disqualifications of this severity would be an injustice to tens of thousands of honest working people who become unemployed although able and willing to work.

This bill's amendment of Section 57(a) would also disqualify thousands of working people whose unemployment is caused by the existence of a trade dispute but who are innocent bystanders, in no way connected with the dispute. It would also deny unemployment insurance to workers in search of steady employment who in good faith decline to accept an offer of temporary work to avoid losing an opportunity for permanent employment.

A new section, set forth in Section 32 of the bill, purports to provide protection for individuals who enlist or are inducted into the armed services But in reality this provision does not afford protection for many inducted into Military Service. The provision contains restrictions and discriminations which would have the effect of limiting the protection to a fraction of those who are rightfully entitled to it Under the definition of "military worker" set forth in this provision, only those individuals who were engaged in covered "employment" at the time of induction will have their benefit rights preserved, and individuals who may have been unemployed at the time of induction or who may have been working in "uncovered work" are not so protected. Further, the provision that: "Within 60 days after the effective date of this section, or within 60 days after the commencement of such Military Service, whichever is the later date, a worker may serve upon the commission a notice to the effect that he desires to be classified as a military worker," clearly means that only if this notice is given are the worker's benefit rights computed and preserved for him. Undoubtedly many, if not most, of these workers would fail to give this notice because of lack of knowledge of the necessity therefor, and would consequently lose the benefit of the protection which the section purports to offer to them. Furthermore, the Department of Employment advises me that this notice is wholly unnecessary.

The men who have enlisted or have been inducted into the military service under the draft laws make sacrifices which entitle them to a just measure of protection in their accrued rights under the unemployment compensation law, through provisions which are not hedged by unreasonable restrictions which would result in their defeating those rights An amendment should be made to our law as will fully preserve to those who have been called to military service all rights which they possessed at the time of their induction upon the basis of their past earnings and contributions to the Unemployment Fund. I earnestly recommend to the Legislature the enactment at this session of such amendment.

Certain of the proposed amendments set forth in the bill will conflict with mandatory requirements of the Federal Social Security Act and Internal Revenue Code, thus jeopardizing Federal grants of funds to finance the administration of the State Unemployment Compensation Law, involving a loss to employers of this State of their normal and additional tax credit offset rights under the Federal Unemployment Tax Act, and a disorganization of the employment service. Upon the passage of this bill, I requested the Federal Social Security Board for an authoritative statement, with particular reference to the conformity of the provisions of the bill with the requirements and the social purposes of the Federal legislation. The Social Security Board has answered this request in a letter, dated June 3, 1941, and a telegram, dated June 4, 1941, copies of which answers are attached hereto for your information.

As stated by the Federal Social Security Board, "Sections 67, 68, and 69, as proposed in Sections 27 through 29 of the bill, are undesirable from the standpoint of policy, administrative feasibility, and cost. It seems inadvisable to incorporate minute administrative procedure in the statute since the resulting inflexibility may create difficulty. The procedures provided appear not only unduly burdensome to the claimant and to the agency, but it is questionable whether certain of the provisions are necessary for the proper and efficient administration of the unemployment compensation law."

Quoting further from the letter of the Executive Director of the Social Security Board: "Section 61(a) proposed in Section 22 of the bill would permit reduced contribution rates as long as the amount in the State fund exceeded one and one-half times the amount of benefits paid in the preceding calendar year. Such a provision is not considered adequate to protect the solvency of the fund.

"Also, Section 61(a), if amended as proposed, would leave the suspension of reduced contribution rates to the discretion of the commission. The responsibility for establishing a minimum standard to protect the solvency of the fund should be assumed by the Legislature and should not be delegated by it as a discretionary power to any administrative body. A decline in the fund will in all probability be accompanied by a decline in business activity. The pressure upon any administrative officers to withhold exercise of such discretionary power, which would be brought by the interests affected in the matter, would make the sound exercise of such a discretion exceedingly difficult."

Unless an adequate reserve is made a condition precedent to reduction in contribution rates, the only means of protecting the fund is through the suspension of benefits under Section 61 of the present law, which is carried forward as Section 61(a) in this bill. Provision should be made that reductions in contribution rates shall be suspended whenever the fund falls below an adequate reserve, so that the solvency of the fund can be protected without suspending the payment of benefits. Such a suspension of benefits, made necessary because reduced contribution rates are continued after the fund falls below an adequate reserve, would result in a perversion of the primary purpose of the law, which is to pay benefits and stabilize purchasing power during the periods of unemployment.

An adequate reserve is essential to the future of the Unemployment Insurance Program, and the Legislature should provide therefor. Some months ago the California Employment Commission recommended to the Assembly the reserve they considered necessary to safeguard the funds, as follows. Reduced contribution rates be revoked when the fund is less than two times the amount of benefits paid during the preceding calendar year, or two times the total amount of contributions collected during the preceding calendar year, whichever is the greater. The Bureau of Employment Security has recommended reduced contribution rates shall be effective only if the amount in the fund meets two tests, namely, (1) it equals or exceeds eight (8) per cent of the average total annual pay roll for the preceding three years; and (2) it equals or exceeds twice the highest amount of benefits paid during any one of the six preceding calendar years. It appears to me that either one of the two recommendations made would constitute the minimum adequate safeguard of the fund. Provisions adopting either one of these suggested standards could be properly made a part of Assembly Bill No. 1177, which is a bill intended to eliminate ambiguities in the merit rating provisions of the existing law. In this connection, the Legislature should give consideration to the inevitable burden of benefit payments which the fund will sustain when the peak of the defense emergency has passed. I strongly recommend one of the foregoing statutory minimum tests in the interests of adequate protection for the workers in defense production and to prevent a dangerous reduction in the fund below level necessary to meet the known future emergency arising when the defense program has passed its peak.

The inevitable result of a short-sighted policy with respect to adequate reserves will lead to the discontinuance of benefit payments which will adversely affect not only the welfare of unemployed workers but also the merchants and business organizations with whom they trade. Any suspension of benefit payments will increase the cost of relief, which in turn will place a heavier burden on the general taxpayer.

Section 5 of the bill eliminates tips and gratuities from the definition of "wages." The present act provides that tips and gratuities be included as wages and that the

reasonable amount of tips and gratuities may be estimated in accordance with rules prescribed by the commission. A worker who reports tips to his employer and pays contributions thereon is able to draw unemployment insurance upon such tips. This amendment would make it impossible for workers desirous of reporting tips as wages to do so, and thereby deny them an opportunity to earn sufficient wages to qualify for unemployment insurance benefits.

Section 6 of the bill provides a rigid definition of the term "week." This amendment will place an undue hardship on many employers who are required under the Minimum Standards for the administration of Partial Unemployment Benefits of the Social Security Board, effective June 1, 1941, to initiate claims and verify earnings of partially unemployed workers. If the present flexible definition of the term "week" is retained, such employers may utilize carbon copies of existing pay rolls to verify the earnings of partially unemployed workers. Otherwise, many employers will be required to accrue wages to conform to the defined "week" of the statute rather than use a carbon copy of the check drawn in favor of the worker to satisfy the requirements of the Board's Minimum Standards.

Section 44.2(c), added by Section 11 of the bill, provides that "Services performed by an individual while registered for full attendance at and regularly attending an established school, college or university, and the services during customary vacation periods by an individual who intends to return or go to or enroll at any such school, college or university as a student for the next regular term, are not subject to tax under Section 44 and no worker shall be entitled to benefits based upon wages earned by such services." The effect of this amendment would be to exclude approximately 105,000 students from the potential benefits of the act, of which number it is estimated approximately 50,000 are working full or part time. It would exclude individuals attending any school, including persons enrolled in trade schools and night schools, from the protection of unemployment insurance. Further, it would create a large group of noncovered workers whom employers, particularly those engaged in seasonal industries, may find advantageous to utilize in lieu of their present workers because (1) no benefits could be paid to this group of workers, and, therefore, no charges made against the employer's account; (2) by utilizing students during the school vacation, the amount of work available to covered workers might be sufficiently reduced in a large number of cases that the workers would no longer be able to earn sufficient wages to qualify for benefits.

Section 12 of the bill would reduce the interest rate on delinquent contributions from 1 per cent per month to one-half of 1 per cent per month or a fraction thereof. It is not believed desirable to reduce the interest rate on delinquent contributions for the following reasons: Other important tax statutes, such as the Bank and Corporation Franchise Act and the Personal Income Tax Act, provide a 1 per cent per month interest rate on delinquent payments. Even with a 1 per cent interest rate on delinquent payments, the Department of Employment has approximately 4,500 delinquent accounts each quarter. If the interest rate were reduced, it is estimated that the number of delinquent accounts would be considerably increased.

Section 19 of the bill eliminates the $3.00 wage credit now granted partially employed workers. Under the present law, the first $3.00 of weekly earnings of partially employed workers are not deducted from their benefits. This credit is allowed to encourage workers to seek casual or odd job work pending reemployment at full time. Forty-three States provide for a partial earnings credit. There is no justification for California taking a backward step with respect to the granting of partial earnings credit.

Section 19.5 of the bill provides that "Only an individual who is unemployed through no fault of his own shall be eligible to receive benefits as provided in this act, and such benefits shall be paid with respect to any week in which he is so unemployed only if—(a) he has filed a claim for benefits with respect to such week during the next succeeding week; * * *" This provision is objectionable for several reasons: (1) It provides a rigid procedure not adaptable to meet changing conditions, (2) It does not enable the department to comply with the mandatory requirements of the Social Security Board with respect to their minimum standards for the payment of partial benefits, (3) It will deny an individual the right to draw benefits for which he is qualified simply because he is unable to claim such benefits during the succeeding week because he obtained full-time employment in that week; (4) Regulations of the commission under the present act require an individual to certify each week except when good cause is shown. Experience has shown that there are many situations justifying the waiver of this requirement for good cause. With reference to this provision of the bill, the Executive Director of the Social Security Board says: "Section 56(a) and (b) and Section 67(b) and (c) of the California unemployment compensation law, if amended as proposed in Sections 19.5 and 27 of Assembly Bill No. 560, would not meet the standards established by the Social Security Board under Section 303(a) (1) of the Social Security Act respecting the payment of benefits for partial unemployment. For example, the proposed amendment would appear to prevent the State agency from permitting the retroactive filing of claims for partial benefits for the four preceding weeks as is required by the Board Standards."

By amendments to Section 56(c) this bill provides that an unemployed individual shall be eligible for benefits only if "During all of such week he is able to work and was available for work, and for the purposes of this requirement, no worker shall be deemed able to work unless he was both physically and mentally capable of performing any work of substantially the same kind or nature in so far as physical or mental requirements are concerned, as work performed by such an individual during a period or periods totaling one month or more out of the 12 months immediately preceding the week with respect to which he is applying for benefits." This provision would require an individual, no longer qualified to perform his usual work for physical or mental reasons, to either have worked for a period or periods totaling one month or more out of the 12 preceding months in an occupation in which he is now able to work. Failure to meet this condition would result in the denial of benefits to such an individual, even though he is able, available and qualified to work in another occupation. Any individual who, as a result of an industrial accident, is required to change his occupation, could be excluded from the protection of the act, even though fully recovered from the accident and thoroughly qualified for a new occupation.

Your further attention is directed to the inequities inherent in the disqualification provisions which would be imposed by Section 20 of the bill.

Section 57(a), as amended, would provide: "An individual shall not be *deemed unemployed through no fault of his own and shall not be eligible for* benefits (a) during any week in which he is out of work with any prior employer because of a trade dispute and for two weeks thereafter, or for 15 months from the date he was last employed by such employer, whichever period is the shorter, if such individual left or *remained away* from or refused to continue his work with such employer because of such trade dispute." This amendment would disqualify innocent bystanders who are thrown out of work because of a trade dispute because the proposed amendment does not limit the disqualification to unemployment due to disputes at the plant at which a worker is or was last employed, as is the case *under the present law, and so far as I can learn, under every unemployment insurance* law in the United States. On the contrary, the great majority of State laws contain a provision that even workers in the plant where a dispute exists, who are not participating in, financing and otherwise interested in the dispute, will not be denied benefits if they become unemployed due to the dispute. This amendment is subject to reasonable interpretation that all workers, regardless of their interest or connection with the dispute resulting in their unemployment, would be disqualified. Workers not connected with a trade-union and having no interest whatever in the result of a trade dispute, should not be denied unemployment insurance when thrown out of work because a strike causes them to become unemployed. An example of the extreme scope of this amendment is indicated by the fact that under it a worker who, having once become involved in a dispute, later disassociates himself from the dispute and finds employment elsewhere, would nevertheless be disqualified for the duration of the trade dispute, plus two weeks but not to exceed a period of 15 months from the commencement of the trade dispute with which he no longer has any connection whatsoever. The recent Ford Motor Company strike in Dearborn, Michigan, is also an excellent example of the far-reaching effect of the proposed amendment. The workers of the Richmond, California, plant who were thrown out of work because of the shutdown in Dearborn, Michigan, under this amendment could be denied benefits because of their unemployment, pending the settlement of the trade dispute 2,000 miles away. Mr. Powell, Executive Director of the Social Security Board has made the following comment with respect to this proposed section: "The language of Section 20 of Assembly Bill No. 560, *amending Section 57(a) of the State law*, is ambiguous. If the words 'remained away from' are so interpreted as to deny benefits to any claimant under circumstances which might constitute an offer of 'new work' under conditions which the individual would be entitled to reject in view of the terms of Section 1603 (a) (5) of the Internal Revenue Code, a question of the conformity of the State law with that section would result. Under certain circumstances an offer of work by a prior employer from whom the individual has long since been separated may constitute an offer of 'new work' within the purview of Section 1603(a) (5) of the Internal Revenue Code. Unless Section 13(a) of the California law is considered as controlling over the instant amendment to Section 57(a), the conformity issue might arise."

Section 57(b) is amended to provide that an individual shall not be eligible for benefits: "(b) During any period the benefits with respect to which are based in whole or in part on wages earned prior to the most recent date on which such individual *without good cause refused to accept suitable employment* when offered him, or failed without good cause to apply for and make a bona fide effort to obtain suitable employment when notified thereof by a district public employment office." This would mean that if a worker, after a number of years of continuous employment, were laid off on April 15, 1941, and soon thereafter were offered suitable employment by another employer for a few days' duration which he refused, the individual would not be able to qualify for any unemployment insurance until September 30, 1942. In this case, the individual would have been disqualified for

a period in excess of 17 months because he refused to accept suitable employment of a few days' duration, although that refusal was in order to hold himself in readiness for an available permanent job. A comparative analysis of the disqualifications contained in the laws of other States will indicate the extreme harshness of this amendment. Should an individual who refused suitable employment of a day's duration be disqualified for a period in excess of 15 months? A recent survey shows that 35 States disqualify an individual for refusing to accept suitable employment for a period from one to six weeks. The California Employment Commission has recommended to the Legislature that such an equitable provision be incorporated in our law.

Section 57(d) provides that an individual shall not be eligible for benefits: "(d) During any week in which he was laid off, suspended, or discharged for misconduct connected with his work, if so found by the commission, and in the case of such discharge for not less than five successive weeks nor more than 10 successive weeks thereafter, and in addition in the case of such discharge the maximum total amount of benefits which would otherwise be payable to him in his then current benefit year, or if none be then current, his next benefit year, shall be reduced by an amount equal to not less than five nor more than 10 times his weekly benefit amount." This amendment means that an individual, in addition to being disqualified for from five to 10 weeks for having been discharged for cause, would also have his benefits reduced not less than five nor more than 10 times his weekly benefit amount from either the current or the next succeeding benefit year. As an individual's next succeeding benefit year may not occur for a period of five, 10 or 15 or more years, his maximum total amount of benefits in such cases would be reduced from $50.00 to $180.00, 15 or more years after he was once discharged for misconduct. No other State law contains such a provision.

Section 20.5 of the bill provides that "An otherwise eligible individual shall not be eligible for benefits with respect to unemployment (1) for any week with respect to which he has wilfully failed to report a material fact in order to obtain any benefit under this act and for the 52 weeks immediately succeeding such week." The full implication of this section can be understood only when analyzed in light of the language contained in Sections 67(b) and (c), as amended in Section 27 of this bill, which says that every original claim and continued claim "shall state in writing, under oath of the claimant * * * (2) That the claimant was not then subject to any disqualification or condition of ineligibility for benefits under this act, or if any such disqualification or condition of ineligibility of benefits under this act does exist, the nature thereof." Since claimants are required to state under oath a conclusion of law instead of a statement of fact at the time the claim is filed, many individuals may be disqualified for 53 weeks because they have made an affidavit of qualification, not knowing that they were subject to a disqualification or condition of ineligibility. No other State provides a 53-week disqualification for a wilful false statement. In fact, only 14 States provide any disqualification in such cases, and the majority of these disqualify an individual for only from one to 10 weeks. I believe provision can and should be made imposing reasonable penalties in the denial of benefits upon persons who wilfully make false statements of essential facts supporting their claim. But I do not consider this amendment a proper provision for that purpose.

Section 21 of the bill repeals Section 58 of the act. The disqualifications now contained in Sections 58(a), (b), and (d) have been amended by this bill and made part of Sections 57 and 57.5. However, in the process of redrafting the material formerly contained in Section 58, there has been eliminated the presumption that an individual has been discharged for reasons other than misconduct in connection with his work and not to have voluntarily left his work without good cause unless an employer has given notice to that effect to the commission in writing within five days after the termination of service. The Department of Employment is receiving over 30,000 termination notices a year under Section 58(c) and, based on information contained in these notices, over 20,000 disqualifications are being imposed annually. In order to enable the department to make initial determinations based on all available facts and to pay benefits promptly, it is essential that the employers continue to notify the department whenever any grounds exist which may require the disqualification of a claimant. Requiring employers to file a written notice within five days, setting forth such facts as are necessary to establish a prima facie case in support of the employer's contention that a worker left voluntarily or was dismissed for misconduct, would not seem to constitute a serious burden on the employers. In lieu of the language contained in Section 58(c), this bill provides in Section 28 a system of notification of all prior base period and lag quarter employers which would require the department to furnish employers over 1,300,000 separate notices in order to save them the necessity of filing the notices now required in the limited number of cases where grounds for a possible disqualification exist. It is estimated that the cost of furnishing the required notices and the maintenance of the necessary records would be in excess of $500,000 annually; whereas, an adequate system of notifying employers is now provided by the department at a cost of less than $100,000 annually.

New conditions for grants under the Social Security Act, required to be provided in State laws by July 1, 1941, would not be fulfilled by Assembly Bill No 560 As a result, grants for administration of the California program would necessarily be suspended. Sections 8 4 and 8.5 of Assembly Bill No. 560 purport to include provisions conforming with Section 303 (a) (8) and (9) of the Social Security Act While in content the proposed provisions are adequate for that purpose, this bill, if approved, would not become law until 90 days after the Legislature adjourns, because this bill was not enacted as an urgency measure. Section 303 (a) (8) and (9) of the Social Security Act requires that a State law conforming therewith contain the appropriate provisions *effective July 1, 1941*. Therefore, during the period from July 1, 1941, to the effective date of Assembly Bill No 560, the California law would not conform with the above-cited sections of the Social Security Act, and grants for administration expenses would not be made available to the State. It is necessary, in order to avoid such a result, that an act containing the provisions contemplated by Section 303 (a) (8) and (9) of the Social Security Act become effective on or before July 1, 1941. Assembly Bill No. 1222, now before the Senate, which in content conforms with Section 303 (a) (8) and (9) should be enacted forthwith as an urgency measure in order to become effective on or before July 1, 1941, and prevent the suspension of Federal grants.

Proponents of this bill argue in its support that cases have been found of individuals obtaining benefits to which they were not entitled, and that one of the purposes of this bill is to prevent the recurrence of such cases I can not find in the provisions of the bill any greater protection against chiselers than the present law affords. The elimination of chiselers on any law is usually accomplished only through efficient administration with adequate administrative powers. In the launching and development of any program of the scope and magnitude of the Unemployment Insurance Act, particularly during the early stages of the organization of the administrative machinery and the establishment of manuals and rules of procedure to carry into effect the intent of the law, it may not be doubted that some chiselers have found their way to its benefits and isolated cases of abuse have occurred. The administration of the act has so progressed, particularly during recent months, that such abuses have been reduced to a negligible quantity, and with proper cooperation of employers and workers, and increased knowledge and understanding by both parties of the purpose of the act and in the light of previous experience, it is reasonable to anticipate that abuses will be cut to the irreducible minimum, possible under any conceivable provisions in the act No longer are benefits being paid to students or other unemployed workers not available for full time employment; nor are benefits paid to expectant mothers until after it is clearly determined that they are again able and available for work No worker is permitted to receive the benefits of the act during any period in which he is not available and subject to call for work. But even if some abuses needing administrative correction do exist, the situation could not possibly justify those far reaching drastic and inequitable changes, jeopardizing the continuance of Federal grants for administration and tax credits for employers

I am attaching hereto a report on this bill made to me by the California Employment Commission in response to my request for its analysis and recommendation, which supports the foregoing objections and recommends this veto

Respectfully submitted.

CULBERT L. OLSON, Governor of California

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FEDERAL SECURITY AGENCY
SOCIAL SECURITY BOARD
WASHINGTON, D. C.

June 3, 1941

The Honorable Culbert L Olson,
Governor of California,
Sacramento, California.

DEAR GOVERNOR:

This is in answer to your letter of May 29th to Mr A J Altmeyer, Chairman of the Social Security Board, in which you requested the Social Security Board's views with respect to California Assembly Bill No 560, with particular reference to the conformity of its provisions with the requirements and the social purposes of the Federal Social Security Act and the board's standards. We have examined this bill in the form in which it passed the Legislature and offer the following comments.

Conformity Questions Arising Under Section 303(a) of the Social Security Act

1. New conditions for grants under the Social Security Act, required to be provided in State laws by July 1, 1941, would not be fulfilled by Assembly Bill No. 560. As a result, grants for administration of the California program would necessarily be suspended. Sections 8.4 and 8.5 of Assembly Bill No. 560 purport to include provisions conforming with Section 303(a) (8) and (9) of the Social Security Act. While in content the proposed provisions are adequate for that purpose, they will not become law until 90 days after the Legislature adjourns, under the terms of the California Constitution. Sections 303(a) (8) and (9) of the Social Security Act requires that a State law conforming therewith contain the appropriate provisions *effective July 1, 1941*. Therefore, during the period from July 1, 1941, to the effective date of Assembly Bill No. 560, the California law will not conform with the above-cited sections of the Social Security Act and grants for administration expenses can not be made available to the State.

It will be necessary, in order to avoid such a result, that any State law or laws containing the provisions contemplated by Section 303(a) (8) and (9) of the Social Security Act contain the language necessary to assure that such law or laws become effective on or before July 1, 1941; it may be noted that Assembly Bill No. 1222 which in content would conform with Section 303(a)(9) contains such language, but that Assembly Bill No. 1193, which in content would conform with Section 303(a) (8) does not contain appropriate language to assure its immediate effective date.

2. Section 56(a) and (b) and Section 67(b) and (c) of the California unemployment compensation law, if amended as proposed in Sections 19.5 and 27 of Assembly Bill No. 560, would not meet the standards established by the Social Security Board under Section 303 (a) (1) of the Social Security Act respecting the payment of benefits for partial unemployment. For example, the proposed amendments would appear to prevent the State agency from permitting the retroactive filing of claims for partial benefits for the four preceding weeks as is required by the board standards.

Conformity Question Arising Under Section 1603(a) (5) of the Internal Revenue Code

The language of Section 20 of Assembly Bill No. 560, amending Section 57(a) of the State law, is ambiguous. If the words "remained away from" are so interpreted as to deny benefits to any claimant under circumstances which might constitute an offer of "new work" under conditions which the individual would be entitled to reject in view of the terms of Section 1603(a)(5) of the Internal Revenue Code, a question of conformity of the State law with that section would result. Under certain circumstances an offer of work by a prior employer from whom the individual has long since been separated may constitute an offer of "new work" within the purview of Section 1603(a) (5) of the Internal Revenue Code. Unless Section 13(a) of the California law is considered as controlling over the instant amendment to Section 57(a), the conformity issue might arise.

California Conformity Questions under Section 303 (a) (4) and (5) of the Social Security Act and Sections 1603(a)(3) of the Federal Unemployment Tax Act

Section 2 of the bill would amend Section 7 of the law by paragraphs excluding from the definition of employment services performed by an individual as an insurance agent or solicitor, if all such service is performed for remuneration solely by way of commission and service performed by an individual under the age of 18 in the delivery or distribution of newspapers or shopping news.

These exclusions are subject to the provisions of Subsection 1 providing that the services thereafter enumerated shall be excluded from the definition of employment "if, when and during such times" as they are excluded from the Federal Unemployment Tax Act. Since the services of insurance salesmen and newsboys under 18 were excluded from the Unemployment Tax Act by the Social Security Act amendments of 1939, it would appear that the new exclusions may be given a retroactive application, and that in such cases the California law may be construed to authorize refunds of contributions which were due under the law in effect at the time of their payment. In such case, the California law will contain provisions authorizing the use of moneys in the Unemployment Compensation Fund contrary to limitations imposed by both the Social Security Act and the Federal Unemployment Tax Act.

Major Policy Considerations

1. The new disqualification provision in Section 57, proposed in Section 20 of the bill, would have great significance for benefit payments. These provisions are the most severe that have ever been brought to the attention of the Bureau of Employment Security and seem to be incompatible with unemployment compensation principles. Under these provisions claimants would be disqualified without sufficient cause, second, unusually severe penalties would be imposed as "disqualifications," and third, these penalties would operate arbitrarily with little relation to the cir-

cumstances leading to the individual's disqualification. To illustrate, an individual would be disqualified for leaving work without good cause *attributable to his employer.* Thus an individual who left work for the most compelling of personal reasons, but who was in all other respects eligible, would be disqualified merely because the separation was not directly attributable to his employer. To illustrate the second point, consider a claimant who has left work without good cause, but expects to seek reemployment after a time. When such individual seeks to reenter the labor market, but is unsuccessful in finding work, none of his past accumulated benefit rights would be available to him as they would all have been canceled under the proposed Section 57(c). Such individual could not become eligible for benefits until he had gone back to work and gradually accumulated enough wage credits to qualify; this would in effect mean that he would probably be ineligible for at least a year A disqualification of this severity seems most undesirable in the face of the individual's demonstrated willingness to work over a period long enough to accumulate rights under the unemployment compensation law.

The manner in which these disqualifications would operate may be revealed by comparing two individuals who refuse suitable work in comparable circumstances, one of whom has drawn nearly all the benefits to which he is entitled for that year, and one of whom has drawn only one week of benefits In the former case, the disqualification will result in the cancellation of only a negligible amount of benefit rights, whereas the latter individual will be deprived of practically his whole year's potential benefits.

The Social Security Board recommends that disqualifications should be designed to simply postpone the enjoyment of the individual's benefit rights for a limited period of time on the theory that a period of unemployment which originates out of the individual's own action can not be presumed to continue to be attributable to the individual for the indefinite future It should be noted that an individual's current eligibility is always subject to his being found able to and available for work.

2 Section 73 proposed in Section 32 of the bill in reality gives little or no protection to the benefit rights of individuals who enlist in or are inducted into the armed services. The provision that "within 60 days after effective date of this section, or within 60 days after commencement of such military service, whichever is the later date, a worker must serve upon the commission a notice to the effect that he desires to be classified as a military worker," clearly implies that any worker who fails to give such notice within the 60-day period will not be entitled to be so classified or to have benefits computed and credited to him Since it may be expected that many, if not most of such workers will fail to give such notice because of lack of knowledge of the necessity for so doing, this requirement makes of the provision an "empty gesture" In view of the fact that arrangements have been made on a National basis, by the Bureau of Employment Security, for identifying information to be sent to each State agency for those individuals in the armed services who have wage credits in their respective States, a provision requiring a military worker to notify his State as to his status seems unnecessary and undesirable.

Under the language of this section, an individual who was inducted into military service must not only have been employed at the time of induction but must have been working in "covered work" if he is to benefit by this provision Such discrimination against individuals who may have been unemployed at the time of induction *or who may have been working in "uncovered work" yet who have benefit rights* accrued, is most undesirable

3. Sections 67, 68, and 69 as proposed in Sections 27 through 29 of the bill are undesirable from the standpoint of policy, administrative feasibility, and cost. It seems inadvisable to incorporate minute administrative procedure in the statute since the resulting inflexibility may create difficulty The procedures provided appear not only unduly burdensome to the claimant and to the agency, but it is questionable whether certain of the provisions are necessary for the proper and efficient administration of the unemployment compensation law.

4 Section 61 (a) proposed in Section 22 of the bill would permit reduced contribution rates as long as the amount in the State fund exceeded one and one-half times the amount of benefits paid in the preceding calendar year. Such a provision is not considered adequate to protect the solvency of the fund

Also, Section 61 (a), if amended as proposed, would leave the suspension of reduced contribution rates to the discretion of the commission The responsibility for establishing a minimum standard to protect the solvency of the fund should be assumed by the Legislature and should not be delegated by it as a discretionary power, to any administrative body. A decline in the fund will in all probability be accompanied by a decline in business activity The pressure upon any administrative officers to withhold exercise of such discretionary power, which would be brought by the interests affected in the matter, would make the sound exercise of such a discretion exceedingly difficult

Under the provision of Section 61 (b), if amended as proposed, it would appear that the fund, established for the purpose of paying benefits, is to be "protected" by the suspension of benefits. Since the sole purpose of maintaining the fund is for the payment of benefits, the provision for suspension of benefits while the fund

is solvent could apparently serve only to build the fund up to the point where reduced rates will again be effective This would seem to be a denial of the whole purpose of an unemployment compensation law It would make it appear that the purpose of the California law is to enable employers to obtain reductions on their Federal taxes and that the payment of benefits is of merely secondary consideration

5 Section 72 of the law as proposed in Section 26 of the bill, would assess a penalty in an amount equal to 10 per cent of the final award, against claimants or employers who have acted in bad faith and without reasonable basis for appeal While a benefit claimant coming within the purview of the provision would suffer a severe pecuniary loss, a guilty employer would suffer only a debit in the bookkeeping account maintained for him by the agency for experience rating purposes. It is apparent that the "penalty" as regards the employer will in most instances occasion him no pecuniary loss whatsoever and that the provision is therefore discriminatory and inequitable as between claimants and employers Also, since the employer's bad faith in taking appeals is in no way related to his experience with unemployment risk (upon which his contribution rate should be based) this debit to the employer's experience rating account is inconsistent with experience rating principles.

It is hoped that these comments will be helpful to you in determining what action you will take on this bill. Please advise if we can be of any further assistance.

Sincerely,

OSCAR M POWELL
Executive Director

Copy of Telegram Received by Governor Culbert L. Olson From Oscar M. Powell, Executive Director, Social Security Board

June 4, 1941

Re my letter dated June 3 concerning Assembly Bill 560 regret inadvertent omission therefrom of following two points:

1. Re provision of bill whereby only 73 per cent of benefits will be charged for experience rating purposes, failure to charge total benefits paid raises question as to conformity of experience rating provisions with requirements of Section 1602(a)(1) of Internal Revenue Code, and

2. Bill contains no provision removing ambiguities of Section 39 of California law concerning three years of experience as condition precedent to allowance of reduced rates of contributions Social Security Board certified California law for additional credit purposes on basis of opinion of California Attorney General in which that official recognized and urged need for legislation removing all question.

OSCAR M. POWELL,
Executive Director,
Social Security Board.

RX94 264

San Francisco, Calif. 9 510P

HON CULBERT L OLSON,

Governor, State Capitol, Sacramento, Calif.

In reference to your request of the Department of Employment for an analysis and recommendations regarding Assembly Bill 560, we desire to make the following statement of our views. This bill is not a measure consistent with the basic principles of the present law, which would merely correct alleged abuses in the existing act It proposes far-reaching changes which would make the California act one of the most restrictive unemployment insurance laws in the United States The major effect of almost all the proposed changes would be to facilitate reductions in employers' contribution rates under the merit rating provisions This would be accomplished by harsh and inequitable denials of benefits, and by an arbitrary reduction of 27 per cent in the present benefit charge against employers' reserve accounts without provisions that we think would adequately protect the Total Reserve Fund The bill will raise very serious questions of conformity with the minimum standards provided by the Social Security Act and Internal Revenue Code of the United States Government. One consequence of such nonconformity might be that the State of California would have to provide from its general funds the five million dollars for administrative expenses now being supplied annually by the United States Government or the work of the department, including its activities in the National defense program, would be compelled to shut down. Similarly the tax credit offset rights of employers might be jeopardized In view of the serious effects which this bill would have upon vital interests of employees, employers and the State, we recommend that the bill be vetoed,

Henry F. Grady, chairman and commissioner representative of the large employers

James L. Matthews, commissioner representative of the State and its interests and of the public.
Ansley K. Salz, commissioner representative of independent merchants and small employers
John F Chambers, commissioner representative of labor and its interests.
John S Horn, commissioner representative of labor and its interests

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1341—An act amending Sections 6050 and 6051 of the Harbors and Navigation Code, relating to boards of harbor commissioners.

Bill read third time.

Motion to Amend

Mr. Cooke moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "6036, 6041,".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 6036 of the Harbors and Navigation Code is hereby *amended to read as follows*

6036 The official ballot at the first election in the proposed district shall provide voting squares after the words "For the harbor district" and after the words "Against the harbor district" and shall also have printed thereon the names of all candidates for harbor commissioner, together with [three] *five* blank spaces for the purpose of permitting an elector to write in the name of a candidate, with voting squares after the name of each candidate and the [three] *five* blank spaces

All official ballots used at any subsequent election in the district shall conform, as near as practicable, to the above ballot, excepting that all reference to voting for or against the formation of the district shall be eliminated; and any question or proposition authorized to be submitted to the voters of the district may be placed on the ballot in addition to the names of any candidate or candidates for harbor commissioner

SEC. 1.5. Section 6041 of the Harbors and Navigation Code is hereby amended to read as follows:

6041 If from the canvass it appears and the board of supervisors finds that a majority of the votes were cast in favor of the formation of the district, it shall enter that fact upon its minutes, together with a description of the boundaries of the district, its name, the official name or names by which the district is commonly known and enter its order declaring the district duly formed and existing in the county in which the proceedings were had. The board of supervisors shall also make an order declaring the [three] *five* candidates for harbor commissioner receiving the highest number of votes to have been elected to such office and cause a certificate of election to be issued to the successful candidates.

SEC 1.7. Section 6050 of the Harbors and Navigation".

Amendment No. 3

On page 1 of the printed bill, after line 23, insert

"SEC. 3. *Upon the effective date of this act, the Governor shall appoint two* additional harbor commissioners to the board of harbor commissioners of each existing harbor district formed pursuant to Part 3 of Division 8 of the Harbors and Navigation Code, or to any law superseded by such part. Each such commissioner shall hold office until 12 o'clock noon of the first Monday after the first day of January following the next regular election in 1942 of commissioners for the district, and until their successors are elected and qualified. Their successors, as well as the successor or successors of the commissioner or commissioners now in office whose term or terms expire at 12 o'clock noon of the first Monday after the first day of January next following such election, shall be elected at such election

If the total number of commissioners to be elected at the election is three, each of the three candidates receiving the highest number of votes shall hold office for a term of four years from 12 o'clock noon on the first Monday after the first day of January next succeeding his election, and until his successor is elected and

qualified. If the total number of commissioners to be elected is four, each of the three candidates receiving the highest number of votes shall hold office for a term of four years from 12 o'clock noon on the first Monday after the first day of January next succeeding his election, and until his successor is elected and qualified; and the candidate receiving the next highest number of votes shall hold office for a term of two years from 12 o'clock noon on the first Monday after the first day of January next succeeding his election, and until his successor is elected and qualified.

The term of office of each successor of every harbor commissioner elected pursuant to this section shall be governed by the provisions of Section 6050 of the Harbors and Navigation Code."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sawtelle, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weybret, and Mr. Speaker—56

NOES—None.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 969	Senate Bill No. 223
Senate Bill No. 232	Senate Bill No. 686
Senate Bill No. 1264	Senate Bill No. 719
Senate Bill No. 255	Senate Bill No. 1345
Senate Bill No. 410	Senate Bill No. 415

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which was referred:

Senate Bill No. 1073

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

POTTER, Chairman

Above reported bill ordered to second reading.

Committee on Mines and Mining

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:

Senate Bill No. 640

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THURMAN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR SPEAKER Your Committee on Ways and Means, to which were referred:

Senate Bill No. 945 Senate Bill No 62
Senate Bill No. 944 Senate Bill No 253

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

MILLINGTON, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 944—An act making an appropriation to the Department of Finance for the purpose of paying refunds of taxes, licenses, and fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out all of line 3, and insert "seventy-five thousand dollars ($75,000) to be expended during the Ninety-third and Ninety-fourth Fiscal Years."

Amendment read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 945—An act to amend Section 689 of and to add Section 689.5 to the Political Code, relating to collections by the State Department of Finance from other State agencies

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 37 to 52, inclusive, and insert

"689.5 There is hereby created in the State Treasury the Service Revolving Fund, from which fund shall be paid all salaries and wages and other expenses incurred by the Bureau of Buildings and Grounds in the Department of Finance. The cost of rendering services to agencies supported from funds other than the General Fund, and the cost of rendering services to any agency at its request, shall be determined monthly by the Department of Finance and by said department charged to such agencies. After deducting the cost of services rendered and charged to other agencies, the remaining expenditures out of the Service Revolving Fund shall be a charge against the appropriation for the support of the Bureau of Buildings and Grounds and upon certification by the Department of Finance shall be transferred monthly by the State Controller from said appropriation to the Service Revolving Fund.

Any moneys received by the Department of Finance for services rendered to other State agencies shall be accounted for and reported at the end of each month by the Department of Finance to the State Controller to be by the Controller credited to the Service Revolving Fund, and at the same time such money shall be remitted to the State Treasury to become a part of said fund."

Amendment read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 62—An act to repeal Article 2, comprising Sections 4051 to 4060, inclusive, of Chapter 1 of Division 4 of the Public

Resources Code, relating to private fire patrols of forest lands, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 7, of the printed bill, after the second "the", insert "Division of Forestry,"

Amendment No. 2

On page 1 of the printed bill, following line 11, insert "The amount herein appropriated shall be transferred to Item 149 of the Budget Act of 1941."

Amendments read and adopted

Bill ordered printed, and to third reading.

Senate Bill No. 253—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Sections 2, 4 and 5 of and to add Section 4.5 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended, after "Section 1", insert "(a)"

Amendment No. 1.5

On page 2 of the printed bill, as amended, strike out lines 5 to 32, inclusive, and insert "pal court

(1) Who has attained the age of 70 years and who has been a judge or justice of the Supreme Court, a district court of appeal or superior court or municipal court, or any two or more of said courts, for 10 years in the aggregate within the period of 15 years immediately preceding, or

(2) Who has attained the age of 65 years, and who has been a judge or justice of the Supreme Court, a district court of appeal or superior court or municipal court, or any two or more of said courts, for 20 years in the aggregate within the period of 24 years immediately preceding may retire by filing written notice of retirement with the Secretary of State, and a successor shall thereupon be appointed to fill the vacancy.

(b) Every Justice of the Supreme Court, or of a district court of appeal, or judge of a superior court

(1) Who has attained the age of 70 years and who has been a judge of a municipal court or a Judge or Justice of the Supreme Court, a district court of appeal or superior court or any two or more of said courts, for 10 years in the aggregate within the period of 15 years immediately preceding, having served over six years of that period as a Judge or Justice of the Supreme Court, a district court of appeal, superior court, or any two or more of said courts, or

(2) Who has attained the age of 65 years, and who has been a judge of a municipal court or a Judge or Justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts for 20 years in the aggregate within the period of 24 years immediately preceding, having served over six years of that period as a Judge or Justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts, may retire if he pays into the Judges' Retirement Fund a sum equal to the amount he would have paid had he been a Judge or Justice of the Supreme Court, a district court of appeal or superior court during the time he was a judge of the municipal court during the 15- or 24-

year period. Any sums paid into any State Retirement Fund under any existing law or under any law hereafter adopted for the retirement of judges of a municipal court, shall be deemed paid into the fund for the retirement of Judges or Justices of the Supreme Court, a district court of appeal or superior court or municipal court if such funds are transferred to the fund for the retirement of such judges or justices.

Any justice or judge who has served 30 days less than the aggregate number of years required for retirement shall be deemed to have been a justice or judge for such aggregate number of years within the meaning of this section.

Any justice or judge whose term of office expires within 30 days before he shall have attained the age required for his retirement, shall be deemed to have attained such age within the meaning of this section at any time during the 30-day period immediately preceding his actual attainment of such age."

Amendment No. 2

On page 3, line 31, of the printed bill, as amended, strike out "him or to his estate", and insert "his beneficiary nominated by written designation duly filed with the Secretary of State, or to him, as the case may be"

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 1073—An act to add Section 3466c to the Political Code, relating to the Sutter-Butte By-Pass Assessment No. 6 of the Sacramento and San Joaquin Drainage District.

Bill read second time, and ordered to third reading

Senate Bill No. 640—An act relating to taxes paid upon mines and mining claims by co-owners and providing remedies for nonpayment of taxes by co-owners.

Bill read second time, and ordered to third reading.

Senate Bill No. 945—An act to amend Section 689 of, and to add Section 689.5 to, the Political Code, relating to collections by the State Department of Finance from other State agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 944—An act making an appropriation to the Department of Finance for the purpose of paying refunds of taxes, licenses, and fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 62—An act to repeal Article 2, comprising Sections 4051 to 4060, inclusive, of Chapter 1 of Division 4 of the Public Resources Code, relating to private fire patrols of forest lands, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 969—An act relating to and providing for the completion of the preparation of a Water Code, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 232—An act to amend School Code Section 4 102a, relating to, and making an appropriation for, vocational rehabilitation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1264—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Bill read second time, and ordered to third reading.

Senate Bill No. 255—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the California Commission on Interstate Cooperation, and providing for the expenditure of the same," approved July 22, 1939, extending the period of time during which the appropriation is available, this act to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 410—An act to provide for the acquisition of Montgomery Woods in Mendocino County as part of the State Park System, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 223—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for forest protection against the white pine blister rust.

Bill read second time, and ordered to third reading.

Senate Bill No. 686—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and counties of this State, to authorize the connection of this system with that of any adjacent State, to make an appropriation therefor, and to repeal certain acts inconsistent therewith

Bill read second time, and ordered to third reading.

Senate Bill No. 719—An act to add Section 3.5 to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to the organization of said bureau and defining its powers and duties and making appropriation

Bill read second time, and ordered to third reading.

Senate Bill No. 1345—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 415—An act to amend Section 109 of the State Employees' Retirement Act, relating to a Retirement System for Employees and Officers of the State of California, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Doyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Newell Miller of Los Angeles.

On request of Mr Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commander George T. Howe, U. S. N., former shipmate of Assemblyman J. B Cooke, all-American Guard, intercollegiate wrestling champion; and Mrs George T. Howe, John Howe and Carolyn Howe.

On request of Mr Kilpatrick, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Margaret Harvey, Mrs Lucy Ashley, Miss Ila Belle Easton, Miss Ruby Lee Easton and Miss Thora Hanson, all of Sacramento.

ADJOURNMENT

At 5.55 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a m., Wednesday, June 11, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-THIRD LEGISLATIVE DAY
ONE HUNDRED FIFTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 11, 1941

The Assembly met at 10 a.m.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Assistant Chief Clerk Frank Reed at the desk.

Mr. Clarke moved that Mr. Allen be named temporary chairman in the absence of the Speaker and Speaker pro tempore.

Motion carried.

Hon. Don A. Allen Presiding

At 10.03 a m , Hon. Don A. Allen, Member of the Assembly from the Sixty-third District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Maloney suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Allen, Bashore, Clarke, Donnelly, Doyle, Gallagher, Gunlock, Hawkins, Heisinger, Kilpatrick, Maloney, Massion, McCollister, Middough, Miller, Pelletier, Pfaff, Poole, Salsman, Stream, Thorp, Turner, Waters, and Weybret—24.

Call of the Assembly

Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 10.05 a m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Speaker Presiding

At 10.21 a m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 10.27 a m , on motion of Mr. Allen, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the following answered to their names:

Allen, Bashore, Burns, Hugh M., Call, Clarke, Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Gunlock, Hawkins,

Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

Quorum present.

PRAYER

Upon invitation prayer was offered by the Hon. Roger A. Pfaff.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Allen.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Potter.

Mr. Poulson, on motion of Mr. Waters.

MOTION TO PRINT PRAYER IN JOURNAL

Upon motion of Mr. Allen the following prayer was ordered printed in the Journal:

Prayer

Our Heavenly Father, we undertake the duties and responsibilities of this legislative day with humility of spirit and with thankfulness in our hearts that Thou hast given us strength and courage to fulfill our obligations as Legislators.

Grant to us, oh, Lord, a renewed spirit of determination to consecrate this day's labor in the light and benediction of Thy holy word.

In the name of the Father and the Son and the Holy Ghost.

Amen

EXPLANATION OF ABSENCE

I was not here to answer the morning roll call as I was in the Senate Committee on Finance on Assembly Bill No. 2598.

FRED N. HOWSER

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Senate Bill No. 799
Senate Bill No. 805

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEYBRET, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1129, entitled: "An act to establish a Legislative Audit Bureau and an Audit Committee of the Legislature, and in connection therewith to amend Section 11860 of the Insurance Code, and to repeal Sections 658 and 660 of the Political Code," with my objections.

My objections to this bill are not against the policy of establishing an agency, independent of all executive officers, to post audit the accounts and financial records

of all agencies of the State I have consistently advocated a revision of the accounting and auditing functions of the State Government, including the establishment of the office of Auditor General independent of the Governor and of all other executive officers, to perform the post auditing duties mentioned in this bill Reference is made to my message to the Fifty-third (1939) Session of the Legislature, in which I recommended submission of a constitutional amendment and the passage of an appropriate bill establishing the office of an Auditor General with such powers, *and that the Controller, created by the Constitution, be made Auditor General.* In this I adopted and followed the recommendation of the Committee on State Organization, otherwise known as the Interim Committee of Twenty-five of the California Conference on Government and Taxation, appointed by my predecessor to make a survey of the fiscal agencies of the State and make recommendations for their reform in accordance with the trend of modern administrative practice. The final report on this committee was made to the Governor and to the Legislature this year. This recommendation was made as a part of a comprehensive plan of reorganization

My objections to this bill are that it fails to accomplish such a reorganization; that it does not fit in with a plan of reorganization of the fiscal functions of the State in accordance with modern administrative practice and the recommendations *of experts including said Committee of Twenty-five of the California Conference on* Government and Taxation.

Under the Constitution of California the Governor must prepare and present to the Legislature within 30 days of each regular session a Budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing law or recommended by him, and of all of its institutions, departments, boards, bureaus, commissions, offices, employees and other agencies, and of all estimated revenues for each fiscal year of the ensuing biennial period This is accomplished at the present time through the Department of Finance which is equipped with accountants familiar with the details of the organization of every agency of the State Government

The familiarity of the Department of Finance with each State agency is due in a large degree to the fact that the Department of Finance now makes the post audit of each of these agencies Under this bill not only would the post auditing functions of the Department of Finance be transferred to the Legislative Committee's auditor for which it provides, but all of the employees of the Department of Finance engaged in this activity would be placed under his jurisdiction

The comprehensive plan of reorganization above referred to, while providing for independent post auditing would at the same time transfer the preauditing functions to the Department of Finance for the reason that this function belongs to the executive department charged with the legal and faithful expenditure of funds, and also that the functions of auditing and budget making are so closely tied together that the same agency which prepares the Biennial Budget should also be engaged in auditing work. The report above mentioned, and my recommendations, were that the preauditing function be transferred to the Department of Finance, where it belongs But under this bill preauditing would still remain the function of another independent agency, mainly the State Controller

If no auditing functions are vested in the Department of Finance, it will not have the direct contact with each State agency and the familiarities with its accounts that are necessary to efficiently perform the function of passing upon the Budget for such agencies, unless it engages an independent staff of accountants for the sole purpose of familiarizing themselves with such detail.

This direct relationship and familiarity with the fiscal operations of each State agency can be gained through preauditing as well as postauditing, but when postauditing is transferred from the Department of Finance to another agency, provisions should be made transferring, at the same time preauditing functions to the Department of Finance, otherwise where we now have two sets of accountants (one for preauditing and one for the combined function of postauditing and budget making), we would be compelled to have three sets of accountants, one for each function, although their duties would, to a large extent, necessarily overlap It is obvious that the preauditing of claims should be under the control of that portion of the executive branch charged with the responsibility of carrying out the Budget provisions, and as above pointed out, any change in the fiscal organizations of the State Government should include this transfer of preauditing functions at the same time if any change is made in the postauditing functions The advantages of this plan are set forth on pages 23 and 24 of the reports of the Committee on State Organization, heretofore mentioned

The second main objection to this bill is that proper provisions to insure the independence and impartiality of the auditor created have not been included In most of the States which have provided for the performance of postauditing *functions by an official independent of the executive officers of the State, provision* is made for his election directly by the people or by the Legislature while it is in session. The purpose of delegating the work of postauditing through an independent official is that he shall be free from control not only from the executive departments, whose accounts he is to postaudit, but he shall, as far as possible, be free from

partisan control, no matter how he receives his appointments. This bill does not provide for the election of a postauditor by the Legislature, but by a committee composed of a small minority of the Legislature. The great majority of the Members would have no voice in his selection and no power to remove him. The bill provides that he shall be appointed by and serve at the pleasure of a committee. Any such State official to serve the purposes of the Legislature should be elected by the entire Legislature as is done at the election of a Legislative Counsel. Under this bill an appointment or removal may be made by a committee when the Legislature is not in session and with or without cause and without any knowledge, counsel or voice in the matter by most of the Members of the Legislature. No provision is made even for a minority representation on the proposed joint committee.

It is a fundamental principle, recognized by all public administration authorities, that a postauditor, whether elected by the Legislature or by the people, must be elected or appointed in such manner that he will command the confidence of the public and that he may perform his duties fearlessly and impartially, without being subject to any motive other than a faithful discharge of his duties and the production of factual, unprejudiced and uncontrolled reports to the Legislature and to the Governor. As stated in the report of the Committee of Twenty-Five of the California Conference of Government and Taxation, "Such authority should be vested in an elective official by virtue of which he would become one of the most important officials in the State, probably second in rank only to the Governor." That committee considered the suggestion that the State Auditor be elected by the Legislature, after consideration decided upon the foregoing recommendation which is the recommendation contained in my message to the 1939 Session of the Legislature.

It seems to me that instead of such piecemeal attempts at postauditing under a bill as objectionable as this bill in the manner in which it is to be set up, the reforms recommended as a result of expert surveys and analyses of the entire fiscal functions of the Government should be considered by the Legislature and adopted as a means not only of accomplishing all that the Legislature could possibly wish to accomplish through the operation of the bill, but would correlate and reform the administration of other functions including preaudit so as to make a coherent, comprehensive and effective Auditing and Accounting Fiscal System for the State.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 1129 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 706, entitled: "An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance."

My objections to this bill are as follows.

This bill amends Sections 10434 and 10435 of the Insurance Code, the former of which now provides, among other things, that no insurance company, whether incorporated in this or some other State, may pay commissions to its directors, officers, actuaries or medical examiners for insurance policies on which the company would be liable. This bill would amend this provision to leave the section applicable to insurance companies incorporated in this State, and it would also remain applicable to companies incorporated in other States, but only in so far as their activities in this State are involved. The Attorney General, commenting on this section and its application, in Opinion Number N. S. 2179, dated December 6, 1939, explained the section as follows:

> "The statute, by its terms, is applicable to all life insurers doing business in the State, whether foreign or domestic, and is not limited to commissions paid on California business. It is also apparent from a consideration of the purposes of the statute that the Legislature intended that it should apply to all life insurers doing business in the State.
>
> The statute is designed to avoid the conflict of interest which arises when a person who can profit personally from the acceptance of risks is required to determine the acceptability of risks upon behalf of the insurer, or where such person is in a position to influence the persons who do pass upon risks.
>
> It is apparent that the mortality rate and therefore the solvency of a company could be adversely affected if an underwriter, influenced by personal interest, accepted improper risks, and that the effect would be the same whether commissions were paid on business written in California, and whether the insurer was a domestic corporation or a foreign corporation."

It is obvious that California policyholders would be as adversely affected by the acceptance of poor risks resident in other States as would be the case if the poor

risks were residents of this State. If the present law has a tendency to prevent the acceptance of poor risks, as pointed out by the Attorney General, this bill would permit companies organized in other States to engage in such practices in other States but would prevent them from doing so in this State. The purpose of the statute is obviously to protect all policyholders. If any company organized in another State would engage in such practices in another State but would be prohibited from doing so in this State, and such practices did result in the company accepting poor risks, the result would be that the California policyholders would be contributing to those risks.

Likewise, it is to be noted that this bill might place California companies, doing business in other States, at a disadvantage, in that California companies doing business in other States would not be permitted to compete for business on the same basis as companies organized in other States.

The laws of this State should impose like restrictions on the privilege of doing insurance business in this State upon all insurance companies, whether organized in this State or some other State. This is the effect of the present law. If the present law is not satisfactory, any change made therein should continue this principle. This State has a right and a duty to regulate insurance companies doing business in this State, and all companies should abide by the same laws, rules and regulations in exercising the privilege of doing such business. However, I am advised that there are some companies organized in other States which, strictly in accordance with the laws of those States, engage in practices which might technically be said to violate the present provisions of the California law. There is another bill pending before the Legislature which would give the Insurance Commissioner power to permit such practices where authorized by the State in which the particular company is organized, if he finds that such practices do not in fact endanger or tend to endanger the solvency of such companies. In the interests of cooperation between various States, if such a bill is presented to me I will not disapprove it.

Respectfully submitted

CULBERT L. OLSON, Governor of California

Assembly Bill No. 706 ordered to unfinished business.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor, to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter, to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof, to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act, to declare the urgency of this act, to take effect immediately;

And appointed Senators Keating, Kuchel and Breed, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day passed as amended

Assembly Bill No. 1591

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 28
Assembly Constitutional Amendment No. 55
Assembly Joint Resolution No. 15
Assembly Joint Resolution No. 48

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 311
Assembly Bill No. 518

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 110
Assembly Bill No. 419
Assembly Bill No. 641
Assembly Bill No. 643
Assembly Bill No. 660
Assembly Bill No. 825
Assembly Bill No. 928
Assembly Bill No. 949
Assembly Bill No. 950
Assembly Bill No. 1132
Assembly Bill No. 1162
Assembly Bill No. 1189
Assembly Bill No. 1193
Assembly Bill No. 1593
Assembly Bill No. 1701
Assembly Bill No. 1729
Assembly Bill No. 1817
Assembly Bill No. 1889
Assembly Bill No. 1933
Assembly Bill No. 1934
Assembly Bill No. 1966
Assembly Bill No. 2094
Assembly Bill No. 2206
Assembly Bill No. 2208
Assembly Bill No. 2221
Assembly Bill No. 2321
Assembly Bill No. 2421
Assembly Bill No. 2643
Assembly Bill No. 2647

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

UNFINISHED BUSINESS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 706—An act to amend Sections 10434 and 10435 of the Insurance Code, relating to insurance.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 706 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Bashore, Burns, Michael J., Call, Clarke, Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—46

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, June 10, 1941

Gordon Garland
Speaker of the Assembly Sacramento, California

Clarifying position of the Veterans of Foreign Wars urge passage of Senate Bill No. 292 now before you carrying sufficient appropriation for construction of dam and suitable water facilities. We do not indorse any particular site therefore.

M HAROLD T GUSTAFSON, Department Commander
VETERANS OF FOREIGN WARS OF UNITED STATES

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the tenth day of June, 1941, at 11.45 p.m., Assembly Bill No. 706 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Vincent Thomas, Member of the Assembly

Respectfully submitted.

CULBERT L. OLSON, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1941

To the Honorable Members of the Assembly
State Capitol, Sacramento, California

GREETINGS: Pursuant to the provisions of Section 312 of the Political Code of California, you are hereby notified that on the tenth day of June, 1941, at 11.45 p.m., Assembly Bill No. 1129 was returned without my signature and, together with a statement of my objections thereto, was delivered to Honorable Vincent Thomas, Member of the Assembly.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 786—An act to amend School Code Section 3.712, relating to the study of the Constitution of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Michael J., Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 447—An act to amend Section 4265 of the Political Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burns, Michael J., Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Poole, Potter, Robertson, Sals-

man, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—Bashore, Dilworth, Evans, Houser, Frederick F., Kilpatrick, Massion, Pelletier, and Russell—8

Bill ordered transmitted to the Senate.

Senate Bill No. 1182—An act to provide for the organization and government of water storage and conservation districts; to provide for the acquisition, construction, maintenance and operation of works for the purposes of such districts, including the drainage, reclamation and irrigation of land; and to prescribe and define the powers, duties, purposes and responsibilities of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burns, Michael J., Clarke, Collins, Sam L., Cooke, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1301—An act to amend Section 4 of "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the Government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Doyle—1.

Notice of Motion to Reconsider Senate Bill No. 1301

Mr. Bashore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1301 was this day passed.

SECOND READING OF SENATE BILLS

Senate Bill No. 799—An act to amend Sections 23 and 24 of the Agricultural Prorate Act, relating to the marketing of agricultural products, the termination and suspension of proration programs, and violations of the act

Bill read second time, and ordered to third reading.

Senate Bill No. 805—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 215—An act to amend School Code Sections 2 230, 2 231, 2 232, 2.250, 2.251 and 2.252, all relating to union and joint union elementary school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burns, Michael J. Clarke, Collins, George D, Collins, Sam L, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Vincent Thomas Presiding

At 11 06 a m. Hon Vincent Thomas, Member of the Assembly from the Sixty-eighth District, presiding.

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors, to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison

Bill read third time.

Motion to Amend

Mr Phillips moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "2711, 2712, 2870 and 2875", and insert "2040, 2710, 2711, 2712, 2870, 2875, 3765, 4534, 4573 and 4700".

Amendment No. 2

In line 4 of the title of the printed bill as amended, strike out "renaming the Southern California Prison", and insert "prisons and prisoners"

Amendment No. 3

On page 1, line 5, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men"

Amendment No. 4

On page 1, line 10 of the printed bill, as amended, strike out "Correctional Institution, or the"; and strike out line 11, and insert "Institution for Men".

Amendment No. 5

On page 1, line 14, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 7

On page 1, line 19, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men"

Amendment No. 8

On page 2, lines 2 and 3, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 9

On page 2, lines 6 and 7, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 10

On page 2, line 13, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 11

On page 2, lines 18 and 19, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men"

Amendment No. 12

On page 2, line 29, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 13

On page 2, line 38, of the printed bill, as amended, strike out "Correctional Institution, Chino", and insert "Institution for Men".

Amendment No. 14

On page 2, line 43, of the printed bill, as amended, strike out "Correctional Institution", and insert "Institution for Men".

Amendment No. 15

On page 2 of the printed bill, as amended, after line 48, insert

"SEC 12. Section 2040 of said code is hereby amended to read as follows:

2040 As used in all chapters of this title, except Chapter [7] *8*, the word "board" shall mean the State Board of Prison Directors

SEC 13 Section 3705 of said code is hereby amended to read as follows:

3705 If there is good reason to believe that a female against whom a judgment of death is rendered is pregnant, such proceedings must be had as are provided in Section [2011] *3701*, except that instead of a jury, as therein provided, the court may summon three disinterested physicians, of good standing in their profession, to inquire into the supposed pregnancy, who shall, in the presence of the court, but with closed doors, if requested by the defendant, examine the defendant and hear any evidence that may be produced, and make a written finding and certificate of their conclusion, to be approved by the court and spread upon the minutes The provisions of Section [2012] *3702* apply to the proceedings upon such inquiry.

SEC. 14. Section 4534 of said code is hereby amended to read as follows:

4534. Any person who wilfully assists any paroled prisoner whose parole has been revoked, any escape, any prisoner confined in any prison or jail, or any person in the lawful custody of any officer or person, to escape, or in an attempt to escape from such prison or jail, or custody, is punishable as provided in Section [2313] *4533* of the Penal Code.

SEC 15. Section 4573 of said code is hereby amended to read as follows:

4573. Any person, not authorized by law, who brings into any State prison or prison road camp or any jail or any county road camp in this State or within the grounds belonging or adjacent to any such institution, any narcotic, the possession of which is prohibited by [the State Narcotic Act] *Division 10 of the Health and Safety Code*, or any alcoholic beverage, is guilty of a felony.

SEC. 16. Section 4700 of said code is hereby amended to read as follows:

4700 Whenever a trial is had of any person under any of the provisions of Sections [2310] *4530* and [2311] *4531* of this code, whenever a hearing is had on the return of a writ of habeas corpus prosecuted by or on behalf of any prisoner in the State prison, whenever a prisoner in the State prison is tried for any crime committed therein, and whenever a trial or hearing is had on the question of the insanity of any such prisoner, the county clerk of the county where such trial or hearing is had must make out a statement of all the costs incurred by the county for the investigation, and the preparation of the trial, and actual trial of such case, or of the hearing on the return of such writ, and all guarding and keeping of such prisoner, and of the execution of the sentence of such prisoner, exclusive of the cost of any report or statement required by Section 1192a of the Penal Code, properly certified to by a judge of the superior court of such county, which statement must be sent to the State Board of Prison Directors for its approval; and after such approval, said board must cause the amount of such costs to be paid

out of the money appropriated for the support of the State prison, to the county treasurer of the county where such trial or hearing was had."

Amendments read

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 154—An act to amend Sections 26541 and 26542 of the Health and Safety Code, relating to food, and the standards prescribed by the State Board of Public Health in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 463—An act to amend Section 26470 of the Health and Safety Code, relating to adulterated food and the failure to comply with standards of freshness and purity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick, F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 696—An act to amend Section 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole,

Potter, Robertson, Russell Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—57.
NOES—Andreas, Bashore, Houser, Frederick F, and Massion—4.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 971—An act relating to the education of persons in connection with programs of National defense, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1126

Mr. Leonard moved that Senate Bill No. 1126 be withdrawn from the file, and re-referred to Committee on Fish and Game.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1315—An act to amend Sections 579 and 611 of the Agricultural Code, relating to substitutes for butter and cheese which are colored in imitation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J, Call, Clarke, Collins, George D, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret.—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1304—An act to amend Section 724.5 of the Fish and Game Code, relating to catfish in District 2¼.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—64.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.27 a.m., Hon Gordon H. Garland. Speaker of the Assembly, presiding.

Senate Bill No. 895—An act to add Section 738a to the Code of Civil Procedure, relating to making the State of California a party to quiet title actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton, Leonard, Lyon, Maloney, Masson McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips Poole, Potter, Richie, Robertson, Russell Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 642—An act authorizing municipalities as herein defined to acquire, construct, improve and extend within and without their limits sanitation, sewer, and water revenue-producing enterprises as herein defined, and providing an additional and alternative method of financing such enterprises through the issuance of revenue bonds payable solely from the revenues of such enterprises, and in no respect secured by the taxing power; limiting the issuance of revenue bonds to the enterprises defined herein and excluding therefrom systems for the generation or distribution of electricity; authorizing such municipalities to maintain and operate such enterprises and to prescribe, revise and collect fees, tolls, rates, rentals and other charges for the services, facilities and commodities furnished thereby; regulating the issuance of such revenue bonds; providing for their payment and the rights and remedies of the holders thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Ptaft, Poole, Richie, Robertson Russell, Salsman, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, Weybret Wollenberg, and Mr. Speaker—58.

NOES—Daley, Evans, Stream, and Watson—4

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1841—An act to amend Section 1043 of the Insurance Code, relating to mutualization, reinsurance and rehabilitation of persons in the possession of the Insurance Commissioner.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1841?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 4 to 7, inclusive, and insert "sioner, as conservator or as liquidator, may, under the direction of and subject to the approval of said"

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, after the period, insert "The court after hearing, and good cause appearing therefor, may permit such minimum number of the policyholders, as to it appears proper, of a person whose property and business is in the possession of the commissioner, at such time as it determines advisable, to propose a plan for mutualization, reinsurance or rehabilitation of the business of such person. Such plan as the court may permit to be filed in the proceedings may be considered together with any proposal or plan filed by the commissioner."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1841 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 1841 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 92—An act to add Section 44.3 to the Unemployment Insurance Act, relating to workers' contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1326—An act to amend Section 12 and Section 19 of the Municipal Water District Act of 1911, relating to the government and powers of municipal water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 12 m., on motion of Mr. Frederick F Houser, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1756—An act to amend Sections 5.792 and 5.796 of the School Code, relating to the merit system of noncertificated employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1756?

Amendment No. 1

On page 1, line 27, of the printed bill, as amended, before "10 per cent", insert "not less than".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1756 by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Knight, T. Fenton; Leonard, Lowrey, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Stream, Tenney, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—43

NOES—None

Assembly Bill No. 1756 ordered enrolled.

Assembly Bill No. 1415—An act to amend Section 30 of the State Civil Service Act, relating to the compensation of the members of the State Personnel Board.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1415?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 7 to 15 inclusive, and insert.

"SEC. 30. Each member of the board shall receive the sum of three thousand six hundred dollars ($3,600) annually, payable monthly in the same manner as the salaries of other State officers are paid, as compensation for such time as may be required of him to perform his duties under the provisions of this act. The members of the board shall receive their actual and necessary traveling expenses incurred in the course of such duties."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1415 by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Stream, Tenney, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—42.

NOES—Dilworth—1.

Assembly Bill No. 1415 ordered enrolled.

Hon. Albert C. Wollenberg Presiding

At 2.25 p m., Hon Albert C. Wollenberg, Member of the Assembly from the Twenty-seventh District, presiding.

Assembly Bill No. 2573—An act to amend Sections 770 and 771 of the Vehicle Code, relating to fines and forfeitures.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2573?

Amendment No. 1

On page 2 of the printed bill, as amended, after line 33, insert

"(e) Notwithstanding any other provision of this section, of the fines and forfeitures collected from any person charged with a misdemeanor under this code committed within the incorporated limits of a city upon a State highway connecting within the county in which the city is located with a publicly owned bridge or a publicly owned toll bridge, and following arrest by any officer employed by the State and the imposition of the fine or forfeiture by a court maintained by the city, 75 per cent shall be paid into the treasury of the city and deposited in the "Street improvement fund" and 25 per cent shall be paid into the treasury of the county in which the city is located and deposited in the "Special road fund." "

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2573 by the following vote:

AYES—Allen, Bashore, Bennett, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hawkins, Houser, Frederick F., Howser, F N., Johnson, Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—43.

NOES—None.

Assembly Bill No 2573 ordered enrolled.

Assembly Bill No. 1511—An act to add Section 32.5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance analysts.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1511?

Amendment No. 1

On page 3, line 28, of the printed bill, as amended, after "the", insert "life and/or disability".

Amendment No. 2

On page 4 of the printed bill, as amended, after line 36, insert

"SEC. 4 The sections added to the Insurance Code by this act shall not be effective after September 30, 1945."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1511 by the following vote:

AYES—Allen, Bashore, Bennett, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hawkins, Houser, Frederick F, Howser, F. N, Johnson, Knight, T. Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thurman, Turner, Weber, Welch, Wollenberg, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 1511 ordered enrolled.

Assembly Concurrent Resolution No. 39—Relative to providing suitable space and facilities for the office of the Attorney General in the Library and Courts Building.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 39?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "in the Library and Courts Building".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "in the Library and Courts Building".

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 18 to 21, inclusive, and insert "is not in session;".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 28 to 30, inclusive, and insert "Attorney General and his staff conveniently accessible to the records and books contained in the State Library"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Concurrent Resolution No 39 by the following vote:

AYES—Allen, Bashore, Bennett, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth Doyle, Gaffney, Gallagher, Hawkins, Houser, Frederick F, Howser, F N, Johnson, Knight, T Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thurman, Turner, Weber, Welch, Wollenberg, and Mr Speaker—43

NOES—None

Assembly Concurrent Resolution No 39 ordered enrolled.

Assembly Bill No. 1019—An act to add a new section to the Probate Code to be numbered 1020 1 and to amend Section 1201a of the Probate Code and to repeal Sections 530 and 530 1 of the Probate Code, all relating to assignments and transfers of an interest in the estate of a decedent by heirs, devisees and legatees

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1019?

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert "bered 1020.1 and to repeal Sections 530, 530 1 and 1201a of the"

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, strike out lines 4 to 27, inclusive

Amendment No. 3

On page 2 of the printed bill, strike out line 28, and insert
"SEC 2 Sections 530, 530 1 and 1201a of the Probate Code"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1019 by the following vote:

AYES—Allen, Bashore, Bennett, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hawkins, Houser, Frederick F., Howser, F N, Johnson, Knight, T Fenton; Leonard, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pel-

letier, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thurman, Turner, Weber, Welch, Wollenberg, and Mr Speaker—43
NOES—None.

Assembly Bill No. 1019 ordered enrolled.

Assembly Bill No. 1541—An act to amend Section 15151, 15253 and 15255 of the Health and Safety Code, relating to the application and enforcement of the State Housing Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1541?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 15151, 15253 and 15255 of the", strike out lines 2 and 3 of said title, and insert "Section 19150 of the Health and Safety Code, relating to the protection of buildings against earthquakes".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive; on page 2, strike out lines 1 to 17, inclusive, and insert

"SECTION 1 Section 19150 of the Health and Safety Code is hereby amended to read as follows:

19150 Every building [subject to this chapter] *of any character, except a building to which this chapter does not apply, constructed in any part of this State* shall be designed and constructed to resist and withstand horizontal forces from any direction of not less than either of the following, whichever is the greater:

(a) Two per cent of the total vertical design load

(b) Twenty pounds per square foot of wind pressure on the vertical projection of the exposed surface of every portion of the building more than 60 feet in height, and 15 pounds per square foot of wind pressure on the vertical projection of the exposed surface of every portion of the building 60 feet or less in height"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1541 by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J, Cain, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F, Howser, F N, Johnson, Knight, John B, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—52
NOES—None.

Assembly Bill No 1541 ordered enrolled.

Assembly Bill No. 2090—An act to add Sections 1443, 1444, 1445, 1446 to the Probate Code, relating to the appointment of guardians of minors and incompetent persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2090?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1443, 1444, 1445, 1446", and insert "Section 1443".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out the comma following "case"; and all of the printed matter down to and including the period on page 3, line 6, and insert "whenever he is requested so to do by a judge of the superior court"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2090 by the following vote:

AYES—Allen, Andreas, Bennett, Burns Michael J., Cam, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—52

NOES—None

Assembly Bill No 2090 ordered enrolled.

Assembly Bill No. 782—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 782?

Amendment No. 1

On page 1, line 23, of the printed bill, after "spur track", strike out the comma.

Amendment No. 2

On page 1, lines 24 and 25, of the printed bill, strike out "not used for regular train operation", and the comma after "operation".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 782 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Johnson, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—53.

NOES—None.

Assembly Bill No. 782 ordered enrolled.

Assembly Bill No. 2254—An act to amend Section 3 of "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California, to adopt a system of group life, health and accident insurance, and health services for the benefit of officers and employees, and to deduct from the compensation thereof the premium upon such insurance," approved May 25, 1939, relating to wage or salary deductions for public officers and employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2254?

Amendment No. 1

Strike out all of lines 1 to 8, inclusive, of the title of the printed bill; and in line 9, strike out "to" and insert "An act authorizing".

Amendment No. 2

In line 10 of the title of the printed bill, before the period, insert "in favor of credit unions".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 10 inclusive, and insert "SECTION 1 Public officers or employees are authorized and empowered to provide by wage and salary deductions for the purchase of shares in or the payment of money to any regularly chartered credit union Auditors, treasurers or other disbursing officers of any public agency are authorized and empowered to recognize and act upon such wage or salary assignments. No provision of law prohibiting, restricting or limiting the assignment or order for wages or salary shall be deemed in any way to prohibit, restrict or limit the power herein conferred."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2254 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N, Johnson, Knight, John B, Knight, T Fenton: Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—53.

NOES—None.

Assembly Bill No. 2254 ordered enrolled.

Assembly Bill No. 2384—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2384?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Authorized Emergency", and insert "Fire Department".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 5 to 9, inclusive, and insert "or a vehicle of a duly authorized member of a fire department, shall follow any vehicle of a fire department which is responding to an emergency or fire call"

Amendment No. 3

On page 1, line 12, of the printed bill, as amended, strike out "Emergency", and insert "Fire Department".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert "situation responded to by any fire department vehicles exists, except that in the event the nearest inter-".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2384 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—53

NOES—None

Assembly Bill No. 2384 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 9, of the printed bill, as amended, after "State", insert ", provided, however, that the granting or continued receipt of aid shall not be contingent upon the filing of such sworn statement by such spouse or adult child"

Amendment read

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 944—An act making an appropriation to the Department of Finance for the purpose of paying refunds of taxes, licenses, and fees.

Bill read third time

Motion to Amend

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out the period, and insert "by".

Amendment read

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None

Bill ordered reprinted, and to third reading

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 788—An act to amend Section 12200 of the Business and Professions Code, relating to terms of county sealers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 788?

Amendment No. 1

On page 1, line 8, of the printed bill, after "removed", insert "at the will of the appointing power, or".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 788 by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—56

NOES—None.

Assembly Bill No. 788 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 335—An act to add Section 6102.5 to the Business and Professions Code, relating to attorneys convicted of crimes involving moral turpitude.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Leonard, Lowrey, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—53

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 113—An act to repeal the article heading of Article 6, Chapter 2, Title 1, Part 3 of, and to add Article 6, consisting of Sections 280 to 283, inclusive, to Chapter 2, Title 1, Part 3 to, the Political Code, relating to offices for the Senate and the members thereof, and to make an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 113

Mr. Middough gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 113 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1325—An act to amend the Building and Loan Association Act by adding thereto a new section, to be numbered Section 13 16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 1.30 p m

JOHN B. KNIGHT, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1293

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1293—An act making an appropriation to the Department of Finance for State participation in the Los Banos May Day Festival and Live Stock Show, declaring the urgency hereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out lines 16 and 17 of the title of the printed bill, as amended, and insert "live stock show"

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert "ments by Section 19626 of the Business and Professions Code, there is hereby appropriated to the Department".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 22 to 41, inclusive

Amendments read and adopted

Bill ordered printed and to third reading

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 131—An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain

tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, and portions of the lands granted to the City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach, upon certain trusts and conditions," approved May 25, 1919, and granted to the said City of Newport Beach by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Newport Beach upon certain trusts and conditions," approved April 5, 1927, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions may be irrevocably alienated and conveyed free of public use and trust by the said county or the said city to the owner or owners of uplands contiguous thereto, or otherwise sold as herein provided.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cromin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Leonard, Lowrey, Maloney, Massoia, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—55.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 256—An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cromin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Leonard, Lowrey, Maloney, Massoia, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, and Wollenberg—55

NOES—None

Bill ordered transmitted to the Senate

CHANGE IN APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 3

The Speaker announced the appointment of Mr. Call to replace Mr. Field on a Committee on Conference concerning Senate Bill No. 3.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senator Quinn in place of Senator Jespersen as a member of the Committee on Conference concerning

Senate Bill No. 3—An act to amend Sections 50 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight and the payment of weight fees for commercial vehicles.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1b to Article IV thereof, relating to the power of the Legislature or the people (1) to confer power on administrative officers, boards or commissions to make decisions, and (2) to provide for appropriate judicial review of such decisions.

Resolution read.

Demand for Previous Question

Messrs. Howser, F. N., Collins, Sam L., Evans, Allen and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 8.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—56.

NOES—Clarke, Collins, George D., Donnelly, Hawkins, Heisinger, Masson, Meehan, and Pelletier—8

Notice of Motion to Reconsider Senate Constitutional Amendment No. 8

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 8 was this day adopted.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 9 of Article XIII of said Constitution, relating to State and county boards of equalization.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Welch, Weybret and Wollenberg—58

NOES—Call, Collins, George D., Johnson, and O'Day—4

Notice of Motion to Reconsider Senate Constitutional Amendment No. 18

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 18 was this day adopted

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Millington, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 784.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 784—An act to amend School Code Section 4.670, relating to the Public School System.

Bill read third time.

Urgency Clause

Urgency clause read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

Motion carried Time, 3 40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 395—An act to amend Section 622 of the Fish and Game Code, relating to goldfish and nonnative minnows.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—52

NOES—Bashore, Burkhalter, Call, Crowley, Gunlock, and O'Day—6

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Leonard, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 421.

Senate Bill No. 421—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Kilpatrick, King, Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Voigt, Welch, and Wollenberg—43

NOES—Bashore, Collins, Sam L., Evans, Howser, F. N., Johnson, Knight, John B., Poole, Robertson, and Waters—9

Bill ordered transmitted to the Senate

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Thurman, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 1310

Senate Bill No. 1310—An act making an appropriation to the Department of Natural Resources, Division of Forestry, from unexpended balances remaining of the moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," as amended, approved May 29, 1940, declaring the urgency of the act and that it take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Thurman moved a call of the Assembly.

Motion carried Time, 4 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 46—Relative to the fiftieth anniversary of Leland Stanford Junior University.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 26—Relative to National highways.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns Hugh M, Burns, Michael J., Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Russell, Sawallisch Sheridan, Stream, Tenney, Thomas, Voigt, Watson, Welch, Weybret, and Wollenberg—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1337—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for support, construction and equipment, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Richie, Russell, Sawallisch, Sheridan, Stream, Thurman, Voigt, Watson, Welch, Weybret, and Wollenberg—48

NOES—Bashore, Burkhalter, Evans, Howser, F. N., Kilpatrick, King, Middough, Poole, Robertson, and Tenney—10.

Motion to Expunge Record and Rescind Action

Mr. Weybret moved to expunge the record, and rescind the action whereby the urgency clause to Senate Bill No 1337 was this day refused adoption.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thurman, Voigt, Watson, Welch, Weybret, and Wollenberg—42.

NOES—Bashore, Burkhalter, Evans, Hawkins, Howser, F. N., Middough, Pelletier, Poole, and Robertson—9.

COMMUNICATIONS

The following communication was received and read:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as representative of the publication set opposite his name:

James Guthrie.....San Bernardino Daily Sun

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 620—An act to amend Section 6 of, and to add Section 10 to, an act entitled "An act providing for State and county exhibits at the Golden Gate International Exposition to be held in the San Francisco Bay region, California, providing for the construction of a State building or buildings therefor and the gardening and improvement of the surrounding grounds, providing for the disposition or demolition of buildings, exhibits, and other property upon the termination of the exposition, creating a California Commission for the Golden Gate International Exposition to have charge and control of such exhibits and such building or buildings, defining its powers and duties and making an appropriation therefor," approved May 25, 1937, relating to the disposal of the property of the California Commission for the Golden Gate International Exposition, abolishing the California Commission for the Golden Gate International Exposition and transferring its powers, duties, purposes, responsibilities and jurisdiction to the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thomas, Thurman, Watson, Welch, Weybret, and Wollenberg—55.

NOES—Evans, and Tenney—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 784

At 4 23 p.m , on motion of Mr Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 784 adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M , Burns, Michael J., Cain, Call, Cassidy, Collins, George D Collins, Sam L , Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins Heisinger, Johnson, Kilpatrick King, Knight, John B , Leonard, Lowrey, Maloney, Masson Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—63.

NOES—Bashore, Carlson, Donnelly, Houser, Frederick F., Howser, F. N., Knight, T Fenton, and Pfaff—7

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas Bashore, Bennett, Burkhalter, Burns Hugh M , Burns, Michael J , Call, Carlson, Cassidy, Clarke, Collins, George D , Cooke, Cronin, Crowley, Daley Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain Hawkins, Heisinger, Houser, Frederick F , Howser, F N , Johnson, Kilpatrick, Knight, John B , Knight, T Fenton, Leonard, Lowrey, Maloney, Masson Meehan, Middough Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas Thurman, Turner, Watson, Weber, Welch, and Wollenberg—63.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred.

Senate Bill No. 1211
Senate Bill No. 1309

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

ALLEN, Vice Chairman

Above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 760

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

ALLEN, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 299	Senate Bill No. 1001
Senate Bill No. 775	Senate Bill No. 1051
Senate Bill No 831	Senate Bill No. 1103
Senate Bill No. 943	Senate Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ALLEN, Vice Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 159	Assembly Bill No. 1519
Assembly Bill No. 207	Assembly Bill No. 1595
Assembly Bill No. 389	Assembly Bill No 1717
Assembly Bill No. 937	Assembly Bill No. 1856
Assembly Bill No. 1060	Assembly Bill No. 2152
Assembly Bill No. 1075	Assembly Bill No. 2218
Assembly Bill No. 1181	Assembly Bill No. 2402
Assembly Bill No. 1191	Assembly Bill No. 2440
Assembly Bill No. 1309	Assembly Bill No. 2541
Assembly Bill No. 1526	

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bills ordered to unfinished business file

Motion to Expunge Record and Rescind Action

Mr. Meehan moved to expunge the record and rescind the action whereby his motion that Senate Bill No. 794 be withdrawn from the Committee on Insurance and placed upon the file was this day lost.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Houser, Frederick F., Howser, F N, Johnson, Kilpatrick, Knight, John B, Leonard, Maloney, Massion, Miller, O'Day, Pelletier, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Weber, Weybret, and Wollenberg—45

NOES—Allen, Crowley, Knight, T. Fenton, Muddough, Millington, Phillips, and Welch—7.

Motion to Temporarily Suspend the Rules

Mr. Thomas moved that Rule No 16 be temporarily suspended for the purpose of considering Senate Bill No. 794, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cassidy, Clarke, Collins, George D, Cooke, Cronin, Del Mutolo, Dills, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Maloney, Massion, Meehan, Muddough, Miller, O'Day, Pelletier, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, and Weber—39.

NOES—Bashore, Carlson, Collins, Sam L., Daley, Dickey, Donnelly, Hastain, Heisinger, Knight, John B, Knight, T Fenton; Millington, Phillips, Turner, and Watson—14.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Dills, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on withdrawal of Senate Bill No 794.

Motion to Withdraw Senate Bill No. 794 From Committee

Mr. Meehan moved that Senate Bill No 794 be withdrawn from the Committee on Insurance, and be placed upon the file

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Meehan moved a call of the Assembly.

Motion carried Time, 4 45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 299—An act to amend Section 2209 of the Public Resources Code, relating to publications of the Division of Mines in the Department of Natural Resources

Bill read second time, and ordered to third reading.

Senate Bill No. 775—An act approving and adopting the report of the Department of Public Works on the coordinated plan for the development of the water resources of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 831—An act to amend Section 5287 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

Senate Bill No. 943—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes and other moneys, the amount of which does not justify the cost of their collection.

Bill read second time, and ordered to third reading.

Senate Bill No. 1001—An act to amend Section 4534 of the Elections Code, relating to campaign statements

Bill read second time, and ordered to third reading.

Senate Bill No. 1051—An act creating the Palm Springs Winter Park Authority and prescribing the powers and duties thereof, providing for the powers and duties of the State Department of Natural Resources in connection therewith, and authorizing the Department of Natural Resources to cooperate with the authority; authorizing the authority to construct and operate systems for the transportation of persons and propery to Mount San Jacinto State Park and for the improvement of the recreational facilities in said park, including the development, operation and maintenance of ski grounds and all facilities necessary or convenient for Winter sports; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; appropriating such proceeds

and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1103—An act to amend Section 663 of the Political Code, relating to the State Board of Control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1107—An act to add Section 67 to the State Civil Service Act, relating to the creation of new positions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1211—An act making an appropriation for the support, activities and functions of the California Farm Debt Adjustment Commission, disposing of unexpended money of a previous appropriation for such purposes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1309—An act to add Section 2713 to the Penal Code, relating to the Tobacco Manufacturing Revolving Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 760—An act to amend Section 7110 of the Business and Professions Code, relating to the regulation of contractors.

Bill read second time.

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the amended bill, strike out "or sales tax laws"

Amendment read and adopted.

Bill ordered reprinted and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1310

At 4.46 p.m., on motion of Mr. Thurman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No 1310 adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thurman, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—56.

NOES—Bashore, Burkhalter, Collins, Sam L., Evans, Hastain, Howser, F. N., Kilpatrick, King, Knight, John B., Middough, Poole, and Tenney—12.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo,

Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F. Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, Burkhalter, Collins, Sam L., Evans, Hastain, Howser, F. N., Knight, John B., Massion, Middough, and Voigt—10

Notice of Motion to Reconsider Senate Bill No. 1310

Mr. Voigt gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1310 was this day passed.

Speaker Presiding

At 5 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1339

The Speaker announced the appointment of Messrs. McCollister, Cronin and Maloney as a Committee on Conference concerning Senate Bill No. 1339.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2635—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add new sections, numbered 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10, to Division 4, Chapter 2, thereof, relating to the management, control and disposition of the community real property and the homestead property of insane or incompetent persons, and to repeal Sections 172b, 172c, 172d, 1269a, 1269b and 1269c of the Civil Code;

Assembly Bill No. 2639—An act to amend Section 384a of the Penal Code, relating to the unauthorized removal of plants and other substances from public or private lands or rights of way;

Assembly Bill No. 2644—An act to amend Section 1 of "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933, relating to tidelands and submerged lands granted to the City of San Diego;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 240—An act to amend Section 1538.5 of the Probate Code, relating to leases of wards' property;

Assembly Bill No. 356—An act to amend Section 1032a of the Code of Civil Procedure, relating to the cost of depositions as costs;

Assembly Bill No. 813—An act to amend Section 4057 of, and to add Section 4058 to, the Political Code, relating to county ordinances and to validate county ordinances wherein publication was defective;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 954—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Assembly Bill No. 1055—An act to add Section 4.2 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages in satisfaction of liens of warehousemen;

Assembly Bill No. 1059—An act to amend Section 737eee of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Yolo;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1119—An act to amend Section 123 of the Agricultural Code, relating to shipments of nursery stock;

Assembly Bill No. 1147—An act to amend Section 1083 of the Agricultural Code, relating to commercial feeding stuffs;

Assembly Bill No. 1152—An act to repeal Chapter 166 of the Statutes of 1939, relating to summary probate proceedings,
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1463—An act to amend Section 92 of the Agricultural Code, relating to district agricultural fairs;

Assembly Bill No. 1579—An act to amend the title and Sections 1a, 1b, 1c, 2, 3, 3a, 4, 5, 7, 8, 9, 12, 14, 15, 16, 17, 18 and 19 of the Municipal Improvement Act of 1913, and to add Sections 1e and 14a thereto, relating to the construction of public improvements, the levy of assessments and the limitation thereof and the issuance of bonds;

Assembly Bill No. 1598—An act to amend Sections 5821 and 5830 of the Streets and Highways Code, relating to the levy of a maintenance tax;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1635—An act to repeal and add Section 4101.5 of the Revenue and Taxation Code, relating to property taxation, and the redemption of property, to take effect immediately;

Assembly Bill No. 1690—An act to amend School Code Sections 3.730, 3.731, 3.732, 3.733, 3.734, 3.735, 3.736, 3.737 and 3.738, and to add Sections 3.735-1 and 3.735-2 to said code, all relating to physical education and related activities in the public schools;

Assembly Bill No. 1867—An act to amend Section 2576, to repeal Sections 2577 and 2578 and to amend and renumber Section 2579 of the Welfare and Institutions Code, relating to aid and relief to indigents and providing for reimbursement to the county from responsible relatives;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2015—An act to amend Section 72 of the Agricultural Code, relating to the Division of Exhibits in the Department of Finance;

Assembly Bill No. 2105—An act to add Section 39 to the Fish and Game Code, relating to the powers of the commission to determine and fix the bag limits for migratory birds;

Assembly Bill No. 2355—An act to amend School Code Section 3.760, relating to courses of study in day elementary schools;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2624—An act to amend Section 470 of the Civil Code, relating to the use of land of a municipality by railroad corporations;

Assembly Bill No. 2626—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis indemnities;

Assembly Bill No. 2632—An act to validate that certain conveyance heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, to Lodi Winery, Inc., a corporation, by deed dated August 2, 1938, and recorded May 23, 1940, in Book of Official Records, Vol. 692, at page 249, in the office of the county recorder of the County of San Joaquin, State of California, involving certain portions of right of way and real property rights, at and near Urgon Station, between the City of Lodi and the Station of Acampo, in the County of San Joaquin, State of California, acquired by Central Pacific Railway Company, under the act of the Legislature of the State of California, approved May 20, 1861 (Statutes of California, Twelfth Session, 1861, Chapter 532, page 607, and following), as amended, and by the act of the Legislature of the State of California, approved April 4, 1864 (Statutes of California, 1863-4, Chapter 417, page 471, and following) and acts amendatory thereof or supplemental thereto;
And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1941, at 5 p.m.

JOHN B. KNIGHT, Chairman

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1475 become a law notwithstanding the objections of the Governor?

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Pfaff, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1475.

Motion to Temporarily Suspend the Rules

Mr. Gaffney moved that the Rules be temporarily suspended for the purpose of considering allowing additional time for consideration of the Governor's veto of Assembly Bill No. 1475.

Motion carried.

Demand for Previous Question

Messrs. Howser, F. N., Robertson, Evans, Bashore and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being: Shall Assembly Bill No. 1475 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Pfaff moved a call of the Assembly.

Motion carried. Time, 5.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW SENATE BILL NO. 794 FROM COMMITTEE

At 5.49 p.m., on motion of Mr. Meehan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Senate Bill No. 794 be withdrawn from the Committee on Insurance and placed upon the file carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sheridan, Tenney, Thomas, Turner, and Wollenberg—41.

NOES—Allen, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Green, Hastain, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Maloney, Millington, Phillips, Potter, Robertson, Sawallisch, Stream, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker—28

Senate Bill No. 794 ordered to second reading.

RECESS

At 5.52 p.m., on motion of Mr. Desmond, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Robert Miller Green, member of the Assembly from the Twenty-eighth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 27

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Gunlock, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Joint Resolution No. 27.

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Joint Resolution No. 27—Relative to the investigation by the Joint Committee on Water Problems of the water service from

Shasta Reservoir to the area lying south of the Pit River and memorializing Congress to investigate and make provision for serving water to this land.

Request for Unanimous Consent

Mr. Gunlock asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 27, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 27

Senate Joint Resolution No. 27—Relative to the investigation by the Joint Committee on Water Problems of the water service from Shasta Reservoir to the area lying south of the Pit River and memorializing Congress to investigate and make provision for serving water to this land.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dilworth, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 357	Assembly Bill No. 709
Assembly Bill No. 434	Assembly Bill No. 912
Assembly Bill No. 438	Assembly Bill No. 1026
Assembly Bill No. 469	Assembly Bill No. 1396
Assembly Bill No. 476	Assembly Bill No. 1554
Assembly Bill No. 488	Assembly Bill No. 1631
Assembly Bill No. 508	Assembly Bill No. 1799
Assembly Bill No. 627	Assembly Bill No. 2120
Assembly Bill No. 629	Assembly Bill No. 2265
Assembly Bill No. 630	Assembly Bill No. 2386
Assembly Bill No. 631	Assembly Bill No. 2595
Assembly Bill No. 707	Assembly Bill No. 2654

J. A. BEEK, Secretary of the Senate

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 24	Senate Bill No. 749
Senate Bill No. 120	Senate Bill No. 861
Senate Bill No. 303	Senate Bill No. 1047
Senate Bill No. 436	Senate Bill No. 1162

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1390—An act to amend Sections 59, 90, 93, 95, 125, and 172 of and to add Sections 16.5, 83.5 and 151.6 to the State Civil Service Act, relating to State civil service.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 3—An act to amend Sections 50, 81 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight, the definition of street or highway, and the payment of weight fees for commercial vehicles.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

MOTION TO EXCUSE MEMBER TEMPORARILY

Mr. Kilpatrick asked for, and was granted, unanimous consent to be absent for 30 minutes to appear before a Senate committee.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 42	Assembly Bill No. 1962
Assembly Bill No. 124	Assembly Bill No. 2036
Assembly Bill No. 626	Assembly Bill No. 2431
Assembly Bill No. 628	Assembly Bill No. 2641
Assembly Bill No. 1124	Assembly Bill No. 2465
Assembly Bill No. 1255	Assembly Bill No. 2606
Assembly Bill No. 1594	Assembly Bill No. 2629

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1316—An act to amend Sections 1012, 1018, 1019, 1023, 1025, 1028, 1030, 1034, 1035, 1042, and 1043 of, and to add Section 1046 to, the Military and Veterans Code, relating to veterans, including the administration of estates of incompetent and deceased veterans and the conduct of the veterans home and the powers and duties of the officers thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thurman, Watson, Weybret, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend Sections 1300.12, 1300.14, 1300.17, 1300.20, 1300.23 and 1300.28 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "of", insert ", and to add Section 1300.12a to,".

Amendment No. 2

On page 3 of the printed bill, as amended, after line 2, insert

"SEC. 1.5. Section 1300.12a is hereby added to the Agricultural Code to read as follows:

1300.12a. The Legislature hereby declares that the addition of the phrase "(including wine)" in subdivision (c) of Section 1300.12 is made for the purpose of clarification only and is nowise to be construed or interpreted as an indication that wine is not an agricultural commodity as defined in that subdivision as originally enacted in Chapter 404, Statutes of 1937, and as heretofore amended. The Legislature hereby further declares that at the time of the original enactment of said subdivision (c) and at all times since, it intended that wine be, and wine was, included within the definition of the term "agricultural commodity."

Any and all marketing orders heretofore issued, signed, or declared effective and all acts of the director heretofore performed pursuant to the provisions of this chapter and consistent with the declarations contained in this section are hereby confirmed, ratified and validated."

Amendment No. 3

On page 10, of the printed bill, as amended, strike out lines 7 to 24, inclusive; and on line 25, strike out "Sec. 7.", and insert

"SEC. 7. Any marketing order issued by the director pursuant to Chapter 10, Division 6, of the Agricultural Code and in effect upon the twenty-sixth day of June, 1939, which by its terms was to remain in effect until the first day of January, 1941, or later, and as to which the director prior to the effective date of this act did not make a finding that such order was in conformity with Section 1300.14 of the Agricultural Code as amended by Chapter 665 of the Statutes of 1939, is hereby validated, ratified, approved and confirmed.

SEC. 8."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Bennett, Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Richie, Russell, Salsman, Sheridan, Stream, Thurman, Watson, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—None.

Bill ordered reprinted, and to third reading.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Hastain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 336.

Senate Bill No. 336—An act relating to State School Lands and declaring the rights of holders of certificates of purchase affected by "An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in Section 3513 of the Political Code, to take effect immediately," approved January 31, 1935 (Chapter 8, Statutes of 1935), repealing Section 2 of said act.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hastain moved a call of the Assembly.

Motion carried. Time, 8.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Hastain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 1329.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1329—An act to add Section 12b to the California Districts Securities Commission Act, relating to notice and hearing of certain proceedings before the California District Securities Commission and relating to the change, modification or amendment of refunding plans and of the terms and conditions of refunding bonds of irrigation districts, to take effect immediately.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hastain moved a call of the Assembly.

Motion carried. Time, 8 37 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Wollenberg, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 401.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 401—An act to add Section 555 to the Labor Code, relating to working hours and days.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Massion, Middough, Miller, Millington, O'Day, Potter, Richie, Robertson, Salsman, Stream, Thurman, Voigt, Watson, Welch, Weybret, and Wollenberg—45.

NOES—Dills, Evans, Heisinger, Pelletier, and Russell—5.

Bill ordered transmitted to the Senate.

MOTION TO TEMPORARILY SUSPEND RULE NO. 16

Mr. O'Day moved to temporarily suspend Rule No. 16 in so far as it appertains to the order of the Daily File.

The roll was called, and the motion lost by the following vote.

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans,

Gaffney, Gallagher, Gunlock, Heisinger, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Sheridan, and Voigt—31.

NOES—Allen, Carlson, Clarke, Daley, Desmond, Dickey, Dilworth, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Middough, Miller, Millington, Pfaff, Salsman, Stream, Thurman, Waters, Watson, Weber, Weybret, and Wollenberg—26.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 30

The Speaker announced the appointment of Messrs. Lyon, Tenney and Houser, Frederick F., as a Committee on Conference concerning Senate Bill No. 30.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Wollenberg, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Constitutional Amendment No. 7.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Resolution read.

Demand for Previous Question

Messrs. Evans, Cooke, Dickey, Howser, F. N., and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 7.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Wollenberg moved a call of the Assembly.

Roll Call Demanded

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dilworth, Donnelly, Gaffney, Gallagher, Gunlock, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Middough, Miller, Millington, O'Day, Pelletier, Potter, Richie, Russell, Salsman, Sheridan, Stream, Thurman, Weber, Welch, Weybret, and Wollenberg—41.

NOES—Andreas, Bashore, Collins, Sam L., Cooke, Del Mutolo, Evans, McCollister, Robertson, and Voigt—9.

Call of the Assembly

Time, 9.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Stream, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 859.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 859—An act to add Section 3560.1 to the Harbors and Navigation Code, relating to the possession, control and jurisdiction of the Board of State Harbor Commissioners for the Bay of San Diego over lands, including tidelands and submerged lands within the Bay of San Diego.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 260—An act to amend Sections 343 and 344 of the Agricultural Code, relating to fees for inspection of animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1342—An act to amend Section 4014a of the Political Code, relating to township officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Voigt, Waters, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1343—An act to amend Sections 8931, 8938, 8939, and 9100 and to repeal Section 9053 of, and to add Section 9055, to the Health and Safety Code, and to repeal Chapter 106 of the Statutes of 1909, relating to cemetery districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Voigt, Waters, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Lowrey, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Senate Bill No. 1073.

Senate Bill No. 1073—An act to add Section 3466c to the Political Code, relating to the Sutter-Butte By-Pass Assessment No. 6 of the Sacramento and San Joaquin Drainage District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 9.45 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Senate Bill No. 232—An act to amend School Code Section 4.102a, relating to, and making an appropriation for vocational rehabilitation.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lowrey, Massion McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—59.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER. Your Committee on Fish and Game, to which was referred. Senate Bill No. 308

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 308—An act to amend Section 54 of the Fish and Game Code, relating to game management.

Bill read second time, and ordered to third reading

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 255—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the California Commission on Interstate Cooperation, and providing for the expenditure of the same," approved July 22, 1939, extending the period of time during which the appropriation is available, this act to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—56

NOES—Burkhalter, Carlson, Collins, Sam L., Evans, Howser, F. N., Knight, T. Fenton; and Waters—7

Notice of Motion to Reconsider Senate Bill No. 255

Mr. Middough gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 255 was this day passed.

Senate Bill No. 416—An act to amend Sections 9, 30, 34, 35, 46, 49, 76, 85a, 90, 92 and 101 of the State Employees Retirement Act, relating to a retirement system for employees and officers of the State of California, and of such cities, school districts, and counties as may elect to include their employees by contract

Bill read third time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "9,", insert "30,".

Amendment No. 2

On page 2 of the printed bill, as amended, preceding line 14, insert

"SEC. 1.5. Section 30 of said act is hereby amended to read as follows.

Sec. 30. Elective officers, *other than elective State officers who file with the Board of Administration on election in writing to become members;* provided, that any person so excluded from membership, who later becomes a member hereof, shall have the option of making contributions to the retirement system in the amount

which he would have contributed had he not been so excluded, and he shall then receive credit for prior service in the same manner as if he had not been so excluded. If he shall affirmatively exercise the option, the contributions of the State, or of the contracting city because of his membership, shall be the same as they would have been had he not been so excluded;".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Bill ordered reprinted, and to third reading.

Senate Bill No. 981—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, relating to the enforcement of this act and the payment of fees, salaries, costs, and expenses therefor from live stock indemnity funds, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: The Committee on Conference concerning.

Assembly Bill No. 1390—An act to amend Sections 59, 90, 93, 95, 125, and 172 of, and to add Sections 16.5, 83.5 and 151 to, the State Civil Service Act, relating to State civil service;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 30, 1941, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "93, 95,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out "Sections 16.5, 83.5 and", and insert "Section".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 6 to 13, inclusive.

Amendment No. 4

On page 4 of the printed bill, as amended, strike out lines 33 to 50, inclusive; and on page 5, strike out lines 1 to 9, inclusive.

SWAN
MAYO
PARKMAN
Senate Committee on Conference

DESMOND
JOHNSON
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1390 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 18 WAIVED

Mr. Maloney waived his notice of motion to reconsider the vote whereby Senate Constitutional Amendment No. 18 was adopted.

Senate Constitutional Amendment No. 18 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 18

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 18 was this day passed.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury,

loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired in the name of said district as created by said chapter; to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to declare the urgency of this act, to take effect immediately;
consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 10, line 40, of the printed bill, as amended, strike out "of the", and insert "of any".

Amendment No. 2

On page 10, lines 41 and 42, of the printed bill, as amended, strike out "and the county shall have power after the date of dissolution of such district", and insert "or its powers".

Amendment No. 3

On page 10, line 44, of the printed bill, as amended, strike out "and shall have power", and insert "or".

KEATING	McCOLLISTER
KUCHEL	CRONIN
BREED	MALONEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 1411, entitled: "An act to add Section 162 to the Revenue and Taxation Code, relating to actions to quiet title against the State."

My objections to this bill are as follows:

This bill would permit any taxing agency to include the State as a defendant in any action to quiet title to property claimed by such taxing agency.

In my veto message on Assembly Bill No. 1016, transmitted to you on May 16, 1941, I indicated the necessity of special provisions to be included in any bill to authorize quiet title suits against the State, and there is appended hereto a copy of that message.

In addition, this bill goes further than Assembly Bill No. 1016, which limited the types of interest held or claimed by the State, against which title could be quieted, to liens, other than for taxes levied directly against the property.

The necessity for specifying the claim of the State against which title is sought to be quieted, due to the broader scope of the bill, is more apparent even than in the case of Assembly Bill No. 1016.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Bill ordered on unfinished business file.

COMMUNICATIONS

The following communication was received and read, and on motion of Mr. Maloney, ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, June 10, 1941

Honorable Gordon Garland, Speaker of the Assembly
Sacramento, California

DEAR MR. SPEAKER: The honor which the Members of the Assembly so graciously conferred upon me Saturday by resolution, affected me so deeply that I fear I did not properly express my gratitude and appreciation to all the Members and particularly to the authors of the resolution, Messrs. Garland, Desmond, Lyon and Maloney.

Although the honorary designation has never been accorded me before, the uniform kindness and courtesy of the Members of your Body has been one of my most cherished possessions during the years that Mr Crowley has served here. They have always made me feel welcome among them and as Bill Hornblower would have said I was one of you "right up to the roll call"

I have often wished that each and every one of California's citizens might sit in upon your sessions as I have done for the promotion of a better understanding among them

I am sure that they would have the same reactions which I have developed during these years—First, a rather amazed appreciation of the character, ability and intelligence of the men who accept the low-salaried office and the conscientious, unselfish service which they render the State—and second, a growing conviction that the people do not make mistakes On rare occasions, a man is chosen who does not grace his office but his sojourn is short and the body as a whole maintains an unusually high standard.

Perhaps I must admit not being entirely impartial in the matter, but without derogation of any other official, may I say that as I have watched men come and go, and some return again, I have felt that the Legislators, elected directly by the people of their districts, returned or removed in accordance with the desires and prejudices of their constituents, are closest to the heart and pulse of California and that the Legislature is truly the voice of the people at home.

Therefore, may I again thank you all sincerely for the courtesy of nominating me an Honorary Member of so worthy a Body

Respectfully yours,

GEORGIA CROWLEY

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 336

At 10.45 p m., on motion of Mr Hastain, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No 336 adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F N, Johnson, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J, Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F, Howser, F N., Johnson, King, Knight, John B., Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch

Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1329

At 10.47 p m., on motion of Mr. Hastain, further procedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1329 adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

My absence from the Assembly Chamber the last few days has been due to illness.

BYRL R. SALSMAN

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 7

At 10.55 p.m., on motion of Mr. Wollenberg, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 7 adopted by the following vote:

AYES—Allen, Bennett, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Andreas, Bashore, Burkhalter, Cain, Collins, George D., Cooke, Del Mutolo, Desmond, Gallagher, Gunlock, Howser, F. N., Johnson, McCollister, O'Day, and Voigt—15.

Notice of Motion to Reconsider Senate Constitutional Amendment No. 7

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 7 was this day adopted.

COMMUNICATIONS

The following communication was received, and on motion of Mr. Bashore, ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, June 10, 1941

Honorable George D Collins, Jr.,
Assembly Chamber, State Capitol
Sacramento, California

SUBJECT: Assembly Bill No. 2658
REQUEST No. 4223

DEAR MR. COLLINS: You have requested that we advise you whether, in our opinion, Assembly Bill No. 2658 required a vote on final passage of two-thirds of all the Members elected to each house of the Legislature.

In our opinion, Assembly Bill No 2658, in its form as introduced, only required a majority of all Members elected to each house.

In the absence of provision to the contrary, only a majority vote of all Members elected to each house is necessary on the final passage of a bill. The only applicable provision which we have been able to find which would appear to require more than a majority vote is Section 34a of Article IV of the Constitution.

Section 34a of Article IV of the Constitution requires a two-thirds vote on all appropriations out of the General Fund when the base established in Section 34a is exceeded. This section does not relate to appropriations made out of special funds.

Assembly Bill No 2658 makes an appropriation out of a special fund, the Boat Fund, created by Deering Act No 7120 Consequently, we do not believe that Section 34a of Article IV of the Constitution applies to Assembly Bill No. 2658, and thus, that only a majority vote of all Members elected was necessary on final passage of the bill.

Very truly yours,

FRED B WOOD, Legislative Counsel
By NORMAN MELLER, Assistant Counsel

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1475

At 11.02 p.m , on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly sustained the objections of the Governor to Assembly Bill No. 1475 by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J , Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle Evans, Hasrain Heisinger, Houser, Frederick F, Howser, F. N., Knight, John B., Knight, T Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thurman, Voigt, Waters, Watson, Weybret, and Mr Speaker—49

NOES—Burkhalter, Cain, Cassidy, Collins, George D , Dills, Gaffney, Gallagher, Gunlock, Johnson, Kilpatrick, King, Lowrey, Massion, O'Day, Richie, Tenney, Weber, Welch, and Wollenberg—19.

NOTICE OF MOTION TO RECONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1475

Mr. Pfaff gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly sustained the objections of the Governor to Assembly Bill No. 1475.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in and that the bill, as amended on May 16, 1941, be further amended as follows:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 1 and".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, following "Section", strike out "5", and insert "1".

Amendment No. 3

On page 1, following line 2, of the printed bill as amended, insert

"Section 1. A bureau is hereby created to be known as the Legislative Counsel Bureau which shall be in charge of a chief, who shall be a civil executive officer and who shall be known as the Legislative Counsel of California. [He shall be selected as soon as may be after the passage of this act and biennially thereafter before the first Wednesday after the first Monday after the first day of January in each odd numbered year by the Senate and Assembly in joint session.] *He shall be selected by concurrent resolution at the beginning of each regular session and shall serve until his successor is selected and qualified.* The Legislative Counsel in office at the time of the approval of this act shall, until [an election is held] *a selection is made* under this act, hold the office of Legislative Counsel of California created by this act, subject to removal by the Legislature. If a vacancy should occur while the Legislature is not in session, a committee consisting of the Speaker of the Assembly, the Speaker pro tempore of the Assembly, the President pro tempore of the Senate and the Chairman of the Finance Committee of the Senate shall select the Legislative Counsel to serve until the Legislature in session makes a selection for the office. The Legislative Counsel shall be chosen without reference to party affiliations and solely on the ground of fitness to perform the duties of his office.

SEC. 2. Section 5 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 4

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "seven thousand five hundred dollars ($7,500)", and insert "six thousand dollars ($6,000)"

KENNY	LYON
TICKLE	TENNEY
PARKMAN	HOUSER, FREDERICK F
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Tenney, Thurman, Voigt, Waters, Welch, Wevbret, Wollenberg, and Mr. Speaker—56

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 226—An act to amend Sections 92 and 146 of, and to add Section 108 to, the Civil Code, relating to divorce actions

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 3 and 4; and in line 5, strike out "ness and Professional Code," and insert "least three continuous years immediately preceding the filing of the action and upon the testimony of a member of the medical staff of said institution"

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Gunlock, Hastain, Hersinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Stream, Tenney, Thurman, Voigt, Waters, Wollenberg, and Mr. Speaker—52

NOES—Maloney, and Welch—2

Bill ordered to reprint and third reading.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 221—An act to amend Section 4.770 of the School Code, relating to the allowance of teacher units to elementary school districts.

Bill read third time.

Motion to Amend

Mr. Salsman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 4.770 of", and insert "add Sections 4.791-1 and 4.793-1 to".

Amendment No. 2

In the title of the printed bill, as amended, strike out all of lines 2 and 3, both inclusive, and insert "apportionments from the State General Fund for the support of elementary schools."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out all of lines 1 to 27, inclusive, and insert

"SECTION 1. Section 4.791-1 is hereby added to the School Code, to read as follows:

4.791-1. In addition to the amount required to be apportioned from the State General Fund to each county for the support of elementary schools, as provided in Section 4.791 of this code, the Superintendent of Public Instruction shall add an amount sufficient to provide the apportionment required by Section 4.793-1 of this code, and the Controller shall draw his warrants on the General Fund in favor of the several county treasurers and the Treasurer shall pay such warrants, for the amounts so apportioned, at the same time and in the same manner as provided for the drawing and payment of warrants on the State School Fund.

SEC. 2. Section 4.793-1 is hereby added to the School Code, to read as follows:

4.793-1. He shall apportion to each elementary school district having an average daily attendance in excess of 25, but not greater than 70, an additional two hundred eighty dollars ($280) for each unit of the first five units of average daily attendance in excess of 25 and an additional one hundred forty dollars ($140) for each unit of the first 10 units of average daily attendance in excess of 50."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thurman, Voigt, Waters, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Henry W. Hinds, Jr., of San Francisco

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Spriesterback, Harold D. Johnson and Jim W. Carr, Electricians on the U. S. S. Astoria.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Alice Marguerite McEvoy of Washington, and Mrs. R B. Ahern of Sacramento.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jean Porter and Miss Maxine McClain of Bakersfield.

ADJOURNMENT

At 11.12 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a m., Thursday, June 12, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FOURTH LEGISLATIVE DAY
ONE HUNDRED FIFTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 12, 1941

The Assembly met at 11 a.m.
Hon. Gordon H Garland, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Andreas, Bashore, Bennett, Burns, Michael J., Call, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gunlock, Heisinger, Howser, F. N, Kilpatrick, Knight, T Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Salsman, Sheridan, Stream, Thorp, Waters, Watson, Weybret, and Mr. Speaker—42.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Donnelly.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Potter.
Mr. Poulson, on motion of Mr. Waters.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 42—An act to add Section 73 5 to the Agricultural Code, relating to exhibits at the California State Fair.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 42?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Each", and insert "Subject to such rules and regulations as the board of directors of the State Agricultural Society may adopt with the approval of the Department of Finance, each".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 42 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, and Mr. Speaker—45

NOES—None.

Assembly Bill No. 42 ordered enrolled.

Assembly Bill No. 2300—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2300?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, strike out "part", and insert "meat".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2300 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—47

NOES—None.

Assembly Bill No. 2300 ordered enrolled.

Assembly Bill No. 124—An act to add Article 3, consisting of Section 3800, to Chapter 4 of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation insurance and applicants for construction, improvement, alteration, or demolition permits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 124?

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert "building or structure shall require that each applicant for such permit have on file or file

(1) A certificate of consent to self-insure issued by the Industrial Accident Commission, or

(2) A certificate of workmen's compensation insurance issued by an admitted insurer, or

(3) An exact copy or duplicate thereof certified by the commission or the insurer."

Amendment No. 2

On page 1 of the printed bill, strike out lines 16 and 17, inclusive, and insert "in a form approved by the Insurance Commissioner. The certificate shall show the expiration date of the policy. No insurer shall issue such certificate unless the full deposit premium on the policy has been paid, and the insurer shall give the county or city at least 10 days advance notice of the cancellation of the policy."

Amendment No. 3

On page 1 of the printed bill, strike out line 7, and insert

"3800. Every county or city which requires the"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 124 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—None

Assembly Bill No. 124 ordered enrolled.

Assembly Bill No. 1591—An act to amend the act entitled "District Investigation Act of 1933," relating to sanitary and sanitation districts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1591?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend the act entitled " ", and insert "add Section 24 to the".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, after "1933," strike out the quotation marks.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1591 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 1591 ordered enrolled.

Assembly Bill No. 207—An act to add Sections 2010, 2011 and 2012 to, and to amend Sections 2182 and 2183 of, the Welfare and Institutions Code, relating to aid to the aged, providing for the payment thereof, and specifying the powers and duties of certain public officers and employees in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 207?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Sections 2182 and", and insert "Section".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 8 to 37, inclusive

Amendment No. 3

On page 3, line 1, of the printed bill, as amended, strike out "date when", and insert "first day of the month in which".

Amendment No. 4

On page 3 of the printed bill, as amended, strike out lines 2 to 6, inclusive, and insert "he is eligible but in no event shall the aid commence prior to the date of application. If the investigation is not completed at the end of the 90-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the first day of the month following the end of the 90-day period."

Amendment No. 5

On page 1, line 5, of the printed bill, as amended, before "religious", insert "political or".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 207 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 207 ordered enrolled.

Assembly Bill No. 937—An act to amend Sections 23, 29, 29.5, 40, 43, 49 and 63 of, to repeal Section 31 of, and to add Sections 2.5, 31, 36.5, 40.5 and 70.5 to the Gift Tax Act of 1939, relating to the taxation of transfers of property, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 937?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended, strike out "or existing", and insert "solely for charitable, educational, public or other like work".

Amendment No. 2

On page 2, lines 6 and 7, of the printed bill, as amended, strike out "that it is organized solely for charitable, educational, public or other like work under the laws".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 937 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 937 ordered enrolled.

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1060?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly May 8, 1941, after "district", strike out the period, and insert "provided, however, that such rules and regulations do not conflict with rules and regulations of the State Board of Education."

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 1060 by the following vote:

AYES—Call, Carlson, Doyle, and Pelletier—4.

NOES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Donnelly, Gunlock, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—41.

Assembly Bill No. 1060 ordered to conference.

Assembly Bill No. 626—An act to amend Section 745 of the Welfare and Institutions Code, relating to the modification of commitment orders of juvenile delinquents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 626?

Amendment No. 1

On page 1, line 25, of the printed bill, after "law," strike out "or by rule of the Department of Institutions."

Amendment No. 2

On page 1, line 27, of the printed bill, after "institutions", insert "However, before any inmate of a correctional school may be transferred to a State hospital for the insane, he shall first be returned to a court of competent jurisdiction, and, after hearing, may be committed to a State hospital for the insane in accordance with law."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 626 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—47

NOES—None.

Assembly Bill No. 626 ordered enrolled.

Assembly Bill No. 628—An act to amend Section 6700 of the Welfare and Institutions Code, relating to the transfer of inmates of State institutions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 628?

Amendment No. 1

On page 1, line 23, of the printed bill, after "district", insert "However, before any inmate of a correctional school may be transferred to a State hospital for the insane, he shall first be returned to a court of competent jurisdiction, and, after hearing, may be committed to a State hospital for the insane in accordance with law."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 628 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 628 ordered enrolled.

Assembly Bill No. 1271—An act to amend Sections 468, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2, 511.3 and 511.4 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1271?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "511.2, 511.3 and 511.4", and insert "511.2 and 511.3".

Amendment No. 2

On page 4, line 19, of the printed bill, as amended, strike out "(a)".

Amendment No. 3

On page 4 of the printed bill, as amended, strike out all of lines 31 to 40, inclusive.

Amendment No. 4

On page 5 of the printed bill, as amended, strike out all of lines 12 to 14, inclusive, and insert "Works."

Amendment No. 5

On page 5 of the printed bill, as amended, strike out all of lines 15 to 19, inclusive.

Amendment No. 6

On page 5, line 20, of the printed bill, as amended, strike out "Sec. 8", and insert "Sec. 7".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1271 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Gaffney, Gunlock, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1271 ordered enrolled.

Assembly Bill No. 1274—An act to amend Sections 158, 162, 178, 179, 183 and 226 of, and to add Section 195.5 to, the Vehicle Code, relating to the registration of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1274?

Amendment No. 1

On page 2, line 36, of the printed bill, strike out "or criminal"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1274 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56

NOES—None.

Assembly Bill No. 1274 ordered enrolled

Assembly Bill No. 1288—An act to add a new section to be numbered 641 to, and to amend Section 679 of, the Vehicle Code, relating to the condition of a vehicle and its equipment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1288?

Amendment No. 1

Strike out line 1 of the title of the printed bill.

Amendment No. 2

In line 2 of the title of the printed bill, before "amend", insert "An act to".

Amendment No. 3

In line 2 of the title of the printed bill, strike out the comma after "of"

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 6, inclusive

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "SEC 2", and insert "SECTION 1"

Amendment No. 6

On page 1 of the printed bill, strike out all of lines 10 to 15, inclusive and insert "Equipment or in Unsafe Condition It is unlawful to operate on any highway any vehicle or combination of vehicles which is in an unsafe condition, which is not equipped as required by this code, or which is not safely loaded"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1288 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Kilpatrick, Knight, John B, Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret and Mr Speaker—56.
NOES—None.

Assembly Bill No. 1288 ordered enrolled.

Assembly Bill No. 1290—An act to add a new section, to be numbered 660, to the Vehicle Code, relating to the sale of used vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1290?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "adjusting", and insert "testing and if necessary adjusting".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1290 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M, Burns Michael J, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins Heisinger, Houser, Frederick F, Howser, F. N, Johnson, Kilpatrick, Knight, John B, Knight, T Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1290 ordered enrolled.

Hon. Frederick F. Houser Presiding

At 11 30 a.m., Hon. Frederick F. Houser, Member of the Assembly from the Fifty-third District, presiding

Assembly Bill No. 1181—An act to add Section 136d to the Bank Act, relating to the disposition of property held by a bank or trust company in process of liquidation as trustee or in safekeeping, and the persons entitled thereto are unknown or can not be found and authorizing delivery of such property to persons establishing right thereto.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1181?

Amendment No. 1

Strike out lines 5 to 11, inclusive, of the title of the printed bill, as amended, and insert "property held as trustee or in safekeeping by a bank, title insurance or trust company in process of liquidation, providing for the escheat thereof, authorizing the

State Treasurer to act as a trustee for a trust company, bank, or title insurance company in liquidation, and making an appropriation"

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 8 to 10, inclusive, and insert "insurance company is situated, it may:

(a) In the case of money, deliver the same to the State Treasurer;

(b) In the case of other property, deliver the same to the State Controller for deposit in the State Treasury, and at the same time it shall furnish to the State Controller a certified copy of the court order approving the delivery and a notice stating the amount of money delivered to the State Treasurer Upon the receipt of money or other property by the State Treasurer, he shall issue a receipt for the".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 15 to 28, inclusive, and insert

"All money received by the State Treasurer pursuant to this section shall be deposited in the School Land Fund. All money or other property deposited pursuant to this section shall be recorded and accounted for by the State Controller.

Any person who claims the money or property so deposited with the State Treasurer shall file a verified petition in the superior court in and for the County of Sacramento, stating facts necessary for the court to determine his right thereto. If, upon trial of the issues, the court is satisfied of the claimant's right or title to the money or property claimed, it shall grant him a certificate to that effect under its seal Upon presentation of such certificate, the State Controller shall draw his warrant on the State Treasurer for the amount of money covered thereby, and if the certificate covered any property, upon presentation of such certificate the State Controller shall direct the State Treasurer to deliver the property to the claimant, and the certificate shall serve as sufficient authority for the delivery of the property to the claimant.

Whenever the money claimed by any person, or the total value of property, including money claimed, is less than three hundred dollars ($300) any such claimant may, in lieu of filing such petition, present his claim for the money or other property to the State Board of Control, stating facts necessary for the board to determine his right thereto The board may, in its discretion, upon recommendation of the Attorney General, allow and order paid such claim, or order the delivery of the property to the claimant When payment has been made or the property has been delivered under this section to any claimant, no suit shall thereafter be maintained by any other claimant against the State or any officer thereof for or on account of such money or property.

There is hereby appropriated out of the School Land Fund such moneys as are necessary to pay the warrants drawn by the State Controller upon presentation of the certificate of the superior court, or upon the order of the State Board of Control for the payment of a claim allowed by it, all as provided for in this section."

Amendment No. 4

On page 2, line 37, of the printed bill, as amended, after the period, insert "Upon escheat of such money or other property, the money and proceeds from the property shall be disposed of in the same manner as is provided by law for the disposal of estates of deceased persons which have escheated"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1181 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Heuser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1181 ordered enrolled.

Assembly Bill No. 70—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 70?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Senate June 5, 1941, strike out "jack knife clams,".

Amendment No. 2

On page 1, line 13, of the printed bill, as amended, strike out the comma following "fish", and insert "or".

Amendment No. 3

On page 1, line 13, of the printed bill, as amended, after "mollusk", strike out the comma.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 70 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 70 ordered enrolled.

Assembly Bill No. 1191—An act to repeal Sections 22.5 and 24.5 of, and to add Sections 22.5 and 24.5 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1191?

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "account", and insert "amount".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1191 by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56

NOES—None.

Assembly Bill No. 1191 ordered enrolled.

Assembly Bill No. 1255—An act to amend Section 559½ of the Code of Civil Procedure, relating to alias writs of attachment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1255?

Amendment No. 1

On page 1, line 6, of the printed bill, after "plaintiff", and before the comma, insert "at any time before judgment".

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "bond", and insert "affidavit for attachment or of a new undertaking".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1255 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Robertson, Russell,

Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1255 ordered enrolled.

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4062, 4063, 4064, 4064.5, 4080, 4082, 4084, 4085, 5000 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sections 5020 and 5021, of Chapter 4, Part 1, Division 2, of the Insurance Code and to add Section 4065 thereto, all relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1519?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "4064 5,".

Amendment No. 2

In line 6 of the title of the printed bill, as amended, strike out "Section", and insert "Sections 4064 5 and".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1519 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1519 ordered enrolled.

Assembly Bill No. 1309—An act to add Section 155.5 to the Welfare and Institutions Code, relating to the Whittier State School.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1309?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "State Boys' School", and insert "Fred C. Nelles School for Boys".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, strike out "State Boys' School", and insert "Fred C. Nelles School for Boys".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1309 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1309 ordered enrolled.

Assembly Bill No. 1526—An act to further the education of children of disabled World War veterans by allowing free tuition in State-owned colleges and universities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1526?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out the period, and insert ", nor shall anything in this act prevent the charging and collecting of fees required of nonresident students admitted to colleges and schools under the jurisdiction of the Department of Education, or the Director of Education."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1526 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 1526 ordered enrolled.

Assembly Bill No. 1962—An act to add Sections 1.51, 1.52 and 1.53 to the School Code, relating to student body funds and organizations

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1962?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "1.51", and insert "1.51a".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended, strike out "1.51", and insert "1.51a".

Amendment No. 3

On page 1, line 3, of the printed bill, as amended, strike out "1.51", and insert "1.51a"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1962 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1962 ordered enrolled.

Assembly Bill No. 2152—An act to add Section 2.1365 to the School Code, relating to the Department of Education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2152?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "2.1365", and insert "2.1364-1".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out "2 1365", and insert "2 1364-1".

Amendment No. 3

On page 1, line 11, of the printed bill, as amended, strike out "2.1365", and insert "2 1364-1".

Amendment No. 4

On page 1, line 12, of the printed bill, as amended, after "purposes", insert "of like or different character".

Amendment No. 5

On page 1, line 15, of the printed bill, as amended, strike out "when the State travel", and insert "; provided, that when such traveling is outside the State, such traveling".

Amendment No. 6

On page 1, line 17, of the printed bill, as amended, strike out the period, and insert a colon

Amendment No. 7

On page 1, line 19, of the printed bill, as amended, strike out the comma.

Amendment No. 8

On page 1, line 20, of the printed bill, as amended, strike out "on", and insert "of".

Amendment No. 9

On page 1, line 21, of the printed bill, as amended, strike out "thereof".

Amendment No. 10

On page 1, line 27, of the printed bill, as amended, strike out the comma.

Amendment No. 11

On page 1 of the printed bill, as amended, following line 28, insert

"The amount expended under the provisions of this section for travel outside the State shall not exceed one thousand five hundred dollars ($1,500) in any one fiscal year."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2152 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2152 ordered enrolled.

Assembly Bill No. 2218—An act to amend Sections 3.362, 4.871, 4.873, 4.884 and 4.885 of, and to add Sections 4 871a and 4 884a to, the School Code, relating to the support of the Public School System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2218?

Amendment No. 1

On page 2 of the printed bill, as amended, beginning in line 39, strike out "Department", and insert "Board".

Amendment No. 2

On page 2, line 49, of the printed bill, as amended, strike out "Department", and insert "Board".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2218 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B.,

Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2218 ordered enrolled.

Assembly Bill No. 2440—An act to add Section 8.5 to an act entitled "An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, relating to local planning by the State Planning Board.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2440?

Amendment No. 1

In line 17 of the title of the printed bill, as amended, strike out "by the State Planning Board".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2440 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2440 ordered enrolled.

Assembly Bill No. 2541—An act to add Section 58.5 to the Unemployment Insurance Act, relating to the amount of benefits

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2541?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "1938", and insert "1940".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out the period, and insert "; provided, however, that additional weeks of benefits shall cease to be valid seven calendar years after the wages upon which they are based were earned."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 12 to 14, inclusive, and insert

"Additional weeks of benefits shall be paid at the same weekly rate awarded to the claimant each time a new benefit year is established."

Amendment No. 4

On page 1, line 22, of the printed bill, as amended, strike out the period, and insert "unless a valid claim for benefits was filed during either such year, in which case the claimant shall be entitled to no extra weeks of benefits."

Amendment No. 5

On page 1 of the printed bill, as amended, strike out line 23

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2541 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr Speaker—60.
NOES—None.

Assembly Bill No. 2541 ordered enrolled.

Assembly Bill No. 2128—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2128?

Amendment No. 1

On page 2 of the printed bill, strike out lines 50 and 51; and on page 3, strike out lines 1 and 2, and insert

"(a) For a duplicate certificate of ownership or registrations card *or equipment identification receipt*---------- $0 50
(b) For any duplicate license plate or plates or substitute plate or plates, *or equipment identification plates* for the same vehicle---- $1 00
(c) For a duplicate operator's or chauffeur's license---------- $0 50".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2128 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 2128 ordered enrolled.

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Section 2149 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11475, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2606?

Amendment No. 1

In line 3 of the title of the printed bill, as amended, strike out "11475,".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 23 to 31, inclusive.

Amendment No. 3

On page 2, line 32, of the printed bill, as amended, strike out "8", and insert "7".

Amendment No. 4

On page 2, line 41, of the printed bill, as amended, strike out "9", and insert "8"

Amendment No. 5

On page 3, line 1, of the printed bill, as amended, strike out "10", and insert "9".

Amendment No. 6

On page 3, line 21, of the printed bill, as amended, strike out "Sec 11", and insert "Sec. 10".

Amendment No. 7

On page 3, line 32, of the printed bill, as amended, strike out "12", and insert "11".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2606 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2606 ordered enrolled.

Assembly Bill No. 2036—An act to amend Sections 2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 3871, 3878, 3879 and 3880 of, to add Section 3873 to, and to repeal Sections 2109, 2151, 2154, 2202, 2257, 2302, 2303, 3873, 3874, 3875, 3876 and 3877 of, the Elections Code, relating to presidential primaries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2036?

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out lines 2 to 4, inclusive, of the title of the printed bill, as amended, and insert "2105, 2106, 2110, 2150, 2153, 2156, 2200, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 2420, 3871, 3878, 3879 and 3880 of, and to amend the article heading of Article 10, Chapter 1, Division 5 of, to add Sections 2420.5, 3709.5 and 3873 to, and to"

Amendment No. 2

In line 8 of the title of the printed bill, as amended, preceding the period, insert ", including the election and appointment of presidential delegates, presidential primary ballots, and lists of candidates for delegate".

Amendment No. 3

On page 5 of the printed bill, as amended, between lines 45 and 46, insert

"SEC. 12.5. Section 2200 of the Elections Code is hereby amended to read as follows:

2200. The number of candidates for delegates grouped on a nomination paper shall [not be greater than] *be equal to* the total number of delegates to be elected by the party."

Amendment No. 4

On page 9 of the printed bill, as amended, strike out lines 28 to 31, inclusive.

Amendment No. 5

On page 10 of the printed bill, as amended, strike out lines 44 to 47, inclusive.

Amendment No. 6

On page 11 of the printed bill, as amended, between lines 32 and 33, insert

"SEC. 26.3. The article heading of Article 10, Chapter 1, Division 5 of the Elections Code is hereby amended to read as follows:

Article 10. *Substitute and* Alternate Delegates

SEC. 26.6. Section 2420 of the Elections Code is hereby amended to read as follows.

2420. The Delegates to each National party convention elected at the presidential primary shall, before leaving the State to attend the convention, meet together and select *a chairman of the group. At the meeting they shall also select* alternates to the convention.

SEC. 26.8. Section 2420.5 is hereby added to the Elections Code, to read as follows.

2420.5. In the event a vacancy exists in the group, the chairman shall designate a person to fill that vacancy and serve as Delegate. Such person shall be selected from the Congressional district of the Delegate whose place he has been appointed to fill. If such substitute Delegate is unable to attend the convention, then his alternate shall attend the convention in his place."

Amendment No. 7

On page 12 of the printed bill, as amended, after line 36, insert

"SEC. 33. Section 3709.5 is hereby added to the Elections Code, to read as follows

3709.5. At the time the county clerk prepares sample ballots for each political party at the presidential primary, he shall also prepare a list of candidates for delegate for each political party. The list shall be printed upon a sheet of paper separate from the sample ballot. The names of the candidates for Delegate of any political party shall be arranged upon the list of candidates for Delegate of that party in parallel columns under their preference for president. The order of groups on the list shall be the same as the order in which the names of the persons they prefer appear upon the ballot. Each column shall be headed in heavy face 10 point, gothic type, as follows: "The following Delegates are pledged to _____." (The blank being filled in with the name of that candidate for presidential nominee for whom the members of the group have expressed a preference.) The names of the candidates for Delegate shall be printed in eight point, roman capital type.

One copy of the list of candidates for Delegate of the party to which the voter belongs shall be mailed to each voter entitled to vote at the presidential primary at the same time and together with the sample ballot. Copies of the list of candidates for Delegate of each party shall also be submitted by the county clerk to the chairman of the county committee of that party, and the county clerk shall post a copy of each list in a conspicuous place in his office."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2036 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 2036 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 266

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of nine hundred fifty dollars ($950) in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, traveling expenses, and other incidental expenses in connection with completing the work of the Fifty-fourth Session of the Assembly of the State of California. Vouchers and receipts of all expenditures to be furnished to the Controller.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 266, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Millington, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Voigt, Waters, Watson, Weber, and Weybret—53.

NOES—None.

By Mr. Lyon:

House Resolution No. 267

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment or recess of the Fifty-fourth Session of the Legislature, and all indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Assembly of the Fifty-fourth Session of the Legislature, and making the information therein contained readily available for the use of the Members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the Fifty-fourth Session, and of compiling, preparing and having printed after adjournment or recess, a final calendar of the legislative business of the Fifty-fourth Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that shall have been read a second time, and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature, and he shall further prepare a detailed statement of the expenses of both houses of the Legislature during the Fifty-fourth Session.

When said final calendar is prepared, the said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk is hereby authorized to retain such legislative help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at the same rate paid per diem as allowed them during the time the Legislature is in session: provided, however, that no compensation shall be allowed except for services actually performed and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 267, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None.

By Mr. Lyon:

House Resolution No. 268

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Expense Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed eight hundred dollars ($800), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 268, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Weber, and Wollenberg—55.

NOES—None.

By Mr. Lyon:

House Resolution No. 269

WHEREAS, Improvements to the public address system in the Assembly Chamber may be made due to technical improvements developed since the original installation, by the installation of a new type of horn to be added to the present gondola now suspended above the Speaker's desk, resulting in better audibility throughout the Chamber, aiding in the elimination of noise; now, therefore, be it

Resolved, That the sum of two hundred fifty dollars ($250) be appropriated from the Contingent Expense Fund of the Assembly to be expended by Frank N. Killam, Superintendent of State Buildings and Grounds, for the purposes above mentioned; and further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the Contingent Expense Fund of the Assembly in favor of Frank N. Killam in the sum of two hundred fifty dollars ($250) and the State Treasurer is hereby directed to pay the same.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 269, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—55.

NOES—Richie—1.

By Mr. Lyon:

House Resolution No. 270

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names,

and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

George N. Hammond Typewriter Co (Typewriter rental)	$126 42
Department of Finance (Pro rate telephone service)	72 11
H S. Crocker Co. (Supplies)	10 62
Hotel Senator Flower Shop (Flowers, Fielding P. Field)	20 60
Pacific Telephone & Telegraph Co. (Tolls)	72 80
Department of Finance (Mimeograph service)	2 20
Bureau of Purchases (Supplies)	20 27
Department of Finance (Work and material)	5 08

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 270, at this time, without reference to committee

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Gunlock, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Masson, Meehan, Middough, Miller, Mullington, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weybret, and Wollenberg—55

NOES—None.

MOTION TO PRINT EXTRA COPIES OF ASSEMBLY JOINT RESOLUTION NO. 55

Mr Lyon moved that Mr. Donnelly's request for 1,000 additional copies of Assembly Joint Resolution No 55 be granted.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No 1168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Ways and Means, to which was referred

Senate Bill No 967

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1168—An act to amend Section 19626 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 19626 of", and insert "add Section 19626.5 to".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 19626.5 is hereby added to the Business and Professions Code, to read as follows:

19626.5. Out of any money otherwise appropriated under this chapter for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes, there is hereby annually allocated one hundred thousand dollars ($100,000) to Agricultural District No. 1A, of which not less than fifty-five thousand dollars ($55,000) shall be expended only for premiums."

Amendments read and adopted.

Bill ordered printed, and to third reading.

Senate Bill No. 967—An act making an appropriation for the control of disease-harboring rodents on and near areas established for defense purposes.

Bill read second time, and ordered to third reading.

RECESS

At 12.15 p.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Frank Reed, Assistant Chief Clerk, at the desk.

Mr. Stream moved that Mr. Turner be named as temporary chairman in the absence of the Speaker and Speaker pro tempore.

Hon. Rodney L. Turner Presiding

At 2.03 p.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1594—An act to amend Sections 2802, 2804, 2820, 2904, 2951 and 3012, and to add Sections 2809 and 2996, to the Streets and Highways Code, relating to waiver of report, limitation of actions, and costs on abandonment under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1594?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "code cited in the title", and insert "Streets and Highways Code".

Amendment No. 2

On page 1, line 14, of the printed bill, as amended, after "to", insert "irrigation districts, irrigation district improvement districts, fire districts, fire protection districts or to public cemetery districts, or to"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1594 by the following vote:

AYES—Allen, Bashore, Bennett, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Dickey, Dilworth, Doyle, Evans, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weybret, and Mr. Speaker—41

NOES—None.

Assembly Bill No. 1594 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 8 WAIVED

Mr. Heisinger waived his notice of motion to reconsider the vote whereby Senate Constitutional Amendment No. 8 was adopted.

Senate Constitutional Amendment No. 8 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1595—An act to amend Sections 6, 10, 14, 15, 16 and 20, and to add Sections 24, 25 and 26 to an act entitled "District Investigation Act of 1933," relating to the investigation report and debt limitations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1595?

Amendment No. 1

On page 7, line 19, of the printed bill, as amended in the Assembly May 8, 1941, strike out the comma; and in line 20, strike out "which may be by reference to said report".

Amendment No. 2

On page 7, line 30, of the printed bill, strike out "assessed", and insert "true".

Amendment No. 3

On page 9 of the printed bill, strike out lines 26 to 29, inclusive.

Amendment No. 4

On page 9, line 30, of the printed bill, after "SEC.", strike out "9", and insert "8".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1595 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weybret, and Wollenberg—49

NOES—None

Assembly Bill No. 1595 ordered enrolled.

Motion to Expunge Record and Rescind Action

Mr. Salsman moved to expunge the record, and rescind the action whereby Senate Bill No. 221 was withdrawn from the file, and re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Johnson, Kilpatrick, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Potter, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Turner, Weber, Weybret, and Wollenberg—42.

NOES—Allen, Bashore, Call, Daley, Evans, Hastain, Heisinger, Houser, Frederick F., Knight John B., Knight, T. Fenton; Lyon, Millington, Pfaff, Poole, Robertson, Stream, Thurman, and Watson—18.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2431—An act to add Section 689.5 to the Code of Civil Procedure, relating to third party claims.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2431?

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "and after a".

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 10 and 11, and insert "and if within 10 days thereafter the levying officer is unable to locate the defendant he may return the property to the party filing the third party claim."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2431 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Watson, Weybret, and Wollenberg—56.

NOES—None.

Assembly Bill No. 2431 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1411—An act to add Section 162 to the Revenue and Taxation Code, relating to actions to quiet title against the State.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1411 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—58.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1717—An act to amend Sections 736.1 and 736.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1717?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 736.1 and", and insert "Section".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 1 to 27, inclusive.

Amendment No. 3

On page 2 of the printed bill, as amended, strike out all of lines 1 to 51, inclusive.

Amendment No. 4

On page 3 of the printed bill, as amended, strike out all of lines 1 to 9, inclusive.

Amendment No. 5

On page 3, line 10, of the printed bill, as amended, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 6

On page 3 of the printed bill, as amended, strike out all of line 18, and insert "mean prices at which fluid milk and fluid cream, or any".

Amendment No. 7

On page 3, line 23, of the printed bill, as amended, strike out "or", and insert "and".

Amendment No. 8

On page 3 of the printed bill, as amended, strike out line 26, and insert "at which fluid milk and fluid cream shall be sold by".

Amendment No. 9

On page 3 of the printed bill, as amended, strike out all of line 34, and insert "prices at which fluid milk and fluid cream or any com-".

Amendment No. 10

On page 4 of the printed bill, following line 1, insert

"In establishing minimum wholesale and minimum retail prices for such cream the director shall comply with the standards prescribed in Section 736.12 of this code for establishing minimum wholesale and minimum retail prices, and, in any marketing area wherein a stabilization and marketing plan for fluid cream is not established, shall use as the cost of such cream, delivered at plants of distributors engaged in the distribution of fluid cream in the marketing area, the average of the prices for such fluid cream paid by them to representative wholesale cream jobbing distributors."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1717 by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Potter, Robertson, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—Heisinger—1.

Assembly Bill No. 1717 ordered enrolled.

Speaker Presiding

At 3 p.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 338—An act to amend Section 4 of The Corporation Income Tax Act of 1937, relating to corporations exempt from tax.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 338 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Evans, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—54.

NOES—Burns, Hugh M., Collins, George D., Crowley, Del Mutolo, Donnelly, Gaffney, Gunlock, Heisinger, Lowrey, Maloney, O'Day, and Sawallisch—12.

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 339—An act to amend Section 4 of the Bank and Corporation Franchise Tax Act, relating to corporations exempt from tax.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 339 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sheridan, Stream, Thomas, Thorp, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Bennett, Burns, Hugh M., Collins, George D., Crowley, Donnelly, Gaffney, Gunlock, Heisinger, Lowrey, O'Day, and Sawallisch—11.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2049—An act to add Section 6.5 to the Alcoholic Beverage Control Act, relating to the age of whisky sold at retail.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No 2049 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Allen, Evans, Collins, Sam L., Middough and Howser, F. N., demanded the previous question.

Demand for previous question sustained.

The question being: Shall Assembly Bill No. 2049 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Doyle, Evans, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole,

Potter, Salsman, Sawallisch, Sheridan, Stream, Tenney, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.
NOES—Bennett, Collins, George D., Donnelly, Gunlock, O'Day, and Richie—6.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 1325
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

PHILLIPS, Chairman	CRONIN
HOWSER, F. N.	GREEN
PFAFF	SHERIDAN
POTTER	COLLINS, SAM L.
MILLINGTON	

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 1088
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

(Signed out)

PHILLIPS, Chairman	CRONIN
DALEY	POTTER
CARLSON	MILLINGTON
GREEN	DESMOND
PFAFF	

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1088—An act to add a new section to be numbered 154.35 to Chapter 1 of Division 2 of the Agricultural Code, relating to permits to operate seed cleaning equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "Section 11100", and insert "Sections 11004 and 11100".

Amendment No. 2

On page 2, line 17, of the printed bill, as amended, after "SEC. 2.", insert "Section 11004 of the Health and Safety Code is hereby amended to read as follows:
11004. "State Division," as used in this division, means the Division of Narcotic Enforcement [in the State Department of Penology].
SEC. 2.5."

Amendments read and adopted.
Bill ordered printed, and to third reading.

Senate Bill No. 1325—An act to amend Section 133 of the Civil Code, relating to entry of final judgment in divorce cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary Codes:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "before any marriage of either such parties"; and strike out all of lines 7, 8 and 9, and in line 10, strike out "applied for".

Amendment No. 2

On page 1, line 15, of the printed bill, after "for.", insert "The court may cause such final judgment to be signed, dated, filed and entered nunc pro tunc as aforesaid, even though a final judgment may have been previously entered where by mistake, negligence or inadvertence the same has not been signed, filed or entered as soon as it could have been entered under the law if applied for."

Amendments read and adopted.

Bill ordered printed, and engrossed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 75—An act to amend Section 4255 of the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 75 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Howser, F. N., Middough, Collins, Sam L., Evans and Allen demanded the previous question.

Demand for previous question sustained.

The question being: Shall Assembly Bill No. 75 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 3.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Cronin, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Senate Bill No. 568.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 568—An act to add Section 1.92 to the School Code, relating to transportation of pupils to and from elementary and secondary schools other than public schools.

Bill read third time.

Demand for Previous Question

Messrs Allen, Collins, Sam L., Evans, Howser, F. N., and Gunlock demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 568.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Houser, Frederick F., Howser, F. N., King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—64

NOES—Collins, Sam L., Dills, Hastain, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Miller, Richie, and Voigt—10.

Bill ordered transmitted to the Senate.

Explanation of Vote

Senate Bill No. 568 "Public school buses made available to supply transportation for private school students" should be presented in a constitutional amendment. If and when that is done I shall vote for it. I fear this bill may destroy peace and harmony of citizens and instill religious hatred among our people.

VERNON KILPATRICK

RESOLUTIONS

The following resolution was offered.

By Messrs. Howser, F. N., and Lyon:

House Resolution No. 271

Creating a Legislative Committee on State-Federal Cooperation in the Production, Distribution, Processing and Use of Petroleum Products, and defining its powers and duties

WHEREAS, The President of the United States did on the twenty-seventh day of May, 1941, find, declare and proclaim that an unlimited National emergency confronts this country which requires that its Military, Naval, air and civilian defenses be put on the basis of readiness to repel any and all acts or threats of aggression directed toward any part of the Western Hemisphere, and

WHEREAS, The President did then call upon all loyal citizens engaged in production for defense to give precedence to the needs of the Nation to the end that a System of Government that makes private enterprise possible may survive, and did call upon all loyal State and local leaders and officials to cooperate with the defense agencies of the United States to assure our internal security and to put every community in order for maximum productive effort and minimum of waste and to aid in every way that the needs of the Nation may require; and

WHEREAS, In furtherance of these purposes the Office of Petroleum Coordinator for National Defense has been created and the Honorable Harold L. Ickes appointed thereto, for the attainment of maximum efficiency and minimum waste in all the various phases of the production, transportation, processing and use of oil, gas and other hydrocarbon substances, with the collaboration and cooperation of all persons and agencies participating in any phase of any of these operations, to the end that there shall be complete synchronization of the efforts and endeavors of each and all of the participants, that these products so essential to the National defense and the life of the Nation shall at all times be available in adequate quantities whenever and wherever needed; and

WHEREAS, California, being one of the leading oil producing States and the production, refining and distribution of this great natural resource having developed into California's largest industry, recognizes a special responsibility to respond to the President's call in this particular field and is determined to meet and discharge that responsibility in fullest measure, including particularly the consideration and enactment of such State legislation as may be necessary or appropriate to the attainment of these purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee on State-Federal Cooperation in the Production, Distribution, Processing and Use of Petroleum Products is hereby created, to consist of the Speaker and four Members of the Assembly appointed by the Speaker, which committee is hereby charged with the

duty of studying exhaustively and in detail and ascertaining all facts and circumstances as to any and all features of the subject (within the scope of legislative regulation or control) of attaining maximum efficiency and minimum waste in all the various phases of the production, distribution, processing and use of oil, gas and other hydrocarbon substances, cooperating therein to the fullest extent and in every way with the Petroleum Coordinator for National Defense, with authority to appoint an advisory committee of citizens and of experts in this field to assist the committee in the performance of its duties and the discharge of its obligations hereunder; and be it further

Resolved, That the committee is authorized to act during the Fifty-fourth Session of the Legislature, including any recess thereof, and after final adjournment until the convening of the Legislature at its Fifty-fifth Regular Session, and shall report to the Assembly from time to time concerning its activities, rendering its final report not later than March 15, 1943, including in its reports its recommendations as to legislation deemed by it necessary or appropriate to any phase of the subject of this resolution; and it is hereby further provided as follows.

(1) Upon the appointment of its members the committee shall organize and select a chairman from its membership; it may appoint and fix the compensation of a secretary and such clerical and technical assistants and adopt such rules as in its discretion it deems necessary and proper to enable it to carry out the powers granted and the duties imposed herein.

(2) The committee may hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee, and may also meet in executive session.

(3) The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu thereof an allowance of eight dollars ($8) per day for accommodations and meals.

(4) The sum of two thousand five hundred dollars ($2,500) is hereby made available from the Contingent Fund of the Assembly for expenses of the committee hereby created and its members, and for any other charges, expenses or claims it may incur under this resolution, to be disbursed after certification by the chairman of the committee by warrants of the State Controller drawn upon the State Treasurer.

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 271, at this time, without reference to committee.

Resolution read.

Motion to Temporarily Suspend Rule No. 33

Mr Lyon moved that Rule No 33 be temporarily suspended for the purpose of allowing the placing of a call of the Assembly on House Resolution No 271, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Collins, Sam L., Cronin, Crowley, Daley, Dilworth, Doyle, Green, Howser, F. N., Johnson, Knight, T. Fenton, Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Bennett, Burkhalter, Collins, George D., Cooke, Del Mutolo, Dills, Donnelly, Gaffney, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Massion, Meehan, O'Day, Russell, and Thomas—18.

The roll was called, and House Resolution No. 271 adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dills, Dilworth, Doyle, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington Pelletier, Phillips, Poole, Potter, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Bennett, Burkhalter, Carlson, Collins, George D., Cooke, Del Mutolo, Donnelly, Gaffney, Johnson, Kilpatrick, King, Massion, and Thomas—13.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 17 FROM COMMITTEE

Mr. Potter gave notice that on the second legislative day, he would move to withdraw Senate Bill No. 17 from the Committee on Ways and Means, and have it placed upon the file.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 221

Mr. Salsman moved that Senate Bill No. 221 be withdrawn from the third reading file, and re-referred to the Committee on Ways and Means.

Motion carried.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Wollenberg, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 253.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 253—An act to amend the title and Section 1 of an act entitled "An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts," approved July 1, 1937, and to amend Sections 2, 4 and 5 of and to add Section 4.5 to an act entitled "An act creating a special fund to be known as the 'Judges' Retirement Fund,' providing for disbursements therefrom, and to make appropriations therefor," approved July 1, 1937, relating to retirement of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—*Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Doyle, Gaffney, Gallagher, Green, Hawkins, Johnson, King, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg,* and Mr. Speaker—57.

NOES—*Dilworth, Donnelly, Hastain,* and *Heisinger*—4

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1272 WAIVED

Mr. T. Fenton Knight waived his notice of motion to reconsider the vote whereby Senate Bill No. 1272 was passed.

Senate Bill No. 1272 ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Call:

House Resolution No. 272

Relative to an Assembly Fish and Game Investigating Committee, to study and report on matters relating to fish and game.

WHEREAS, The preservation, development and utilization of the fish and game resources of this State are of primary importance because this great natural resource supplies healthful recreation, quantities of wholesome food and opportunities for obtaining a livelihood for thousands of persons; and

WHEREAS, There is an inevitable conflict of interest and opinion between different groups of persons affected by the laws relating to the subject of fish and game, which results in the introduction of hundreds of proposals at each session of the Legislature; and

WHEREAS, The Constitution of this State was amended by the people at the November, 1940, general election to establish a long-term commission to which the Legislature is specifically authorized to delegate such powers relating to fish and game as the Legislature sees fit; and

WHEREAS, Before any steps of far-reaching consequence are taken the entire field of fish and game regulation should be investigated in order that the Legislature may proceed with the basic facts before it; and

WHEREAS, Such an investigation should be made by the Legislature through an impartial committee of its own choosing; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to be known as the Assembly Fish and Game Investigating Committee, which shall consist of five Members of the Assembly appointed by the Speaker thereof, and which shall make a thorough study and investigation of the fish and game resources of the State and matters relating thereto, including, but not limited to, the investigation and study of the administration of the laws relating to fish and game, the expenditures of funds derived under such laws or otherwise made available for fish and game purposes, the existing and potential supply of the several species and the conditions of their environment, the availability of recreational facilities and shooting grounds, the effect of the pollution of the waters of the State on fish and fishing, and the need for legislation on any such subject; and be it further

Resolved, That said committee is authorized to act at any time during sessions of the Fifty-fourth Legislature or recesses thereof, or after final adjournment, and may report to the Fifty-fourth Legislature from time to time but shall make its final report, together with such recommendations as it deems desirable not later than the thirtieth day after the convening of the Fifty-fifth Legislature in Regular Session in 1943; and be it further

Resolved, That there is hereby made available to said committee the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, payable out of the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under the provisions of this resolution or of Joint Rule No. 35, the provisions of which are hereby incorporated herein and adopted hereby as if fully set forth and repeated in this resolution; and be it further

Resolved, That the money hereby made available shall be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules

By Mr. Kellems:

House Resolution No. 273

Relative to a survey and report and recommendations by The Regents of the University of California as to the coordination of the scope and activities of the various public educational institutions of the State above the secondary school level

WHEREAS, There has been a significant growth in the enrollment of students in all types of public schools in the State above the secondary school level, resulting in the rapid expansion of junior college, normal school and State college facilities; and

WHEREAS, It is apparent that unrestrained expansion in the field of higher education, together with a growing social conception that all young people, regardless of aptitude, are entitled to the privileges thereof, are lowering the standards of academic achievement as well as adding to a steadily increasing tax burden with no sign of relief; and

WHEREAS, There is a necessity for the establishment of a basis of effective control and direction in the development of a program of higher education for California which can be justified as reasonably responsive to the actual needs of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That The Board of Regents of the University of California be requested to make a comprehensive survey of the educational needs of the State and submit to the Legislature of the State of California its recommendations for the coordination of the scope and activities of the various public educational institutions engaged in educational work above the secondary level, and for the establishment and maintenance of sound policies therefor; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward copies of this resolution to The Board of Regents of the University of California

Resolution read, and referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1057
Assembly Bill No. 1596

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8677, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural pest control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1057?

Amendment No. 1

On page 2 of the printed bill, as amended, after "line", insert "as a business".

Amendment No. 2

On page 5 of the printed bill, as amended, in lines 49 and 50, strike out "to do pest control work for hire".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1057 by the following vote:

AYES—*Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, O'Day, Pellerier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr Speaker*—64.

NOES—*None.*

Assembly Bill No. 1057 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1350
Assembly Bill No. 1875

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1328—An act to amend Section 737xx, 4248d and 4248h, and to repeal Sections 4248a, 4248b, 4248c, 4248e, 4248f, 4248g.

4248i, 4248j, 4248k, 4248*l*, 4248m, 4248n, 4248o, 4248q, 4248t, 4248u and 4248v of the Political Code, relating to compensation of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, and Mr. Speaker—54.

NOES—Dilworth, Hastain, Heisinger, Houser, Frederick F., Knight, T. Fenton, Massion, and Pelletier—7.

Bill ordered transmitted to the Senate.

MOTION TO PRINT OPINION IN JOURNAL

Mr. Weber moved that the following opinion of Fred B. Wood of the Legislative Counsel be printed in Journal:

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller Millington, O'Day, Ptaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber Weybret, Wollenberg, and Mr. Speaker—56

NOES—Collins, Sam L., Donnelly, Heisinger, and Pelletier—4.

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, June 12, 1941

Honorable Charles M. Weber, Assembly Chamber
State Capitol, Sacramento, California

SUBJECT: Constitutional vote requirement as to appropriation bills, and status of Assembly Bill No. 1264

DEAR MR. WEBER: We are pleased to transmit our opinion in which we discuss these two points and offer the suggestion that the Assembly might wish to have one of its committees consider the feasibility and desirability of formulating a rule of procedure for the method of handling such appropriation bills in the future.

Yours very truly,

FRED B. WOOD, Legislative Counsel

Memorandum of Opinion

IN RE: Assembly Bill No. 1264, and vote required to pass a bill containing a General Fund appropriation, after the prescribed base for the biennium has been exceeded.

Question: What is the status of Assembly Bill No. 1264 on this tenth day of June, 1941?

Facts: This is a bill to create a Third Division of the District Court of Appeal, Second District, and to make an appropriation of $71,226 for the support of said division during the ensuing biennium.

Originally the bill was designed also to provide a clerk, a bailiff and a reporter for the new division but that feature was taken out by the amendment of May 22, 1941.

On June 7, 1941, this bill was on the Assembly third reading file and in due course that day was read the third time (Assembly Journal, pages 4093 and 4094), received a recorded vote of 45 ayes and 31 noes, the chair announcing that the bill had thereby been "refused passage" (page 4143).

It also appears as a fact (though not from any express statement to that effect in the Journal) that this roll was called, this vote was taken, in accordance with a belief and practice that a bill in the situation of this bill required a two-thirds vote for passage; i.e., the base for General Fund appropriations for the ensuing biennium having been exceeded by the Budget Bill, Assembly Bill No. 1800, all appropriation measures subsequently considered must receive such a vote or fail of

passage—that such a bill receiving more than 40 and less than 54 votes could not be deemed to have "passed" with an inoperative appropriation clause

The existence of this belief and practice is borne out by the action taken on Assembly Bill No 689. It was a bill to create a State Division of Shore Protection, defining the function of the Division and appropriating $15,000 for its support. It received a vote of 41 ayes and 13 noes, upon the basis of which it was declared to have been "refused passage" (Assembly Journal, pages 4092, 4108 and 4109).

Following the announcement of the vote on Assembly Bill No. 1264, and declaration of the effect thereof, other business was transacted by the Assembly, including action taken upon Assembly Bills Nos. 1002, 1904, 1608, 2016, 2022, 2135, 2136, 2108, and Assembly Concurrent Resolutions Nos 21, 46, 49 and 37 (Assembly Journal, pages 4143 to 4150).

Then a question was raised, whether or not Assembly Bill No 1264 had actually "passed," it having received more than 40 votes though less than 54 The Assembly resolved itself into a Committee of the Whole, discussed the matter in Committee, and then arose and reported (Assembly Journal, page 4150).

Thereupon a motion was made "to expunge the record and rescind the action whereby Assembly Bill No. 1264 was this day *refused passage*." This motion was lost by a vote of 38 ayes and 28 noes (Assembly Journal, page 4151).

The Issues:

(1) Does the Constitution provide that such a bill is deemed "passed" by a vote of more than 40 and less than 54, containing an appropriation clause that is void and inoperative?

(2) Is this particular bill, Assembly Bill No. 1264, in view of its history as above related, properly deemed a bill that has been passed or one that has been refused passage by the Assembly?

Opinion: We are of the opinion:

(1) The Constitution requires but 41 votes for the passage of such a bill by the Assembly, the 54 vote requirement going only to the effectiveness of the appropriation clause.

(2) This particular bill, Assembly Bill No. 1264, in view of its history as above related, should not be considered as having "passed" despite the fact that it received more than 40 aye votes.

(3) It would seem appropriate to formulate a written rule of procedure to govern such cases in the future.

Analysis

(1) *As to the votes required by the Constitution*

The general rule is that it takes a favorable vote of a "majority of the Members elected to each house" to pass a bill (Art. IV, Sec. 15) and that such is a sufficient vote therefor.

The only exceptions are those specifically expressed in the Constitution itself; such as two-thirds to overrule a veto (Art. IV, Sec. 16) or to authorize the deposit of public moneys in banks (Art XI, Sec. 16½).

Here, we are concerned with the provisions of Section 34a of Article IV.

It prescribes a base which the biennial "appropriations" from the General Fund (except for support of the Public School System) may not exceed "unless two-thirds of all the Members elected to each house of the Legislature vote in favor thereof."

It then provides that if the appropriations in the Budget Act for any biennium exceed this limit, and that "act be not passed by such two-thirds vote, the several items of appropriation" in it "shall be deemed reduced" pro rata so as not to exceed that limit.

It then says:

> "Should the prescribed limit for any biennium be exceeded by reason of any other appropriation or appropriations from the General Fund, then the appropriation first passed by the Legislature without such two-thirds vote, which exceeds such prescribed limitation, shall be deemed reduced by the amount of such excess, *and all other subsequent appropriations from the General Fund not passed by such two-thirds vote shall be void.*" (Italics ours)

Down to the portion we have italicized, there can be no doubt that if the bill gets a majority (but less than two-thirds) in either house, it is still a bill and it has "passed" that house. Otherwise there would be no "appropriation" that would be subject to a reduction.

Nor would it matter how much of a reduction the bill suffers, whether by $10 or $999 to 50 cents In such a case there is still a bill, and it has "passed"

The same result, we believe, obtains in the case of a bill whose "appropriation" is entirely over the limit, which "appropriation" (not the bill) is void if but a majority vote is given the bill in one house or the other.

In such a case the bill "passes" but the "appropriation" in it is "void" and of no effect

(2) *As to the present status of Assembly Bill No 1264*

The roll was called, the vote announced, and the result declared in accordance with a practice and in the belief that the Constitution requires a two-thirds vote for the "passage" of such a bill as this

It might be urged that this was a mere mistake of law which is irrelevant to the counting of the votes, that the bill did receive the requisite majority, must be considered as having "passed" the Assembly.

But the problem is not so simple as that.

The Chair, pursuant to the practice above mentioned, announced that the bill had been "refused passage"

No appeal was made from the decision of the Chair.

A considerable amount of other business was transacted before any question was raised

Then a motion was made and lost to expunge the record and rescind the action whereby this bill "*was this day refused passage*" This action seems equivalent to a decision by the house that the bill had been refused passage

In the face of this record it is difficult to see how one could *now* say that this bill had passed It is not a mere matter of counting the votes anew It involves cutting through the record of these decisions, twice made, that the bill did not pass.

Moreover, that is not the whole of it.

Take the situation a Member was in when the vote was taken on this bill

He may have been for the bill with the appropriation in it, but opposed if the bill carried no money

He may well have been in favor of creating an additional division in the Second District Court of Appeal if by the same measure money for the support of the new division was made available He may have been opposed to setting up the new division by this measure if at that time it appropriated no money and thereby created a $71,226 charge against the Emergency Fund

He voted for the bill in the belief (in accord with the Assembly precedents and practice) that it took 54 votes to pass the bill, that there would either be a bill with a suitable appropriation or no bill at all

The vote was 45 Had he known, or had he reason to believe this vote would result in a bill without any money, he likely would have changed his vote from 'Aye' to "No" before the announcement of the total, as was his right under the Rules.

Other Members, sharing the same views, might have done the same The bill might thus have received less than 41 ayes It is impossible now to determine, for those votes can not now be changed.

It thus appears that there are strong equities against a literal, legalistic application of the constitutional provision that a majority vote "passes" the bill with an inoperative appropriation clause

It appears to us it is not a mere matter of correcting an erroneous announcement of the vote on a bill as a result of error in counting the recorded vote There are *precedents for the correction of such errors at subsequent proceedings* (*Cushing, Law and Practice of Legislative Assemblies*, Sec. 2402)

Nor is it a mere matter of correcting an assertedly erroneous announcement of the result (passage or nonpassage of a bill), the record showing the actual number of votes cast for and against the measure—whatever the procedure might be for correcting such an announcement.

It involves consideration of the existence of a belief and a practice (two-thirds necessary to pass the bill) upon the basis of which the Members made their decisions when they cast their votes

Nor is it the situation which obtains when a bill contains provisions later found and declared by the courts to be unconstitutional In such a case there is a bill which if passed becomes a statute (viewed from the procedural standpoint) though inoperative in part or as a whole, according as the invalid portion is separable or nonseparable from the rest of the bill

In this situation, as to this particular bill, the only further action which might seem available would be another motion to rescind and expunge. This would require a suspension of the Rule against renewal of the same motion If that resulted in rescission, the three-fourths consent would be required to take up the bill for passage

(3) *As to the Propriety of a Rule of Procedure*

This suggests the propriety of formulating and adopting a rule of procedure applicable to this type of bill in the future

A *precedent is furnished by the action taken in 1913, and following, in relation* to "immediate effect" bills

One thousand nine hundred thirteen was the first bifurcated session There was uncertainty as to the exact meaning of that clause of Section 1 of Article IV which deals with "immediate effect" bills

The Senate Judiciary Committee recommended

(1) That any act falling in that category (elections, tax levies, current expense appropriations, urgency measures) "shall be passed by a two-thirds vote";

(2) That only an "urgency measure" required a separate section (statement of facts showing the necessity) to be passed by a vote upon a separate roll call;

(3) That any act calling an election, providing for a tax levy, or making an appropriation for current expenses (if to take effect immediately) should contain a section substantially in these words, "This act, inasmuch as it * * * shall under the provisions of Section 1 of Article IV of the Constitution take effect immediately." (Senate Journal, 1913, p 226)

Those recommendations apparently became the practice in the Senate Whether or not they were actually written into the Senate Standing Rules of that period, we have not ascertained

The Joint Rules for a long time did contain a provision that upon third reading of an "urgency measure," the question as to the urgency section would be put thusly:

"Shall this section setting forth the urgency feature of this bill be passed?"

If the vote on that question was less than two-thirds "no further action" was to be taken on the bill (Joint Rules of 1919 and of 1923, Rule No 34)

We have not, within the time limited since this question arose, undertaken to formulate any concrete suggestions as to a rule of procedure for use in the future in connection with bills of the nature of Assembly Bill No 1264

It is a matter which the Assembly, or its Rules Committee, might wish to take up for consideration.

In a sense, the practice which has grown up in relation to such measures might be considered a rule of practice not in writing, which with some modifications (analogous to the former Joint Rule on "urgency sections") well might be reduced to writing for incorporation in the Standing Rules

FRED B. WOOD, Legislative Counsel

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 18 WAIVED

Mr Evans waived his notice of motion to reconsider the vote whereby Senate Constitutional Amendment No 18 was passed

Assembly Constitutional Amendment No. 18 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO ASSEMBLY BILL NO. 75

At 5.16 p m., on motion of Mr Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly sustained the objections of the Governor to Assembly Bill No 75 by the following vote:

AYES—Allen, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Green, Hastain, Houser, Frederick F, Howser, F N, Johnson, Knight, John B, Knight, T Fenton, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Potter Salsman Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber Wevbret, Wollenberg, and Mr Speaker—45

NOES—Andreas, Bennett, Burkhalter, Cassidy Collins, George D, Crowley, Del Mutolo, Dills Donnelly, Doyle, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Masson, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Tenney, and Thomas—26

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 75

Mr Clarke gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly sustained the objections of the Governor to Assembly Bill No 75.

APPROVAL OF JOURNALS

On motion of Mr Lyon, the Journals of Monday, June 2, 1941; Tuesday, June 3, 1941; Thursday, June 5, 1941; Friday, June 6, 1941, and Saturday, June 7, 1941, were approved as corrected by the Minute Clerk, by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Cassidy, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Gaffney, Heisinger, Maloney, Massion, Meehan, O'Day, Richie, Robertson, Russell, Sheridan, and Tenney—17.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Constitutional Amendment No. 67: By Mr. Call—Proposed amendment to Section 16, Article IV of the Constitution, relative to passage of legislative bills.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 68: By Mr. Maloney—Proposed amendment to Article IV of the Constitution, by amending the tenth paragraph of Section 1 thereof, relating to the initiative.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 177	House Resolution No. 254
House Resolution No. 223	House Resolution No. 259
House Resolution No. 249	House Resolution No. 264
House Resolution No. 248	House Resolution No. 265
House Resolution No. 253	

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolutions ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 246

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

LYON, Chairman

Above reported resolution ordered to third reading

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Harry Cook of Los Angeles.

On request of Messrs. Allen, King and Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marjorie Ann Peterson of Portland, Oregon.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Alvin L. Maury and Corporal Geo. G. Orberg of the United States Army Recruiting Service.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bob Heinz and Eddie Matthews of Vallejo.

On request of Mr Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Patricia Green, Merrie Frances Guilbert and Margaret Borland

On request of Mr Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Kerr, County Registrar of Voters, Los Angeles.

ADJOURNMENT

At 5 26 p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 11 a m., Friday, June 13, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FIFTH LEGISLATIVE DAY
ONE HUNDRED FIFTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 13, 1941

The Assembly met at 11 a.m.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Stream suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Call, Clarke, Collins, Sam L. Cooke, Del Mutolo, Dills, Donnelly, Doyle, Gallagher, Green, Gunlock, Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Waters, Watson, Welch, Weybret, and Mr. Speaker—35.

Call of the Assembly

Mr. Stream moved a call of the Assembly.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Hon. Rodney L. Turner Presiding

At 11.15 a.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 11.20 a.m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

Quorum present.

PRAYER

Upon invitation, prayer was offered by Miss Miller.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Cronin.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Potter.

Mr. Poulson, on motion of Mr. Waters.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 30—An act to amend Section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to the Legislative Counsel.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 108—An act to amend Sections 4, 7 and 20½ of the Alcoholic Beverage Control Act, relating to licenses and to the conduct of business and transfer of licenses by an executor, administrator, guardian, trustee, receiver, assignee for the benefit of creditors and others.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1339—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property, including public property and resources, from injury, loss or damage resulting from any such fires; to provide for the assessment, levy, collection and disbursement of taxes, and revenues therein, and the contribution or payment of public funds therefor; to provide for the reestablishment of the Tamalpais Forest Fire District created by Chapter 560 of the Statutes of 1917 and to confirm to said district so reestablished the title to all property heretofore acquired, or purported to have been acquired, in the name of said district as created by said chapter; to validate certain acts and proceedings of officers of said district, and other public officers purporting to have acted since the repeal of said Chapter 560 of the Statutes of 1917 pursuant to the provisions thereof; to validate and legalize the existence of the de facto Tamalpais Forest Fire District and to provide for the continuation of said district as a legal entity for the period prescribed in this act; to provide for the transfer of the property of the district to the county in which said district is situated and to authorize the county to use such property and to provide for fire protection; to declare the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 92
Senate Bill No. 154
Senate Bill No. 335
Senate Bill No. 447
Senate Bill No. 463
Senate Bill No. 696
Senate Bill No. 895
Senate Bill No. 1326
Senate Bill No. 131
Senate Bill No. 421
Senate Bill No. 1182
Senate Bill No. 253
Senate Bill No. 215
Senate Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 402
Assembly Bill No. 443
Assembly Bill No. 1185
Assembly Bill No. 1400
Assembly Bill No. 1406
Assembly Bill No. 1633
Assembly Bill No. 1869
Assembly Bill No. 1922
Assembly Bill No. 2186
Assembly Bill No. 2323
Assembly Bill No. 2358
Assembly Bill No. 2640

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 52
Assembly Concurrent Resolution No. 61
Assembly Joint Resolution No. 60

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 383
Assembly Bill No. 678
Assembly Bill No. 1073
Assembly Bill No. 1117
Assembly Bill No. 1139
Assembly Bill No. 1716
Assembly Bill No. 1903
Assembly Bill No. 1936
Assembly Bill No. 2458
Assembly Bill No. 2312
Assembly Bill No. 2623

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file

MOTION TO EXCUSE MEMBERS

Mr. Weybret moved that he, Mr. Allen and Mrs. Daley be excused from this morning's session in order to attend a meeting of the State Defense Council.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 159?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "Districts", and insert "District".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 159 by the following vote:

AYES—Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey,

Lyon, Maloney, McCollister, Meehan, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—42.
NOES—None.

Assembly Bill No. 159 ordered enrolled.

Assembly Bill No. 1856—An act to amend Sections 30 and 39 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1856?

Amendment No. 1

On page 3, line 14, of the printed bill, as amended, strike out "license or"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1856 by the following vote:

AYES—Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D, Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F N., Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—44.
NOES—None.

Assembly Bill No. 1856 ordered enrolled.

Assembly Bill No. 2465—An act to add Section 2193 to the Welfare and Institutions Code, relating to aid to the aged.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2465?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after the period, insert "Nothing contained in this section shall prevent the payment of aid to any responsible person acceptable to the recipient for the benefit of the recipient, as provided in Section 2183."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2465 by the following vote.

AYES—Andreas, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—50.
NOES—None

Assembly Bill No. 2465 ordered enrolled.

Assembly Bill No. 1596—An act to amend Section 6541.5 of, and to add Sections 4774 and 6544 to, the Health and Safety Code, relating to special assessment proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1596?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "and 6544", and insert ", 4775, 6544 and 6545".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1596 by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—50.

NOES—None.

Assembly Bill No. 1596 ordered enrolled.

Assembly Bill No. 2629—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2629?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended, strike out "50", and insert "25".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2629 by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—50.

NOES—None.

Assembly Bill No. 2629 ordered enrolled.

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1075?

Amendment No. 1

On page 2 of the printed bill, strike out lines 11 to 14, inclusive, and insert "(c) Determine, based on estimates (a) and (b), the probable cost of such inspection and laboratory control per thousand cases, or per ton, or per man hour, whichever in its discretion is most equitable."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1075 by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 1075 ordered enrolled.

Assembly Bill No. 1124—An act to regulate the sale of olive oil and to prohibit the sale of imitation olive oil, establishing standards for olive oil, prescribing methods of packaging, labeling, and branding olive oil, licensing packers, manufacturers and distributors, providing rules and regulations for the proper sanitation of such establishments, imposing penalties for violations of this act, defining the powers of the State Board of Public Health in relation thereto, and to repeal an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1124?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "establishing standards for olive oil,".

Amendment No. 2

On page 2, line 13, of the printed bill, as amended, strike out "sound".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 17, 18 and 19; and in line 20, strike out "(e)", and insert "(d)".

Amendment No. 4

On page 2, line 31, of the printed bill, as amended, strike out "sound", and insert "edible".

Amendment No. 5

On page 2, line 39, of the printed bill, as amended, strike out "packed or manufactured", and insert "manufactured or sold".

Amendment No. 6

On page 2, line 40, of the printed bill, as amended, strike out ", or", and insert "or in sealed".

Amendment No. 7

On page 2, line 41, of the printed bill, as amended, strike out ", or", and insert "; or in".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1124 by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Mr. Speaker—53
NOES—None.

Assembly Bill No. 1124 ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 389—An act to add Section 647.1 to the Code of Civil Procedure, relating to objection to comment on the evidence.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 389?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 647.1 to", and insert "amend Section 647 of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "objection to comment on the evidence", and insert "what is deemed excepted to".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 647 of the Code of Civil Procedure is amended to read as follows:

647. The verdict of the jury, the final decision in an action or proceeding, an interlocutory order or decision, finally determining the rights of the parties, or some of them, an order or decision from which an appeal may be taken, an order sustaining or overruling a demurrer, allowing or refusing to allow an amendment to a pleading, striking out or refusing to strike out a pleading or a portion thereof, refusing a continuance, an order made upon ex parte application, giving an instruction, although no objection to such instruction was made, refusing to give an instruction, modifying an instruction requested, an order or decision made in the absence of the party or an order granting or denying a nonsuit or a motion to strike out evidence or testimony, [and] a ruling sustaining or overruling an objection to evidence, *and any misstatement of the court in commenting upon or in summarizing the evidence*, are deemed to have been excepted to."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 389 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Weybret—52.

NOES—Evans—1

Assembly Bill No. 389 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 75 WAIVED

Mr. Clarke waived his notice of motion to reconsider the vote whereby the Assembly sustained the objections of the Governor to Assembly Bill No. 75.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 110—An act to amend Section 4986 of the Revenue and Taxation Code, relating to the cancellation of taxes;

Assembly Bill No. 357—An act to amend Section 202 of the Welfare and Institutions Code, relating to contracts for care of indigents; emergency services authorized; nonemergency services authorized; hospitals with which agreements may be made;

Assembly Bill No. 419—An act to add Section 1432.1 to the Penal Code, relating to the procedure in a justice's court when a complaint is filed against the justice of said court;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 434—An act to amend Section 1593 of the Labor Code, relating to employment agency licenses;

Assembly Bill No. 438—An act to repeal Section 1588.5 of the Labor Code, relating to labor contractor's license fees;

Assembly Bill No. 469—An act to add Section 4132.5 to the Political Code, relating to the indexing of instruments or documents recorded;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 476—An act to add Section 170.1 of the Fish and Game Code, relating to fish and game refuges and preserves;

Assembly Bill No. 488—An act to amend Sections 379 and 428 of the Vehicle Code, relating to the seizure and sale of vehicles by the Department of Motor Vehicles;

Assembly Bill No. 508—An act to amend Section 1589 of the Labor Code, relating to surety bonds of employment agencies;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 627—An act to amend Section 869 of the Welfare and Institutions Code, relating to the liability of the committing county for maintenance of juvenile delinquents;

Assembly Bill No. 629—An act to amend Section 6701 of the Welfare and Institutions Code, relating to the transfer of inmates at the request of relatives or friends;

Assembly Bill No. 630—An act to add Section 6702 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 631—An act to add Section 6703 to the Welfare and Institutions Code, relating to the financial liability of transferred inmates;

Assembly Bill No. 641—An act to amend Section 7102 of the Welfare and Institutions Code, pertaining to the purpose of the State Inebriate Colony;

Assembly Bill No. 643—An act to amend and renumber the title of Chapter 4, Part 4, of Division 6, of the Welfare and Institutions Code, as added by Chapter 994 of the Statutes of 1939, relating to State inebriate colonies;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 707—An act to amend Section 7113 of the Labor Code, relating to safety of employment;

Assembly Bill No. 709—An act to amend Section 673 of the Vehicle Code, relating to exhausts of vehicles operated over the highways;

Assembly Bill No. 782—An act to amend Section 576 of the Vehicle Code, relating to special stops required of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 788—An act to amend Section 12200 of the Business and Professions Code, relating to terms of county sealers;

Assembly Bill No. 825—An act to add Sections 1266 and 1266.1 to Part 3, Title 7, of the Code of Civil Procedure, relating to eminent domain, including the taking of land by cities and counties for streets and highways;

Assembly Bill No. 912—An act to amend Section 159 of the Fish and Game Code, relating to Fish and Game District 3H;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 928—An act to add Section 5.5 to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, and to add Section 9652.5 to the Revenue and Taxation Code, relating to computation of gross receipts;

Assembly Bill No. 949—An act to repeal Chapter 395 of the Statutes of 1915 entitled "An act providing for the sale of certain State lands suitable for cultivation," approved May 15, 1915, as amended;

Assembly Bill No. 950—An act to amend Section 1 of Chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," approved May 15, 1915, relating to State lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1019—An act to add a new section to the Probate Code to be numbered 1020.1 and to repeal Sections 530, 530.1 and 1201a of the Probate Code, all relating to assignments and transfers of an interest in the estate of a decedent by heirs, devisees and legatees;

Assembly Bill No. 1026—An act to amend the Agricultural Code by adding a new section thereto to be numbered 796.3, by amending Section 829.5 thereof and by repealing Section 795.5, and to require uniformity of size, regularity of packing and the use of lidded standard containers in connection with the marketing of citrus fruit;

Assembly Bill No. 1132—An act to add Article 3, comprising Sections 1801 to 1806, inclusive, to Chapter 3 of Division 4 of the Elections Code of the State of California, relating to elections, and the amendment of freeholders' charters;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1162—An act to add Section 5.534 to the School Code, relating to the service in the armed forces of the United States of America or of the State of California, or in the medical, nursing or ambulance service of the American Red Cross, of persons employed by school districts in positions requiring certification qualifications declaring the urgency thereof and providing that this act shall take effect immediately;

Assembly Bill No. 1189—An act to amend Section 8, and to repeal Section 9, of the Community Recreation Enabling Act of 1939, relating to the qualifications of employees,

Assembly Bill No. 1193—An act to amend Section 27 of, repeal Section 23 of, and add Section 23 to, the Unemployment Insurance Act, relating to a system of unemployment insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1396—An act to add Section 556 to the Labor Code, relating to days of rest of employees;

Assembly Bill No. 1415—An act to amend Section 30 of the State Civil Service Act, relating to the compensation of the members of the State Personnel Board;

Assembly Bill No. 1511—An act to add Section 32.5 to the Insurance Code and to add Article 2.5 to Chapter 5, Part 2, Division 1 of said code, relating to life insurance and life insurance analysts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1541—An act to amend Section 19150 of the Health and Safety Code, relating to the protection of buildings against earthquakes;

Assembly Bill No. 1554—An act to amend Section 2 of the Retail Sales Tax Act of 1933, to amend Sections 2 and 21 of the Use Tax Act of 1935; to add Section 6009.1 to, and to amend Sections 6015 and 7054 of, the Revenue and Taxation Code, relating to the definition of retailer, storage and use, and to the administration of the tax, and providing that this act shall take effect immediately;

Assembly Bill No. 1593—An act to amend the Streets and Highways Code by adding Section 2808 thereto, relating to the exemption of proceedings for the construction or acquisition of sanitary sewers and sewage disposal works from the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1631—An act to add Sections 1550.1, 1550.2 and 1550.3 to the Streets and Highways Code, relating to the powers of the county board of supervisors to levy road taxes;

Assembly Bill No. 1701—An act to add Article 2.5, comprising Sections 5135 to 5138, inclusive, to Chapter 2 of Division 5 of the Public Resources Code, relating to local art galleries and museums, authorizing counties and cities to accept title to real property therefor and to permit buildings therefor to be erected on public lands, providing for the delegation of authority thereover, and permitting the appropriation of moneys therefor;

Assembly Bill No. 1729—An act to amend Section 2.446 of, and to add Section 2.447 to, the School Code, relating to school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1756—An act to amend Sections 5.792 and 5.796 of the School Code, relating to the merit system of noncertificated employees;

Assembly Bill No. 1799—An act to add Section 52.5 to the Agricultural Code, relating to county agricultural commissioners;

Assembly Bill No. 1817—An act to amend the "California Water Storage District Act," being Statutes of 1921, Chapter 914, as amended, by amending Sections 4, 6 and 17 of said act, and by adding thereto a new Section 25(a), relating to formation, organization and powers of water storage districts, and authorizing such districts to cooperate and contract with the United States under the provisions of any Federal laws now in force, or hereafter to be enacted, for a water supply or for acquisition, purchase, construction, extension, operation or maintenance of works for irrigation, storage, flood control or drainage or for the assumption by the district of indebtedness to the United States and to describe the provisions which may be included in any such contract and to provide for the levy, apportionment and collection of assessments to meet any payments required by such contract;

And reports that the same have been correctly enrolled and presented to the Governor on the twelfth day of June, 1941, at 9 p m

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: *Your Committee on Engrossment and Enrollment has examined:*

Assembly Bill No. 1841—An act to amend Section 1043 of the Insurance Code, relating to mutualization, reinsurance and rehabilitation of persons in the possession of the Insurance Commissioner;

Assembly Bill No. 1889—An act to add Section 288.1 to the Penal Code, relating to punishment for crimes against children;

Assembly Bill No. 1933—An act to amend Section 3521 of the Political Code, relating to patents for State lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1934—An act to repeal Section 3788 of the Political Code, to add a new Section 3788 thereto, and to repeal Sections 4108 and 4108.5 of the Revenue and Taxation Code, relating to the disposition of State lands upon which the full purchase price is not paid and which are sold to the State for taxes;

Assembly Bill No. 1966—An act to add Sections 5.129 and 5.344 to the School Code, relating to the continuance of documents authorizing service in the public schools and held by persons serving in the military service of the United States or of the State of California, or in the medical, nursing or ambulance service of the American Red Cross, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 2090—An act to add Section 1443 to the Probate Code, relating to the appointment of guardians of minors and incompetent persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2094—An act to amend Section 184 of the Military and Veterans Code, relating to purchases of property by The Adjutant General;

Assembly Bill No. 2120—An act to add Section 63 to the Labor Code, relating to refunds;

Assembly Bill No. 2206—An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2208—An act to amend Section 1207 of the Penal Code, relating to entry of judgment of conviction;

Assembly Bill No. 2221—An act to amend Section 5.430 of the School Code, relating to school principals;

Assembly Bill No. 2254—An act authorizing wage or salary deductions for public officers and employees in favor of credit unions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2265—An act to amend Section 744 of the Vehicle Code, relating to records of convictions to be reported to the Department of Motor Vehicles;

Assembly Bill No. 2321—An act to amend Section 4246 of the Political Code, relating to the compensation for public services in counties of the seventeenth class,

Assembly Bill No. 2384—An act to add Sections 531.2 and 587.5 to the Vehicle Code, relating to the operation and the parking of vehicles;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2386—An act to add Section 15.5 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, fire wardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, relating to the establishment of systems for the retirement and pension of certain county and county fire protection district officers and employees;

Assembly Bill No. 2421—An act to add Section 2163.5 to the Welfare and Institutions Code, relating to real property as defined for the purposes of aid to the aged;

Assembly Bill No. 2573—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2595—An act to amend Section 1 of "An act making an appropriation for the reconstruction, replacement and repair of buildings and physical facilities of elementary and secondary schools damaged or destroyed by earthquakes, to take effect immediately," approved December 7, 1940, relative to reconstruction, replacement and repair of school buildings, making an appropriation, to take effect immediately;

Assembly Bill No. 2643—An act to amend Section 4248 of the Political Code, relating to compensation for public services in counties of the nineteenth class;

Assembly Bill No. 2647—An act to add Section 30.1 to the Public Utility District Act, relating to the powers of public utility districts, empowering them to make contracts for the joint acquisition, construction, maintenance, or use of sewers and sewage works, plants, and disposal facilities and to make leases or contracts for the use of sewers, sewage works, plants, and disposal facilities constructed by public utility districts, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2654—An act to amend Section 73b of the Code of Civil Procedure, relating to sessions of the superior court held in cities other than the county seat;

Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the first paragraph of Section 22 of Article XX of the Constitution of the State, relating to the legal rate of interest on loans;

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 4c of, and adding Sections 4d and 5a to Article VI thereof, relating to the judicial department;
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 39—Relative to providing suitable space and facilities for the office of the Attorney General;

Assembly Joint Resolution No. 15—Relative to memorializing the President and the Congress of the United States to make the necessary and additional Federal

appropriations to connect military cantonments with the existing State highway systems and to improve and enlarge the capacity of highways and bridges where necessary to meet the extraordinary requirements of military use;

Assembly Joint Resolution No. 48—Memorializing the President and the Congress to enact pending legislation to establish the 150th anniversary of the adoption of the Bill of Rights as a public holiday;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1941, at 9 p m

JOHN B. KNIGHT, Chairman

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 3—An act to amend Sections 50, 81 and 372 of the Vehicle Code, relating to vehicles and vehicular traffic, including the definition of unladen weight, the definition of street or highway, and the payment of weight fees for commercial vehicles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 26, 1941, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out ", 81 and 372 of the Vehicle Code,", and insert "and 372 of the Vehicle Code, and to add Section 459 2 thereto,".

Amendment No. 2

In the title of the printed bill, as amended, strike out lines 3 to 5, inclusive, and insert "nition of unladen weight, the payment of weight fees for commercial vehicles, and the powers of local authorities in respect to the regulation of traffic within private airports."

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 19 to 22, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Amendment No. 4

On page 2 of the printed bill, as amended, after line 46, insert

"SEC. 3. Section 459.2 is hereby added to the Vehicle Code, to read as follows:

459.2. The provisions of this division shall not prevent local authorities within the reasonable exercise of their police power from adopting rules and regulations by ordinance or resolution regulating vehicular traffic on privately-owned and maintained roads or ways within the boundaries of a privately-owned airport, when such roads or ways are expressly open to the general public for purposes of vehicular traffic.

No such rule or regulation shall be effective until appropriate signs giving notice thereof are posted along the roads or ways affected."

GORDON	CALL
WARD	LOWREY
QUINN	POTTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Heisinger, Howser, F. N., Kilpatrick, Knight, T Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Thorp, Thurman, Turner, Waters, Watson, and Weber—51.

NOES—None.

ASSEMBLY BILL NO. 1686 STRICKEN FROM FILE

Mr. Robertson moved that Assembly Bill No. 1686 be stricken from the file.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1937—An act to add Section 6215 to the Public Resources Code, relating to State lands and to the powers and duties of the State Lands Commission in connection therewith, declaring the scope, purpose and intent of the Legislature in enacting the State Lands Act of 1938 and acts amendatory thereof, and validating and confirming the acts of the State Lands Commission.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1937?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "6215", and insert "6216".

Amendment No. 2

On page 2, line 12, of the printed bill, as amended, strike out "6215", and insert "6216".

Amendment No. 3

On page 2, line 14, of the printed bill, as amended, strike out "6215", and insert "6216".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 34 to 51, inclusive, and insert

"(b) The provisions of Section 48 of the State Lands Act of 1938, added thereto by Chapter 646 of the Statutes of 1939, as codified in Section 6301 of this code, shall hereafter supersede and control over any other provisions of law, whether general or special, relating to any tidelands or submerged lands or the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, or straits, without regard to whether any of such lands contain or may contain oil, gas or other minerals, and any such other provisions of law in conflict therewith are repealed.

(c) Any and all acts of the State Lands Commission heretofore performed by it in pursuance of Section 48 of the State Lands Act of 1938 are hereby confirmed, ratified and validated, without regard to whether the lands affected thereby contain or might contain oil, gas or other minerals. Lands under the jurisdiction of the State Board of Harbor Commissioners at San Francisco are excluded from the jurisdiction established by this section."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1937 by the following vote:

AYES—Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Heisinger, Howser, F. N., Kilpatrick, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, and Weber—49.

NOES—None.

Assembly Bill No. 1937 ordered enrolled.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

Motion to Amend

Mr. Cronin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, as amended, between lines 10 and 11, insert "other than an appointment to a judicial office or".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burkhalter, Cronin, Donnelly, Evans, Gallagher, Hawkins, Knight, T. Fenton; Lyon, Maloney, McCollister, Middough, Pelletier, Phillips, Poole, Voigt, and Welch—16.

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Green, Gunlock, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Massion, Meehan, Miller, O'Day, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Watson, and Wollenberg—40.

Senate Constitutional Amendment No. 2 passed on file temporarily.

Senate Bill No. 794—An act to add Section 11663 to the Insurance Code, relating to workmen's compensation insurance on the group plan.

Bill read third time.

Motion to Amend

Mr. Salsman moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, after the period, insert "Such rules shall not permit the inclusion of more than one employer in any policy of workmen's compensation insurance unless the commissioner finds that there exists between and among the employers included a common insurable interest, or a liability on the part of one or more employers to the employees of one or more other employers, or an uncertainty as to the liability as between the employers for workmen's compensation benefits to employees of the several employers."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, and Wollenberg—54.

NOES—Voigt—1.

Bill ordered reprinted, and to third reading.

Senate Bill No. 943—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes and other moneys, the amount of which does not justify the cost of their collection.

Bill read third time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, following "collection", insert a comma and "provided, however, that this section shall apply to amounts in excess of fifty dollars ($50) whenever the Attorney General in writing advises that the amount is too small to justify the cost of collection".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gallagher, Green, Gunlock, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—54.

NOES—Dilworth—1.

Bill ordered reprinted, and to third reading.

Senate Bill No. 715—An act to amend Section 6060 and to repeal Section 6061 of the Business and Professions Code, relating to admissions to the practice of law.

Bill read third time.

Motion to Amend

Mr. Call moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, after "passed", insert "by a grade of 450 points".

Amendment No. 2

On page 2, line 28, of the printed bill, as amended, strike out "regis-", and insert "registration".

Amendments read.

Demand for Previous Question

Messrs. Robertson, Howser, F. N., Dilworth, Desmond and Gaffney demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Senate Bill No. 715.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

Roll Call Demanded

Messrs. Phillips, Donnelly and Leonard demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Gallagher, Gunlock, Houser, Frederick F., Howser, F. N., Johnson, Leonard, Lyon, Maloney, McCollister, Middough, Miller, O'Day, Pfaff, Phillips, Robertson, Salsman, Sawallisch, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—38.

NOES—Burkhalter, Collins, Sam L., Dilworth, Evans, Gaffney, Hawkins, Heisinger, King, Knight, T. Fenton; Massion, Meehan, Pelletier, Richie, Russell, Stream, Tenney, Thomas, Turner, and Voigt—19.

Time, 12.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Pfaff, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1475.

RECONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1475

In compliance with a notice given on a previous day, Mr. Pfaff moved that the vote whereby the Assembly sustained the objections of the Governor to Assembly Bill No. 1475 be reconsidered.

Reconsideration of the vote whereby the Assembly sustained the Governor's veto to Assembly Bill No 1475 granted by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, and Watson—42.

NOES—Cain, Collins, George D., Dills, Gaffney, Gallagher, Gunlock, Johnson, King, Massion, O'Day, Richie, Tenney, Voigt, Weber, Welch, and Wollenberg—16

Assembly Bill No. 1475 ordered to unfinished business file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 715

At 12.50 p.m., on motion of Mr. Call, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments to Senate Bill No. 715 adopted by the following vote:

AYES—Bennett, Burns, Hugh M., Cain, Call, Carlson, Collins, Sam L., Cronin, Del Mutolo, Desmond, Donnelly, Doyle, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Robertson, Salsman, Sawallisch, Stream, Thorp, Thurman, Weber, Welch, Wollenberg, and Mr. Speaker—35

NOES—Andreas, Burkhalter, Burns, Michael J., Clarke, Collins, George D., Cooke, Crowley, Dills, Dilworth, Evans, Gaffney, Gallagher, Gunlock, Hawkins, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Russell, Tenney, Thomas, Turner, Voigt, and Watson—29

Bill ordered reprinted, and to third reading.

RECESS

At 12.55 p.m., on motion of Mr. Call, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened
Hon. Gordon H. Garland, Speaker of the Assembly, presiding

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 255 WAIVED

Mr. Middough waived his notice of motion to reconsider the vote whereby Senate Bill No. 255 was passed.

Senate Bill No. 255 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 785
Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLER, Chairman

Above reported bill ordered to second reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Senate Bill No. 221
Senate Bill No. 1211
Senate Bill No. 1309
Senate Bill No. 1311
Has had the same under consideration, and reports the same back with the recommendation: Do pass

MILLINGTON, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 785—An act to add a new section to the School Code, to be numbered 5.775, relating to the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 221—An act to amend Section 4.770 of the School Code, relating to the allowance of teacher units to elementary school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1211—An act making an appropriation for the support, activities and functions of the California Farm Debt Adjustment Commission, disposing of unexpended money of a previous appropriation for such purposes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1309—An act to provide for manufacture of tobacco products in institutions of the State of California, the sale of such products to State agencies, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1311—An act to amend Section 1250 of, and to add Section 1346 to, the Fish and Game Code, relating to antelope.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1475 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Houser, Frederick F., Knight, John B., Robertson, Poole and Middough demanded the previous question.

Demand for previous question sustained.

The question being: Shall Assembly Bill No. 1475 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Pfaff moved a call of the Assembly.

Motion carried. Time, 3 12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Bill read third time.

Motion to Amend

Messrs. Sawallisch and Burns, Hugh M., moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 14, of the printed measure, as amended, strike out "Senate", and insert "Assembly".

Amendment No. 2

On page 2, line 10, of the printed measure, as amended, strike out "Senate", and insert "Assembly"

Amendment No. 3

On page 2, line 11, of the printed measure, as amended, strike out "Senate", and insert "Assembly".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burkhalter, Burns, Hugh M., Call, Collins, Sam L., Cronin, Del Mutolo, Dickey, Gallagher, Gunlock, Hawkins, Pelletier, Poole, Robertson, Sawallisch, Sheridan, and Turner—16.

NOES—Allen, Andreas, Burns, Michael J., Clarke, Collins, George D., Cooke, Dills, Dilworth, Donnelly, Doyle, Gaffney, Green, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Potter, Salsman, Stream, Tenney, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—39.

Senate Constitutional Amendment No. 2 passed on file temporarily.

Hon. Charles W. Lyon Presiding

At 3.20 p.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1060

The Speaker announced the appointment of Messrs. Cain, Thomas and Salsman as a Committee on Conference concerning Assembly Bill No. 1060.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. F. N. Howser, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 26.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 26—An act to amend Section 995 of the Penal Code, relating to causes for which indictment or information must be set aside.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 26 become a law notwithstanding the objections of the Governor?

Governor's message stating his objections read.

Motion to Dispense With Reading Governor's Message

Mr. Watson moved that further reading of the Governor's message stating his objections to Senate Bill No. 26, be dispensed with.

Mr. Potter seconded the motion.

Motion carried.

The question being: Shall Senate Bill No. 26 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Allen, Burns, Hugh M., Call, Clarke, Collins, Sam L., Dilworth, Evans, Field, Green, Hastain, Howser, F. N., Knight, John B., Knight, T. Fenton;

Leonard, Lyon, McCollister, Middough, Miller, Millington, Phillips, Poole, Potter, Salsman, Sawallisch, Sheridan, Thurman, Waters, Watson, Welch, and Weybret—30.

NOES—Andreas, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Gunlock, Hawkins, Heisinger, King, Lowrey, Maloney, Massion, Meehan, Pelletier, Richie, Tenney, Voigt, and Weber—26.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1941

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. I have heretofore vetoed Assembly Bill No. 243, feeling that in the event it became law there would be a period during which there would be no legally effective Fish and Game Commission.

Since vetoing the bill I have submitted my nominations for appointments to the Fish and Game Commission to the Senate and I have been informed that the Senate has this day confirmed my nominations.

That action of the Senate eliminates my objections to Assembly Bill No. 243 and I therefore recommend that the Legislature vote to enact this measure notwithstanding my veto.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 243 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly refused to sustain the objections of the Governor by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—56.

NOES—None.

Hon. Franklin J. Potter Presiding

At 4 p.m., Hon. Franklin J. Potter, Member of the Assembly from the Fifty-seventh District, presiding.

MOTION TO WITHDRAW SENATE BILL NO. 151 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Robertson moved that Senate Bill No. 151 be withdrawn from the Committee on Judiciary General, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Collins, Sam L., Dickey, Dilworth, Doyle, Hastain, Hawkins, Knight, John B., Miller, Pelletier, Phillips, Potter, Richie, Robertson, Turner, and Voigt—15.

NOES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Donnelly, Evans, Field, Gaffney,

Gallagher, Heisinger, Howser, F. N., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Millington, Poole, Russell, Sawallisch, Stream, Thorp, Thurman, Watson, and Welch—33.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 108—An act to amend Sections 4, 7 and 20½ of the Alcoholic Beverage Control Act, relating to licenses and to the conduct of business and transfer of licenses by an executor, administrator, guardian, trustee, receiver, assignee for the benefit of creditors and others;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on April 29, 1941, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out ", 7 and 20½", and insert "and 7".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out lines 1 to 27, inclusive.

KENNY	BURNS, HUGH M.
McCORMACK	SAWALLISCH
LUCKEY	HOWSER, F. N.
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, and Welch—50

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Messrs. Voigt, Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Garland, Green, Gunlock, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kellems, Kepple, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Poulson, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg:

House Resolution No. 274

WHEREAS, John B. Cooke, Member of the Assembly from the Fortieth Assembly District and Lieutenant Commander in the United States Navy, retired, has been notified that he is being recalled to active duty in the Naval forces of our Country; and

WHEREAS, He is to serve on shore duty as Commanding Officer, Section Base, Bishop Point, Oahu, Hawaiian Islands; and

WHEREAS, The importance of his command is mute tribute to his ability; now, therefore, be it

Resolved, That the Members of this Assembly hereby extend their respects to Commander Cooke, and congratulate him upon his return to active duty in the service of his Country; and be it further

Resolved, That it is the sincere hope of all of the Members of this Assembly that the National emergency which necessitates his return to duty shall be of short duration.

Request for Unanimous Consent

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 274, at this time, without reference to committee.

Resolution read, and adopted unanimously.

RECESS

At 4.05 p.m., on motion of Mr. Voigt, the Assembly recessed until 4.10 p.m., for the purpose of paying tribute to Assemblyman Cooke, who has been called back to active service in the United States Navy.

REASSEMBLED

At 4.10 p.m., the Assembly reconvened.

Hon. Franklin J. Potter, Member of the Assembly from the Fifty-Seventh District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1274—An act to amend Section 17025 of the Business and Professions Code and Section 6 of an act entitled "An act relating to unfair competition and discrimination, defining certain unfair and discriminatory practices, including loss leader selling and selling below cost, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair competition and discrimination.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Call, Clarke, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Welch, and Weybret—44.

NOES—Collins, George D., Collins, Sam L., Cooke, Dilworth, Heisinger, Kilpatrick, Richie, and Stream—8.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Potter, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Senate Bill No. 761.

Senate Bill No. 761—An act to add Sections 7028.5, 7065.5, 7074, 7106.5, 7121 and 7137, and Article 9, consisting of Sections 7140 to 7145, inclusive, to Chapter 9 of Division 3 of, and to amend Sections 7002, 7026, 7059, 7068, 7069 and 7090 of, and to repeal Sections 7055, 7056, 7057, 7058, 7074, 7137, 7138 and 7139 of, the Business and Professions Code, relating to the regulation of contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—48.

NOES—Allen, Dilworth, Heisinger, Maloney, and Watson—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 721—An act to amend Section 842 of the Probate Code, relating to the leasing of real property belonging to the estate of a deceased person.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Heisinger, Howser, F. N., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1151—An act to amend the article heading of Article 1 of Chapter 1 of Title 1, and Sections 2000, 2001, 2003, 2004, 2008, 2009, 2711, 2712, 2870 and 2875, of the Penal Code or to amend the title and Sections 1 and 7 of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, management thereof; and to make an appropriation therefor," approved July 9, 1935, relating to renaming the Southern California Prison.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, John B., Knight, T. Fenton;

Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act to amend Section 942 of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Allen moved to expunge the record, and rescind the action whereby Senate Bill No. 1274 was this day passed.

Motion withdrawn temporarily.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1475

At 5.03 p.m., on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Motion to Recess

Mr. Pfaff moved that the Assembly recess for two minutes.

Motion lost.

Call of the Assembly

Pending the announcement of the vote, Mr. Pfaff moved a call of the Assembly.

Motion carried. Time, 5.10 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred. Senate Bill No. 953

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

TURNER, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 953—An act to amend Section 16 of the Motor Vehicle Fuel License Tax Act, relating to actions to recover license taxes paid under protest under said act.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1057—An act to repeal Chapter 14, comprising Sections 8500 to 8578, inclusive, of, and to add Chapter 14, comprising Sections 8500 to 8677, inclusive, to, Division 3 of the Business and Professions Code, relating to the regulation of structural pest control;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 5 p m.

JOHN B. KNIGHT, Chairman

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1731

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1731?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, strike out "No contractor whose bid is accepted"; and strike out all of lines 13 to 25, inclusive, and insert

"If a contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth

No contractor whose bid is accepted shall, without the consent of the awarding authority, either:

(a) Substitute any person as subcontractor in place of the subcontractor designated in the original bid, or

(b) Permit any subcontract to be assigned or transferred or allow it to be performed by anyone other than the original subcontractor, or

(c) Sublet or subcontract any portion of the work as to which his original bid did not designate a subcontractor.

Subletting or subcontracting of any portion of the work as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the awarding authority setting forth the facts constituting such emergency or necessity.

Should the contractor violate any of the provisions of this act, his so doing will be deemed a violation of his contract and the awarding authority shall have the right to cancel the contract The contractor shall not, after any such violation, recover thereon for any of the work done or materials furnished on such public".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 12, of the printed bill, as amended, strike out the period, and insert a comma and "nor to city or county projects financed in whole or in part with motor vehicle fuel funds.

Nothing in this act contained shall be deemed to limit or diminish any rights or remedies, either legal or equitable, which either an original or substituted subcontractor may have against the contractor, his successors or assigns, nor any such rights or remedies (including the right to take over and complete the contract) which the State of California, or any municipal corporation, county, body politic, or public corporation, or public agency may have against the contractor, his successors or assigns"

The roll was called.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Cain, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Assembly Bill No. 1731.

Call of the Assembly

Pending the announcement of the vote, Mr. Cain moved a call of the Assembly.

Roll Call Demanded

The roll was called, and the motion carried by the following vote:

AYES—Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Masson, Meehan, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Tenney, Thomas, Thorp, Thurman, Weber, and Weybret—34

NOES—Collins, Sam L., Daley, Dilworth, Hastain, Howser, F. N., Johnson, Knight, T. Fenton; Stream, Waters, and Watson—10

Time, 5.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

MOTION TO PLACE SENATE BILL NO. 444 ON INACTIVE FILE

Mr. Cronin moved that Senate Bill No. 444 be placed upon the inactive file.

Motion carried.

RECESS

At 5.30 p.m., on motion of Mr. Desmond, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF A QUORUM SUGGESTED

Mr. Field suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Andreas, Burkhalter, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Donnelly, Doyle, Field, Gaffney, Hastain, Hawkins, Houser, Frederick F. Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Middough, Miller, Millington, Pelletier, Richie, Russell, Salsman, Stream, Thorp, Thurman, Turner, Wollenberg, and Mr. Speaker—36

Call of the Assembly

Mr. Field moved a call of the Assembly.

Motion carried. Time, 8.25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 8.27 p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, Weybret, and Wollenberg—49.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 747—An act to amend Sections 1071 and 1074 of the Streets and Highways Code, relating to highway work on county roads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Hastain, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Millington, Pelletier, Pfaff, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Daley, Desmond, Houser, Frederick F., and O'Day—4.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 42—An act to add Section 73.5 to the Agricultural Code, relating to exhibits at the California State Fair;

Assembly Bill No. 70—An act to amend Section 421 of the Fish and Game Code, relating to sporting fishing licenses;

Assembly Bill No. 124—An act to add Article 3, consisting of Section 3800, to Chapter 4 of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation insurance and applicants for construction, improvement, alteration, or demolition permits;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 207—An act to add Sections 2010, 2011 and 2012 to, and to amend Section 2183 of, the Welfare and Institutions Code, relating to aid to the aged, providing for the payment thereof, and specifying the powers and duties of certain public officers and employees in connection therewith;

Assembly Bill No. 626—An act to amend Section 745 of the Welfare and Institutions Code, relating to the modification of commitment orders of juvenile delinquents;

Assembly Bill No. 628—An act to amend Section 6700 of the Welfare and Institutions Code, relating to the transfer of inmates of State institutions;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 660—An act to amend Section 231 of the Code of Civil Procedure, relating to the manner of summoning jurors for courts not of record;

Assembly Bill No. 937—An act to amend Sections 23, 29, 29.5, 40, 43, 49 and 63 of, to repeal Section 31 of, and to add Sections 2.5, 31, 36.5, 40 5 and 70.5 to the Gift Tax Act of 1939, relating to the taxation of transfers of property, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1181—An act to add Section 136d to the Bank Act, relating to the disposition of property held as trustee or in safekeeping by a bank, title insurance or trust company in process of liquidation, providing for the escheat thereof, authorizing the State Treasurer to act as a trustee for a trust company, bank, or title insurance company in liquidation, and making an appropriation;

Assembly Bill No. 1191—An act to repeal Sections 22 5 and 24.5 of, and to add Sections 22.5 and 24.5 to, the Unemployment Insurance Act, relating to a System of Unemployment Insurance;

Assembly Bill No. 1271—An act to amend Sections 468, 511 and 758 of, and to add Sections 468.2, 511.1, 511.2 and 511 3 to, the Vehicle Code, relating to the regulation of speeds on public streets and highways;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1274—An act to amend Sections 158, 162, 178, 179, 183 and 226 of, and to add Section 195.5 to, the Vehicle Code, relating to the registration of vehicles;

Assembly Bill No. 1288—An act to amend Section 679 of the Vehicle Code, relating to the condition of a vehicle and its equipment;

Assembly Bill No. 1290—An act to add a new section, to be numbered 660, to the Vehicle Code, relating to the sale of used vehicles;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSLMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1309—An act to add Section 155.5 to the Welfare and Institutions Code, relating to the Whittier State School;

Assembly Bill No. 1350—An act to amend Section 107 of the Health and Safety Code, relating to the Director of Public Health;

Assembly Bill No. 1390—An act to amend Sections 59, 90, 125 and 172 of, and to add Section 151.6 to, the State Civil Service Act, relating to State civil service;
And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1519—An act to amend Sections 4020, 4021, 4022, 4023, 4042, 4043, 4045, 4060, 4062, 4063, 4064, 4080, 4082, 4084, 4085, 5000 and 5022, and to repeal Sections 5001, 5002, 5003 and 5004 and Article 6, consisting of Sec-

tions 5020 and 5021, of Chapter 4, Part 1, Division 2 of the Insurance Code and to add Sections 4064.5 and 4065 thereto, all relating to insurance;

Assembly Bill No. 1526—An act to further the education of children of disabled World War veterans by allowing free tuition in State-owned colleges and universities;

Assembly Bill No. 1591—An act to add Section 24 to the District Investigation Act of 1933, relating to sanitary and sanitation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1594—An act to amend Sections 2802, 2804, 2820, 2904, 2951 and 3012, and to add Sections 2809 and 2996, to the Streets and Highways Code, relating to waiver of report, limitation of actions, and costs on abandonment under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

Assembly Bill No. 1595—An act to amend Sections 6, 10, 14, 15, 16 and 20, and to add Sections 24, 25 and 26 to an act entitled "District Investigation Act of 1933," relating to the investigation report and debt limitations;

Assembly Bill No. 1717—An act to amend Section 736.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1875—An act to amend Sections 1, 2 and 3 of an act entitled "An act authorizing any incorporated city within this State to adopt by ordinance a retirement or pension system for the retirement of officers and employees; providing for the creation of a retirement board and for the delegation of certain powers to such board; authorizing the creation of a pension and retirement fund and the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contributions to said fund by officers and employees and the city; and authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act," approved May 19, 1937, relating to municipal retirement systems;

Assembly Bill No. 1962—An act to add Sections 1.51a and 1.52 to the School Code, relating to student body funds and organizations;

Assembly Bill No. 2036—An act to amend Sections 2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2200, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 2420, 3871, 3878, 3879 and 3880 of, and to amend the article heading of Article 10, Chapter 1, Division 5 of, to add Sections 2420.5, 3709.5 and 3873 to, and to repeal Sections 2109, 2151, 2154, 2202, 2257, 2302, 2303, 3873, 3874, 3875, 3876 and 3877 of, the Elections Code, relating to presidential primaries, including the election and appointment of presidential delegates, presidential primary ballots, and lists of candidates for delegate;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2128—An act to amend Sections 39, 382 and 623 of the Vehicle Code, and to add Sections 168 and 628 thereto, relating to vehicles and vehicular traffic;

Assembly Bill No. 2152—An act to add Section 2.1364-1 to the School Code, relating to the Department of Education;

Assembly Bill No. 2218—An act to amend Sections 3.362, 4.871, 4.873, 4.884 and 4.885 of, and to add Sections 4.871a and 4.884a to the School Code, relating to the support of the Public School System;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2300—An act to amend Section 2 of the Fish and Game Code, relating to definition;

Assembly Bill No. 2402—An act to amend Section 4157 of, and add Section 4157.5 to, the Political Code, relating to the powers and duties of county sheriffs;

Assembly Bill No. 2431—An act to add Section 689.5 to the Code of Civil Procedure, relating to third party claims;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2440—An act to add Section 8.5 to an act entitled "An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith," approved June 17, 1929, relating to local planning;

Assembly Bill No. 2541—An act to add Section 58.5 to the Unemployment Insurance Act, relating to the amount of benefits;

Assembly Bill No. 2606—An act to amend Sections 2139 and 2148 of, and to add Section 2149 to, the Business and Professions Code, and to amend Sections 11000, 11160, 11161, 11476, 11477, 11479, 11570 and 11571 of the Health and Safety Code, relating to the diagnosis of foot conditions and ailments, the prescribing or recommending of foot appliances or shoes and the practice of chiropody, including the use of electric devices and narcotic drugs in such practice;

And reports the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1941, at 8 p.m.

JOHN B. KNIGHT, Chairman

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.4, 736.3, 736.13, 736.14, 737.5, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1716?

Amendment No. 1

On page 10, line 33, of the printed bill, as amended, strike out "allocated", and insert "collected".

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 1716 by the following vote:

AYES—Desmond, and Field—2.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Maddough, Miller, Millington, O'Day, Pelletier, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Welch, Wollenberg, and Mr. Speaker—48.

Assembly Bill No. 1716 ordered to conference.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1716

The Speaker announced the appointment of Messrs. Desmond, Burns, Michael J., and Thorp as a Committee on Conference concerning Assembly Bill No. 1716.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 272

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported resolution ordered to third reading.

RECESS

At 9 p.m., on motion of Mr. Wollenberg, the Assembly recessed until 9.15 p.m.

REASSEMBLED

At 9.15 p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1475

At 10.20 p.m., on motion of Mr. Pfaff, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to sustain the objections of the Governor to Assembly Bill No. 1475 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Mr. Speaker—56.

NOES—Cain, Collins, George D., Dills, Gaffney, Gallagher, Gunlock, Hawkins, Johnson, Kilpatrick, King, Massion, O'Day, Richie, Tenney, Weber, Welch, and Wollenberg—17.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1941

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

HUGH M. BURNS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 205—An act to amend Section 13, and to add Sections 13a, 13b, 13c, to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relat-

ing to the regulation and licensing of horse racing and the administration of the act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "19420, 19433, 19483, 19485, 19530," and insert "19433, 19485,".

Amendment No. 2

In the title of the printed bill, as amended, strike out lines 2 and 3, and insert "19532, 19562, 19597, 19620, 19621 and 19624 of, and to add Sections 19480.5, 19510.5".

Amendment No. 3

In line 8 of the title of the printed bill, as amended, after "from", insert ", and providing for the transfer to the Fair and Exposition Fund of certain reverted appropriations".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out lines 1 to 12, inclusive.

Amendment No. 5

On page 1, line 13, of the printed bill, as amended, strike out "SEC. 2. Section 19433 of said", and insert
"SECTION 1. Section 19433 of the Business and Professions".

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 25 to 49, inclusive.

Amendment No. 7

On page 3, line 6, of the printed bill, as amended, strike out "80", and insert "120".

Amendment No. 8

On page 3 of the printed bill, as amended, strike out lines 7 and 8, and insert "county."

Amendment No. 9

On page 3 of the printed bill, as amended, strike out lines 9 to 12, inclusive.

Amendment No. 10

On page 3 of the printed bill, as amended, strike out lines 20 to 29, inclusive.

Amendment No. 11

On page 3, line 51, of the printed bill, as amended, strike out "1945", and insert "1943".

Amendment No. 12

On page 4, line 2, of the printed bill, as amended, strike out "1945", and insert "1943".

Amendment No. 13

On page 4, line 6, of the printed bill, as amended, strike out "other"; strike out all of line 7; and in line 8, strike out "associations,".

Amendment No. 14

On page 4 of the printed bill, as amended, strike out lines 22 to 27, inclusive.

Amendment No. 15

On page 6 of the printed bill, as amended, after line 50, insert
"SEC. 22. The sum of one hundred thirty-three thousand one hundred twelve dollars and 20 cents ($133,112.20), representing the reverted balances of the appropriations made by Chapters 32, 341 and 515 of the Statutes of 1935, is hereby transferred to the Fair and Exposition Fund of the State of California."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Constitutional Amendment No. 67

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

LYON, Chairman

Above reported bill ordered engrossed.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

OFFICE OF THE MAYOR
SAN FRANCISCO, June 12, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature, Sacramento, California

DEAR ARTHUR: Upon my return from Washington I found a beautifully engrossed resolution passed by the Legislature and sent to me as a means of thanking the City and County of San Francisco for the entertainment of the wives of Members of the Assembly.

May I say that it was a very great pleasure to do the very little we did do for the charming party which visited this city, and I would appreciate it if you would express to the Assembly my sincere thanks for its action.

Yours sincerely,

ANGELO J. ROSSI, Mayor

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 67

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 55—Memorializing Congress to enact legislation on Social Security and Old Age Pensions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 55?

Amendment No. 1

On page 1 of the printed measure, strike out lines 1 to 11, inclusive, and insert

"WHEREAS, Under the present Social Security Act there are many inequalities due to the varying rates of Old Age Assistance paid in the different States, and such differences in payments have caused much dislocation and confusion among our senior citizens; and

WHEREAS, Many elderly people migrate to the States paying the higher rates of assistance, which increases the tax burden in such States in order to meet the expense of caring for such large numbers of elderly people during the period they must reside in such States to qualify for Old Age Assistance; and

WHEREAS, Many different State laws are being constantly changed and thereby add to the inconvenience, expense and confusion; now, therefore, be it".

Amendment No. 2

On page 2, line 14, of the printed measure, strike out the comma; and strike out lines 15 to 28, inclusive, and insert "; and be it further,".

Amendment No. 3

On page 1, line 13, of the printed measure, after "That", insert "the Legislature of this State hereby indorses the following recommendations of the Congressional Subcommittee on Social Security and Old Age Pensions of the House Conference on Unemployment and respectfully requests".

Amendment No. 4

On page 1, line 14, of the printed measure, strike out "are memorialized".

Amendment No. 5

On page 1, line 15, of the printed measure, after "legislation", strike out the balance of the line; strike out all of line 16, and on page 2, strike out all of lines 1 and 2.

Amendment No. 6

On page 1, line 15, of the printed measure, after "legislation", insert "to put them into effect."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 55 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Howser, F. N., King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Pottel, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—52.

NOES—None.

Assembly Joint Resolution No. 55 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 336
Senate Bill No. 420
Senate Bill No. 1272
Senate Bill No. 1328

J. A. BEEK Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 33
Assembly Joint Resolution No. 49
Assembly Concurrent Resolution No 60

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 911
Assembly Bill No. 972
Assembly Bill No. 979
Assembly Bill No. 1071
Assembly Bill No. 1951
Assembly Bill No. 2380
Assembly Bill No. 2580
Assembly Bill No. 2589
Assembly Joint Resolution No. 55

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural proration programs, including definitions, proration program committees, equalization pools and the deposit of

moneys; and to declare the urgency of this act and that this act shall take effect immediately.
And appointed Senators Jespersen, Gordon and Brown as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 98
Assembly Bill No. 586
Assembly Bill No. 946
Assembly Bill No. 1002
Assembly Bill No. 1039
Assembly Bill No. 1216
Assembly Bill No. 1528
Assembly Bill No. 1621
Assembly Bill No. 1769
Assembly Bill No. 1882
Assembly Bill No. 1992
Assembly Bill No. 2006
Assembly Bill No. 2033
Assembly Bill No. 2129
Assembly Bill No. 2135
Assembly Bill No. 2136
Assembly Bill No. 2183
Assembly Bill No. 2304
Assembly Bill No. 2388
Assembly Bill No. 2649

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McCormack, McBride and Myhand as a Committee on Conference concerning:

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.4, 736.3, 736.13, 736.14, 737.5, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Kenny, Ward and Carter as a Committee on Conference concerning:

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1501

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1285

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1285—An act to amend Sections 583 and 586 of the Vehicle Code, relating to the stopping, standing or parking of a vehicle.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1285?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 16 to 21, inclusive.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1285 by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Leonard, Lyon, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Weybret, and Mr. Speaker—47

NOES—None.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 801

The Speaker announced the appointment of Messrs. Weybret, Dilworth and Hastain as a Committee on Conference concerning Senate Bill No. 801.

Hon. Rodney L. Turner Presiding

At 11.06 p.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Millington, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 876.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Weybret, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 1337.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1337—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for support, construction and equipment, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—59.

NOES—None.

The question being on the passage of Senate Bill No. 1337

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, Miller, Milling-

ton, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—59.

NOES—None.

Bill ordered transmitted to the Senate.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr. Crowley, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of call of the Assembly on Senate Bill No. 292.

Motion to Temporarily Suspend the Rules

Mr. Crowley moved that the Rules be temporarily suspended for the purpose of allowing additional time for debate on Senate Bill No. 292.

Motion carried unanimously.

Senate Bill No. 292—An act to provide for the construction of a dam and appurtenant works, including conveyance and distribution facilities; said dam and appurtenant works to impound the waters of Conn Creek, Napa County, to provide a supply for State institutions which may feasibly receive water therefrom and to provide for the beneficial utilization of any surplus water which may be impounded; to authorize the Department of Finance to construct said dam and appurtenant works, to acquire the lands and other property necessary therefor, and to contract and otherwise cooperate with the Federal Government and any of its departments or agencies and with any political subdivision, district, municipal corporation, department or agency of the State for the construction of said dam and appurtenant works, and for the acquisition of the lands or property necessary therefor; and for utilization of the waters to be supplied thereby; to make an appropriation therefor; and to declare the urgency thereof and to provide it take effect immediately.

Bill read third time

Motion to Amend

Mr. Tenney moved the adoption of the following amendments:

Amendment No. 1

Strike out line 4 of the title of the printed bill, as amended, and insert "waters of a stream or streams in Napa County,".

Amendment No. 2

On page 1, line 7, of the printed bill, as amended, after "waters", strike out "of Rector Creek", and insert "of a stream or streams."

Amendment No. 3

On page 2 of the printed bill, as amended, strike out line 33, and insert "nine hundred and fifty-seven thousand dollars ($957,000) plus".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bennett, Burkhalter, Burns, Michael J., Collins, George D., Cronin, Crowley, Del Mutolo, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, King, Lyon, McCollister, Meehan, Middough, Miller, O'Day, Russell, Tenney, Weber, and Wollenberg—26

NOES—Allen, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Daley, Dickey, Dilworth, Doyle, Field, Hawkins, Howser, F. N., Knight, T. Fenton; Leonard, Maloney, Massion, Millington, Pelletier, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, and Weybret—36.

Temporary Suspension of Assembly Rule No. 33

On motion of Mr Field, Assembly Rule No 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 292.

The question being on the adoption of the urgency clause to Senate Bill No. 292.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr Speaker—62

NOES—None.

The question being on the passage of Senate Bill No. 292.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Wollenberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

THE WHITE HOUSE, WASHINGTON, June 3, 1941

Honorable Gordon H. Garland, Speaker
Assembly, California Legislature
State Capitol, Sacramento, California

MY DEAR MR GARLAND: Thank you for your letter dated April 22nd, transmitting a copy of Assembly Joint Resolution No. 21 which was adopted in the Assembly of the California Legislature on January 25, 1941, and subsequently in the Senate on April 15, 1941. This joint resolution urges the establishment of plants for the conversion of surplus fruit and vegetables into alcohol for use in the National defense as an auxiliary fuel.

While it is true that a number of foreign countries process agricultural materials for the production of alcohol as a motor fuel, it is equally true that the motor fuel economy of countries possessing no petroleum resources is very different from such economy in the United States. It has never been established in this country that the conversion of agricultural products into motor fuel is economically feasible or necessary for National defense.

On the other hand, it has been recognized for some time that a real need exists in this country for the development of all the information possible on this very contentious subject. Hence a pilot-plant is being set up at the Northern Regional Research Laboratory of the Department of Agriculture at Peoria, Illinois, to make such studies. Until this plant is completed and has been in operation on a variety of agricultural products for such time as may be required for the collection of essential data, it would not seem advisable to undertake the project advanced in Assembly Joint Resolution No. 21.

For your information, there is enclosed a copy of Department of Agriculture Miscellaneous Publication No. 327, "Motor Fuels from Farm Products".

Very sincerely yours,

FRANKLIN D. ROOSEVELT

RESOLUTIONS

The following resolution was offered:

By Messrs. Pfaff, Weybret and Leonard:

House Resolution No. 275

Relating to the silver wedding anniversary of Assemblyman and Mrs. Allen G. Thurman

WHEREAS, The Honorable Allen G. Thurman, Member of the Assembly from the Sixth Assembly District, also known as the Prince of Placer, Nawab of Nevada, Earl of El Dorado, Archduke of Amador, Autocrat of Alpine, Tzar of Tuolumne, Mahatma of Mono, Maharajah of Mariposa, Illustrious Potentate of Inyo, Caliph of Calaveras, and Satrap of Sacramento, is today celebrating his silver wedding anniversary; and

WHEREAS, On the thirteenth day of June, 1916, Assemblyman Allen G. Thurman and Miss Ruth Tuttle were married in the Rose City Park Methodist Church of Portland, Oregon; and

WHEREAS, "Scoop" has been in the newspaper business for 33 years and since 1920 he has, with the help of his wife, successfully published the Colfax Record; now, therefore, be it

Resolved by the Members of the Assembly, That we do hereby offer our heartiest congratulations on this memorable day to "Scoop and Susie" Thurman; and be it further

Resolved, That the Members of the Assembly do hereby express the sincere wish that Assemblyman and Mrs. Thurman have the opportunity to enjoy many more years of marital happiness; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitably engrossed copy of this resolution for presentation to Assemblyman and Mrs. Allen G. Thurman

Request for Unanimous Consent

Mr. Pfaff asked for, and was granted, unanimous consent to take up House Resolution No. 275, at this time, without reference to committee.

Resolution read, and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1731

At 11.25 p.m., on motion of Mr. Cain, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1731 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Gunlock, Hawkins, Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—50

NOES—Allen, Carlson, Clarke, Daley, Dilworth, Field, Hastain, Heisinger, Johnson, Knight, T. Fenton; Miller, Millington, Pfaff, Phillips, Potter, Richie, Stream, Thorp, Watson, and Weybret—20.

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Call, Gaffney, Welch, O'Day, Collins, Green, Gallagher, Johnson and Carlson:

House Resolution No. 276

WHEREAS, Today, Friday, the thirteenth of June, commemorates the birthdays of Honorable Albert C. Wollenberg and Melvyn I. Cronin, both of the City and County of San Francisco; and

WHEREAS, Both of these distinguished Members of the California State Legislature have represented their respective districts honestly, efficiently and in a manner that has brought honor to them; and

WHEREAS, Both of them have endeared themselves to the Members of this House by their ability and sincerity of purpose on all matters pertaining to the welfare of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby extends to Melvyn I. Cronin and Albert C. Wollenberg its best wishes, good luck, and congratulations on this their birthday, and wish them many happy returns of the day; and be it further

Resolved, That suitable copies of this resolution be prepared and transmitted to the Honorable Melvyn I. Cronin and the Honorable Albert C. Wollenberg.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 276, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT POEM IN JOURNAL

On motion of Mrs. Daley, the following poem was ordered printed in the Journal:

Poem by Hon. Roger Alton Pfaff on Resolution on Hon. Allen G. Thurman Wedding Anniversary

Like ships upon the boundless sea
We meet with friends so dear,
Then sail on swiftly from the ones
We fain would linger near.

Sometimes I wish the winds would cease,
The waves be quiet, too,
And let me sort of drift along
Beside such friends as you.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1310 WAIVED

Mr. Voigt waived his notice of motion to reconsider the vote whereby Senate Bill No. 1310 was passed.

Senate Bill No. 1310 ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 8 WAIVED

Mr. Stream waived his notice of motion to reconsider the vote whereby Senate Constitutional Amendment No. 8 was adopted.

Senate Constitutional Amendment No. 8 ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Tenney:

House Resolution No. 277

Relative to the creation of an Assembly Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation.

WHEREAS, These are times of public danger. Subversive persons and groups are endangering our domestic unity so as to leave us unprepared to resist aggression. Under color of the protection afforded by the Bill of Rights these persons and groups seek to destroy our liberties and our freedom by force, threats and sabotage and to subject us to the domination of foreign powers.

Recent announcements by responsible officials of the Federal Government indicate the seriousness of the problem. In his message to the Congress on January 3, 1941, the President said: "The first phase of the invasion of this hemisphere would not be the landing of regular troops. The necessary strategic points would be occupied by secret agents and their dupes—and great numbers of them are already here, and

in Latin America." State legislation to meet the problem and to assist law enforcement officers can best be based on a thorough and impartial investigation by a competent and active legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Fact-Finding Committee on Un-American Activities in California which shall investigate, ascertain, collate and appraise all facts causing or constituting interference with the National Defense Program in California or rendering the people of the State, as a part of the Nation, less fit physically, mentally, morally, economically or socially; and be it further

Resolved, That in addition to other duties imposed upon the committee, the committee shall investigate the activities of groups and organizations whose membership includes persons who are members of the Communist Party, the Fascist organizations, the German Nazi Bund, or any other organization known or suspected to be dominated or controlled by a foreign power, which activities affect the preparation of this State for National defense, the functioning of any State agency, unemployment relief and other forms of public assistance, educational institutions of this State supported in whole or in part by State funds, or any political program; and be it further

Resolved, That the committee shall consist of five Members of the Assembly, appointed by the Speaker; and be it further

Resolved, That the committee shall continue the work of the Joint Fact-Finding Committee on Un-American Activities in California, created by Assembly Concurrent Resolution No. 13, and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly, the Rules of the Senate, and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following duties and powers.

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Legislature during any session of the Fifty-fourth Legislature and with the Legislature during the regular session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other officers designated by him, are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Voigt, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on Senate Bill No. 269.

UNFINISHED BUSINESS (RESUMED)

RECONSIDERATION OF SENATE BILL NO. 269

In compliance with a notice given on a previous day, Mr. Voigt moved that the vote whereby Senate Bill No 269 was passed be reconsidered.

Demand for Previous Question

Messrs Howser, F. N., Collins, Sam L., Evans, Middough and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 269.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Voigt moved a call of the Assembly.

Motion carried. Time, 11.43 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 113 WAIVED

Mr. Middough waived his notice of motion to reconsider the vote whereby Senate Bill No. 113 was passed.

Mr. Call moved that the notice be continued until the next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 277

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

LYON, Chairman

Above reported resolution ordered to third reading.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 33

On motion of Mr. Tenney, Assembly Rule No. 33 was temporarily suspended by unanimous consent to allow the placing of a call of the Assembly on House Resolution No. 277.

CONSIDERATION OF HOUSE RESOLUTION NO. 277

By Mr. Tenney:

House Resolution No. 277

Relative to the creation of an Assembly Fact-Finding Committee on Un-American Activities in California to investigate the activities of persons and groups known or suspected to be foreign dominated or controlled and recommend legislation for their regulation

WHEREAS, These are times of public danger. Subversive persons and groups are endangering our domestic unity so as to leave us unprepared to resist aggression. Under color of the protection afforded by the Bill of Rights these persons and groups seek to destroy our liberties and our freedom by force, threats and sabotage and to subject us to the domination of foreign powers

Recent announcements by responsible officials of the Federal Government indicate the seriousness of the problem. In his message to the Congress on January 3, 1941, the President said: "The first phase of the invasion of this hemisphere would not be the landing of regular troops. The necessary strategic points would be occupied by secret agents and their dupes—and great numbers of them are already here, and in Latin America." State legislation to meet the problem and to assist law enforcement officers can best be based on a thorough and impartial investigation by a competent and active legislative committee; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Fact-Finding Committee on Un-American Activities in California which shall investigate, ascertain, collate and appraise all facts causing or constituting interference with the National Defense Program in California or rendering the people of the State, as a part of the Nation, less fit physically, mentally, morally, economically or socially; and be it further

Resolved, That in addition to other duties imposed upon the committee, the committee shall investigate the activities of groups and organizations whose membership includes persons who are members of the Communist Party, the Fascist organizations, the German Nazi Bund, or any other organization known or suspected to be dominated or controlled by a foreign power, which activities affect the preparation of this State for National defense, the functioning of any State agency, unemployment relief and other forms of public assistance, educational institutions of this State supported in whole or in part by State funds, or any political program; and be it further

Resolved, That the committee shall consist of five Members of the Assembly, appointed by the Speaker; and be it further

Resolved, That the committee shall continue the work of the Joint Fact-Finding Committee on Un-American Activities in California, created by Assembly Concurrent Resolution No 13, and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly, the Rules of the Senate, and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such rules are hereby incorporated herein and made a part hereof the same as if they were set forth in this resolution in full. The powers specified in such rules may be exercised by the committee after the final adjournment of this session; (iii) all powers necessary or convenient to accomplish the

objects and purposes of this resolution, including but not limited to the following duties and powers:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this State, in public or executive session;

(8) To act during this session of the Legislature, including any recess hereof, and after final adjournment hereof, until the commencement of the Fifty-fifth Legislature;

(9) To file a report with the Legislature during any session of the Fifty-fourth Legislature and with the Legislature during the regular session of the Fifty-fifth Legislature;

(10) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and

(11) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other officers designated by him are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Demand for Previous Question

Messrs. Collins, Dickey, Pelletier, Waters and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 277.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Call, Cassidy, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Field, Gallagher, Green, Hastain, Howser, F. N., King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, Phillips, Poole, Potter, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Bennett, Burkhalter, Carlson, Collins, George D., Cooke, Del Mutolo, Donnelly, Doyle, Gaffney, Hawkins, Heisinger, Johnson, Meehan, O'Day, Pelletier, Pfaff, Richie, Russell, and Voigt—19.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 17

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 17—An act to amend Section 758 of the Political Code, and to add thereto Section 758b, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF SENATE BILL NO. 269

At 11.45 p.m., on motion of Mr. Voigt, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 269 reconsidered by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cassidy, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Gaffney, Gallagher, Hawkins, Heisinger, King, Maloney, Meehan, O'Day, Pelletier, Robertson, Russell, Sawallisch, Sheridan, Weber, and Welch—29.

Senate Bill No. 269 ordered to unfinished business.

Speaker Presiding

At 11.46 p.m., Hon Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Millington moved to expunge the record, and rescind the action whereby Senate Bill No. 876 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Call, Cassidy, Clarke, Collins, Sam L., Crowley, Daley, Dickey, Dilworth, Donnelly, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Bennett, Burkhalter, Burns, Michael J., Cain, Carlson, Collins, George D., Cooke, Cronin, Del Mutolo, Desmond, Dills, Doyle, Evans, Gaffney, Gallagher, Hawkins, King, Maloney, Meehan, O'Day, Pelletier, Richie, Sheridan, Tenney, Voigt, Waters, and Welch—27.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read third time.

Motion to Amend

Mr. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Bennett—1.

Motion to Temporarily Suspend the Rules

Mr. Del Mutolo moved that the Rules be temporarily suspended for the purpose of considering amendments to Senate Bill No. 269, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Richie, Salsman, Sheridan, Thorp, Thurman, Turner, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—44.

NOES—Cooke, Dills, Green, Russell, Stream, and Voigt—6.

Motion to Amend Senate Bill No. 269

Bill read third time.

Mr. Del Mutolo moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended, strike out "language", and insert "and/or Italian languages".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 8 to 19, inclusive.

Amendments read.

Demand for Previous Question

Messrs. Green, Turner, Allen, Richie and Dilworth demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Senate Bill No. 269.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Hastain, Hawkins, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Robertson, Salsman, Sheridan, Tenney, Thorp, Thurman, Voigt, Welch, Weybret, Wollenberg, and Mr. Speaker—46.

NOES—Bennett, Cooke, Dills, Heisinger, Johnson, Miller, Russell, Stream, Turner, and Waters—10.

Bill ordered reprinted, and to third reading

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 808

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

(Signed out)

PHILLIPS, Chairman
RICHIE
PFAFF
POTTER
CARLSON
CRONIN
WOLLENBERG
DICKEY
SHERIDAN

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution by adding Section 29 to Article IV of the Constitution, relating to State money.

Bill read second time, and ordered to third reading.

Senate Bill No. 808—An act to amend Section 3070 of the Labor Code, relating to compensation of members of the Apprenticeship Council.

Bill read second time, and ordered to third reading.

Speaker Pro Tempore Presiding

At 11.55 p.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2641—An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2641?

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, after "13655," insert "13656,".

Amendment No. 2

On page 3 of the printed bill, between lines 16 and 17, insert

"SEC. 8.5. Section 13656 of the Health and Safety Code is hereby amended to read as follows:

13656. If the annual license fee required of any person who operates a cleaning and dyeing shop or store, a spotting, sponging, or pressing establishment, *an instrumentality*, or any agency [of either,] is not paid on the date when it is due and payable, a penalty shall be added to the fee in accordance with the following schedule:

(a) Fifty cents ($0.50), if it is *not* paid within a period of 30 days from and after the date it is due and payable *but is paid within a period of 60 days from and after such date.*

(b) One dollar [and fifty cents] ($1), if it is *not* paid within a period of [thirty-one to] 60 days from and after the date when it is due and payable *but is paid within 90 days from and after such date.*

(c) [Three dollars] *One dollar and fifty cents ($1.50),* if it is paid subsequent to the expiration of [sixty-one] *90* days from and after the date when it is due and payable."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2641 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Leonard, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2641 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lyon, Call, Sawallisch, Desmond, Turner, Meehan, Weber, Phillips, Maloney, and Burns, Hugh M.:

House Resolution No. 278

WHEREAS, The State Board of Equalization, together with Members of the Legislature, sponsored the Stewart-Riley Tax Plan of 1933 when the State and county finances were in a state of chaos; and

WHEREAS, The revenues derived from the present tax laws enacted as a result of this plan make it apparent that no new or increased taxes are needed in California; and

WHEREAS, The revenues derived from the taxes have enabled the Public School System to continue unimpaired and education in California to maintain the enviable position which it occupies; and

WHEREAS, The State of California now is operating on a cash basis for the first time in many years and its financial status is unquestioned; and

WHEREAS, A study now is being given by the State Board of Equalization, the Controller, and Members of the Legislature to the end that all taxpayers may be benefited by a substantial reduction in their tax burden; and

WHEREAS, The State Board of Equalization, together with the State Controller, has, or will, levy, assess, or collect in excess of four hundred sixty million dollars ($460,000,000) in taxes for the current biennium; and

WHEREAS, The cost of tax administration in this State in proportion to the amount of revenue collected is so low that it sets a standard which every other State in the Union is striving to equal; and

WHEREAS, It is self-evident that this satisfactory result is due in no small part to the efforts and diligence of the State Board of Equalization and the Controller; now, therefore, be it

Resolved, By the Assembly of the State of California, that Fred E. Stewart, co-author of the Stewart-Riley Plan, be commended for his farsightedness and efforts in bringing the plan to the successful culmination which has ensued; and be it further

Resolved, That the State Board of Equalization and the Controller be complimented for the outstanding results obtained in the efficient administration of the Revenue Laws of this State; and be it further

Resolved, That they, and each of them, be urged to continue the tax policies which have proven so effective to the end that the State of California may enjoy the benefits to be derived from sound tax administration.

Ordered to third reading without reference to committee.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to County Supervisor and Mrs. Patterson of Tulare County.

On request of Messrs. Potter, Maloney and Sheridan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to "Doc" L. A. Meikle, trainer; Bill Brenzel, catcher, and Harry Rosenberg, left fielder, members of the Hollywood Baseball Club.

ADJOURNMENT

At 11.57 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 9 a.m., Saturday, June 14, 1941.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FOURTH SESSION

ASSEMBLY DAILY JOURNAL

NINETY-SIXTH LEGISLATIVE DAY
ONE HUNDRED SIXTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, June 14, 1941

The Assembly met at 9 a.m.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Burkhalter, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Desmond, Dills, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Potter, Richie, Robertson, Stream, Tenney, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr. Speaker—41.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Thomas H. Markham.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Leonard.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Poulson, on motion of Mr. Waters.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, June 13, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: In order that the Members of the Legislature may be informed as to the consequences which may result from a stoppage of Federal funds now contributed

to the administrative budget of the State Department of Social Welfare. I wish to call your attention to the fact that approximately 70 per cent of such administrative budget comes from Federal subvention. Upon this basis additional appropriations from the General Fund aggregating as much as $1,586,677 might become necessary.

It has been the experience of other States that such loss of Federal funds may not be made up by retroactive grants from the Federal Government.

In order that the Senate may have the complete facts before them, I am enclosing a statement showing the amount of Federal administrative funds in relation to the total budget of the Department of Social Welfare for the administration of the categorical aids

In addition to the loss of Federal administrative grants used for the support of the State Department of Social Welfare, the 58 counties of the State would stand to lose grants totaling $3,672,395 in the next biennium which otherwise would be available to assist them in meeting the local cost of administering the three categorical aid programs. The loss of these Federal administrative funds would further complicate the more serious danger to State and county budgets involved in the threatened withdrawal of Federal grants for aid purposes.

Respectfully submitted.

GEORGE KILLION, Director of Finance

DEPARTMENT OF SOCIAL WELFARE
Expenditures from State and Federal Funds
For Administration of Categorical Aids

	State funds	*Federal funds*	*Total*
Administration of Aid to Needy Aged:			
Amount		$1,198,261 00	$1,198,261 00
Percentage of total		100%	100%
Administration of Aid to Needy Blind:			
Amount	$108,976 00	$108,975 00	$217,951 00
Percentage of total	50%	50%	100%
Administration of Aid to Needy Children:			
Amount	$279,440 00	$279,441 00	$558,881 00
Percentage of total	50%	50%	100%
Totals	$388,416 00	$1,586,677 00	$1,975,093 00
Percentage of total	20%	80%	100%

WAR DEPARTMENT, OFFICE OF THE QUARTERMASTER GENERAL
WASHINGTON, June 9, 1941

Mr. Arthur A Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento, California

DEAR SIR Your letter of May 16, 1941, addressed to the President of the United States and inclosing Assembly Joint Resolution No 40, was forwarded to this office for reply.

It is noted that the first statement contained in the resolution states: "Numerous reports have been received that the enlisted personnel in Military and Naval establishments in this State have been denied oranges and other healthful citrus fruits in their food menu." This office has received a copy of the menus used by Army organizations in the State of California since April 1st, and it has been found that citrus fruits have been and are being used in substantial quantities. We are pleased to inform you that this same condition is true in the Army in all other parts of the United States, and that citrus fruits, particularly oranges, form a very important part of the soldier's diet.

If you have at hand any reports which indicate that soldiers at stations in California have been denied fruits, it is requested that this office be given the name of the Army station concerned and immediate steps will be taken to see that the condition, if it actually exists, is corrected.

For the Quartermaster General:

C L CORBIN, Brigadier General, Q M. C. Assistant

WAR DEPARTMENT, THE ADJUTANT GENERAL'S OFFICE
WASHINGTON, June 6, 1941

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly
California Legislature, Sacramento, California

DEAR SIR: Further reference is made to your letter of May 14th, transmitting copy of Assembly Joint Resolution No. 50 adopted by the California Legislature on May 6, 1941, concerning the development of the Corcoran Airport in connection with the defense program.

The War Department has no current plans for construction of an airport in the locality in question.

The correspondence, however, has been made of record and you may be assured that the facilities available at Corcoran will receive due consideration in the event the need for a site in that vicinity should arise.

Very truly yours,

E. S. ADAMS, Major General
The Adjutant General

Mr. Arthur A. Ohnimus, Chief Clerk,
California Legislature, Sacramento, U. S. A.

I am pleased to refer to the very kind communication that you were gracious enough to address to my executive expressing your sincere condolences to the citizens of Colima in their suffering—which sad situation is due to the heavy earthquake registered on the fifteenth of April of this year.

With the same communication, we received page 2505 of the Daily Journal of your Honorable Legislature in which the resolution taken by the Assembly was accepted in regard to sending the expressions of condolence herein mentioned

In the name of the citizens of Colima and in my own, I am happy to express to your High Legislative Body my most profound thanks for such a sincere expression of fraternity in such moments of sacrifice as those through which we are passing.

I protest to you the assurances of my attentive and distinguished consideration.

Colima, Colima—June 4, 1941.

CARLOS ALCARAZ AHUMADA, Governor of the State of Colima
By CARLOS DE LA MADRID VEJAR, Secretary to the Governor

(Translated by Nina Ronstadt, Secretary to the Speaker)

RESOLUTIONS

The following resolutions were offered:

By Messrs. Johnson and Lyon:

House Resolution No. 279

Relating to compilation, printing and distribution of codes enacted by the Legislature

WHEREAS, Since its organization early in 1930 the California Code Commission has prepared and presented and the Legislature has enacted 15 codes; and

WHEREAS, There have been enacted at this Fifty-fourth Session of the Legislature substantial additions prepared by the commission to four of these codes, and

WHEREAS, It is in the public interest that these codes, as compiled and printed by the State Printer, be accurate and complete and contain adequate law references such as tables of contents, indexes and tables of cross reference relating to disposition of statutes; and

WHEREAS, There is a growing demand for the issuance and publication by the State of annotated editions of certain of these codes; and

WHEREAS, The compiling, editing and publication of these codes requires complete and thorough cooperation between the Code Commission, which prepared them, and the Supervisor of Documents to compile, publish and distribute them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Supervisor of Documents is requested and directed to study and report to the Legislature at its Fifty-fifth Session his recommendations as to the most economical and effective methods for the editing, compilation, annotation, publication, and sale of the enacted codes prepared by the California Code Commission, and to that end he is requested and directed to confer with the Code Commission and its Secretary, the Chief Justice of the Supreme Court, The Board of Governors of the State Bar of California, the Superintendent of Documents at Washington, D. C., and with any other public agency or persons interested in the publication and distribution of these codes; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to send a copy of this resolution to the Supervisor of Documents.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 279, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Desmond:

House Resolution No. 280

WHEREAS, Numerous buildings have been constructed and rented throughout the State for the transaction of State business and the accommodation of State agencies and institutions; and

WHEREAS, The State has never undertaken a comprehensive review of governmental functions for the purpose of developing an orderly and coordinated State building construction and rental program, and has no official building or rental plan properly related to the needs of the State; and

WHEREAS, It is desirable in the interest of efficiency and economy that consideration be given to the formulation and adoption of a comprehensive and coordinated State building and rental program, now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Legislative Committee on State Buildings, which committee shall study, ascertain, collate and appraise all facts and matters relating to buildings owned or rented by the State, and to the needs of the several State agencies in respect thereto, to the end that it may prepare and recommend to the Legislature a comprehensive and coordinated program for constructing and renting State buildings; and be it further

Resolved, That the committee shall consist of three Members of the Assembly appointed by the Speaker; and be it further

Resolved, That the committee hereby created in exercising the powers and performing the functions vested in it by this resolution shall have: (i) all powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3, of the Political Code; (ii) except when inconsistent with this resolution, all the powers conferred upon committees by the Rules of the Assembly and the Joint Rules of the Senate and Assembly as they are enacted and amended from time to time and such Rules are hereby incorporated herein and made a part thereof the same as if they were set forth in this resolution in full; (iii) all powers necessary or convenient to accomplish the objects and purposes of this resolution, including but not limited to the following **duties and powers:**

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such legal, clerical, expert and technical assistance as it may deem necessary;

(2) To hold public hearings throughout the State, at which hearings the people and interested public officers and public or private agencies shall have an opportunity to present their views to the committee;

(3) To meet in public or executive session and to act during this session of the Legislature, including any recess thereof, and after the final adjournment of this session;

(4) To file a report with the Legislature during any session of the Fifty-fifth Legislature;

(5) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day; and be it further

Resolved, That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available, in addition to any money now available, from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from the Contingent Fund of the Assembly and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 280, at this time, without reference to committee.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 9.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate refused to sustain the Governor's veto to:

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Herewith is a copy of the Governor's message relating to said bill.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 23, 1941

To the Honorable Members of the Senate
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Senate Bill No. 1078, entitled:

> "An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act, authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13.16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937."

My objections to this bill are generally and specifically as follows:

1. The objective of the bill is to circumvent action taken by the Building and Loan Commissioner in the performance of his duty to protect from further manipulation, mismanagement and loss the interests of the certificate holders of the Pacific States Savings and Loan Company, which had ceased to function as such and the assets of which were impaired to an extent exceeding $10,000,000

Of all the building and loan associations in California, numbering more than 100, there is only this one association, and its condition, to which this legislation relates. There is no need or reason, nor is there any demand for this legislation except the desire that comes from the former management of the Pacific States Savings and Loan Company, representing a stockholding company which has no real interest in its assets. This bill would not have been presented to the Legislature but for the fact that it was sponsored by the individual who controls that stockholding company. It was introduced after the refusal of the Legislature to adopt an initiative measure,

sponsored by him, as a vehicle which would enable him again to secure control of the assets of this association acquired with the savings of its depositors. These assets were taken over by the Building and Loan Commissioner for the protection of the holders of the certificates of these savings deposits, to whom they belong. Their operations are in competent hands, their earnings are being paid to the certificate holders, their management and careful disposition will go forward, and the moneys therefrom will be paid to the 40,000 or more certificate holders entitled thereto unless obstruction is placed in the way under provisions of a bill such as this.

In long-drawn-out litigation, instituted by the ousted management in an endeavor to recover possession of Pacific States assets, the evidence is clear and unimpeachable that the condition of this association and the illegal manner in which its assets had been handled to defeat the interests of the certificate holders, required the action taken by the commissioner. Protraction of that litigation has been due solely to the activities of the former management for the purpose of delaying final determination until legislation could be procured giving opportunity to promote a reorganization plan to place these assets into another organization, possibly a general corporation, which could be used as a vehicle for a continuance of the practices by which thousands upon thousands of small investors have been maneuvered out of their savings. This bill gives such an opportunity. If it became a law it would mean not the end of litigation regarding the assets of the Pacific States Building and Loan Company, but an indefinite continuation thereof in which the struggle of the State to protect the interests of the 40,000 deposit certificate holders, to whom its assets belong, would be made all the harder!

2. Support of the foregoing general objections is found in the provisions of the bill itself. In the litigation started by the former management to regain possession of the assets of Pacific States, expert witnesses appointed by the court itself have testified that the company is insolvent to an extent exceeding ten million dollars ($10,000,000). These experts determined the actual or fair market value of all the assets in accordance with the only rule of evidence ever used in such cases in California or in any other State.

The bill provides for a new proceeding to be started for reorganization, in which proceedings the condition of the company would be determined according to a different rule of evidence for the determination of value, so speculative and conjectural as to be almost meaningless in itself, thus giving an opportunity to the stockholding interest to introduce evidence of value that is fictitious instead of actual. If by the use of this different rule of evidence as to value, the stockholding company and the old management controlled by one individual could make it appear that the stockholder has an equity in the assets, it would, under the provisions of this bill, be in a position to veto any plan of reorganization which did not give that individual effective control.

Supplementing the new rule of evidence is a provision that the trial in the pending case may be stayed. Since the condition of the company would be determined by a rule of value different from the established rule followed in the present case, findings of the experts and the court in the present case would be considered of no use and effect. All proceedings would be stopped, as this litigation is about to end in final judgment. Any finding of the court as to mismanagement or manipulation by the stockholding interest may, in this manner, be suppressed, and all of the time employed and expense incurred in establishing the facts of the case would be wasted if this bill becomes law.

It appears to me that this legislation would come to the rescue, so to speak, of a party litigant, removing him from the jurisdiction of one court and starting him off in another under rules made to favor him. In this respect this measure is an unwarranted and unjustifiable interference with the judicial process already in motion.

During the many years the present law has been in effect, a large number of building and loan associations have been taken over by the State. The rights of their various classes of investors have been determined and their affairs administered. There have been no complaints about any injustices in the law. There seems to be no reason to change the law now to apply especially to the Pacific States case.

To my mind this bill can do nothing but harm to the 40,000 investment certificate holders who, as creditors of Pacific States, are entitled to first consideration in the disposition of its assets. The new proceeding provided by the bill would mean more litigation—not less—endless delay before the certificate holders could be given the relief for which they are waiting, and a great deal more expense. All of this unnecessary expenditure of time and money could only be for the purpose of giving the former management an opportunity to make some kind of a showing that would furnish the basis for its being restored to possession and control so that it may further exploit assets belonging to others.

Many of the certificate holders are elderly; time means a great deal to them. Most of them are greatly in need of the money they have invested in this company; they have relied upon their legal right to withdraw it and upon the State to protect that right. Relief will be brought to them sooner by permitting the present trial to go to judgment. Certainly it is not just public policy to provide ways and means for those who are engaged in efforts to obstruct this result to continue further that obstruction by endless litigation in addition to that which they have already been able

to devise. The law is already broad enough to permit certificate holders who wish to reorganize to acquire and operate assets of the company after the court renders judgment in the present case.

In my opinion, if this measure were to become a law it would perpetrate a cruel injustice upon those whose interests it is our duty to protect

Respectfully submitted

CULBERT L. OLSON, Governor of California

Senate Bill No. 1078 ordered to unfinished business file.

MOTION TO TEMPORARILY SUSPEND RULE NO. 33

Mr. Dills moved that Rule No. 33 be temporarily suspended for the purpose of allowing the placing of more than one call of the Assembly for the balance of the legislative day.

The roll was called, and Rule No. 33 temporarily suspended by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Leonard, Lyon, Maloney, Masson, McCollister, Middough, O'Day, Pelletier, Robertson, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Mr. Speaker—42.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 17—An act to amend Section 758 of the Political Code, and to add thereto Section 758b, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Turner, Allen, Collins, Sam L., Voigt and Bashore demanded the previous question.

Demand for previous question not sustained.

Demand for Previous Question

Messrs. Turner, Allen, Robertson, Middough and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 17.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 205—An act to amend Section 13, and to add Sections 13a, 13b, 13c, to an act entitled "An act to provide for the regu-

lation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to the regulation and licensing of horse racing and the administration of the act.

Bill read third time.

Motion to Amend

Mr. Turner moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 40, of the printed bill, as amended, strike out "Five", and insert "Two and one-half".

Amendment No. 2

On page 5, line 44, of the printed bill, as amended, strike out the semicolon.

Amendment No. 3

On page 5 of the printed bill, as amended, strike out lines 46 and 47, and insert "State, such money to be expended by such citrus fruit fairs only for premiums, capital outlays, including the purchase of land, construction, improvements, equipment, and other purposes pursuant to a budget submitted to, and approved by, the Department of Finance, and subject to the provisions of Section 677.5 of the Political Code.

Of said 2½ per cent, sixty-five thousand dollars ($65,000)".

Amendment No. 4

On page 6, lines 2 and 3, of the printed bill, as amended, strike out "one hundred thousand dollars ($100,000)", and insert "sixty-five thousand dollars ($65,000)".

Amendment No. 5

On page 6, line 4, of the printed bill, as amended, strike out "5", and insert "2½".

Amendment No. 6

On page 6, line 15, of the printed bill, as amended, strike out "5", and insert "2½".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Daley, Desmond, Donnelly, Hastain, Heisinger, Howser, F. N., McCollister, Meehan, Millington, Pelletier, Poole, Richie, Robertson, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weybret, and Mr. Speaker—30.

NOES—Bashore, Collins, Sam L., Dills, Dilworth, Evans, Gaffney, Houser, Frederick F., Lyon, Maloney, Middough, Russell, Waters, and Welch—13.

Bill ordered reprinted, and to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1941

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural proration programs, including definitions, proration program committees, equalization pools and the deposit of moneys; and to declare the urgency of this act and that this act shall take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on May 22, 1941, be further amended as follows

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out the semicolon, strike out lines 5 to 7, inclusive, and insert a period.

Amendment No. 2

On page 9 of the printed bill, as amended, strike out lines 8 to 21, inclusive.

JESPERSEN	WEYBRET
GORDON	DILWORTH
BROWN	HASTAIN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Welch, Weybret, and Mr. Speaker—49.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1168—An act to amend Section 19626 of the Business and Professions Code, relating to the disposition of moneys in the Fair and Exposition Fund.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried. Time, 10.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Harold F. Sawallisch Presiding

At 10.10 a.m., Hon. Harold F. Sawallisch, Member of the Assembly from the Tenth District, presiding.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2380—An act to amend Sections 2020, 2182 and 2184 of, and to add Section 2165a to, the Welfare and Institutions Code, relating to aid to the aged.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2380?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Sections 2182 and 2184", and insert "Section 2182".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 12, and insert "choosing or in person and without such counsel."

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The county board of supervisors shall then pay to such aged person the sum awarded, if any, by the State Social Welfare Board, the payments, if awarded, to commence from the date the applicant was first entitled thereto.

Payments of aid shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed by the State Social Welfare

Board in cases in which an appeal is taken; but in no event shall the aid commence prior to the date of application.

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of the county or an order of the State Department of Social Welfare.

If the appli-".

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 18 to 31, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2380 by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dills, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Howser, F. N., Kilpatrick, Leonard, Maloney, Massion, McCollister, Middough, O'Day, Phillips, Poole, Richie, Robertson, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Watson, Welch, and Weybret—41.

NOES—Hawkins, and Pelletier—2.

Assembly Bill No. 2380 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 416—An act to amend Sections 9, 30, 34, 35, 46, 49, 76, 85a, 90, 92 and 101 of the State Employees Retirement Act, relating to a retirement system for employees and officers of the State of California, and of such cities, school districts, and counties as may elect to include their employees by contract.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Del Mutolo, Desmond, Dickey, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Leonard, Lyon, Maloney, Meehan, Middough, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Voigt, Waters, Watson, Welch, and Weybret—44

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1168

At 10 12 a.m., on motion of Mr. Cronin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1168 passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Dilworth, Evans, Houser, Frederick F., Robertson, and Tenney—5.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 415—An act to amend Section 109 of the State Employees' Retirement Act, relating to a retirement system for

employees and officers of the State of California, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Lyon, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—50

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1139—An act to add Section 4257 to the Labor Code, relating to workmen's compensation insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1139?

Amendment No. 1

Strike out lines 17 to 20, inclusive, of the printed bill, and insert "under the policy."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1139 by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dilworth, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—54.

NOES—Dills—1.

Assembly Bill No. 1139 ordered enrolled.

RECONSIDERATION OF SENATE BILL NO. 409

In compliance with a notice given on a previous day, Mr. Dills moved that the vote whereby Senate Bill No. 409 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Howser, F. N., Robertson, Collins, Sam L., Waters and Tenney demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider Senate Bill No. 409.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Miller, Millington, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—48.

NOES—Del Mutolo, and Middough—2.

Time, 10.13 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 113 WAIVED

Mr. Call waived his notice of motion to reconsider the vote whereby Senate Bill No. 113 was passed.

Senate Bill No. 113 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 678—An act to add a new section to the Civil Code to be numbered 955, relating to the assignment of accounts receivable and conditional contracts of sale.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 678?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended, strike out "accounts receivable and".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 14 to 23, inclusive.

Amendment No. 3

On page 1, line 24, of the printed bill, as amended, before "The", insert "955."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 678 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Weber, and Wollenberg—48.

NOES—None.

Assembly Bill No. 678 ordered enrolled.

Assembly Bill No. 2458—An act to add Section 1817 to Article 8, Chapter 1, Part 7 of the Labor Code, relating to working laws on public work.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2458?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out the period, and insert "and providing that this act shall take effect immediately."

Amendment No. 2

On page 1 of the printed bill, as amended, after line 16, insert

"SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution, and therefore shall take effect immediately. A statement of the facts constituting such urgency is as follows: Under the existing law work in excess of eight hours a day on public work contracts is prohibited regardless of the payment of wages at a higher rate for overtime work, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property or except on work upon public Military or Naval defenses or works in time of war. Such restrictions are not applicable upon National defense projects or upon projects upon other than public works projects. Many projects of this State and of local governmental agencies, while not upon Military or Naval defenses, are directly connected with the Program of National Defense. Under the present law workmen are constantly leaving projects of this State and local governmental agencies thereof to accept employment where the above restrictions are not applicable. The result is that this act must take immediate effect to prevent the serious curtailment of work upon these projects."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2458 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., King, Lowrey, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Weber, and Wollenberg—48.

NOES—None.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried Time, 10.22 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1936—An act to amend Section 6501 of the Public Resources Code, to add Sections 6501.2 and 6505, and to repeal Sections 6505, 6506, 6507, 6508, 6509, 6510, and Chapter 2 of Part 2 of Division 6, comprising Sections 6601 to 6715, inclusive, thereof, relating to State lands, providing for the leasing thereof and prescribing the powers and duties of the State Lands Commission in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1936?

Amendment No. 1

On page 3 of the printed bill, as amended, strike out line 10, and insert "or otherwise except (a) lands deeded to the State due to tax delinquencies, (b) lands escheated to the State, and (c) lands or interests therein".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1936 by the following vote:

AYES—Andreas, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Johnson, Kilpatrick, Lowrey, Maloney, Meehan, Middough, Miller, O'Day, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thorp, Turner, Voigt, Weber, and Weybret—41

NOES—None.

Assembly Bill No. 1936 ordered enrolled.

Assembly Bill No. 911—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public emergency defense work.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 911?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 11, and insert "same exceed the sum of one thousand dollars ($1,000), the".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out line 52, and insert "the sum of one thousand dollars ($1,000), the same shall be done"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 911 by the following vote:

AYES—Andreas, Bennett, Cain, Cassidy, Clarke, Collins, George D, Cooke, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Johnson, Knight, T Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, and Weybret—43.

NOES—None.

Assembly Bill No. 911 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Phillips moved to expunge the record and rescind the action whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1903.

The roll was called, and the motion carried by the following vote:

AYES—Bennett, Cain, Carlson, Cassidy, Clarke, Collins, George D, Collins, Sam L, Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., Johnson, King, Knight, T Fenton; Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Weber, and Weybret—45.

NOES—None.

Assembly Bill No. 1903 ordered to unfinished business.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2312—An act to amend Section 3440.5 of the Civil Code, relating to fraudulent transfers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2312?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended, after "warehouseman", insert "and at the warehouse in which said goods are stored".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2312 by the following vote:

AYES—Andreas, Cain, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Johnson, King, Knight, T. Fenton; Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welch, and Weybret—44.

NOES—None.

Assembly Bill No. 2312 ordered enrolled.

Assembly Bill No. 1903—An act to add Section 11738.5 to the Insurance Code, relating to workmen's compensation insurance in connection with defense projects of the Federal Government and defense agencies thereof, declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1903?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 10 and 11, and insert "article, the commissioner may approve special uniform rates, rating plans, or classifications applicable only to workmen's compensation insurance".

Amendment No. 2

On page 3, line 5, of the printed bill, as amended, after "special", insert "uniform".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.

NOES—None.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1903 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Leonard, Maloney, Massion, McCollister, Meehan, Middough, Miller,

Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—62.
NOES—None.

Assembly Bill No. 1903 ordered enrolled.

Assembly Bill No. 1951—An act to add Section 2.5 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1951?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "Section 2.5", and insert "Sections 2.5 and 2.8".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 10, insert
"SEC. 2. Section 2.8 is hereby added to said act, to read as follows:
Sec. 2.8 No public institution owned, managed, or controlled by the State shall purchase any product from any source other than a public institution owned, managed or controlled by the State, or a political subdivision thereof, if the Department of Finance determines that such product is available under this act."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1951 by the following vote:

AYES—Andreas, Burkhalter, Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Donnelly, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welch, and Weybret—50.
NOES—None.

Assembly Bill No. 1951 ordered enrolled.

Assembly Bill No. 972—An act to amend Sections 7455 and 7677 of the Revenue and Taxation Code, and Sections 2 and 4 of the Motor Vehicle Fuel License Tax Act, relating to delinquency of the motor vehicle fuel license tax, including recoveries on bonds of delinquent distributors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 972?

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "and 7677", and insert ", 7677 and 7705".

Amendment No. 2

On page 2, line 5, of the printed bill, as amended, insert

"SEC. 2.5. Section 7705 of the Revenue and Taxation Code is hereby amended to read as follows:

7705. If any weekly installment of tax is not paid [at 5 p.m.] on the Tuesday when required to be paid, a penalty of 5 per cent shall be added thereto. In addition, if any weekly installment of tax remains unpaid [at 5 p.m.] on the first day of the second calendar month following the month during which the last of the distributions occurred on which the weekly installment was levied, a penalty of 10 per cent of the installment, exclusive of penalties, shall be added thereto.

The weekly installment shall be deemed not paid or unpaid on any particular day:

(a) If not paid prior to 5 p.m. of that day, when paid in person.

(b) If the envelope in which the remittance is inclosed bears a post-office cancellation mark dated later than 12 p.m. of that day, when paid by mail."

Amendment No. 3

On page 2, lines 8 and 9, of the printed bill, as amended, strike out "distributor before April 1, 1931, and after this act becomes effective every".

Amendment No. 4

On page 2, line 16, of the printed bill, as amended, strike out "from and after April 1, 1931,".

Amendment No. 5

On page 4 of the printed bill, as amended, strike out line 1, and insert "not paid on".

Amendment No. 6

On page 4, line 3, of the printed bill, as amended, strike out "delinquency; the", and insert "delinquency. The weekly installment shall be deemed not paid on the Tuesday on which required to be paid if not paid prior to 5 p.m. of that day, if paid in person, or, if paid by mail, if the envelope in which the remittance is inclosed bears a post-office cancellation mark dated later than 12 p.m. of that day. The".

Amendment No. 7

On page 4 of the printed bill, as amended, strike out lines 30 to 51, inclusive; and on page 5, strike out lines 1 and 2, and insert

"Every person, firm, association or corporation before becoming a producer or broker shall apply for a license on forms prescribed by the State Board of Equalization. Each such application shall be accompanied by a license fee of ten dollars ($10) payable to the State Board of Equalization.

Upon the receipt of such application, accompanied by such license fee, the State Board of Equalization shall issue to every such applicant, except as otherwise provided herein, a license to engage in such business from the date of the issuance thereof, until and including the following December 31st, unless sooner canceled or revoked. Before January 1st of each year an application shall be filed and a license obtained by each such producer or broker for the succeeding calendar year. If any producer or broker shall fail to apply for the license hereby required and to pay the fee hereby specified prior to January 1st of each year, then there shall be added to the amount of such fee a penalty of 25 per cent on account of such delinquency. Any license so issued shall not be transferable and may be revoked by the State Board of Equalization as hereinafter provided. All license fees collected under the provisions of this section shall be credited to the "Motor Vehicle Fuel Fund" hereinafter created.

In the event that an application for a distributor's, producer's or broker's license shall be filed hereunder by an applicant formerly holding under this act any license which, prior to the time of filing such application, shall have been revoked for cause by said board, or in the event that said board shall determine that such application is not filed in good faith or not made by the real person in interest, then, and in any of said events, said board may refuse to issue a license to the applicant. Before such refusal, however, said board shall grant the applicant a hearing and shall give the applicant at least 10 days' written notice of the time and place thereof. Such notice may be served personally or by mail. If by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the applicant at his address as the same appears in the records of said board."

Amendment No. 8

On page 7, lines 9 and 10, of the printed bill, as amended, strike out "Sections 1 and 2 of this act", and insert "The provisions of this act amending the Revenue and Taxation Code".

Amendment No. 9

On page 7, lines 13 and 14, of the printed bill, as amended, strike out "Sections 2 and 4", and insert "the provisions".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 972 by the following vote:

AYES—Andreas, Burkhalter, Cain, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Donnelly, Evans, Field, Gallagher, Green, Hawkins, Howser F. N. Johnson, Kilpatrick, King, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welch, and Weybret—48.

NOES—None

Assembly Bill No. 972 ordered enrolled.

Assembly Bill No. 2589—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2589?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 34 to 52, inclusive; and on page 3, strike out lines 1 to 7, inclusive, and insert

"Whenever a municipal court is established in a city of the second and one-fourth class, the salaries of the judges, clerk, marshal, and other attaches, and the cost of all supplies, books, furniture and suitable quarters, for carrying out their duties, including supplies and equipment for the preparation and maintenance of duplicate records of the court, or a division thereof, when sessions are held at more than one place within the city wherein the court is established shall be paid by the county in which the court is situated out of its municipal court fund, if there be one, or if there be no such fund, out of the general fund.

The city shall reimburse the county in the amount of 20 per cent of all costs of maintaining and operating the municipal court from such municipal court fines and forfeitures as by law would otherwise become the property of the city. The amount to be paid may be deducted and retained for the account of the county by the county auditor, as often as may be practicable, and at least semiannually, from the amounts payable to the city pursuant to Section 1463 of the Penal Code.

The city in which the court is established shall provide and maintain suitable quarters for one department of the municipal court, including heating, light and janitorial service, and the city and county shall enter into an agreement providing for the payment of the rental thereof, including heat, light and janitor service, by the county out of the municipal court fund, if there be one, or if there be no such fund, out of the general fund"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2589 by the following vote:

AYES—Andreas, Burkhalter, Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—47.

NOES—Field, and Houser, Frederick F.—2.

Assembly Bill No. 2589 ordered enrolled.

HOUSE RESOLUTION NO. 278 STRICKEN FROM FILE

Mr Lyon asked for, and was granted, unanimous consent to strike House Resolution No. 278 from the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 2458

At 10.31 a.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2458 adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Crowley, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—67.

NOES—Dills—1.

Assembly Bill No. 2458 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 177

House Resolution No. 177—Creates Assembly Investigating Committee on Exhibitions and Fairs.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Howser, F. N., Kilpatrick, King, Knight, T Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Carlson, Donnelly, Hawkins, Houser, Frederick F., Johnson, Massion, and Russell—7.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 979—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement to the United States of funds to be used therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 979?

Amendment No. 1

In line 4 of the title of the printed bill, as amended, after "therefor", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, as amended, after line 23, insert

"SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of this State, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

The high waters of the Winter of 1940-1941 caused great damage to the flood control works of the Sacramento and San Joaquin River systems and necessitates the immediate prosecution of remedial and other construction in order to provide safety from devastating floods in the coming rainy season It is necessary that this work be done during the current construction season This act provides for the financing of such work in cooperation with the Federal Government and it is necessary that its provisions take immediate effect in order that the contemplated work may be commenced at once."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

The roll was called and the Assembly concurred in the Senate amendments to Assembly Bill No. 979 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Masson, McCollister, Meehan, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 979 ordered enrolled.

Assembly Bill No. 1073—An act to amend Sections 26209, 26243, 26251 and 26271 of, and to add Section 26200.5 to, the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1073?

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended, strike out "the minimum daily requirements for".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 13 and 14, and insert "ard units"

Amendment No. 3

On page 2, lines 30 and 31, of the printed bill, as amended, strike out "preparations of thyroid", and insert "amidopyrine, cinchophen or sulfanilamide, their compounds, preparations or derivatives".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1073 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Masson, Meehan, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—65.
NOES—None.

Assembly Bill No. 1073 ordered enrolled.

Assembly Bill No. 1071—An act to amend Sections 26472, 26520 and 26541 of, and add Section 26540.2 to, the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising

and sale of foods and the powers of the State Department of Public Health in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1071?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out lines 38 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"26520. No dealer shall be prosecuted under the provisions of this chapter if after receipt of an article he has used reasonable care in the use and handling thereof and he can produce a guarantee signed by the wholesaler, jobber, manufacturer, or other party located or residing in the United States from whom he purchased such article, to the effect that the same is not adulterated, mislabeled or misbranded within the meaning of this chapter; provided, however, that as to food contained in an original unbroken package, no retailer, who after the receipt of such package has used reasonable care in the use and handling thereof, shall be prosecuted under this chapter for a violation of any provision thereof in connection with any article received by such retailer in the regular channels of trade and as usual first-class merchantable stock and not as seconds, or damaged articles or merchandise or job lots purchased under such conditions as to put the purchaser on notice that such merchandise was not regular first-class merchandise."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1071 by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—61.

NOES—None.

Assembly Bill No. 1071 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 223

House Resolution No. 223—Creates Assembly Committee on Motor Vehicle Legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Call, Cassidy, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Dickey, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, Lowrey, Lyon, Maloney, Meehan, Middough, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—46.

NOES—Bennett, Carlson, Dills, Dilworth, Donnelly, Doyle, Johnson, Knight, T. Fenton; Massion, Miller, and Russell—11.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 17

At 10:32 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 17 passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole,

Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—62.

NOES—Collins, George D, Daley, Dilworth, Gallagher, Knight, T. Fenton; Pelletier, and Weber—7

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 248

House Resolution No. 248—Creates Committee to Study Education of Mentally Handicapped.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Welch, and Wollenberg—56.

NOES—Bennett, and Thomas—2.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1117—An act to amend Sections 62 and 62.6 of the Fish and Game Code, relating to Fish and Game Districts 1 and 1¾.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1117?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "62 6", insert ", and to repeal Section 141".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "1 and 1¾".

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, strike out ", not included in District 1K".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 10, insert

"SEC. 3. Section 141 of the Fish and Game Code is hereby repealed"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1117 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Wollenberg—65.

NOES—None.

Assembly Bill No. 1117 ordered enrolled.

Hon. Rodney L. Turner Presiding

At 10.33 a.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

Assembly Bill No. 1949—An act defining henceforth the boundaries of the Alameda County Water District, also ratifying the incorporation in said district of certain lands as shown in the certificate of the presi-

dent and secretary of the board of directors of said district filed in the Office of the Secretary of State of the State of California on May 18, 1940, and as certified to by the certificate of the said Secretary of State filed in the office of the county clerk of Alameda County on May 22, 1940, also providing for the management of said district as enlarged by the present officers thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1949?

Amendment No. 1

On page 1 of the printed bill, as introduced on January 25, 1941, after line 17, insert

"SEC. 2. Nothing contained in this act shall be construed to render the change in the boundaries of the Alameda County Water District effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Section 3720 of the Political Code, is filed in the manner and within the time required by that section.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1949 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Middough, Millington, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Assembly Bill No. 1949 ordered enrolled.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

Report of Receipts and Expenditures, Finance Committee Legislative Ball

To the Members of the Senate and Assembly,
California Legislature, Fifty-fourth Session

Cash Receipts		$1,222 50
Expenditures as follows:		
George Breece (Music for ball)	$235 50	
Harry O. Johnson (Furnishing and serving punch and cakes)	100 00	
Olmstead & Wood (3,750 tickets)	18 03	
B. Pasquale Co. (Ribbons and badges)	49 38	
Ray Kunz (Police services)	40 00	
Wilson's Furniture Exchange (Rent tables)	1 00	
Jones & Dart Music Co. (Rental, drayage and tuning grand piano)	25 00	
Walsh & Day (Installation loud speaking system and operator)	25 00	
E. H. Cox (Decorating auditorium)	100 00	
Department of Finance (Gardener, hauling plants)	5 00	
Louis Erb (Two painted signs)	1 00	
Wm. Deagan (Services stagehand)	5 00	
Fred Kummerfeldt (Operating and furnishing spotlights)	25 00	
Total Expenditures		629 91
Total		$592 59

The profit balance of $592.59 was distributed as follows:

Homeless Children—Native Daughters of the Golden West	$296 30
Community Chest of Sacramento	296 29

Respectfully submitted.

FINANCE COMMITTEE
ALFRED W. ROBERTSON, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto to:

Assembly Bill No. 1475

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 801—An act to amend Sections 2, 15, 18, 18.1, 19.1 and 21 of the Agricultural Prorate Act, relating to agricultural proration programs, including definitions, proration program committees, equalization pools and the deposit of moneys; and to declare the urgency of this act and that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto to:

Assembly Bill No. 2049

J. A. BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 2299

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 913
Assembly Bill No. 1005
Assembly Bill No. 2108
Assembly Bill No. 2280

J. A. BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 2651

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 51

J. A. BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 442
Assembly Bill No. 559
Assembly Bill No. 686
Assembly Bill No. 1007
Assembly Bill No. 1009
Assembly Bill No. 1949
Assembly Bill No. 770
Assembly Bill No. 2162
Assembly Constitutional Amendment No 6

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 1067

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 1007
Senate Bill No. 607
Senate Bill No 1347
Senate Bill No. 1349

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1007—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto, defining the powers and duties of the Judicial Council in relation thereto, and making an appropriation therefor.

Referred to Committee on Rules.

Senate Bill No. 607—An act to amend Sections 118, 2020 and 2021 and to repeal Section 2025 of, and to add Sections 103.5 and 119.5 to, the Welfare and Institutions Code, relating to public assistance and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 1347—An act to amend Sections 3076, 3079 and 3084 of, and to add Sections 103 6, 118.1 and 119.6 to, the Welfare and Institutions Code, relating to public assistance for the blind and the administration thereof, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 1349—An act making an appropriation for the support of the State Department of Social Welfare, to take effect immediately.

Referred to Committee on Rules.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1941

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code, with reference to the satisfaction of judgments,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in

SWING	
CRITTENDEN	SAWALLISCH
KUCHEL	BURNS, HUGH M.
Senate Committee on Conference	Assembly Committee on Conference

Motion to Allow Additional Time for Argument

Mr. Evans moved that Mr. Carlson be given an additional five minutes to conclude his argument on Assembly Bill No. 1485.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dills, Dilworth, Doyle, Evans, Field, Gaffney, Green, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—47

NOES—Bashore, Bennett, Cronin, Crowley, and Gallagher—5

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 1485.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Clarke, Cooke, Cronin, Crowley, Dills, Donnelly, Gallagher, Hawkins, Kilpatrick, Knight, John B., Maloney, Millington, O'Day, Russell, Sawallisch, Tenney, Thomas, Thurman, Turner, Weber, Welch, and Wollenberg—26

NOES—Andreas, Carlson, Collins, Sam L., Daley, Dilworth, Doyle, Evans, Field, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Middough, Miller, Pfaff, Phillips, Potter, Richie, Robertson, Salsman, Stream, Watson, and Weybret—25.

Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 556
Senate Bill No. 583
Senate Bill No. 592
Senate Bill No. 1067
Senate Bill No. 1318

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bills ordered to second reading.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Millington moved that the Rules be temporarily suspended for the purpose of deeming read second time, the bills reported out of Committee on Ways and Means, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Bennett, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Donnelly, Field, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Leonard, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Watson, Weber, Welch, Weybret, and Wollenberg—46.

NOES—Bashore, Burkhalter, Dills, Doyle, Evans, Hawkins, Kilpatrick, and Massion—8.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 556—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf.

Bill read second time, and ordered to third reading.

Senate Bill No. 583—An act making an appropriation for construction, improvements and equipment and the purchase of land for the Fresno State College.

Bill read second time, and ordered to third reading.

Senate Bill No. 592—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Chico State College.

Bill read second time, and ordered to third reading

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1318—An act making an appropriation from the unexpended moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," approved May 29, 1940, for flood control works in or along the Eel River, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Speaker Presiding

At 10.38 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Hon. John B. Knight Presiding

At 10.39 a.m., Hon. John B. Knight, Member of the Assembly from the Fifty-fourth District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Demand for Previous Question

Messrs. Howser, F. N., Allen, Bashore, Tenney and Green demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1270.

Motion to Allow Additional Time for Argument

Mr. Gallagher moved that Mr. Wollenberg be granted an additional five minutes to conclude his argument on Senate Bill No. 1270.

Mr. Donnelly seconded the motion.

Motion carried.

The question being on the passage of Senate Bill No. 1270.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Wollenberg moved a call of the Assembly.

Motion carried. Time, 10.41 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Dickey moved to expunge the record, and rescind the action whereby the Assembly concurred in Senate amendments to Assembly Bill No. 383.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley,

Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr. Speaker—56.

NOES—None.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 383

Assembly Bill No. 383—An act to repeal Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 619, 651, 651.5, 655, 656, 710, 791.6, 808.5, 843, 844, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 651, 651.5, 655, 656, 710, 791.6, 808.5, 843, 886, 957, 1208, 1213 and 1344 to the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 383?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "808.5,".

Amendment No. 2

In line 5 of the title of the printed bill, as amended, strike out "808.5,".

Amendment No. 3

On page 1, line 2, of the printed bill, as amended, strike out "808.5,".

Amendment No. 4

On page 2, line 47, of the printed bill, as amended, after "February", insert "; and except that in the Mokelumne River in District 1, salmon may be taken between May 29th and December 31st".

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 29 to 34, inclusive.

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 383 by the following vote:

AYES—Burkhalter, Carlson, and Collins, Sam L.—3.

NOES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thurman, Turner, Voigt, Watson, Welch, and Weybret—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 383

The Speaker announced the appointment of Messrs. Burns, Hugh M., Carlson and Dickey as a Committee on Conference concerning Assembly Bill No. 383.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 1485

At 10.42 a.m., on motion of Mr. Sawallisch, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 1485 refused adoption by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Cronin, Crowley, Dickey, Dills, Gaffney, Gallagher, Hawkins, King, O'Day, Richie,

Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thurman, Turner, Weber, Welch, and Mr. Speaker—27.

NOES—Allen, Andreas, Carlson, Clarke, Collins, Sam L., Cooke, Daley, Dilworth, Donnelly, Doyle, Evans, Field, Green, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pfaff, Phillips, Potter, Robertson, Salsman, Thorp, Watson, Weybret, and Wollenberg—35.

Assembly Bill No. 1485 ordered to conference.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2623?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended, strike out "or criminal".

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 2623 by the following vote:

AYES—Burns, Michael J., Collins, Sam L., Green, Howser, F. N., and Tenney—5

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Clarke, Collins, George D., Cooke, Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Potter, Robertson, Russell, Salsman, Sawallisch, Sheridan, Thomas, Thorp, Thurman, Turner, Voigt, Welch, Weybret, Wollenberg, and Mr. Speaker—52

Assembly Bill No. 2623 ordered to conference.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Maloney moved that the Rules be temporarily suspended for the purpose of considering Senate Bill No. 205, at this time.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Burns, Hugh M., Cain, Call, Clarke, Cronin, Crowley, Daley, Del Mutolo, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, King, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, Pelletier, Russell, Sawallisch, Stream, Tenney, Thurman, Welch, Weybret, and Mr. Speaker—30

NOES—Andreas, Burkhalter, Carlson, Collins, Sam L., Cooke, Dickey, Evans, Field, Green, Hastain, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Muddough, Poole, Potter, Robertson, Salsman, Thomas, Turner, and Voigt—22.

Hon. Paul A. Richie Presiding

At 10.43 a.m., Hon. Paul A. Richie, Member of the Assembly from the Seventy-ninth District, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on June 6, 1941, be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 24 to 26, inclusive, and insert "erning board of the district."

KENNY	**CAIN**
WARD	**SALSMAN**
CARTER	**THOMAS**
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Voigt, Weber, Welch, and Weybret—53.

NOES—Dills—1.

Assembly Bill No. 1060 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 269—An act to add Section 3.808 to the School Code, relating to high school courses of study.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Dickey, Dills, Donnelly, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pfaff, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Weybret—48

NOES—Dilworth, Evans, Hastain, Knight, John B., Knight, T. Fenton; Richie, and Watson—7.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend the Constitution of the State, by adding Section 8b to Article V thereof, relating to appointments by the Governor.

Resolution read.

Demand for Previous Question

Messrs. Robertson, Watson, Evans, Stream and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 2.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Dilworth, Green, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Miller, Millington, Thurman, Weybret, and Wollenberg—12

NOES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Turner, Voigt, Weber, and Welch—45.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1485

The Speaker announced the appointment of Messrs. Cronin, Dickey and Howser, F. N., as a Committee on Conference concerning Assembly Bill No. 1485.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2623

The Speaker announced the appointment of Messrs. Burns, Michael J., Sawallisch and Collins, Sam L., as a Committee on Conference concerning Assembly Bill No. 2623.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1998?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 3 and 4, and insert "One hundred eighty-eight thousand eighty-four dollars and eighty-one cents ($188,084 81) is".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out all of lines 12 to 15, and insert

"SEC. 2 The sum of one hundred eighty-eight thousand eighty-four dollars and eighty-one cents ($188,084 81) shall be paid as follows: Ninety-five thousand two hundred eighty-nine dollars and seventy-six cents ($95,289.76)".

Amendment No. 3

On page 1, line 16, of the printed bill, as amended, strike out "($528,744.70)".

Amendment No. 4

On page 2, line 20, of the printed bill, as amended, following the semicolon, insert "ninety-five dollars and ten cents ($95.10) out of any money in the Medical Examiners Contingent Fund in the State Treasury;".

Amendment No. 5

On page 2 of the printed bill, as amended, strike out all of lines 25 and 26, and insert "thousand two hundred seventy-six dollars and fifty-three cents ($1,276.53) out of any money in the Motor Vehicle Fuel".

Amendment No. 6

On page 2, line 32, of the printed bill, as amended, following the semicolon, insert "one hundred fifty-four dollars and five cents ($154.05) out of any money in the Optometry Fund in the State Treasury;".

Amendment No. 7

On page 2 of the printed bill, as amended, strike out all of lines 35 to 38, inclusive, and insert "treasury; two thousand four hundred seventy dollars and fifty-four cents ($2,470.54) out of any money in the Retail Sales".

Amendment No. 8

On page 2, line 45, of the printed bill, as amended, strike out "five", and insert "three".

Amendment No. 9

On page 2, line 46, of the printed bill, as amended, strike out "($50,510.38)", and insert "($50,310.38)".

Amendment No. 10

On page 3 of the printed bill, as amended, strike out all of lines 8 and 9, and insert "nineteen thousand two hundred ninety-three dollars and thirty-three cents ($19,293.33) out of any money".

Amendment No. 11

On page 3 of the printed bill, as amended, strike out all of lines 13 and 14, and insert "treasury; and five thousand five hundred twenty-three dollars and twenty-three cents ($5,523.23) out of any money in the Unem-".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 1998 by the following vote:

AYES—Bashore, Collins, Sam L., Dills, Field, Salsman, Sheridan, Thurman, and Welch—8.

NOES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Daley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

Assembly Bill No. 1998 ordered to conference.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 351—An act to repeal Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation proceedings.

Bill read third time.

Senate Bill No. 351 Stricken From File

Mr. Tenney moved that Senate Bill No. 351 be stricken from the file.

Demand for Previous Question

Messrs. Sawallisch, Thurman, Collins, Sam L., Dills and Green demanded the previous question.

Demand for previous question sustained.

The question being on the motion to strike Senate Bill No. 351 from the file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Michael J., Cain, Clarke, Cooke, Del Mutolo, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Green, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Pelletier, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thomas, Thorp, Voigt, and Weber—41.

NOES—Burns, Hugh M., Carlson, Collins, Sam L., Daley, Dickey, Gallagher, Hastain, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Millington, O'Day, Pfaff, Robertson, Salsman, Sawallisch, Thurman, Turner, Welch, Weybret, and Wollenberg—22.

Senate Bill No. 997—An act to add Section 7.1 to of the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T.

Fenton; Leonard, Lowrey, Maloney, McCollister, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Watson, Weber, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 186—An act to repeal Section 70 of, and to add a new Section 70 and Sections 70.4, 70.6 and 80 to, the Streets and Highways Code, relating to the California Highway Commission and providing for the establishment, appointment, organization, and expenses thereof.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—*Burns, Hugh M., Burns, Michael J., Clarke, Collins, George D., Dickey, Gaffney, Heisinger, Leonard, McCollister, Millington, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Welch, and Weybret*—18

NOES—*Andreas, Bashore, Bennett, Burkhalter, Cain, Collins, Sam L., Cooke, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Sheridan, Tenney, Thomas, Voigt, Watson, Weber, Wollenberg, and Mr. Speaker*—47.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1270

At 10.44 a.m., on motion of Mr. Wollenberg, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1270 passed by the following vote:

AYES—*Allen, Bashore, Burkhalter, Burns, Michael J., Carlson, Crowley, Daley, Desmond, Dickey, Dilworth, Doyle, Field, Green, Hastain, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker*—42

NOES—*Bennett, Burns, Hugh M., Clarke, Collins, George D., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Russell, Salsman, Sawallisch, Tenney, Thomas, and Welch*—26.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Michael J. Burns:

Resolved, That Senate Bill No. 1318 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—*Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion,*

Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1318

Senate Bill No. 1318—An act making an appropriation from the unexpended moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," approved May 29, 1940, for flood control works in or along the Eel River, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Michael J. Burns moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 20, insert

"The appropriation for the work specified in this act does not give such work any preference over any type of repair or restoration work specified in the act cited in the title hereof. An expenditure may be made out of the money appropriated by the act cited in the title hereof for any type of work specified therein ahead of any expenditure specified in this act, if there is a greater necessity for an expenditure for the former."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—62.

NOES—None.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 280

At 10:45 a.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 280 adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, O'Day, Pelletier, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—49.

NOES—Bennett, Collins, George D., Dilworth, Kilpatrick, and Massion—5.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1270—An act to amend Sections 2181 and 2224 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Senate Bill No. 1270 Stricken From File

Mr. Thurman moved that Senate Bill No. 1270 be stricken from the file.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—67.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1327?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended, strike out "two million"

Amendment No. 2

On page 1, line 2, of the printed bill, as amended, strike out "($2,500,000)", and insert "($500,000)".

Amendment No. 3

On page 1, line 17, of the printed bill, as amended, after "county", insert "nor shall any portion of this appropriation be expended for the acquisition, development or protection of any ocean beach unless moneys equal to or in excess of the amount to be expended from this appropriation for that purpose shall have been made available (by any person, corporation, political subdivision, public district or public agency other than the State) for expenditure by the State for that purpose, to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1327 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Weybret—58.

NOES—Watson—1.

Assembly Bill No. 1327 ordered enrolled.

Assembly Bill No. 1078—An act appropriating money for the construction and equipment of buildings and the improvement of grounds

at Morrow Cove, the site of the California Maritime Academy and for the support and maintenance thereof, declaring the urgency hereof, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1078?

Amendment No. 1

In line 4 of the title of the printed bill, as amended, strike out "and for the support and maintenance thereof".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of lines 5 to 7, inclusive, and insert "project".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1078 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, and Wollenberg—68.

NOES—None.

Assembly Bill No. 1078 ordered enrolled.

Speaker Presiding

At 10.46 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend Section 6 of Article IV of the State Constitution, relating to the membership of the Reapportionment Commission.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 6?

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "Speaker of the Assembly," and insert "State Controller,".

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Constitutional Amendment No. 6 by the following vote:

AYES—Call, Collins, George D., Donnelly, Field, Kilpatrick, Leonard, Maloney, Thomas, Turner, and Weber—10.

NOES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Watson, Welch, Weybret, and Wollenberg—55.

Appointment of Committee on Conference Concerning Assembly Constitutional Amendment No. 6

The Speaker announced the appointment of Messrs. Maloney, Houser, Frederick F., and Call as a Committee on Conference concerning Assembly Constitutional Amendment No. 6.

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 1078—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 13.16d, relating to building and loan associations, including the rehabilitation, readjustment, reorganization or plans for the liquidation of such an association, or of all or of any part of the business, property and assets of such association, or the readjustment, modification or reorganization of the rights or interests of any or all investors and creditors of such association; providing for the kinds of securities issuable in connection therewith and exempting such securities from the necessity of a permit under the Corporate Securities Act; authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Section 13 16d, and exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and exempting the proposer or proposers of a plan from the provisions of an act approved July 1, 1937, being Chapter 784 of the Statutes of 1937.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 1078 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Howser, F. N., Collins, Sam L., Dickey, Evans and Allen demanded the previous question.

Demand for previous question sustained.

The question being: Shall Senate Bill No. 1078 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 10.47 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Senate Bill No. 987

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

DESMOND, Chairman	KNIGHT, T. FENTON
KNIGHT, JOHN B.	HOWSER, F. N.
WELCH	PELLETIER
STREAM	

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Desmond:

Resolved, That Senate Bill No. 987 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Cain, Call, Collins, George D, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Streeter, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—Dills—1.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 987

Senate Bill No. 987—An act to amend Section 52.2 of, and to add Section 57.7 to, the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the Armed Forces.

Bill read second time.

Motion to Amend

Mr. Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out ". If"; and strike out lines 11 to 17, inclusive, and insert ", except that in any case where the first of such quarters has already been included in a prior base period of the same individual, the term "base period" shall mean the first three out of the last four completed calendar quarters immediately preceding the first day of that benefit year."

Amendment No. 2

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert

"Sec. 57.7. Notwithstanding any inconsistent provisions of this act the benefit rights of trainees shall be determined in accordance with the following provisions of this section for the periods and with respect to the matters specified herein. Except as herein otherwise provided, all other provisions of this act shall continue to be applicable in connection with such benefits.

(1) The term "Military Service" as used in this section means active service in the Land or Naval Forces of the United States, but the service of an individual in any reserve component of the Land or Naval Forces of the United States who is ordered to active duty in any such force for a period of 30 days or less shall not be deemed to be active service in such force during such period.

(2) The term "trainee" as used in this section means an individual who entered Military Service after April 1, 1940, who continued such service for not less than 90 consecutive days and whose Military Service was terminated on or before October 1, 1943.

(3) (a) With respect to any trainee who has an unexpired benefit year at the time of induction into the Armed Forces, the unexpended balance of benefits remaining to his account shall be reestablished beginning with the first day of the first week succeeding the date of his termination of service. Whenever this balance is exhausted the trainee may file a claim and his base period shall be determined in accordance with the provisions of Subsection (4), hereof, except that all reestablished balances shall lapse 65 weeks after termination of such Military Service.

(b) The benefit year of all other trainees shall be 52 weeks from the first day of the first week following the date of termination of Military Service.

(4) With respect to the determination of the benefit rights of any trainee, the base period shall consist of the first four out of the last five completed calendar quarters, excluding those quarters during which the trainee was in Military Service 60 days or more. For all quarters so excluded there shall be substituted an

equal number of quarters immediately preceding his entry into Military Service, except that the quarter of entry into Military Service shall be counted as a completed quarter if the commission finds that the inclusion thereof would be more equitable to the trainee.

(5) No disqualification shall be applied to any trainee after the termination of his Military Service, by reason of any act or course of action on his part prior to the date of his entry into such service.

(6) If, under an act of Congress, payments with respect to the unemployment of individuals who have completed a period of Military Service are payable by the United States, a trainee shall be disqualified for benefits with respect to any week for which he receives such benefits and no benefits shall be paid under this act until he has exhausted all his rights to such payments from the United States."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

Bill ordered reprinted, and to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Allen:

Resolved, That Senate Bill No. 1067 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, Welch, Weybret, and Mr. Speaker—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1067

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Bill read second time.

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved

June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Allen moved a call of the Assembly.

Motion carried. Time, 10.48 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2598—An act to add Section 19624.5 to the Business and Professions Code, and to add Section 87.5 to the Agricultural Code, relating to the Forty-eighth District Agricultural Association.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2598?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19624.5", and insert "19626.3".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended, strike out "four thousand dollars ($4,000)", and insert "one thousand five hundred dollars ($1,500)".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 12 to 15, inclusive, and insert

"SEC 2. Section 19626 3 is hereby added to the Business and Professions Code, to read as follows:

19626 3 Out of the second balance of the fund there is hereby allocated one thousand five hundred dollars ($1,500) to the Forty-eighth".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2598 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 2598 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Johnson moved to expunge the record, and rescind the action whereby the Assembly concurred in Senate amendments to Assembly Bill No 2580.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr. Speaker—59.
NOES—None.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2580

Assembly Bill No. 2580—An act to add Chapter 3, comprising Sections 259, 259.1 and 259.2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2580?

Amendment No. 1

On page 1, line 10, of the printed bill, after "disposition", insert "upon the same terms and conditions as residents and citizens of the United States".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "in like manner within the", and insert "upon the same terms and conditions as residents and citizens of the respective".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "or", and insert "and".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2580 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr Speaker—59.
NOES—None.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 2580 ordered enrolled

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1348

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1348—An act making an appropriation to the State Personnel Board, to take effect immediately.

Referred to Committee on Ways and Means.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1067

At 10.49 a.m., on motion of Mr. Allen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1067 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Pelletier, Phillips, Poole, Potter, Richie, Robertson, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—58.

NOES—Collins, George D., Cronin, Del Mutolo, Gaffney, Gallagher, Knight, John B., Massion, Meehan, O'Day, Pfaff, Russell, and Sheridan—12.

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Field moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended, after line 13, insert
"SEC. 4. This act shall expire on September 13, 1941."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—55.

NOES—None.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto to

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Herewith is a copy of the Governor's message relating to said bill.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1941

To the Honorable Members of the Senate
Sacramento, California

GREETINGS. I am returning herewith, without my signature, Senate Bill No. 169, entitled "An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses."

My objections to this bill are as follows:

This bill provides that the owner of a slaughterhouse who feels that the building requirements of the department are unreasonable may protest to the director; that the protest shall be determined by an arbitration committee of three—one selected by the department, one by the owner and the third by the first two—and that the decision of the arbitration committee shall be final and binding upon the department and the owner. During the Fifty-third Session of the Legislature, I returned without my signature Senate Bill No. 285 which similarly provided for such arbitration. The reasons then given are applicable to this bill and are here restated:

> "The correspondence I have received from several small slaughterhouse operators indicates that this bill was introduced in response to their complaints *that higher and more burdensome standards have been fixed for them in the* administration of the present law than the average of sanitary and building standards required and actually in force in other slaughterhouse establishments. I agree that such discriminations would be inexcusable; in fact they would constitute a violation of duty on the part of officials charged with the enforcement of the present law. If any such violations have occurred, or if unreasonable standards or requirements are made they can and will be corrected by administrative order. Complaints with reference thereto should be made to the Director of Agriculture.
>
> The provisions of this bill, it seems to me, would defeat its purpose to establish uniformity in sanitary and building requirements for all establishments subject to regulation. It would permit the arbitrary fixing by arbitration committees of different standards and requirements in different localities and in individual plants than obtained in others.
>
> The Legislature may deem it advisable to set up uniform standards more specifically than the present law provides. But this act would break down all standards. It would delegate to unofficial agencies powers which should be exercised only by duly qualified administration officers. It would be detrimental to the establishment of reasonable and uniform public health and sanitary regulations affecting the operations of slaughterhouses."

There now exists a further reason why this bill should not become law, which is that it would undoubtedly defeat the efforts of the Department of Agriculture and of the California meat packing industry to secure Federal recognition of California meat inspection so that meat packed in California plants under State inspection may be sold to Federal agencies and particularly to the Military and Naval authorities of the United States. At the present time these authorities will accept only Federal inspected meat. That the Legislature is fully cognizant of this situation is demonstrated by Senate Joint Resolution No. 4 adopted at the present session of the Legislature, memorializing the Congress and the President to take action to provide that meat inspected and passed under the California Meat Inspection Law may be sold to and purchased by the United States and its agencies. I doubt that the Legislature in enacting this bill realized that the destruction of the standards of the California meat inspection service made possible by this bill would defeat such purpose and thereby be *disadvantageous to the California* industry. Under the present law the standards are required to conform to the Federal standards as nearly as possible (Agricultural Code, Section 315). Under this law such standards would conform to the individual ideas of the different arbitration boards.

For the reasons above stated, I am returning the bill without my signature.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 59

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 1177
Assembly Bill No. 1529
Assembly Bill No 2360

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 15
Assembly Bill No. 151
Assembly Bill No. 897
Assembly Bill No. 1192
Assembly Bill No. 1561
Assembly Bill No. 1885
Assembly Bill No. 1888
Assembly Bill No 2253
Assembly Bill No 2585
Assembly Bill No. 2645

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 113
Senate Bill No. 269
Senate Bill No. 292
Senate Bill No. 416
Senate Bill No. 721
Senate Bill No. 997
Senate Bill No. 1151
Senate Bill No. 1168
Senate Bill No 1270
Senate Bill No. 1274
Senate Bill No. 1337
Senate Constitutional Amendment No. 8

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Hon. C. Don Field Presiding

At 10.50 a.m., Hon. C Don Field, Member of the Assembly from the Forty-third District, presiding.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1429
Assembly Bill No. 1433
Assembly Bill No. 1918
Assembly Bill No. 2016

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 344
Assembly Bill No. 654
Assembly Bill No. 777
Assembly Bill No. 1078
Assembly Bill No. 2646
Assembly Bill No. 1327
Assembly Bill No. 1840
Assembly Bill No. 1998

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 2213
Assembly Bill No. 2598

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1457
Assembly Bill No. 1919
Assembly Bill No. 2097
Assembly Bill No. 2155

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2099

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1846
Assembly Bill No. 2642

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Ward, Garrison and Cunningham as a Committee on Conference concerning:

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend Section 6 of Article IV of the State Constitution, relating to the membership of the Reapportionment Commission.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Gordon, Quinn and Biggar as a Committee on Conference concerning:

Assembly Bill No. 383—An act to repeal Sections 484 5, 611 5, 612, 613, 615.2, 617, 618, 619, 651, 651 5, 655, 656, 710, 791.6, 843, 844, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484 5, 611 5, 612, 613, 615 2, 617, 618, 651, 651 5, 655, 656, 710, 791.6, 843, 886, 957, 1208, 1213 and 1344 to the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Tickle, Mayo and Parkman as a Committee on Conference concerning:

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators DeLap, Shelley and Biggar as a Committee on Conference concerning:

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code with reference to satisfaction of judgments

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Judah, Dillinger and Luckey as a Committee on Conference concerning:

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day refused adoption to:

Assembly Constitutional Amendment No 66

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1475—An act to amend Section 2193 of the Business and Professions Code, relating to applications for a physician's and surgeon's certificate by graduates of foreign medical schools.

Which had been vetoed by the Governor was passed by both houses of the Legislature by the constitutional majority on the fourteenth day of June, 1941, said bill presented to the Governor on the fourteenth day of June, 1941, at 11 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2049—An act to add Section 6 5 to the Alcoholic Beverage Control Act, relating to the age of whiskey sold at retail.

Which had been vetoed by the Governor was passed by both houses of the Legislature by the constitutional majority on the thirteenth day of June, 1941, said bill presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Constitutional Amendment No. 68

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Constitutional Amendment No. 68—Proposed amendment to Article IV of the Constitution, by amending the tenth paragraph of Section 1 thereof, relating to the initiative.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 14, of the printed measure, after "voters", insert "in at least one county or city and county".

Amendment No. 2

On page 1, line 15, of the printed measure, after the period, insert "All other sections shall be filed in all other counties or cities and counties within 180 days after the preparation of the title and summary."

Amendments read and adopted.

Bill ordered printed and engrossed.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2646—An act to amend Sections 276 and 511 of the Vehicle Code, relating to operators' licenses and prima facie speed limits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2646?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 276 and 511", and insert "Section 276".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "and prima facie speed limits.", and insert a period.

Amendment No. 3

On page 1 of the printed bill, strike out all of lines 10 and 11, and insert "If an applicant for an operator's license has any condition which in the opinion of the department"

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 13 and 14, and insert "son, may result in the existence of a ground for which a license might be refused under this code, the department".

Amendment No. 5

On page 1 of the printed bill, strike out all of lines 18 to 27, inclusive; and on page 2, strike out all of lines 1 to 48, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2646 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth,

Donnelly, Doyle, Evans, Field, Gallagher, Hawkins, Heisinger, Houser, Frederick F, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Voigt, Watson, Welch, and Weybret—47.

NOES—None

Assembly Bill No. 2646 ordered enrolled.

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 777?

Amendment No. 1

On page 11, line 24, of the printed bill, as amended, strike out "two", and insert "one".

Amendment No. 2

On page 11, line 25, of the printed bill, as amended, strike out "($200,000)", and insert "($100,000)".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 777 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Voigt, Watson, Welch, and Weybret—54.

NOES—None.

Assembly Bill No. 777 ordered enrolled.

Assembly Bill No. 2213—An act to amend Sections 19621, 19622, 19624 and 19626 of the Business and Professions Code, relating to fairs and exhibitions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2213?

Amendment No. 1

On page 3, line 14, of the printed bill, strike out all of said line, and all of lines 15 to 33, inclusive.

The roll was called, and the Assembly refused to concur in the Senate amendment to Assembly Bill No. 2213 by the following vote:

AYES—Potter, and Watson—2.

NOES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Voigt, Welch, and Weybret—48.

Appointment of Committee on Conference Concerning Assembly Bill No. 2213

The Speaker announced the appointment of Messrs. Thorp, McCollister and Potter as a Committee on Conference concerning Assembly Bill No. 2213.

Assembly Bill No. 1009—An act to amend Section 137 of the Civil Code, relating to the support of a spouse pending divorce proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1009?

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "domestic relations, including actions for the support and maintenance of children."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1009 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawalhsch, Stream, Thorp, Thurman, Voigt, Watson, Welch, and Weybret—48.
NOES—None.

Assembly Bill No. 1009 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1301 WAIVED

Mr. Bashore waived his notice of motion to reconsider the vote whereby Senate Bill No. 1301 was passed.

Senate Bill No. 1301 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1007—An act to amend Section 2837 of the Elections Code, relating to the election of county central committees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1007?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2837", and insert "Sections 2835 and 2836".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 2835 of the Elections Code is hereby amended to read as follows:

2835. In any county containing more than [six] *five* and less than [fifteen] *20* Assembly districts, the county central committee of each party shall be elected by each Assembly district and shall consist of five members from each Assembly district therein.

SEC. 2. Section 2836 of the Elections Code is hereby amended to read as follows:

2836. In all counties except a city and county, containing [not more than six nor less than] five Assembly districts the county central committee of each party shall be elected by Assembly districts and shall consist of one member for each 700 votes or fraction thereof cast in each such Assembly district for that party's candidate for Governor at the last gubernatorial election."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1007 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Houser, Fred-

erick F., Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Voigt, Watson, Welch, and Weybret—49.

NOES—None.

Assembly Bill No. 1007 ordered enrolled.

Assembly Bill No. 344—An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 344?

Amendment No. 1

On page 1 of the printed bill, strike out "money heretofore", and insert "or unencumbered money heretofore or hereafter".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 344 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, Sam L., Crowley, Daley, Dickey, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Welch, and Weybret—44.

NOES—None.

Assembly Bill No. 344 ordered enrolled.

Assembly Bill No. 770—An act to add Chapter 8 to Part 4, Division 6 of the Welfare and Institutions Code, creating a Division of Extramural Care in the Department of Institutions and prescribing its powers and duties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 770?

Amendment No. 1

On page 1, line 12, of the printed bill, after "Institutions", insert "If no legislative appropriation should be available for the establishment and maintenance of the position of Medical Superintendent of Extramural Care, then the Director of Institutions may designate any properly qualified medical officer in the employ of any of the institutions in the jurisdiction of the department to act, on part time, as Medical Superintendent of Extramural Care without additional salary."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 770 by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Knight, T. Fenton, Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Thorp, Thurman, Voigt, Welch, and Weybret—46.

NOES—None.

Assembly Bill No. 770 ordered enrolled.

Assembly Bill No. 654—An act to amend Sections 154 and 157 and to repeal Section 155 of the Welfare and Institutions Code, relating to the institutions subject to the jurisdiction of the Department of Institutions and appointment of superintendents of those institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 654?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out line 14.

Amendment No. 2

On page 1 of the printed bill, as amended, strike out line 20, and insert "Fred C. Nelles School for Boys".

Amendment No. 3

On page 1 of the printed bill, as amended, after line 7, insert "Industrial Workshop for the Blind".

Amendment No. 4

On page 1 of the printed bill, as amended, after line 14, insert "State Blind Shop".

Amendment No. 5

On page 1 of the printed bill, as amended, after line 6, insert "California Institution for Boys".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 654 by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Voigt, Welch, and Weybret—47.

NOES—None.

Assembly Bill No. 654 ordered enrolled.

Assembly Bill No. 2360—An act to amend Section 1501 of the Welfare and Institutions Code, relating to aid to needy children.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2360?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 22 and 23; and in line 24, strike out "(2)", and insert "(1)".

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, strike out "(3)", and insert "(2)".

Amendment No. 3

On page 2, line 6, of the printed bill, as amended, strike out "(4) A child of a father", and insert "(3) A child of a parent".

Amendment No. 4

On page 2 of the printed bill, as amended, after line 9, insert

"(e) A half-orphan does not include a child of an employable father who refuses to accept employment when employment is offered."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2360 by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Daley, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Voigt, Welch, and Weybret—47

NOES—None.

Assembly Bill No. 2360 ordered enrolled.

Hon. Eleanor Miller Presiding

At 10.51 a.m., Hon. Eleanor Miller, Member of the Assembly from the Forty-seventh District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 2022

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 1149
Assembly Bill No. 1608
Assembly Bill No 1904

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bills ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 824—An act to amend Sections 51a, 51c, 51g and 52 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Heisinger, Johnson, Knight, T. Fenton, Leonard, Lowrey, Masson, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, and Welch—43.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1031—An act to add Article 8 to Chapter 2 of Part 4 of Division 2 of the School Code and to add Section 4.375-1 to said code, relating to visual education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Heisinger, Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Masson, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, and Welch—43.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend Sections 1300.12, 1300.14, 1300.17, 1300.20, 1300.23 and 1300.28 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dilworth moved a call of the Assembly.

Motion carried. Time, 10.52 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 413—An act to amend Sections 781 and 786.5 of the Fish and Game Code, relating to lobsters.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stream moved a call of the Assembly.

Motion carried. Time, 10.53 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

ABSENCE OF QUORUM SUGGESTED

Mr Heisinger suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Andreas, Burns, Michael J., Cain, Carlson, Clarke, Collins, Sam L., Cronin, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, and Welch—45.

Whereupon the Speaker declared a quorum present.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 705—An act to amend Section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, and Turner—46.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1344—An act to amend Section 2302 of, and to add Section 2305 to, the Elections Code, relating to delegates to National conventions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawtelle, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, and Welch—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 223—An act making an appropriation to the Division of Forestry, Department of Natural Resources, for forest protection against the white pine blister rust.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Millington moved a call of the Assembly.

Motion carried. Time, 10.54 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 410—An act to provide for the acquisition of Montgomery Woods in Mendocino County as part of the State Park System, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 686—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and

counties of this State, to authorize the connection of this system with that of any adjacent State, to make an appropriation therefor, and to repeal certain acts inconsistent therewith.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried. Time, 10.56 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 98—An act to amend Section 11 of the Fish and Game Code, relating to the compensation of the members of the Fish and Game Commission;

Assembly Bill No. 159—An act to amend Section 919 of the Fish and Game Code, relating to bait nets;

Assembly Bill No. 389—An act to amend Section 647 of the Code of Civil Procedure, relating to what is deemed excepted to;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 402—An act to add Section 719 to the Fish and Game Code, relating to shad and shad roe;

Assembly Bill No. 443—An act to amend Section 3745 of the Vehicle Code, relating to license plates for exempt vehicles;

Assembly Bill No. 586—An act to repeal Section 3721 of the Political Code, relating to assessment and taxation of property affected by the annexation, incorporation, and inclusion of territory by municipal corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 946—An act to add Section 6879 to the Public Resources Code, relating to State lands, to permit drilling of oil and gas wells under certain conditions;

Assembly Bill No. 1002—An act to repeal Chapter 16, comprising Sections 8900 to 8970, inclusive, of Division 3 of the Business and Professions Code, relating to yacht and ship brokers;

Assembly Bill No. 1039—An act to amend Sections 8 and 9 4 of, and to add Section 8 1 to, The Personal Income Tax Act, relating to deduction of a net operating loss, other deductions and the computation of capital gains and losses;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1075—An act to amend Sections 4, 4A, 5A, 6, 7, 9 and 13 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the

proper sanitation of canneries under the State Board of Health," approved May 23, 1925, relating to the regulation of canneries and costs of inspection thereof;

Assembly Bill No. 1124—An act to regulate the sale of olive oil and to prohibit the sale of imitation olive oil, prescribing methods of packaging, labeling, and branding olive oil, licensing packers, manufacturers and distributors, providing rules and regulations for the proper sanitation of such establishments, imposing penalties for violations of this act, defining the powers of the State Board of Public Health in relation thereto, and to repeal an act entitled "An act to regulate the sale of imitation olive oil and to repeal an act entitled 'An act to regulate the sale of olive oil,' approved March 10, 1891," approved March 23, 1893, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1185—An act to repeal Section 156 of the Fish and Game Code and to make unlawful the taking, until December 31, 1946, of any game bird or game mammal in former Fish and Game District 3E;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1216—An act to add a new section to the Unemployment Insurance Act, to be numbered 57 1, relating to the qualifications for eligibility for unemployment insurance benefits,

Assembly Bill No. 1255—An act to amend Section 559½ of the Code of Civil Procedure, relating to alias writs of attachment;

Assembly Bill No. 1285—An act to amend Sections 583 and 586 of the Vehicle Code, relating to the stopping, standing or parking of a vehicle;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1400—An act to repeal Article 4, comprising Sections 10490 to 10494, inclusive, of Chapter 5, Part 2, Division 2 of, and to add Article 4, comprising Sections 10490 to 10501, inclusive, to Chapter 5, Part 2, Division 2 of, the Insurance Code, relating to insurance,

Assembly Bill No. 1406—An act to amend Section 10434 of the Insurance Code, relating to insurance;

Assembly Bill No. 1528—An act to repeal an act entitled "An act to regulate boats of less than 15 gross tons capacity operating in California waters and used for carrying passengers for hire, or for carrying persons when let for hire or chartered," approved June 19, 1931;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1596—An act to amend Section 6541.5 of, and to add Sections 4774, 4775, 6544 and 6545 to, the Health and Safety Code, relating to special assessment proceedings;

Assembly Bill No. 1621—An act to add Section 5 588 to the School Code, relating to the annual teachers institutes,

Assembly Bill No. 1633—An act to add Section 222 to the Welfare and Institutions Code, relating to the payment of county warrants issued for aid to indigents, needy children, to the needy blind and the needy aged;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1731—An act relating to bids for the construction of public works and improvements;

Assembly Bill No. 1769—An act to add a new section to the State Civil Service Act, to be numbered 57 5, relating to the officers and employees of the State engaged

in the performance of the administration and enforcement of the laws and rules governing persons paroled from the State prisons;

Assembly Bill No. 1856—An act to amend Sections 30 and 39 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1869—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged;

Assembly Bill No. 1922—An act to amend Section 953a of the Code of Civil Procedure, relating to appeals;

Assembly Bill No. 1937—An act to add Section 6216 to the Public Resources Code, relating to State lands and to the powers and duties of the State Lands Commission in connection therewith, declaring the scope, purpose and intent of the Legislature in enacting the State Lands Act of 1928 and acts amendatory thereof, and validating and confirming the acts of the State Lands Commission;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1992—An act to amend Section 506 of the Public Resources Code, relating to the State Park Commission and the Chief of the Division of Parks;

Assembly Bill No. 2006—An act for the protection of the domestic water supplies of cities, towns or districts from pollution by placer mining operations, providing a method of recording information with respect to operators using such methods, and providing penalties for the violation of this act;

Assembly Bill No. 2033—An act to amend Section 9704 of the Elections Code and Sections 752 and 760 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to officers of fifth class cities, the election and qualification of such officers and the dates of meetings of boards of trustees;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2129—An act to repeal Section 55.8 of the Alcoholic Beverage Control Act;

Assembly Bill No. 2135—An act to add Section 474a to the Political Code, relating to escheat actions brought by the Attorney General;

Assembly Bill No. 2136—An act to amend Section 474 of the Political Code, relating to escheated property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2183—An act to amend Section 1161a of the Code of Civil Procedure, relating to unlawful detainer;

Assembly Bill No. 2186—An act to amend Section 1181 of the Civil Code, relating to proof or acknowledgment of an instrument;

Assembly Bill No. 2304—An act to repeal School Code Sections 2.506 and 2.507, relating to elementary school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2323—An act to amend Section 2.81 of the School Code, relating to school districts situated partly in two counties;

Assembly Bill No. 2358—An act to amend Sections 2493 and 2494 of the Business and Professions Code, relating to license fees of the Board of Osteopathic Examiners;

Assembly Bill No. 2388—An act to amend Section 4041.5 of the Political Code, relating to the advertising of the resources of counties and the levying of taxes therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2465—An act to add Section 2193 to the Welfare and Institutions Code, relating to aid to the aged;

Assembly Bill No. 2629—An act to add Section 770.1 to the Vehicle Code, relating to the disposition of fines and forfeitures by cities of the first and one-half class;

Assembly Bill No. 2640—An act to amend Section 737qq of the Political Code, relating to salaries of Superior Court Judges in Santa Clara County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2649—An act to amend Section 4104 of the Public Resources Code, relating to the building of camp fires or smoking on National forest land;

Assembly Concurrent Resolution No. 21—Relative to peace in industry;

Assembly Concurrent Resolution No. 52—Relative to improvement of road from State Highway 119, at Paicines to New Idria Mine, in San Benito County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 60—Relative to civics textbooks for use in the public schools,

Assembly Concurrent Resolution No. 61—Amending the Joint Rules of the Senate and Assembly by adding Joint Rule No. 38, further defining the powers and duties of the Joint Legislative Budget Committee;

Assembly Joint Resolution No. 33—Relative to the extension of flood control works in the Los Angeles River and the construction of such works in the San Fernando Valley,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 49—Relative to real estate brokers and salesmen;

Assembly Joint Resolution No. 60—Relative to condemnation of lands for wildfowl refuge purposes by United States Department of Interior, Fish and Wildlife Service,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 719—An act to add Section 3.5 to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers

and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, and providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to the organization of said bureau and defining its powers and duties and making appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried. Time, 10.57 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 969—An act relating to and providing for the completion of the preparation of a Water Code, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 10.58 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 686

At 10.59 a.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 686 passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Muldough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, and Welch—54.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1345—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, and Welch—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 640—An act relating to taxes paid upon mines and mining claims by co-owners and providing remedies for nonpayment of taxes by co-owners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burns, Hugh M., Cain, Call, Clarke, Collins, George D., Cronin, Dickey, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thomas, Thorp, Thurman, Turner, Voigt, and Weber—41.

NOES—Evans, Knight, John B., and Tenney—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 62—An act to repeal Article 2, comprising Sections 4051 to 4060, inclusive, of Chapter 1 of Division 4 of the Public Resources Code, relating to private fire patrols of forest lands, and making an appropriation.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Weber, Weybret, and Wollenberg—56.

NOES—Evans, Houser, Frederick F., Massion, Robertson, and Tenney—5

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 223

At 11 a.m., on motion of Mr. Millington, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 223 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon,

Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—66.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 537

At 11.01 a m , on motion of Mr. Dilworth, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 537 adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D , Collins, Sam L , Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Heisinger, Houser, Frederick F., Howser, F N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—60.

NOES—Crowley, and Gunlock—2.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D , Collins, Sam L., Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Heisinger, Houser, Frederick F , Howser, F. N., Johnson, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—60.

NOES—Crowley, and Gunlock—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 969

At 11.02 a m., on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 969 passed by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M , Burns, Michael J , Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L , Cronin, Crowley Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Howser, F. N , Johnson, Knight, John B , Knight, T. Fenton , Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Weber, and Weybret—59.

NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

I am not recorded as voting on several measures today for the reason that I was serving on a Conference Committee concerning Assembly Bill No. 1998 and was excused from the Assembly Chamber for this purpose.

RALPH C. DILLS

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred

Senate Bill No. 1349

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means

DALEY, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Senate Bill No 607
Senate Bill No. 1347

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DALEY, Chairman

Above reported bills ordered to second reading.

Hon. C. Don Field Presiding

At 11.03 a m., Hon. C. Don Field, Member of the Assembly from the Forty-third District, presiding.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mrs. Daley:

Resolved, That Senate Bill No. 1347 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1347

Senate Bill No. 1347—An act to amend Sections 3076, 3079 and 3084 and to repeal Section 3000 of, and to add Section 103 6, 118 1, 119.6 and 3083 5 to, the Welfare and Institutions Code, and to add Chapter 3 to Part 1 of Division 5 of the Welfare and Institutions Code, relating to public assistance for the blind and the administration thereof, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mrs. Daley:

Resolved, That Senate Bill No. 607 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Weybret, and Wollenberg—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 607

Senate Bill No. 607—An act to amend Sections 118, 2020 and 2021 and to repeal Section 2025 of, and to add Section 103.5 and 119.5 to, the Welfare and Institutions Code, relating to public assistance and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 413

At 11.04 a.m., on motion of Mr. Stream, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 413 passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Michael J., Cain, Carlson, Clarke, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Weybret—57.

NOES—Dickey, and Green—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 410

At 11.05 a.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 410 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin,

Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, and Weybret—59.

NOES—Evans, Pfaff, Potter, and Voigt—4.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1159—An act to amend Section 2931a of the Civil Code, relating to making the State of California a party to certain actions pertaining to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, and Weybret—57.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1264—An act to make an appropriation for the construction of an additional building at San Quentin Prison.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, and Weybret—60.

NOES—Collins, Sam L.—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1341—An act amending Sections 6050 and 6051 of the Harbors and Navigation Code, relating to boards of harbor commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, and Weybret—60.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.06 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

MOTION TO STRIKE ASSEMBLY BILL NO. 686 FROM FILE

Mr. Watson moved that Assembly Bill No. 686 be stricken from the file.

Mr. T. Fenton Knight seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bennett, Burkhalter, Collins, George D., Cronin, Crowley, Daley, Dills, Dilworth, Gallagher, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, Middough, Miller, Pfaff, Richie, Robertson, Russell, Stream, Voigt, Watson, and Weybret—30.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Clarke, Cooke, Desmond, Dickey, Donnelly, Doyle, Evans, Gaffney, Green, Heisinger, Leonard, Lowrey, McCollister, Meehan, Millington, Pelletier, Phillips, Poole, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Weber, Welch, and Mr. Speaker—34.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 686?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 to 24, inclusive; and in line 25, strike out "was outside of this State", and insert

"1011.5. It is unlawful to transport or carry shark livers out of this State without a permit from the Fish and Game Commission. Shark livers shall not be removed from sharks at sea by fishermen. Fishermen shall bring all shark carcasses ashore and possession of shark livers without the carcass, on any fishing boat, shall be prima facie evidence that the livers were removed at sea.

The provisions of this section providing that shark livers shall not be removed at sea by fishermen and that all shark carcasses shall be brought ashore shall not apply to shark livers or other parts of sharks imported from without the State and accompanied by a bona fide bill of lading or other shipping document showing that the origin of the shipment was outside this State."

Demand for Previous Question

Messrs. Desmond, Collins, Sam L., Evans, Howser, F. N., and Robertson demanded the previous question.

Demand for previous question sustained.

The question being: Shall the Assembly concur in the Senate amendment to Assembly Bill No. 686?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Call moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Cain, Call, Cassidy, Clarke, Collins, Sam L., Cooke, Cronin, Desmond, Dickey, Donnelly, Doyle, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Millington, Pelletier, Richie,

Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Mr Speaker—43

NOES—Burkhalter, Collins, George D., Daley, Dills, Dilworth, Evans, Gaffney, Johnson, Kilpatrick, Knight, T. Fenton; Massion, Miller, O'Day, Pfaff, Poole, Robertson, Russell, Stream, and Watson—19

Time, 11.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 719

At 11 08 a.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 719 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M, Burns, Michael J., Cain, Call, Carlson, Cassidy, Clarke, Collins, George D, Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Mr Speaker—59.

NOES—Collins, Sam L, Evans, Howser, F N, Massion, Middough, Robertson, Russell, and Sheridan—8.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mrs. Daley moved to expunge the record and rescind the action whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1529.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns Hugh M, Cain, Call, Cassidy, Clarke, Collins, George D, Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F N, Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Weybret, and Mr. Speaker—58

NOES—None.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1529

Assembly Bill No. 1529—An act to appropriate funds to the State Department of Education for the support of the California State Historical Association.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1529?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of line 2, and insert "five thousand dollars ($5,000) is".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1529 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Weybret, and Mr. Speaker—58.
NOES—None

Assembly Bill No. 1529 ordered enrolled.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Lyon moved to expunge the record and rescind the action whereby the Assembly sustained the objections of the Governor to Assembly Bill No. 1614.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Cain, Call, Cassidy, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Weybret, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 1614 ordered to unfinished business.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 876—An act to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Middough, Tenney, Robertson and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 876.

The roll was called, and the bill refused passage by the following vote:

AYES—Andreas, Call, Clarke, Collins, Sam L., Crowley, Daley, Dickey, Dilworth, Donnelly, Hastain, Heisinger, Houser, Frederick F., Knight, T. Fenton; Leonard, Lowrey, Millington, Phillips, Robertson, Russell, Stream, Thorp, Thurman, Weber, and Weybret—24.
NOES—Allen, Bennett, Burkhalter, Cain, Carlson, Cassidy, Collins, George D., Cooke, Cronin, Desmond, Dills, Doyle, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Poole, Richie, Salsman, Sheridan, Tenney, Welch, Wollenberg, and Mr Speaker—36.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1177—An act to amend Section 39 of, to repeal Section 42 of, and to add Section 41.1, 41.2, 41 3 and 42 to, the Unemployment Insurance Act, relating to experience rating.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1177?

Amendment No. 1

On page 5, line 1, of the printed bill, as amended, after "(d)", insert "Prior to making its findings and determination thereon, the commission may order a hearing to be held on any dispute respecting contribution liability and upon such hearing any employing unit whose liability is in dispute shall be afforded reasonable opportunity for a fair hearing in accordance with rules or regulations promulgated by the commission."

Amendment No. 2

On page 5 of the printed bill, as amended, strike out lines 50 to 52, inclusive; and on page 6, strike out lines 1 to 8, inclusive, and insert

"Sec. 41.3. Notwithstanding any other provision of this act, whenever the amount in the Unemployment Fund becomes less than either (a) two times the highest total amount of benefits paid during any one of the six calendar years preceding the last computation date, or (b) 8 per cent of the average of the total annual taxable pay rolls of all employers for the three years preceding such computation date, the contribution rate for all employers shall be not less than the general rate of 2.7 per centum for the current calendar quarter and thereafter until the next computation date upon which the Unemployment Fund equals or exceeds an amount equal to amounts determined as prescribed in whichever is the higher of (a) or (b). Whenever the fund falls below the amount prescribed in either (a) or (b) the commission shall so find and such finding shall be conclusive."

Demand for Previous Question

Messrs Tenney, Collins, Sam L., Knight, John B., Robertson and Evans demanded the previous question.

Demand for previous question sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1177?

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 1177 by the following vote:

AYES—Allen, Andreas, Bennett, Cain, Collins, George D., Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Gaffney, Hawkins, Heisinger, Kilpatrick, King, Maloney, Massion, O'Day; Pelletier, Richie, Robertson, Russell, Sheridan, and Tenney—25

NOES—Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Gallagher, Green, Hastain, Howser, F. N., Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—36.

Assembly Bill No. 1177 ordered to conference.

RESOLUTIONS

The following resolution was offered:

By Messrs O'Day, Collins, George D., Gallagher, Maloney, Welch, Cronin, Wollenberg and Green:

House Resolution No. 281

WHEREAS, On this day, June 14, 1926, the charming Mary Catherine Wright became the loving bride of Edward M. Gaffney, and

WHEREAS, Divine Providence has through the years increased the family of Mr and Mrs Edward M Gaffney until it now includes Mary Eleanor, now 14 years old, Helen Regina, now 12 years old, Mathew Thomas, now nine years old, and Peter Joseph, now three years old, and

WHEREAS, The size of the family of Mr. and Mrs. Edward M. Gaffney may properly be emulated by all of the other Members of this Assembly, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends on this anniversary day its heartiest congratulations and best wishes to Mr and Mrs Edward M Gaffney and hopes that they have many, many more anniversaries together; and be it further

Resolved, That a suitably prepared copy of this resolution be transmitted to the Honorable Edward M Gaffney and his family.

Request for Unanimous Consent

Mr. O'Day asked for, and was granted, unanimous consent to take up House Resolution No. 281, at this time, without reference to committee.

Resolution read and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 686

At 11.09 a.m., on motion of Mr. Call, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 686 by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Cain, Call, Cassidy, Cooke, Dickey, Donnelly, Doyle, Evans, Green, Heisinger, Leonard, Lowrey, McCollister, Meehan, Miller, Pelletier, Phillips, Robertson, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Voigt, Weber, and Mr. Speaker—31.

NOES—Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, Middough, Millington, O'Day, Pfaff, Poole, Richie, Russell, Stream, Thomas, Thorp, and Watson—35.

Assembly Bill No. 686 ordered to conference.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1078

At 11.10 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 11.11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. John W. Evans Presiding

At 11.12 a.m., Hon. John W. Evans, Member of the Assembly from the Sixty-fifth District, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning,

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on June 13, 1941, be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert "four hundred seventy-five thousand four hundred twenty-three dollars and eighty-five cents ($475,423 85) is hereby".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 13 to 16, inclusive, and insert

"SEC. 2. The sum of four hundred seventy-five thousand four hundred twenty-three dollars and eighty-five cents ($475,423 85) shall be paid as follows: Three hundred eighty-two thousand six hundred twenty-eight dollars and eighty cents ($382,628 80) out of any".

TICKLE	ALLEN
MAYO	DILLS
PARKMAN	LYON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Green, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—54

NOES—Andreas, Carlson, Collins, George D., Gallagher, Hawkins, Johnson, Knight, T. Fenton; O'Day, Pelletier, Salsman, Tenney, and Weber—12.

Speaker Presiding

At 11.13 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 68

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported resolution ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2112
Assembly Bill No. 2161

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 12, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day struck from the file:

Assembly Bill No. 1085
Assembly Bill No. 1116

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1620

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1222

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 2111

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Crittenden, Gordon and Parkman as a Committee on Conference concerning:

Assembly Bill No. 2213—An act to amend Sections 19621, 19622, 19624 and 19626 of the Business and Professions Code, relating to fairs and exhibitions.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Hon. Charles W. Lyon Presiding

At 11.14 a.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 14, 1941

To the Honorable Members of the Assembly
Sacramento, California

GREETINGS: I am returning herewith, without my signature, Assembly Bill No. 2634 entitled "An act to repeal Section 2.600 of the School Code and to repeal an act entitled "An act providing for the organization of certain elementary school districts into union or joint union high school districts," approved April 30, 1929, and to add Section 2.600 to the School Code, all relating to the formation of high school districts"

My objections to this bill are as follows:

The bill repeals the existing Section 2.600 of the School Code and then adds another section of the same number, thus, in effect, amending the present section. The present Section 2.600 of the School Code provides a procedure whereby two or more elementary school districts which are included within a union or joint union high school district, under certain conditions, may withdraw from the union or joint union high school districts of which they are a part and form a new and smaller union or joint union high school district

This bill removes certain restrictions in the existing section and would permit a single elementary school district to withdraw from the union or joint union district and to form a new high school district, or a new and smaller union or joint union high school district.

The bill then adds a provision that the entire Section 2.600 shall not apply except in a county which has a population of between 280,000 and 290,000 under the 1940 Census.

Thus, a procedure which has heretofore been State-wide in scope where the conditions prescribed by the section are met will be limited to a single county.

From a constitutional point of view, there would seem to be little doubt that this bill is special legislation, prohibited by Section 25 of Article IV of the Constitution, as well as other sections thereof. Your attention is particularly called to Subdivision 27 of Section 25 of Article IV of the Constitution, prohibiting special laws "providing for the management of common schools." While the decisions of the State have recognized in some instances that valid classifications of school districts may be made, it is clear that any such classification must be based upon a natural and intrinsic distinction, and the courts have had no hesitation in holding that an attempted classification is void unless this natural and intrinsic distinction actually exists. The provisions of this bill, limiting its application to a single county, would appear to be clearly arbitrary. It might be that identical conditions as to assessed valuation, number of pupils, and all other matters mentioned in the section would exist in two different counties of the State. Such being the case, under the authority of the case of *Los Angeles City School District* vs. *Griffin*, 3 Cal. (2d) 651, I think there is little doubt but what the attempted classification would be held invalid. (See also *Chitwood* vs. *Hicks*, 219 Cal. 175.)

Aside from the constitutional problem, I believe this bill is wrong in principle. The effect of the bill is to facilitate the breaking up into smaller units of existing administrative agencies. Sound educational policy dictates the inadvisability of breaking up large units into smaller ones. This policy is founded first upon the avoidance of duplication of effort, it being undeniable that larger units can more economically and efficiently handle administration than a number of smaller units. Larger districts can offer more facilities than smaller ones. The second consideration in this policy is the desirability of uniformity in the administration of public schools. Any breaking up of a larger unit into smaller ones would create a problem to retain the existing uniformity.

I have received numerous protests against this bill from residents and taxpayers of the area affected by it. Apparently an elementary district desires to withdraw from a union high school district. This district has a much higher percentage of the assessed valuation than it does of the students of the union high school district. If this should occur, I am informed that the remainder of the union high school district would be left in an impoverished condition, and that its efforts to provide educational facilities, not only to the children of the district, but to nearly 2,000 adults enrolled in adult classes, and to over 300 vocational students preparing for their places in the National Defense Program would be seriously curtailed. The Federal Government has furnished money with which to buy machinery and equipment for use by schools of the district. The cooperative program between the district and the Federal Government might be seriously hampered.

Under these circumstances I have no alternative but to return the bill.

Respectfully submitted.

CULBERT L. OLSON, Governor of California

Assembly Bill No. 2634 ordered to unfinished business file.

REQUEST TO PRINT PLEDGE IN JOURNAL

In observance of Flag Day, Mr. Gaffney requested that the following pledge to the Flag, appearing in a local paper, be printed in the Assembly Journal.

Request granted.

A Pledge Renewed

By solemnly if silently renewing the pledge they have kept for more than a century and a half, the people of the United States today will observe the anniversary of a memorable date in their Nation's history.

For today the Nation will commemorate the 164th birthday of the Flag of the United States of America—proud symbol for which more than 130,000,000 Americans stand ready to give their lives today if need be, just as their forefathers pledged their lives 164 years ago to keep the new Stars and Stripes flying in all their splendor.

In only two States is Flag Day a legal holiday. But throughout the entire Nation it will be a fitting occasion for Americans to ponder the many perils that confront their Flag wherever it waves in the strife-torn world, and to reiterate their pledge of allegiance.

" * * * to the Flag of the United States of America,
And to the Republic for which it stands,
One Nation, indivisible,
With liberty and justice for all."

The solemn obligations which that pledge entails have never been more pressing, nor its implications more far-reaching, than they are now.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Robertson, Howser, F. N., Bennett, Green, Houser, Frederick F., Garland, and Miss Miller:

House Resolution No. 282

Relative to memorializing the President and Congress against the passage of legislation to prohibit the filing of separate income tax returns by spouses in reference to community income.

WHEREAS, There is now pending before the Congress of the United States a bill to prohibit a wife from filing a separate income tax return on her share of community property income and taking the credits and deductions thereon to which she is now legally entitled; and

WHEREAS, This represents a fundamental change in our Federal income tax policy, and, in the States where community property laws are in effect, would contravene the well-established principle that a wife has a vested right in community property equal to that of her husband; and

WHEREAS, The change contemplated would result in a disproportionate increase in the taxes of those persons affected throughout the country, including California, would constitute a very material increase over the increase imposed on taxpayers in noncommunity property States, and would disregard the fact that the taxpayers of this State are carrying one of the largest per capita tax loads in the Nation; and

WHEREAS, To make this change at the present time would be to place an unconscionable burden upon the citizens of California who have been carrying their full share of the normal costs of Government and the National Defense Program; now, therefore, be it

Resolved by the Assembly of the State of California, That the people of the State of California hereby register an emphatic protest against the passage of the bill now pending in Congress to which this resolution relates; and be it further

Resolved, That the Chief Clerk of the Assembly forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

Request for Unanimous Consent

Mr Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 282, at this time, without reference to committee.

Resolution read and adopted.

By Mr. John B. Knight:

House Resolution No. 283

WHEREAS, It is the belief of the property owners along and in the vicinity of North Figueroa Street in the City of Los Angeles, that a northerly extension of said North Figueroa Street through the San Rafael Hills from Colorado Street to Foothill Boulevard near La Canada would provide a desirable connection to State Highway Route 61 (commonly known as Angelus Crest Highway) running northerly from La Canada; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways of the Department of Public Works is hereby authorized and directed to make a study and reconnaissance survey of the above described routing; and, be it further

Resolved, That a report of such study and survey be prepared and presented to the Fifty-fifth Session of the California Legislature.

Request for Unanimous Consent

Mr. John B. Knight asked for, and was granted, unanimous consent to take up House Resolution No. 283, at this time, without reference to committee.

Resolution read and adopted.

MOTION TO EXCUSE MEMBER

Mr. Leonard moved that Mr. Robertson be excused to attend the graduation of his son, Richard W. Robertson, at Stanford University.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 284

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will resume its work of codifying the general statutory laws of this State; and

WHEREAS, The tentative program of the Code Commission for the next biennium contemplates the preparation of a Water Code, a revision of the School Code, and the completion of the Revenue and Taxation Code, the Business and Professions Code, the Public Resources Code, and the Streets and Highways Code; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which proposed legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1941 Session of the Legislature, such codes or portions thereof as it proposes to submit to the next session of the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes printed, the cost thereof to be payable from the legislative printing appropriation.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 284, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Maloney:

House Resolution No. 285

WHEREAS, The Reverend Father Thomas H. Markham, Chaplain of the Assembly, during the Fifty-fourth Session, has, by his prayers each morning, brought to this body valuable inspiration, and has reminded the Members of their obligation not only to their God but to their fellow men, to the State, and the Nation, and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the Members, now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he hereby is authorized and instructed, to have printed two hundred fifty (250) booklets containing the prayers offered at this session, and that he send one of said booklets to each Member of the Assembly, and the remaining booklets to Reverend Father Thomas H. Markham.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 285, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Cronin:

House Resolution No. 286

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due Members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly.

Request for Unanimous Consent

Mr. Weybret asked for, and was granted, unanimous consent to take up House Resolution No. 286, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. Bashore and Middough:

House Resolution No. 287

Relative to creation of a committee of the Assembly and an advisory committee of citizens to prepare plans to commemorate the discovery of California by Juan Rodriguez Cabrillo

WHEREAS, Juan Rodriguez Cabrillo, a native of Portugal, discovered California on Thursday, September 28, 1542, while in the service of the King of Spain; and

WHEREAS, The Senate and the Assembly of California have heretofore, by an appropriate concurrent resolution, requested the Governor to call upon the people of this State to observe the twenty-eighth day of September of each year, as Cabrillo Day, by appropriate patriotic observances; and

WHEREAS, September 28, 1942, will be the four-hundredth anniversary of the discovery of California by Juan Rodriguez Cabrillo; and

WHEREAS, It is suitable and proper that the four-hundredth anniversary of the discovery of California be observed by special exercises and by the creation of some fitting memorial to the memory of Juan Rodriguez Cabrillo and to his compatriots; and

WHEREAS, The life and work of that intrepid navigator and explorer, Juan Rodriguez Cabrillo, are worthy of being commemorated by the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That it is the sense of the Assembly of California that on September 28th in the year 1942, the four-hundredth anniversary of the landing of Cabrillo on the soil of California, there should be provided under public auspices some form of simple and impressive ceremony, to commemorate this important event in our history; and be it further

Resolved, That there is hereby created an Assembly Cabrillo Committee consisting of three Members of the Assembly to be appointed by the Speaker of the Assembly to consider the details of time, place, and method of celebration and to outline and prepare plans for such commemoration; and be it further

Resolved, That there is created a Citizens' Cabrillo Committee consisting of 10 citizens of this State to be appointed by the Speaker of the Assembly to advise and consult with the Assembly Cabrillo Committee in considering the details of time, place, and method of celebration and in the outlining and preparing plans for such commemoration; and be it further

Resolved, That said Assembly Cabrillo Committee and Citizens' Cabrillo Committee shall advise, consult and cooperate with each other respecting the subject matter of this resolution; and be it further

Resolved, That the sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Cabrillo Committee and its members and for any charges, expenses, or claims it may incur under this resolution to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

By Mr. Potter:

House Resolution No. 288

WHEREAS, Fox West Coast Theaters, Spyros P. Skouras, president; Charles P. Skouras, executive vice president; A. M. Bowles, division manager; W. H. Lollier, tax division and civic public relations; Mrs. Hulda McGinn, California Theater Association, and Blumenfeld Theater Circuit, Joseph Blumenfeld, manager, have contributed to the entertainment of the Members of the Assembly and their families

during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the Members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of said parties.

Request for Unanimous Consent

Mr. Potter asked for, and was granted, unanimous consent to take up House Resolution No 288, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Frederick F. Houser:

House Resolution No. 289

Relative to memorializing Congress to make it possible for the States to consider the proposition that American women stand legally within the full protection of the Bill of Rights and the Constitution of the United States.

WHEREAS, The Federal Suffrage Amendment gave women merely the right to vote and did not remove age-long discriminations against them, which deprive them of certain political and civil rights and of equal opportunity and protection in the industrial, business and professional world; and

WHEREAS, The Equal Rights Amendment to the United States Constitution providing that men and women shall have equal rights throughout the United States would open the way to the removal of these discriminations in every State, would prevent State laws and court interpretations in violation of equal rights, and would insure women the same protection of inalienable rights under the Constitution and the Bill of Rights now insured to men; and

WHEREAS, In the world struggle for freedom from totalitarian governments the Equal Rights Amendment would extend democratic principles and would give in the quickest and most effective way, full citizenship and opportunity to women; and

WHEREAS, Hundreds of thousands of men and women have asked that the Equal Rights Amendment be submitted by Congress to the States; now, therefore, be it

Resolved That the Assembly of the California Legislature hereby calls upon Congress to promptly submit to the States the Equal Rights Amendment now pending in the Judiciary Committee of the House of Representatives; and that the Chief Clerk send a copy of this resolution to the President and the Vice President of the United States and to the Speaker of the House of Representatives.

Resolution read, and referred to Committee on Federal Relations.

By Mr Frederick F. Houser:

House Resolution No. 290

Relative to the health of food handlers

WHEREAS, There are many diseases which are communicable from one person to another through contaminated foods, eating utensils, and dishes, and

WHEREAS, Many persons who are engaged in the preparation of food which is to be served or sold to others, and many persons engaged in the serving or selling of such food to others are ignorant of the fact that they are afflicted with or are carriers of communicable diseases; and

WHEREAS, It is essential to our public health and National well-being that steps be taken to determine the identity of those food handlers who are afflicted with communicable diseases in order to prevent the spread of such communicable diseases; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Board of Public Health is hereby requested to conduct an investigation into the existence of communicable diseases among persons who are engaged in the preparation of food which is to be served or sold to others and among persons engaged in the serving or selling of food, for the purpose of determining the best methods for preventing the spread of communicable diseases from such food handlers to other persons; and be it further

Resolved, That the State Board of Public Health is hereby requested to submit its findings to the Fifty-fifth Legislature together with its recommendations as to legislation needed to prevent such spread of communicable diseases.

Request for Unanimous Consent

Mr. Frederick F. Houser asked for, and was granted, unanimous consent to take up House Resolution No. 290, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Hugh M. Burns:

House Resolution No. 291

Resolved, That the thanks of the Assembly of this Fifty-fourth Session are extended to the Honorable Frank N. Killam, Superintendent of the Capitol Building for the efficient manner in which he has conducted the business of his office, and to Mrs. Cruz Wallquist, Chief Operator, and to the Capitol Exchange operators for their prompt and courteous service accorded the Members of the Assembly during this session of the Legislature; and be it further

Resolved, That a copy of this resolution be suitably engrossed.

Request for Unanimous Consent

Mr. Hugh M. Burns asked for, and was granted, unanimous consent to take up House Resolution No. 291, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Desmond:

House Resolution No. 292

Resolved, That the thanks of the Assembly are extended to Honorable George H. Moore, State Printer; Ewing Hass, Superintendent of the Legislative Bill Room; and the entire force of the State Printing Office and the Legislative Bill Room for the cooperation and efficient manner of handling the printing of this session of the Legislature.

Resolved, That a copy of this resolution be suitably engrossed.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 292, at this time, without reference to committee.

Resolution read and adopted

By Mr. Voigt:

House Resolution No. 293

Resolved, That the Assembly extends to Postmistress Lillian Larkin its thanks for the efficient and courteous manner in which she and her assistant, Hattie M. Newsom, have performed the duties of their office.

Request for Unanimous Consent

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 293, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Tenney:

House Resolution No. 294

WHEREAS, Juanita Dependener, as Chief Stenographer, and her corps of efficient stenographers have at all times, and under all conditions, served each and every Member of the Assembly with the greatest possible dispatch, efficiency and uniform courtesy; therefore, be it

Resolved, That we, the Members of the Assembly, extend to them our sincere thanks and appreciation for the splendid services they have performed during the session.

Request for Unanimous Consent

Mr. Tenney asked for, and was granted, unanimous consent to take up House Resolution No. 294, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Meehan:

House Resolution No. 295

WHEREAS, Eleanor Donoghue, in the preparation and editing of legislative publications during the Fifty-fourth Session and former sessions of the California Legislature, has rendered valuable service to the Speaker, officers and Members of the Assembly; and

WHEREAS, In order to expedite the work of the session, she has cheerfully given of her own time; and

WHEREAS, Irrespective of the late night sessions and long hours of work, her *genial disposition was ever in evidence, and her uniform courtesy unchanged; now,* therefore, be it

Resolved, That the Assembly express to Eleanor Donoghue its appreciation for her services; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Eleanor Donoghue.

Request for Unanimous Consent

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 295, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Field:

House Resolution No. 296

Resolved, That the Assembly extends to the Sergeant-at-Arms, Wilkie Ogg, its thanks for the efficient and courteous manner in which he and his assistants have performed the duties of their office; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to Wilkie Ogg, Sergeant-at-Arms

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No 296, at this time, without reference to committee.

Resolution read and adopted.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Conference concerning:

Assembly Bill No. 383—An act to repeal Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 619, 651.5, 651, 655, 656, 710, 791.6, 843, 844, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 651, 651.5, 655, 656, 710, 791.6, 843, 886, 957, 1208, 1213 and 1344 to the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended on June 12, 1941, be further amended as follows.

Amendment No. 1

In line 2 of the title of the printed bill, as amended, strike out "651,"

Amendment No. 2

In line 4 of the title of the printed bill, as amended, strike out "651,".

Amendment No. 3

On page 1, line 2, of the printed bill, as amended, strike out "651,".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 37 to 49, inclusive.

GORDON	BURNS, HUGH M.
BIGGAR	DICKEY
QUINN	CARLSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Hawkins, Heisinger, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Miller, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Watson, Weber, Welch, and Weybret—45.

NOES—None.

RESOLUTIONS

The following resolutions were offered:

By Mr. Call:

House Resolution No. 297

Resolved, That the thanks of the Assembly are extended to C. William Queale, Minute Clerk, and to J. Desmond Sullivan, Assistant Minute Clerk, for the painstaking care and constantly evidenced geniality with which they have performed the duties of Minute Clerk and Assistant Minute Clerk of the Assembly during the Fifty-fourth Session of the Legislature; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to C. William Queale, Minute Clerk, and J. Desmond Sullivan, Assistant Minute Clerk.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up House Resolution No. 297, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Phillips:

House Resolution No. 298

Resolved, That the Members of the Assembly of the Fifty-fourth Session of the California Legislature extend herewith a vote of thanks to Frank Reed, Assistant Chief Clerk, for the efficient, courteous and competent manner in which he has conducted the business of his office; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Frank Reed, Assistant Chief Clerk.

Request for Unanimous Consent

Mr. Phillips asked for, and was granted, unanimous consent to take up House Resolution No. 298, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Lyon:

House Resolution No. 299

Resolved, That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every Member of the Assembly during this session; and be it further

Resolved, That a copy of this resolution be presented to Arthur A. Ohnimus, Chief Clerk.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 299, at this time, without reference to committee.

Resolution read.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

In line 4 of the resolution, after "further", insert

"*Resolved*, That the Assembly congratulates Arthur A Ohnimus for having called the roll of the Assembly for 14 years without having missed a roll call; and be it further".

Amendment read and adopted.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No 299, as amended, at this time.

Consideration of House Resolution No. 299, as Amended

House Resolution No. 299

Resolved, That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every Member of the Assembly during this session; and be it further

Resolved, That the Assembly congratulates Arthur A. Ohnimus for having called the roll of the Assembly for 14 years without having missed a roll call; and be it further

Resolved, That a copy of this resolution be presented to Arthur A. Ohnimus, Chief Clerk

Resolution, as amended, read and adopted unanimously.

By Mr. Turner:

House Resolution No. 300

Resolved, That the Assembly extends to the entire desk force, namely, Arthur A. Ohnimus, Chief Clerk; Frank Reed, Assistant Chief Clerk; C. W. Queale, Minute Clerk; Stanley Dennis, Assistant Clerk; Carroll Dudley, File Clerk; R. J. Finnie, Jr., Assistant Clerk; Frances Hogin, Assistant History Clerk; Harold Lewright, Assistant Clerk; Irene Mosher, Secretary to Chief Clerk; James Sims, Assistant Clerk; J. Desmond Sullivan, Assistant Minute Clerk; Mildred Watson, History Clerk; Albert Day, Journal Clerk, Marion Hendricks, Assistant Clerk, Edward Nathan, Assistant Clerk; and Charles W Robbins, Engrossing-Enrolling Clerk; its thanks and appreciation for the faithful performance of their respective duties.

Request for Unanimous Consent

Mr. Turner asked for, and was granted, unanimous consent to take up House Resolution No. 300, at this time, without reference to committee.

Resolution read and adopted.

By Mr. McCollister:

House Resolution No. 301

WHEREAS, Honorable Earl D Desmond, during the Fifty-fourth Session of the Legislature, has been the Speaker pro tempore of the Assembly; and

WHEREAS, As Speaker pro tempore, he has presided over the Assembly and carried out the duties of his office with uniform courtesy and fairness; therefore, be it

Resolved, That the Assembly tenders to Honorable Earl D. Desmond its cordial appreciation and recognition of his ability as Speaker pro tempore; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable Earl D. Desmond.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 301, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Robertson:

House Resolution No. 302

WHEREAS, Honorable Gordon H. Garland has been the Speaker of this Assembly during the Fifty-fourth Session of the Legislature, one of the most difficult in the history of the California Legislature due to the enormous number of bills introduced and the important legislation considered; and

WHEREAS, Honorable Gordon H Garland of Woodlake for the past three sessions as a member of this House, has evidenced his ability; and

WHEREAS, As Speaker he has demonstrated his ability and has presided with the utmost fairness, dignity and courtesy over the deliberations of this body; now, therefore, be it

Resolved, That the Assembly in this resolution expresses its appreciative recognition of his services and tenders to him its cordial thanks and best wishes; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable Gordon H. Garland.

Request for Unanimous Consent

Mr. Robertson asked for, and was granted, unanimous consent to take up House Resolution No. 302, at this time, without reference to committee.

Resolution read and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 383—An act to repeal Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 619, 651, 651.5, 655, 656, 710, 791.6, 843, 844, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 651, 651.5, 655, 656, 710, 791.6, 843, 886, 957, 1208, 1213 and 1344 to the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts.

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on June 9, 1941, be further amended as follows:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "ten (10)", and insert "five (5)".

Amendment No. 2

On page 2, line 4, of the printed bill, as amended, strike out "10-day", and insert "five-day".

Amendment No. 3

On page 2 of the printed bill, as amended, after line 5, insert

"(c) In the case of a new vehicle not previously subject to registration sold by a dealer, if the dealer makes proper delivery to the purchaser of a copy of the appropriate form specified in subdivision (b) of Section 177."

JUDAH	BURNS, MICHAEL J.
DILLINGER	COLLINS, SAM L.
LUCKEY	SAWALLISCH
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly,

Doyle, Gallagher, Hawkins, Heisinger, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Webei, Welch, and Weybret—41.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.4, 736.3, 736.13, 736.14, 737.5, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.4, 736.3, 736.13, 736.14, 737.5, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on June 10, 1941, be further amended as follows:

Amendment No. 1

On page 6 of the printed bill, as amended, strike out lines 8 to 15, inclusive, and insert

"(8) The purchasing or receiving of any fluid milk or fluid cream by distributors from producers within a marketing area wherein a stabilization and marketing plan is in effect for less than the minimum prices established in such plan, regardless of whether such milk or cream is subsequently sold or distributed within or without such marketing area, or within or without the jurisdiction of the State of California; provided, however, that if such fluid milk or fluid cream is subsequently sold or distributed in another marketing area within the State of California where a stabilization and marketing plan is in effect, then the distributor shall pay the producer thereof not less than the minimum prices established in such plan in the marketing area wherein such milk or cream is sold or distributed; and, provided further, that in the event such fluid milk or fluid cream is subsequently sold or distributed in any place within the jurisdiction of the State of California where no stabilization and marketing plan is in effect, then such milk or cream may be paid for by the distributor to the producer thereof at not less than the average price paid by distributors to producers for milk or cream of similar grade and quality at the plants in the vicinity where such milk or cream is so sold or distributed, as such prices are determined by the director from contracts required to be filed with him pursuant to this section."

Amendment No. 2

On page 15, line 48, of the printed bill, as amended, after "denial", insert ", *revocation or suspension*".

	DESMOND
	THORP
McBRIDE	BURNS, MICHAEL J.
McCORMACK	
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Massion, Meehan, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Weber, Welch, and Weybret—44.

NOES—Heisinger—1.

Assembly Bill No. 1716 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER. The Committee on Conference concerning:

Assembly Bill No. 1485—An act to amend Section 410 of the Vehicle Code with reference to satisfaction of judgments;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 27, 1941, be further amended as follows:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended, strike out "not including costs or loss of use".

Amendment No. 2

On page 2, line 15, of the printed bill, as amended, strike out "five", and insert "seven".

DELAP	CRONIN
SHELLEY	HOWSER, F. N.
BIGGAR	DICKEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Watson, Weber, Welch, and Weybret—47.

NOES—None.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1177

The Speaker announced the appointment of Messrs. Knight, T. Fenton; Desmond and Bennett as a Committee on Conference concerning Assembly Bill No. 1177.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 303

Resolved by the Assembly of the State of California, That following adjournment of this session of the Legislature Frank N Killam, Chief of the Bureau of State Buildings and Grounds, is hereby directed to have the electrical roll call system of the Assembly completely overhauled, repaired, illuminated portions relamped, and any other needed work done in relation to said roll call system; and be it further

Resolved, That the sum of two hundred fifty dollars ($250), or so much thereof as may be necessary is hereby made available to Frank N. Killam out of the Contingent Fund of the Assembly for expenditure in accordance with this resolution

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 303, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Michael J, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Heisinger, Knight, John B, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Watson, Weber, and Weybret—43.

NOES—None.

By Messrs Cronin, Cain, Desmond, Gallagher, O'Day, Collins, George D., Johnson, Green, Wollenberg, Carlson, Maloney, Welch, Dickey, Sawallisch, Crowley, Gaffney, Meehan, Phillips, Sheridan and Cassidy:

House Resolution No. 304

WHEREAS, State Highway Routes Nos. 69, 14, 7 and 6 from Oakland to Sacramento comprise the main traffic artery from the San Francisco Bay Region to the north and to the east therefrom, and by reason thereof constitute one of the most used stretches of highway in Northern and Central California; and

WHEREAS, The present road is totally inadequate in its dimensions, contour and construction to properly and safely handle and care for the constantly increasing traffic load thereon, by reason of its many winding curves and narrow stretches; and

WHEREAS, It has been demonstrated that a highway heavily used by traffic which has but three lanes of travel is a danger, hazard and menace to motorists which should be eliminated; and

WHEREAS, By proper engineering studies a shorter, more direct and less dangerous route between San Francisco and Sacramento can undoubtedly be devised which will be a tremendous benefit and saving to the motorists in mileage and cost of travel, as well as a protection against traffic hazards; and

WHEREAS, By reason of the increased activity at the Navy Yard at Mare Island under the National Defense Program, and at the factories, shops, refineries and other industries in that vicinity and along the route, as well as the increased activity between the agricultural areas of Northern and Central California and the Bay Area necessitating the use of this highway, the traffic on this highway which has for years been extremely heavy is expected to steadily increase to meet the growing traveling demands; and

WHEREAS, There is a vital need that the dangers of the highway be eliminated so that it may become a safe and speedy highway required by the needs of the National Defense Program; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Highway Commission and the State Department of Public Works are hereby urged to take immediate action looking to the construction of a four-lane divided highway between Oakland and Sacramento, eliminating the many winding curves, dangerous stretches and passages through business districts of small towns on the present road and routing the road so that these can be eliminated and traffic hazards minimized; and to consider and weigh the desirability and need of making such highway a freeway from the San Francisco-Oakland Bay Bridge to the Carquinez Bridge; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to send a copy of this resolution to the Chairman of the State Highway Commission and to the Director of the State Department of Public Works.

Request for Unanimous Consent

Mr. Cronin asked for, and was granted, unanimous consent to take up House Resolution No. 304, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gallagher, Hastain, Heisinger, Kilpatrick, Knight, John B., Leonard, Lyon, Maloney, Masson, Muddough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Stream, Thomas, Thorp, Thurman, Voigt, Weber, Welch, and Weybret—45.

NOES—Hawkins—1.

By Messrs. Voigt, Pfaff, and Crowley:

House Resolution No. 305

WHEREAS, The Legislature at this session has enacted an act entitled "An act appropriating money for the construction and equipment of buildings and the improvement of grounds at Morrow Cove, the site of the California Maritime Academy and for the support and maintenance thereof, declaring the urgency hereof, and providing that this act shall take effect immediately."; and

WHEREAS, Under the provisions of this act a large sum of money is made available to the California Maritime Academy, for the purpose of enabling the Academy to fulfill its part in the National Defense Program; and

WHEREAS, It is impossible to forecast the needs of the Academy for any long period, in the nature of the situation; and

WHEREAS, It is necessary and desirable that the needs of the Academy be studied, in order that from time to time legislation to meet them may be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Interim Study Committee on the California Maritime Academy, to consist of three Members of the Assembly appointed by the Speaker, which committee shall (1) inspect from time to time the progress of the work authorized, and the expenditure of moneys made available, by the act heretofore described, and (2) study and report to the Assembly from time to time the needs of the Academy and the recommendations of the committee for legislation.

The committee hereby created shall have all the powers conferred upon investigating committees by the Joint Rules of the Senate and Assembly, and such Rules are hereby made a part of this resolution the same as though they were set out herein in full. The committee is hereby authorized to act during sessions of the Legislature, including any recess thereof, and after final adjournment, but except for the purpose of making a report, not beyond the convening of the Fifty-fifth Legislature.

The sum of six hundred dollars ($600), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 305, at this time, without reference to committee

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Doyle, Gallagher, Hastain, Heisinger, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Voigt, Weber, Welch, and Weybret—46.

NOES—Donnelly—1.

By Mrs Daley and Miss Miller:

House Resolution No. 306

WHEREAS, The third Sunday in June of each year marks the day reserved and set apart for official recognition of and tribute to the part fathers fill in the life of each of us and of our Nation; and

WHEREAS, The father has been traditionally known as the one who bears the more serious economic burdens of life, thus bringing to the home through his efforts and diligence the opportunities which make the ideal home—the foundation of American citizenship; and

WHEREAS, Each father is to his devoted son or daughter a strong, brave, kind, loving and understanding man who sacrifices himself to the welfare of his Country, his family and his home even to "the last full measure of devotion"; now, therefore, be it

Resolved by the Assembly of the State of California, That we, the Members of this Assembly do, on Sunday, the fifteenth day of June, 1941, offer up a silent expression of thanks to the Supreme Father of the Universe for the institution of Fatherhood and pause to contemplate the memory of those fathers whom we have "loved long since and lost awhile"; and to offer to those fathers who carry on today through joy and sorrow, through victory or defeat with unfailing loyalty to duty, our love and appreciation unstinted and our best wishes for all good things that come to men in any time or in any land, and our best wishes for a happy Father's Day.

Request for Unanimous Consent

Mrs. Daley asked for, and was granted, unanimous consent to take up House Resolution No. 306, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO PRINT REMARKS IN JOURNAL

Upon motion of Mr. Maloney, the following remarks by Miss Miller were ordered printed in the Journal:

Remarks by Miss Miller

Mr. Speaker and Members of the Assembly

I rise to a point of personal privilege, perhaps, as well as to present the resolutions to Father's Day.

I am singing my "Swan Song" this morning, for as Mr. Coolidge remarked, "I do not choose to run again," and this is my last legislative day.

Coming to the Legislature 20 years ago, I have watched with intense interest its activities and developments through the years.

Physically, many changes have occurred in Sacramento and especially surrounding the Capitol. The small and inadequate railroad station which we then had has been replaced by a commodious and beautiful one; many of the tall and up-to-date business buildings have been erected, the Senator Hotel has been built within those years; and our very fine and wonderful State buildings—the Library, office buildings and department buildings have all come into being in the progress of the years.

But, what shall we say of the personnel of the Legislature since 1923! Of those who greeted us in that year the remaining Senate Members are Senators Slater, Rich, Maloney and Lyon. In the Assembly we still have Mr S. L. Heisinger and Mr. George A. Clarke, and our gracious and genial clerk, Mr Arthur Ohnimus. These good men have been helpful and patient with us through the years.

In memory we recall many of the stalwart and unusual Members of this Legislature in the past, among them Isaac Jones, T. M. Wright and Frank L. Coombs, "The Nestor of the Assembly."

Honest, courageous, God-fearing men they were, and their number is multiplied in our memory many times In the intervals when business was slack in the Assembly, Mr. Coombs used to come back and sit beside me and talk of Shakespeare and we would quote the golden words of "The Bard of Avon" while he would tell of kneeling at Shakespeare's tomb in honor of his contribution to the English language and the thought of the world.

Those were great days of enjoyment and of service. There were five women here then, and we endeavored to keep our fingers on every piece of good legislation as we tried, also, to prevent the enacting of bad laws Sometimes, we were permitted to introduce measures that were far-reaching and beneficial in their effects and, we trust, have added to the general welfare of the State.

But our great joy has been the friendships we have formed that will be lasting as our towering mountains. Today, as we have come to the end of the legislative trail, we come with sincere appreciation of that friendship and with gratitude for the kind, courteous and helpful treatment we have received at your hands. We shall cherish our memories of you, and your kindly attitude throughout our legislative experience.

I arose to speak on the "Father's Day" resolution, but these reminiscences have clamored for expression. On this day, dedicated to the beloved fathers of our Country, we wish to come this morning to honor them, to express our love for them, and to voice our appreciation of their fine service to their families and to their State during these days of stress. Quietly they go about their duties, bearing their burdens and bringing happiness—even though no tribute or meed of praise is bestowed upon them. But it is fitting that today we pause to give them the tribute which they so richly deserve.

As we separate today to go our devious ways, to till the farms or labor in the busy mart, or to march with firm step to defend our liberties, or to breast the waves in battleships, or to take the wings of the air for "God and home and native land," we pray for His blessing and guidance and His strength to meet and conquer every foe to the welfare of our State and Nation.

God bless our men!

And we pray to the Good Father—

> "Open Thou our eyes that we may see His Beauty about us, as well as observe the needs of the world which it may be ours to supply.
>
> May He open our ears to hear the call of the helpless and the cry of little children in our midst.
>
> May we be granted wisdom and guidance in our endeavors of the day and of all our future, with an understanding heart and a spirit unafraid."

In the words of Eugene Field we say "Good-by":

"I like the Anglo-Saxon speech
With its direct revealings,
It takes ahold and seems to reach
Way down into your feelings

That some folks deem it rude, I know,
And therefore they abuse it,
But I have never found it so,
Before all else, I'd choose it.

I don't object that men should air
The Gaelic they have paid for
With 'au revoir', 'adieu ma chere'
For that's what French was made for.

But when a crony takes your hand
In parting to address you,
He drops all foreign lingo
And he says 'Good-by, God bless you.'"

ELEANOR MILLER, Forty-seventh Assembly District

CONSIDERATION OF HOUSE RESOLUTION NO. 253

House Resolution No. 253—Creates Assembly Committee on Legislative Organization.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Donnelly, Doyle, Evans, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Thomas, Thorp, Turner, Weber, Welch, Weybret, and Wollenberg—46.

NOES—None.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1846—An act to add Chapter 13, comprising Sections 22300 to 22414, inclusive, to Division 8 of the Business and Professions Code, relating to the licensing and regulation of junk dealers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1846?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended, strike out "Chapter 13, comprising Sections 22300 to 22414, inclusive, to Division 8", and insert "Article 3, comprising Sections 21600 to 21608, inclusive, to Chapter 9 of Division 8 of".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, strike out "licensing and".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Article 3, comprising Sections 21600 to 21608, inclusive, is hereby added to Chapter 9 of Division 8 of the Business".

Amendment No. 4

On page 1 of the printed bill, as amended, strike out line 5, and insert

"Article 3. Junk

21600. As used in this article, "junk" means any and all second-hand and used machinery and scrap iron, including automobiles, tools, implements or parts or portions thereof, and any and all secondhand and used furniture or other personal property, other than live stock, or parts or portions thereof.

21601. As used in this article, "junk dealer" includes any person engaged in the business of buying, selling and dealing in junk, any person purchasing, gathering, collecting, soliciting or traveling about from place to place procuring junk, and any person operating, carrying on, conducting or maintaining a junk yard or place where junk is gathered together and stored or kept for shipment, sale or transfer.

21602. As used in this article, "junk yard" includes any yard, plot, space, inclosure, building or any other place where junk is collected, stored, gathered together and kept.

21603. This article shall not apply to any of the following:

(a) Secondhand furniture merchants.

(b) Pawnbrokers.

(c) Secondhand car dealers or merchants in connection with automobile and motor vehicle sales agencies but not carried on and conducted in conjunction with a junk yard.

(d) Persons engaged in the business of selling new automobile tires or batteries or other equipment taking in part payment used articles of the same kind and thereafter selling or disposing of the same.

(e) Secondhand oil well supply and equipment dealers not conducting or carrying on their business in connection with a junk yard.

(f) Secondhand clothing merchants and ragpickers.

21604. This article shall not apply to any person who sells junk acquired in the conduct of any business other than that of junk dealer.

21605. Every junk dealer in this State is hereby required to keep a written record of all sales and purchases made in the course of his business. Such record shall be exhibited on demand to any peace officer of this State.

21606. Every junk dealer shall set out in the written record required by this article all of the following:

(1) The place and date of each sale or purchase made in the conduct of his business of junk dealers.

(2) The name, address and occupation of each person from whom junk is purchased or obtained, and the license number of any motor vehicle used in transporting the junk to the junk dealer's place of business.

(3) The name, address and occupation of each person to whom junk is sold or disposed of, and the license number of any motor vehicle used in transporting the junk from the junk dealer's place of business.

21607. Every junk dealer shall preserve the written record required by this article for at least two years after making the final entry of any purchase or sale of junk.

21608. Any junk dealer who fails in any respect to keep the written record required by this article, or to set out in such written record any matter required by this article to be set out therein, every junk dealer who refuses, upon demand of any peace officer of this State, to exhibit such record and every junk dealer who destroys such record within two years after making the final entry of any purchase or sale of junk therein, is guilty of a misdemeanor."

Amendment No. 5

On page 1 of the printed bill, as amended, strike out lines 7 to 23, inclusive, and strike out pages 2 to 4, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1846 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D. Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—50.

NOES—None.

Assembly Bill No. 1846 ordered enrolled.

Assembly Bill No. 2651—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2651?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended, strike out "sold", and insert "rolled or crushed by the producer and sold by the producer".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2651 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—50.

NOES—None.

Assembly Bill No. 2651 ordered enrolled.

Assembly Bill No. 1840—An act making an appropriation out of the Motor Vehicle Support Fund for the support of the Department of Motor Vehicles, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1840?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 21 to 26, inclusive; and insert "Ninety-third and Ninety-fourth Fiscal Years, to enable the employment of additional members of the California Highway Patrol. Said amount shall be added to the appropriation made by Item 146 of the Budget Act in 1941 in augmentation thereof."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1840 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—50.

NOES—None.

Assembly Bill No. 1840 ordered enrolled.

Assembly Bill No. 559—An act to amend Section 560 of the Agricultural Code, relating to modified milk by adding Section 560.1 to the Agricultural Code, relating to vitaminized milk.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 559?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, after "of", insert ", and to add Section 560.1 to,".

Amendment No. 2

In line 2 of the title of the printed bill, as amended, strike out ", by adding Section"; and strike out lines 3 and 4, and insert a period.

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 21 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 559 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Stream, Tenney, Thomas, Thorp, Turner, Watson, Weber, Weybret, and Wollenberg—50.

NOES—None.

Assembly Bill No. 559 ordered enrolled.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 686

The Speaker announced the appointment of Messrs. Watson, Call and Thurman as a Committee on Conference concerning Assembly Bill No. 686.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2162—An act to add Article 8, comprising Sections 420 to 421, to Chapter 2, Part 1, Division 1 of the Health and Safety Code, and to repeal Chapter 3, comprising Sections 75 to 77, of Division 1 of the Labor Code, relating to the Division of Immigration and Housing and the Commission of Immigration and Housing in the Department of Industrial Relations, and to the State Department of Public Health.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2162?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended, after "and", insert "Part 1, comprising Sections 15000 to 17902, and"

Amendment No. 2

On page 1, line 14, of the printed bill, as amended, after "code," insert "and Chapter 73, Statutes of 1925".

Amendment No. 3

On page 1, line 17, of the printed bill, as amended, before the period, insert "or in the Department of Industrial Relations and exercised through the division and commission".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2162 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—55.

NOES—None.

Assembly Bill No. 2162 ordered enrolled.

Assembly Bill No. 2642—An act authorizing cities, cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law; ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2642?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert "such city, city and county or county may avail itself of any general law of the State of Cali-".

Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of lines 27 to 33, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2642 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—55.

NOES—None.

Assembly Bill No. 2642 ordered enrolled.

MOTION TO RETURN ABSENTEES TO ASSEMBLY

Mr. Bashore moved that the Sergeant-at-Arms be instructed to bring back all of the absentees under a call of the Assembly.

Motion carried.

MOTION TO REMAIN IN CHAMBER

Mr. Carlson moved that the Assembly remain in the Chamber for the remainder of legislative day, and that the Chief Clerk be instructed to order meals served in the Chamber.

Motion to Table Motion

Mr. Cronin moved that the motion by Mr. Carlson be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burns, Michael J., Collins, George D., Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Gaffney, Gallagher, Heisinger, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, McCollister, O'Day, Phillips, Poole, Russell, Salsman, Thurman, Turner, Voigt, Watson, and Weber—27.

NOES—Allen, Burkhalter, Carlson, Clarke, Evans, Hawkins, Johnson, King, Maloney, Middough, Miller, Pelletier, Pfaff, Robertson, Tenney, and Weybret—16

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 442—An act to amend Section 170 of, to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to the disqualification of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 442?

Amendment No. 1

On page 4, line 51, of the printed bill, as amended, after "attorney", insert "or the defendant or his attorney".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 442 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—55.

NOES—None.

Assembly Bill No. 442 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1634

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2022—An act making an appropriation for acquisition and development of, and construction, improvements and equipment at State beaches, parks and monuments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2022?

Amendment No. 1

On page 1, line 3, of the title of the printed bill, as amended, following "acquisition", insert ", maintenance".

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, following "acquisition", insert ", maintenance".

Amendment No. 3

On page 1, line 22, of the printed bill, as amended, following "expended for the", insert "maintenance,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2022 by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Evans, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Robertson, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Watson, Welch, Weybret, and Wollenberg—55

NOES—None.

Assembly Bill No. 2022 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Massion, Cronin, Gallagher, O'Day, Weber, Collins, George D., Welch, Bennett, Garland, Wollenberg, Johnson,

Pfaff, Howser, F. N., Hawkins, Doyle, Russell, Hastain, Cooke, Cain, Andreas, Green, Maloney, Turner, Allen, Burkhalter, Pelletier, Lowrey, and Miss Miller:

House Resolution No. 307

WHEREAS, Alaska as an outpost of our Country has been a veritable bonanza of wealth since the Yukon Gold Rush and in later years has given evidence of being a great agricultural region; and

WHEREAS, In the changing military and economic conditions in Europe and Asia the peace of this endeared outpost is endangered; and

WHEREAS, Even were such dangers to Alaska to be providentially removed it would still be imperative to bring this great territory within rapid contact with the United States in order to facilitate colonization and exchange of products; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California memorialize the President and the Congress of the United States to continue to lend support to the completion of a highway between Great Falls, Montana, and Fairbanks, Alaska, via Calgary, Edmonton and Dawson and a choice of either the proposed Coast Route, the A Route or the B Route between Seattle, Washington, and Fairbanks, Alaska, via Vancouver and Hazelton, British Columbia; and be it further

Resolved, That we memorialize the President to recommend and the Congress to appropriate funds to complete an adequate set of highways for the common defense of Alaska in these perilous times and its greater development in the years ahead; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress of the United States

Request for Unanimous Consent

Mr Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 307, at this time, without reference to committee.

Resolution read and adopted unanimously.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1222—An act to add a new section to the Unemployment Insurance Act to be numbered 14, relating to the definition, for purposes of determining eligibility for unemployment insurance benefits, of "work," "job" and "employer."

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1222?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended, commencing with "Amend", strike out the balance of the line, and "to" in line 2

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "to", insert "the obligations of this State for funds received from the United States, and to provide that this act take effect immediately."

Amendment No. 3

In line 5 of the title of the printed bill, as amended, commencing with "unemployment", strike out the balance of the title.

Amendment No. 4

On page 2 of the printed bill, as amended, commencing with line 36, strike out the balance of the page.

Amendment No. 5

On page 3 of the printed bill, as amended, strike out lines 1 to 53, inclusive.

Amendment No. 6

On page 4 of the printed bill, as amended, strike out lines 1 to 29, inclusive, and insert

"SEC. 2 This act is hereby declared to be an urgency meas-".

Amendment No. 7

In line 1 of the title of the printed bill, as amended, after "Act to", insert "amend Sections 55, 56, 57 and 58 of, and to".

Amendment No. 8

In line 2 of the title of the printed bill, as amended, strike out "the obligations of this State for"; and strike out lines 3 and 4, and insert "unemployment insurance, declaring the urgency hereof, to take effect immediately".

Amendment No. 9

On page 2 of the printed bill, as amended, strike out line 12, and insert

"SEC. 2. Section 55 of said act is hereby amended to read as follows:

Sec. 55. Each eligible individual who is unemployed in any week shall be paid with respect to such week; provided, he is otherwise entitled thereto under this act, a benefit in an amount equal to his weekly benefit amount less the amount of wages, if any, [in excess of three dollars] payable to him for services rendered during such week. Such benefit if not a multiple of one dollar ($1) shall be computed to the next higher multiple of one dollar ($1). For the purposes of this section only "wages" shall be deemed to include any and all amounts payable as compensation for personal services, regardless of whether such personal services are or are not rendered in employment otherwise subject to this act.

SEC. 3. Section 56 of said act is hereby amended to read as follows:

Sec. 56. An individual is not eligible for benefits for unemployment, and no such benefit shall be payable to him under any of the following conditions:

(a) If he left his work because of a trade dispute and for the period during which he continues out of work by reason of the fact that the trade dispute is still in active progress in the establishment in which he was employed.

(b) If without good cause he has refused to accept suitable employment when offered to him, or failed to apply for suitable employment when notified by the district public employment office , *and for the 15 weeks following his most recent such refusal or failure.*

SEC. 4. Section 57 of said act is hereby amended to read as follows:

Sec. 57. An unemployed individual shall be eligible to receive benefits with respect to any week only if the commission finds that:

(a) A claim for benefits with respect to such week has been made in accordance with such regulations as the commission may prescribe.

(b) He has registered for work, and thereafter continued to report, at a public employment office or such other place as the commission may approve

(c) He is able to work and available for work ; *and for the purpose of this requirement no worker shall be deemed able to work unless he was both physically and mentally capable of performing any work of substantially the same kind or nature in so far as physical or mental requirements are concerned as work performed by such individual during a period or periods totaling one month or more out of the 12 months immediately preceding the week with respect to which he is applying for benefits*

(d) He has been unemployed for a waiting period of two weeks Such weeks of unemployment need not be consecutive. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits; provided, that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment; and provided further, that the week or the two consecutive weeks immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year, shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year

(2) If benefits have been paid with respect thereto

(3) Unless the individual was eligible for benefits with respect thereto in all respects, except for the requirements of this subsection (d) and Section 53.

(e) He has during his base year earned wages for employment by employers of not less than three hundred dollars ($300)

SEC 5 Section 58 of said act is hereby amended to read as follows:

Sec 58. An individual shall not be eligible for benefits:

(a) For the week in which he has left his most recent work voluntarily without good cause *attributable to his employer* , if so found by the commission, and for [the week] *15 weeks* which immediately follows such week.

(b) For the week in which he has been discharged for misconduct connected with his most recent work, if so found by the commission, and for not more than [five] *15* weeks which immediately follow such week, as determined by the commission in each case according to the seriousness of the misconduct

(c) An individual shall be presumed to have been discharged for reasons other than misconduct in connection with his work and not to have voluntarily left his work without good cause unless his employer shall have given notice to the contrary to the commission in writing within five days after the termination of service, setting forth such facts as are necessary to establish a prima facie case in support thereof. If the employer files such notice, the question shall immediately be determined in the same manner as benefit claims

(d) For the week in which he has wilfully made a false statement or representation or wilfully failed to report a material fact to obtain any benefits under the provisions of this act and for the [three] *20* next following weeks.

SEC. 6. Sections 2, 3, 4 and 5 of this act shall take effect on December 1, 1941.

SEC. 7. Sections 1 and 1.5 of this act are hereby declared to be an urgency meas-".

Amendment No. 10

On page 2 of the *printed bill, as amended, between lines 4 and 5, insert*

"So that this State may carry out its pledge given by this section:

(a) The commission shall be subject to and shall comply with all applicable provisions of the Political Code relating to contracts, budgets and other fiscal matters, including Section 677.5 of said code, in the same manner and to the same extent as other State agencies, in so far as such provisions are noninconsistent with the provisions of the Social Security Act and the rules and regulations of the Social Security Board.

(b) Each officer and employee of the commission whose duties include the handling of property or funds shall execute to the State of California an official bond conditioned upon the faithful performance of his duties in such amount as the Director of Finance shall fix."

Amendment No. 11

On page 2 of the printed bill, as amended, between lines 11 and 12, insert

"SEC. 1.7. The sum of twelve thousand dollars ($12,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated for expenditure by the Department of Finance during the Ninety-third and Ninety-fourth Fiscal Years in carrying out the provisions of this act. Of such amount, not more than two thousand dollars ($2,000) shall be available for premiums on the official bonds required by Section 28 of the Unemployment Insurance Act."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1222 by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Assembly Bill No. 1222 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 1007

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LYON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1007—An act relating to review of decisions of administrative boards, commissions and officers, providing for a

thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto, defining the powers and duties of the Judicial Council in relation thereto, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Speaker Pro Tempore Presiding

At 11.15 a.m., Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Phillips:

Resolved, That Senate Bill No. 1007 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Michael J., Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Russell, Salsman, Sawallisch, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Wollenberg—57.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

MOTION TO STRIKE HOUSE RESOLUTION NO. 260 FROM FILE

Mr. Hugh M. Burns moved that House Resolution No. 260 be stricken from the file.

Motion carried.

CONSIDERATION OF HOUSE RESOLUTION NO. 264

House Resolution No. 264

Relating to the creation of an Assembly Committee on State Highways, County Highways, and on City Streets

WHEREAS, The maintenance of the State, and the county highways and the city streets of California approximates a cost to the taxpayers of one hundred million dollars ($100,000,000) annually; and

WHEREAS, Within this State, and adjacent to the rural county highways of California, there is produced over four hundred million dollars ($400,000,000) of agricultural products annually; and

WHEREAS, The greater percentage of these products are conveyed over the county highways, State highways and city streets to market; and

WHEREAS, Nearly all processed and manufactured products purchased by the farmers are transported in reverse over the same arteries of travel; and

WHEREAS, It is apparent that a complete Motor Vehicle Highway System must embrace the county highways and city streets as well as the State highways; and

WHEREAS, Some county supervisors complain that certain of their county highways carry extra heavy motor traffic of a Nation-wide and State-wide nature, the wear and tear of which entails undue maintenance costs; and

WHEREAS, The governing boards of some of the larger cities claim that many of their streets are more in the nature of State highways than local streets, the motor traffic on which streets causes such heavy maintenance upkeep as to bring about very high taxes upon the local property owners; and

WHEREAS, The State laws provide that all State highways and State highway bonds are financed from motor vehicle funds, but county highways, city streets,

county highway bonds and city street bonds are largely financed from taxes upon local property; and

WHEREAS, Many taxpayers believe that the maintenance of county highways, city streets, county highway bonds and city street bonds should be financed by motor vehicle funds; and

WHEREAS, The Legislature has no definite knowledge of all these matters; and

WHEREAS, The Legislature should be in possession of factual and authentic information and data pertaining to all such and kindred matters; and

WHEREAS, It is the duty of the Legislature to enact laws that are just and equitable to the local taxpayers as well as to State taxpayers; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee on State and County Highways and City Streets is hereby created to study and survey, accurately and in detail, all matters hereinbefore referred to, and to report its recommendations to the Legislature not later than March 15, 1943.

The committee hereby created shall consist of two Members of the Assembly appointed by the Speaker of the Assembly. The Speaker of the Assembly also may serve on the committee and may sign any report made by the committee.

The committee hereby created is authorized to act either during sessions of the Legislature or after final adjournment, but except as otherwise provided herein, not beyond the convening of the Fifty-fifth Legislature. The committee hereby created shall have all powers conferred upon investigating committees by the Joint Rules and the Rules of the Assembly as they are now or may hereafter be amended, and may exercise such powers after final adjournment.

The Sergeant-at-Arms of the Assembly, or other officers designated by him is hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Cain, Call, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Gaffney, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Russell, Sawallisch, Sheridan, Stream, Tenney, Turner, Watson, Weber, Welch, Weybret, and Mr. Speaker—44.

NOES—Carlson, Houser, Frederick F., Knight, John B., and Thurman—4.

CONSIDERATION OF HOUSE RESOLUTION NO. 265

House Resolution No. 265

Relating to creation of an Assembly Committee on Public Morals

WHEREAS, Each session of the Legislature is confronted with hundreds of bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that an investigation be made of such proposals, and of the administration of present laws regulating such matters, and of the necessity of amendment of such laws; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee on Public Morals, to consist of five members, appointed by the Speaker, is hereby created, which committee shall study and investigate all matters pertaining to public morality, and shall report its recommendations for legislation to the Legislature not later than March 15, 1943.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

The committee hereby created is hereby authorized to act either during sessions of the Legislature, including any recess thereof, and after final adjournment, but, except for the purposes of making a report, not beyond the convening of the Fifty-fifth Legislature.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (80 05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Cain, Call, Clarke, Collins, Sam L., Crowley, Daley, Desmond, Dickey, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Phillips, Poole, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—42.

NOES—Bennett, Burkhalter, Carlson, Dilworth, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Massion, Miller, Pelletier, Potter, Russell, and Watson—14.

CONSIDERATION OF HOUSE RESOLUTION NO. 246

House Resolution No. 246

Relative to the creation of an Interim Assembly Committee on Unemployment Insurance

WHEREAS, It is imperative that all pertinent facts bearing upon the subjects of (i) employment and unemployment conditions in California, (ii) the administration, application, operation and effects of the Unemployment Insurance Act, (iii) activities and operations of the Department of Employment, including the State Employment Service, (iv) the relationships between the Department of Employment and the Federal Security Agency, including the Social Security Board and the Bureau of Employment Security, (v) the collection and disposal of revenues collected in California under the Federal Unemployment Tax Act, and (vi) the requirements and conditions imposed upon the governmental agencies of this State by the agencies of the Federal Government under the Federal Social Security Act and the Federal Unemployment Tax Act with respect to unemployment insurance, should be found, assembled and analyzed to the end that the Assembly and the Legislature of California may be enabled to act advisedly and judiciously in the premises for the best interests of California in the consideration and enactment of legislation, and

WHEREAS, The facts can best and most expeditiously be ascertained and analyzed through an interim committee of the Assembly charged with the study of every phase of the foregoing subjects; now, therefore, be it

Resolved by the Assembly, That an Interim Assembly Committee, to be known as the Assembly Committee on Unemployment Insurance, is hereby created to consist of seven members of the Assembly appointed by the Speaker. The committee shall investigate, study and analyze, accurately and in detail, each and every phase of the foregoing subjects for the purposes of considering and enacting legislation.

The committee hereby created is hereby authorized to act during sessions of the Legislature and after final adjournment thereof, but in no event beyond the convening of the Fifty-fifth Legislature, and such committee may make reports to

the regular or any special session of this Legislature and to the regular session of the Fifty-fifth Legislature.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee.

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burns Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Crowley, Daley, Desmond, Dickey, Dilworth, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—47.

NOES—Bennett, Burkhalter, Collins, George D., Dills, Houser, Frederick F., Johnson, Kilpatrick, Massion, Meehan, and Russell—10

Hon. Edward M. Gaffney Presiding

At 11.16 a.m., Hon. Edward M. Gaffney, Member of the Assembly from the Twenty-sixth District, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 249

House Resolution No. 249

Relative to creation of an Assembly Committee on Camps for Juvenile Delinquents

WHEREAS, Juvenile delinquency, its prevention and cure, has been the subject of study by various groups and organizations during recent years; and

WHEREAS, All such groups and organizations agree on, and include as part of their proposed program, outdoor camps for delinquent boys; and

WHEREAS, There are reported to be numerous camps and campsites formerly used by the Civilian Conservation Corps and other organizations in this State, which might be utilized for delinquent boys at a small cost; and

WHEREAS, An investigation of these resources can be best made by a competent Legislative Committee; now, therefore, be it

Resolved, by the Assembly of the State of California, That an Assembly Committee on Camps for Juvenile Delinquents is hereby created, to consist of five Members of the Assembly appointed by the Speaker, which committee shall investigate, ascertain, and report to the Legislature at its next regular or extraordinary session the location and availability of camps and campsites which might be used for juvenile delinquents, and the cost of equipping and operating them.

For the purposes of this resolution, and in addition to the other powers conferred by this resolution, the committee shall have all the powers granted to investigating committees by the Joint Rules of the Senate and Assembly, as they now exist or as they may be hereafter amended, and the provisions of those Rules, in so far as

they relate to investigating committees, are hereby made applicable to the committee hereby created the same as though they were incorporated in this resolution.

The committee hereby created is hereby authorized to act during sessions of the Legislature, including any recess thereof, and after final adjournment, but except for the purpose of making a report, not beyond the convening of the Fifty-fifth Legislature.

In addition to the powers conferred upon the committee by the Rules, it may create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

The Sergeant-at-Arms of the Assembly, the Sergeant-at-Arms of the Senate, or other officers designated by either of them are hereby directed to serve any and all subpenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee

The members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents ($0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of eight dollars ($8) per day.

The sum of one thousand dollars ($1,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hasfam, Hawkins, Heisinger, Howser, F. N., Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Weber, Welch, Wollenberg, and Mr. Speaker—48

NOES—Carlson, Field, Houser, Frederick F., Johnson, Massion, Stream, and Watson—7.

CONSIDERATION OF HOUSE RESOLUTION NO. 272

House Resolution No. 272

Relative to an Assembly Fish and Game Investigating Committee, to study and report on matters relating to fish and game.

WHEREAS, The preservation, development and utilization of the fish and game resources of this State are of primary importance because this great natural resource supplies healthful recreation, quantities of wholesome food and opportunities for obtaining a livelihood for thousands of persons; and

WHEREAS, There is an inevitable conflict of interest and opinion between different groups of persons affected by the laws relating to the subject of fish and game, which results in the introduction of hundreds of proposals at each session of the Legislature; and

WHEREAS, The Constitution of this State was amended by the people at the November, 1940, general election to establish a long-term commission to which the Legislature is specifically authorized to delegate such powers relating to fish and game as the Legislature sees fit; and

WHEREAS, Before any steps of far-reaching consequence are taken the entire field of fish and game regulation should be investigated in order that the Legislature may proceed with the basic facts before it; and

WHEREAS, Such an investigation should be made by the Legislature through an impartial committee of its own choosing; now, therefore, be it

Resolved by the Assembly of the State of California That there is hereby created an Assembly committee to be known as the Assembly Fish and Game Investigating Committee, which shall consist of five Members of the Assembly appointed by the Speaker thereof, and which shall make a thorough study and investigation of the fish and game resources of the State and matters relating thereto, including, but not limited to, the investigation and study of the administration of the laws relating to fish and game, the expenditures of funds derived under such laws or otherwise made

available for fish and game purposes, the existing and potential supply of the several species and the conditions of their environment, the availability of recreational facilities and shooting grounds, the effect of the pollution of the waters of the State on fish and fishing, and the need for legislation on any such subject; and be it further

Resolved, That said committee is authorized to act at any time during sessions of the Fifty-fourth Legislature or recesses thereof, or after final adjournment, and may report to the Fifty-fourth Legislature from time to time but shall make its final report, together with such recommendations as it deems desirable not later than the thirtieth day after the convening of the Fifty-fifth Legislature in Regular Session in 1943; and be it further

Resolved, That there is hereby made available to said committee the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary, payable out of the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under the provisions of this resolution or of Joint Rule No. 35, the provisions of which are hereby incorporated herein and adopted hereby as if fully set forth and repeated in this resolution; and be it further

Resolved, That the money hereby made available shall be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Call, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—45

NOES—Bennett, Carlson, Collins, George D., Dills, Donnelly, Houser, Frederick F., Johnson, Kilpatrick, Masson, Potter, Richie, and Stream—12.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1067—An act to add Section 6 to an act entitled "An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof," approved June 14, 1935, relating to duties of the State Planning Board, and making an appropriation therefor, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.17 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

Senate Bill No. 944—An act making an appropriation to the Department of Finance for the purpose of paying refunds of taxes, licenses, and fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger,

Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Rodney L. Turner Presiding

At 11.18 a.m., Hon. Rodney L. Turner, Member of the Assembly from the Forty-first District, presiding.

Senate Bill No. 945—An act to amend Section 689 of and to add Section 689.5 to the Political Code, relating to collections by the State Department of Finance from other State agencies.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—55.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2111—An act to amend Sections 4.962 and 4.973 of the School Code, and to add Section 4.978 thereto, relating to school bonds, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2111?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 4.962 and 4.973", and insert "Section 4.962".

Amendment No. 2

On page 1 of the printed bill, strike out lines 24 to 27, inclusive

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "3", and insert "2".

Amendment No. 4

On page 2, line 5, of the printed bill, after "shall," insert "where heretofore or"

Amendment No. 5

On page 2, line 8, of the printed bill, strike out "district,", and strike out lines 9 and 10, and insert "district"

Amendment No. 6

On page 2, line 11, of the printed bill, strike out "4", and insert "3".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2111 by the following vote:

AYES—Call, Donnelly, Evans, and Field—4
NOES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Dickey, Dilworth, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Leonard, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thurman, Turner, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—45

Assembly Bill No. 2111 ordered to conference.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 794—An act to add Section 11663 to the Insurance Code, relating to workmen's compensation insurance on the group plan.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Meehan moved a call of the Assembly.

Motion carried. Time, 11.19 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 799—An act to amend Sections 23 and 24 of the Agricultural Prorate Act, relating to the marketing of agricultural products, the termination and suspension of proration programs, and violations of the act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Massion, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—49.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 805—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Maloney, McCollister, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Weybret—47.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 299—An act to amend Section 2209 of the Public Resources Code, relating to publications of the Division of Mines in the Department of Natural Resources

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Daley, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Maloney, Masson, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 971—An act relating to the education of persons in connection with programs of National defense, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan Stream Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 775—An act approving and adopting the report of the Department of Public Works on the coordinated plan for the development of the water resources of the State.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 943—An act to amend Section 663b of the Political Code, relating to the collection of taxes and other moneys and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes and other moneys, the amount of which does not justify the cost of their collection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 49
Senate Concurrent Resolution No. 51
Senate Concurrent Resolution No. 52

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 49—Relative to the creation of a joint legislative committee to study, investigate and report on the State Employees' Retirement System.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 51—Relative to a Joint Fact-Finding Committee, and defining its powers and duties.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 52—Relative to creating a Committee to Study and Report on the Golden Gate Bridge.

Referred to Committee on Rules.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1001—An act to amend Section 4534 of the Elections Code, relating to campaign statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan,

Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, and Wollenberg—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1051—An act to add Section 862.5a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to powers of sixth class cities to acquire and develop park and recreational facilities, and to issue revenue bonds therefor, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Carlson, Clarke, Collins, George D., Daley, Dilworth, Donnelly, Doyle, Field, Green, Hastain, Heisinger, Johnson, King, Knight, John B., Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—41.
NOES—Burkhalter, Cain, Call, Cooke, Cronin, Crowley, Evans, Gaffney, Gallagher, Hawkins, Lowrey, Massion, McCollister, Sawallisch, and Welch—15.

Bill ordered transmitted to the Senate.

Senate Bill No. 308—An act to amend Section 54 of the Fish and Game Code, relating to game management.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1293—An act making an appropriation to the Department of Finance for State participation in the Los Banos May Day Festival and Live Stock Show, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Salsman moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2 to 4, inclusive, and insert "for State participation in fairs and festivals."

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, before the period, insert ", the sum of ten thousand dollars ($10,000) for State participation in the Gilroy Gymkhana, at Gilroy and the sum of five thousand dollars ($5,000) for State participation in the Madrone Rodeo, at Madrone".

Amendments read.

Motion to Table Amendments

Mr. Clarke moved that the amendments to Senate Bill No. 1293 be laid on the table.

Motion carried.

Bill read third time.

Motion to Amend

Miss Miller moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended, strike out lines 2 to 4, inclusive, and insert "for State participation in fairs and festivals."

Amendment No. 2

On page 1, line 10, of the printed bill, as amended, before the period, insert "and the sum of two thousand five hundred dollars ($2,500) for the preparation of a patriotic exhibit float to exhibit in the 1942 Tournament of Roses in Pasadena".

Amendments read.

Motion to Table Amendments

Mr. Clarke moved that the amendments to Senate Bill No. 1293 be laid on the table.

Motion carried.

The question being on the passage of Senate Bill No. 1293.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Call, Clarke, Collins, George D., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Poole, Richie, Sawallisch, Stream, Thorp, Turner, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Cain, Carlson, Collins, Sam L., Cooke, Crowley, Houser, Frederick F., Johnson, King, Knight, John B., Knight, T. Fenton; Lowrey, Masson, Phillips, Potter, Russell, Sheridan, Tenney, and Thomas—19.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1485

The Speaker announced the appointment of Messrs. Welch, O'Day and Collins, Sam L., as a Committee on Conference concerning Assembly Bill No. 1485.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred,

House Resolution No. 287

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

LYON, Chairman

Above reported resolution ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 18

Has had the same under consideration, and respectfully reports the same back without recommendation

LYON, Chairman

Above reported resolution ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Senate Bill No. 1349

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 18—Relative to securing a survey of the potential industrial development of the West.

Resolution read second time, and ordered to third reading.

Senate Bill No. 1349—An act making an appropriation for the support of the State Department of Social Welfare, to take effect immediately.

Bill read second time, and ordered to third reading.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2111

The Speaker announced the appointment of Messrs. Call, Field and Evans as a Committee on Conference concerning Assembly Bill No. 2111.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 967—An act making an appropriation for the control of disease-harboring rodents on and near areas established for defense purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Donnelly, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Howser, F. N., Johnson, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, and Mr. Speaker—54.

NOES—Burkhalter, Collins, Sam L., Heisinger, Kilpatrick, Massion, Pfaff, and Thomas—7.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted "No" on Senate Bill No. 967 because the appropriation by the State is primarily for the benefit of the Federal Government, which is better able to carry the tax burden than are the State taxpayers.

S. L. HEISINGER

Senate Bill No. 226—An act to amend Sections 92 and 146 of, and to add Section 108 to, the Civil Code, relating to divorce actions.

Bill read third time.

Demand for Previous Question

Messrs. Knight, John B., Pfaff, Poole, Burkhalter and Middough demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 226.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 11.20 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1088—An act to amend Section 376b of the Political Code, Section 11100 of the Health and Safety Code, and Section 4808 of the Penal Code, relating to the Division of Criminal Identification and Investigation and the Division of Narcotic Enforcement in the Department of Penology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Welch, and Mr. Speaker—59.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1325—An act to amend Section 133 of the Civil Code, relating to entry of final judgment in divorce cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 785—An act to add a new section to the School Code, to be numbered 5.775, relating to the public school system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cooke, Cronin, Daley, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Howser, F. N., King, Knight, John B., Leonard, Lowrey, Maloney, Meehan, Middough, Miller, Millington, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—51.

NOES—Bashore, Collins, Sam L., Crowley, Dilworth, Field, Hastain, Heisinger, Johnson, Kilpatrick, Massion, and McCollister—11.

Bill ordered transmitted to the Senate.

Senate Bill No. 221—An act to amend Section 4.770 of the School Code, relating to the allowance of teacher units to elementary school districts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Salsman moved a call of the Assembly.

Motion carried. Time, 11 21 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1211—An act making an appropriation for the support, activities and functions of the California Farm Debt Adjustment Commission, disposing of unexpended money of a previous appropriation for such purposes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1309—An act to provide for manufacture of tobacco products in institutions of the State of California, the sale of such products to State agencies, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1311—An act to amend Section 1250 of, and to add Section 1346 to, the Fish and Game Code, relating to antelope.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 953—An act to amend Section 16 of the Motor Vehicle Fuel License Tax Act, relating to actions to recover license taxes paid under protest under said act.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, and Wollenberg—60.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 808—An act to amend Section 3070 of the Labor Code, relating to compensation of members of the Apprenticeship Council.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Thurman, Turner, Weber, Welch, Weybret, and Wollenberg—52

NOES—Daley, Dilworth, Hastain, Heisinger, Potter, Stream, and Watson—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 205—An act to amend Section 13, and to add Sections 13a, 13b, 13c, to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to the regulation and licensing of horse racing and the administration of the act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills,

Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Howser, F. N., Johnson, King, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, and Weybret—56.

NOES—Call, Knight, John B., and Potter—3.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution by adding Section 29 to Article IV of the Constitution, relating to State money.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, and Wollenberg—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.22 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 221

At 11.23 a.m., on motion of Mr. Salsman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 221 passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Gaffney, Gallagher, Green, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Phillips, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Wollenberg—54.

NOES—Bashore, Call, Carlson, Daley, Field, Houser, Frederick F., Miller, Pfaff, Poole, Stream, Thomas, Voigt, Watson, and Mr. Speaker—14.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 607—An act to amend Sections 118, 2020 and 2021 and to repeal Section 2025 of, and to add Sections 103.5 and 119.5 to, the Welfare and Institutions Code, relating to public assistance and the administration thereof, making an appropriation, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Motion to Amend

Mr Kilpatrick moved the adoption of the following amendments·

Amendment No. 1

On page 3, line 1, of the printed bill, as amended, strike out "dollars ($40)", and insert "five dollars ($45)".

Amendment No. 2

On page 3, line 3, of the printed bill, as amended, strike out "dollars ($40)", and insert "five dollars ($45)".

Amendment No. 3

On page 3, line 4, of the printed bill, as amended, strike out "dollars ($40)", and insert "five dollars ($45)".

Amendment No. 4

On page 3, line 15, of the printed bill, as amended, strike out "forty dollars ($240)", and insert "seventy dollars ($270)".

Amendment No. 5

On page 3, line 22, of the printed bill, as amended, strike out "four hundred eighty dollars ($480)", and insert "five hundred forty dollars ($540)"

Amendments read and refused adoption.

Motion to Expunge Record and Rescind Action

Mr. Donnelly moved to expunge the record and rescind the action whereby the amendments to Senate Bill No 607 were refused adoption

Mr. Kilpatrick seconded the motion.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Burkhalter, Burns, Michael J, Cain, Collins, George D, Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Massion, Meehan, Miller, O'Day, Pelletier, Richie, Russell, Tenney, Welch, and Mr. Speaker—29

NOES—Allen, Burns, Hugh M, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Hastain, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Middough, Millington, Pfaff, Phillips, Poole, Potter, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Wollenberg—36.

The question being on the motion to expunge the record and rescind the action whereby the amendments to Senate Bill No. 607 were refused adoption.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Basbore, Bennett, Burkhalter, Burns, Hugh M, Cain, Collins, George D., Cooke, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Knight, John B., Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sheridan, Tenney, Thomas, and Welch—34.

NOES—Allen, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Daley, Desmond, Dickey, Dilworth, Field, Hastain, Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaff, Phillips, Potter, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—36.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 226

At 11.23 a.m., on motion of Mr. Johnson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 226 passed by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Call, Carlson, Collins, Sam L., Cooke, Crowley, Daley, Dills, Dilworth, Doyle, Field, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Massion, Middough, Miller, Millington, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Tenney, Thorp, Thurman, Turner, Voigt, and Weybret—42

NOES—Bashore, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cronin, Desmond, Donnelly, Evans, Gaffney, Gallagher, Green, Hawkins, King, Maloney, McCollister, Meehan, O'Day, Pelletier, Phillips, Sheridan, Stream, Thomas, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—30.

FURTHER CONSIDERATION OF SENATE BILL NO. 607

The question being on the adoption of the urgency clause to Senate Bill No. 607.

Demand for Previous Question

Messrs. Johnson, Carlson, Phillips, Salsman and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 607.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, Crowley, Desmond, Dills, Evans, Hawkins, King, Massion, Pelletier, Sheridan, and Tenney—11.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Daley, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Heisinger, Howser, F. N., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—Bashore, Crowley, Desmond, Dills, Evans, Hawkins, King, Massion, Pelletier, Sheridan, and Tenney—11.

Bill ordered transmitted to the Senate

Explanations of Vote

I voted "No" on Senate Bill No. 607 because I object to the $40 limitation contained in the bill. The Social Security Board does not place a $40 limitation on our State.

RALPH C. DILLS

The Federal law provides that unless California amends its law to conform to the Federal statutes, we may lose in Federal grants a sum estimated at $42,000,000.

Therefore, we feel impelled to vote for this bill or place thousands of the aged in jeopardy of their only livelihood.

S. L HEISINGER
DAN GALLAGHER
GEORGE D. COLLINS, JR
EDWARD M GAFFNEY
VINCENT THOMAS
FRANK C RUSSELL

I voted "Aye" on this measure I felt if the bill were not passed, the older citizens of our State entitled to public assistance would probably have been deprived of needed funds which the Federal Government stated would not be forthcoming if our laws on the subject were not modified to harmonize with the requirements insisted upon by the Federal Social Security Board

MELVYN I CRONIN

I voted "Aye" on this bill because the Federal Government notified California it would take away $38,000,000 of grant to our aged people.

This action on its part is unjust and unfair, and had I voted "No," the old people would have received no assistance I pray the law is changed.

Signed

THOMAS A MALONEY, Twentieth District

I voted "Aye" on this measure. I felt if the bill were not passed, the older citizens of our State entitled to public assistance would probably have been deprived of needed funds which the Federal Government stated would not be forthcoming if our laws on the subject were not modified to harmonize with the requirements insisted upon by the Federal Social Security Board.

CHARLES W. STREAM

MOTION TO PRINT COMMUNICATION IN JOURNAL

Mr. Kilpatrick moved that the communication designated by him be printed in the Journal.

Motion to Table Motion

Mr. Desmond moved that Mr. Kilpatrick's motion be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Dilworth, Field, Hastain Houser, Frederick F, Johnson, Kepple, Leonard, Lyon, Maloney, McCollister, Miller, Millington, Pfaft, Phillips, Potter, Salsman, Sawallisch, Stream, Thorp, Thurman, Turner, Vogt, Waters, Watson, Weber, Weybret, and Wollenberg—39.

NOES—Bashore, Burkhalter, Cain, Collins, George D, Cooke, Crowley, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Knight, John B, Knight, T Fenton; Lowrey, Massion, Meehan, Middough, O'Day, Pelletier, Poole, Richie, Russell, Sheridan, Tenney, Thomas, and Welch—30

Explanation of Vote

Oscar M Powell, Executive Director, Federal Security Board, having wired "We did not recommend reduction from $45 to $40" is my reason for offering his telegram for printing in Journal and voting against tabling the motion.

VERNON KILPATRICK

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 794

At 11.24 a m, on motion of Mr. Meehan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 794 refused passage by the following vote:

AYES—Andreas, Bashore, Burkhalter, Cain, Call, Collins, George D, Cooke, Cronin, Dills, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F, Kilpatrick, King, Meehan, O'Day, Pelletier, Richie, Russell, Salsman, Tenney, and Turner—25

NOES—Allen, Burns, Michael J Carlson, Clarke, Collins, Sam L, Crowley, Daley, Dickey, Dilworth, Donnelly, Field, Hastain, Johnson, Kepple, Knight, John B, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, Miller, Millington, Phillips, Poole, Sawallisch, Stream, Thurman, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—35

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Desmond:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 19 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, making an appropriation therefor, and declaring the urgency thereof

Respectfully submitted.

EARL D. DESMOND

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Desmond:

An act to add Section 19 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, making an appropriation therefor, and declaring the urgency thereof.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Andreas, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kepple, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2662: By Mr. Desmond—An act to add Section 19 to the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution due to and caused by unemployment and the administration thereof, making an appropriation therefor, and declaring the urgency thereof.

Motion to Temporarily Suspend the Rules

Mr. Desmond moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 2662 without reference to committee or file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried. Time, 11.25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Hon. Rodney L. Turner Presiding

At 11 26 a m., Hon. Rodney L Turner, Member of the Assembly from the Forty-first District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 205—An act to amend Sections 19433, 19485, 19532, 19562, 19597, 19620, 19621 and 19624 of, and to add Sections 19480 5, 19510.5, 19538, 19567, 19598 and 19627 to, the Business and Professions Code, relating to the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof, and the disposition of State revenues therefrom, and providing for the transfer to the Fair and Exposition Fund of certain reverted appropriations; And appointed Senators Swing, DeLap and Seawell as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the Governor's veto to:

Assembly Bill No. 243

J A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 62
Senate Bill No. 537
Senate Bill No. 1159
Senate Bill No. 1341

J. A BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Ward, Mixter and Mayo as a Committee on Conference concerning:

Assembly Bill No. 1177—An act to add Sections 39, 40, 41, 41 1, 41.2, 41 3 and 42 to, and repeal Sections 39, 40, 41 and 42 of, the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Luckey and Quinn as a Committee on Conference concerning:

Assembly Bill No. 686—An act to add Section 1011 5 to the Fish and Game Code, relating to sharks.

J. A. BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 943
Senate Bill No. 944
Senate Bill No. 945
Senate Bill No. 799
Senate Bill No 1067
Senate Bill No. 1293

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2213—An act to amend Sections 19621, 19622, 19624 and 19626 of the Business and Professions Code, relating to fairs and exhibitions.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1998—An act making an appropriation to pay the claim of the Departmental Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a m

JOHN B. KNIGHT, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 205

The Speaker announced the appointment of Messrs. Tenney, Burns, Hugh M., and Call as a Committee on Conference concerning Assembly Bill No. 205.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2213—An act to amend Sections 19621, 19622, 19624 and 19626 of the Business and Professions Code, relating to fairs and exhibitions; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on June 13, 1941, be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended, strike out line 21, and insert "this State, such money to be expended by such citrus fruit fairs only for premiums, capital outlays, including the purchase of land, construction, improvements, equipment, and other purposes pursuant to a budget submitted to, and approved by, the Department of Finance, and subject to the provisions of Section 677.5 of the Political Code."

Amendment No. 2

On page 3 of the printed bill, as amended, after line 12, insert

"SEC. 4. Section 19626 of said code is hereby amended to read as follows:

19626. The second balance of the fund is hereby allocated for expenditure without regard to fiscal years, as follows: Twenty-five per cent for permanent improvements at, or support of, the California Polytechnic School; 33 per cent for permanent improvements at, or support of, the University of California; *five thousand dollars ($5,000) annually to the Second District Agricultural Association, for the purpose of conducting a wine and grape festival; one thousand dollars ($1,000) annually to the Twenty-second District Agricultural Association, for the purpose of conducting a Wine and Grape Day Festival at Escondido, California;* the remainder

for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes; in such amounts as may be allocated by executive order of the Director of Finance

The money appropriated to district agricultural associations under this section may be expended for the payment of premiums at wine and grape festivals, and, with the approval of the Department of Finance, for capital outlay, including purchase of land, construction, improvement and equipment for such festivals."

CRITTENDEN	McCOLLISTER
GORDON	POTTER
PARKMAN	THORP
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Cain, Carlson, Clarke, Collins, George D., Cooke, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Heisinger, Kilpatrick, Knight, John B., Knight, T. Fenton; Lowrey, Lyon, Maloney, Meehan, Miller, Millington, Pelletier, Phillips, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr Speaker—41.

NOES—None.

Assembly Bill No. 2213 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on May 29, 1941, be further amended as follows:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended, after the period, insert "The commission shall issue such permit when it appears that the provisions of this section have been complied with in relation to the shark livers as to which the permit is sought."

McBRIDE	WATSON
LUCKEY	THURMAN
QUINN	CALL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bennett, Cain, Carlson, Clarke, Collins, George D., Cooke, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Miller, Millington, Pelletier, Phillips, Richie, Russell, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 686 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend Section 6 of Article IV of the State Constitution, relating to the membership of the Reapportionment Commission.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER. The Committee on Conference concerning.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend Section 6 of Article IV of the State Constitution, relating to the membership of the Reapportionment Commission; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

WARD	MALONEY
CUNNINGHAM	CALL
Senate Committee on Conference	HOUSER, FREDERICK F.
	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bennett, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Miller, Millington, Phillips, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—43.

NOES—None.

Assembly Constitutional Amendment No. 6 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1177—An act to amend Section 39 of, to repeal Section 42 of, and to add Sections 41.1, 41.2, 41.3 and 42 to, the Unemployment Insurance Act, relating to experience rating.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 1177—An act to amend Section 39 of, to repeal Section 42 of, and to add Sections 41.1, 41.2, 41.3 and 42 to, the Unemployment Insurance Act, relating to experience rating;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill, as amended on June 13, 1941, be further amended as follows

Amendment No. 1

On page 3 of the printed bill, as amended, strike out lines 14 to 19, inclusive, and insert as a paragraph

"(d) In the".

Amendment No. 2

On page 4 of the printed bill, as amended, strike out lines 18 to 32, inclusive, and insert

"SEC. 41.3 Whenever it appears that the funds on hand in the Unemployment Fund are less than one and one-half times the amount of benefits paid during the preceding calendar year, the commission, by appropriate notice, may invoke a contribution rate of 2.7 per cent from all employers, in lieu and regardless of any reduced or lower rate herein elsewhere prescribed; provided, however, that such rate shall be effective only until the expiration of the next quarter during which the fund again becomes equal to or in excess of one and one-half times the amount of benefits paid during the then preceding calendar year."

WARD	KNIGHT, T. FENTON
MIXTER	DESMOND
MAYO	
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Cain, Carlson, Clarke, Collins, Sam L., Cooke, Dickey, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F. Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Meehan, Middough, Miller, Millington, Richie, Russell, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, Wollenberg, and Mr. Speaker—42

NOES—Bennett, Collins, George D. Dills, Lowrey, and Pelletier—5

Assembly Bill No. 1177 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1347—An act to amend Sections 3076, 3079 and 3084 and to repeal Section 3000 of, and to add Sections 103.6, 118.1, 119.6 and 3083.5 to, the Welfare and Institutions Code, and to add Chapter 3 to Part 1 of Division 5 of the Welfare and Institutions Code, relating to public assistance for the blind and the administration thereof, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 11.27 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Maloney:

Resolved, That Senate Bill No. 1349 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 11.28 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 987—An act to amend Section 52.2 of, and to add Section 57 7 to, the Unemployment Insurance Act, relating to unemployment benefits for persons who have served in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Muddough, Miller, Millington, Pelletier, Richie, Russell, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Weybret, and Mr. Speaker—42.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Burkhalter and Poole:

House Resolution No. 308

WHEREAS, This Legislature acting only pursuant to ultimate conclusions impelled by the Federal Census has redistricted the State for the purpose of electing Assemblymen; and

WHEREAS, This reapportionment will result in Honorable Edward M Gaffney and Honorable John D. Welch opposing each the other at the next primary election; and

WHEREAS, This reapportionment will also result in Honorable Arthur W. Carlson and Honorable James H. Phillips opposing each other at the next general election; and

WHEREAS, Honorable Everett G. Burkhalter and Honorable William H. Poole have each had new districts formed from within the boundaries of their present districts; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly on behalf of the Los Angeles Delegation invites any or all of the foregoing opponents to become residents and representatives of whatever area and districts in Los Angeles County their respective consciences may dictate.

Request for Unanimous Consent

Mr. Burkhalter asked for, and was granted, unanimous consent to take up House Resolution No. 308, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Dickey:

House Resolution No. 309

WHEREAS, The proper provision for the retirement of public school teachers is a subject of debate at each session of the Legislature; and

WHEREAS, The Retirement System set up in 1937 has been in operation for four years and has provoked much thought among persons and groups interested in its operation; and

WHEREAS, Future legislation dealing with the proposals affecting teachers retirement can best be based on a thorough investigation of the present system and of suggestions for changes in it; and

WHEREAS, This investigation can best be undertaken by the Assembly Committee on Governmental Efficiency and Economy created by House Resolution No. 195; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Governmental Efficiency and Economy created by House Resolution No. 195 is hereby further instructed to investigate and survey, accurately and in detail, the California State Teachers' Retirement System in all its phases, administrative, actuarial and legal, and all proposals for changes therein, and shall report to the Legislature not later than March 15, 1943, any recommendations it may have for needed legislation in respect thereto; and be it further

Resolved, That the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available, in addition to any other money now available, from the Contingent Fund of the Assembly for the expenses of the Assembly Committee on Governmental Efficiency and Economy and its members, and for any charges, expenses or claims it may incur under this resolution or under House Resolution No. 195, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 309, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Doyle, Field, Gallagher, Hastain, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, Middough, Miller, Millington, Pelletier, Pfaff, Poole, Potter, Richie, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—41.

NOES—Bennett, Collins, George D., Donnelly, Gaffney, Heisinger, Johnson, Meehan, and Russell—8.

By Mr. Weber:

House Resolution No. 310

Relating to State Employees Handbook

WHEREAS, Upon entering the employment of the State, the employee assumes certain obligations to his employer. Among these obligations is that of loyalty, not only in the faithful performance of his work, but in adherence to the principles upon which the State is founded; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board is hereby requested to formulate, publish and cause to be distributed to each employee and officer of the State, whether or not included in the State civil service, by the appointing power or by the board, if the office is an elective office, a manual or Handbook for State employees. The Handbook shall contain such information as the board considers appropriate as to the law and rules of the board affecting the relationship between the employee and the State

There shall be contained in the Handbook, a statement of the principles of the American Government which the employee is required to uphold. This statement of principles shall be based upon the Constitution of the United States, setting forth that the United States is an indissoluble Union of indestructible States, having three coordinate branches of Government, each entrusted with its respective executive, judicial and legislative functions, that the executive power is vested in the President; the judicial power, in the Supreme Court, and such inferior courts as the Congress may from time to time ordain and establish, and the legislative power is granted to the Congress of the United States, which shall consist of a Senate and House of Representatives, chosen from the several States and charged with enacting laws for the protection and preservation of the Nation as a whole; that the Bill of Rights is declared to protect the individual against persecution and the abuse of this power, and that the individual owes a corresponding duty to obey and uphold the laws in those matters which have been surrendered to Congress; that this is the fundamental law of the Nation and can be lawfully altered only by the methods of amendment provided in the Constitution itself in accordance with the spirit and traditions of America; that the Government of the State of California and the several States is modeled upon that of the United States, with a corresponding

division of powers and a corresponding protection of the rights of persons and property and a surrender of individual rights to the State to act for all the people; that these divisions and balances are provided to foster the freedom and liberties of the people and to preserve the American democracy, and that these checks and balances were devised by the framers of the Constitution in order to curb the emotionalism of the masses, the influence of demagogues and the efforts of powerful minorities which history has shown have always marked the pathways to the ruin of democracy.

A portion of the Handbook shall be devoted to standards of conduct of employees In this portion of the Handbook the essential nature of public employment and the peculiar rights, duties, and obligations of State employees shall be presented, particularly in relation to the matters referred to in this resolution. This portion of the Handbook may be referred to as the State Employees Code. In drafting the code the board shall consider and appropriately state the differences between public employment and private enterprise or employment, particularly in that while the latter ordinarily reflects the value of services on an immediately tangible and monetary basis, the value of the services of a public employee is to a great extent intangible rather than concrete; and since the value of his services can not be immediately measured the ethical duties of the employee in connection with his duties are correspondingly increased.

In drafting the code the board shall consider and appropriately state the reciprocal relationship which arises from the grant by the State of security of tenure and opportunity for career service and the correlative dedication by the employee to the service of the State

The board shall also consider and appropriately state the peculiar position of the State employee in relation to partisan politics and the essential fact that while State employment does not operate as disfranchisement, nevertheless the State who is the employer is the whole State and not a fraction thereof; and that consequently in so far as employer and employee are in true accord no room exists for political activity of a partisan nature.

The board shall appropriately state the fact that public service is an honorable calling and to the extent that it comprises unselfish devotion to the welfare of the State in its sovereign capacity, rather than as an employer, such calling may be an exalted one.

The Handbook provided for in this resolution shall be distributed by the appointing power to each employee upon his entrance into the service and each appointing power during the probationary period shall cause such employee to read and digest the matters contained therein. All appointing powers, in relation to permanent employees, shall call the attention to such employees at periodic intervals to the substance of the Handbook, and shall, in evaluating the service of employees for the purposes of performance reports give due consideration to the conduct and demeanor of the employee and his adherence to the principles enunciated in the code.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 310, at this time, without reference to committee.

Resolution read and adopted.

By the Committee on Rules:

House Resolution No. 311

Resolved, That each and every officer, attache and employee of this Assembly is hereby stricken from the pay roll upon completion of work at the end of the day on June 14, 1941, save and except those who will be certified to the Controller upon a weekly pay roll pursuant to House Resolution No. 267, adopted by the Assembly on June 12, 1941.

LYON, Chairman
Committee on Rules

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett Burkhalter, Cain, Carlson, Clarke, Collins, George D., Collins, Sam L, Cooke, Cronin, Crowley, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, King Knight, John B., Leonard, Lowrey, Lyon, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

WAR DEPARTMENT, THE ADJUTANT GENERAL'S OFFICE
WASHINGTON, June 10, 1941

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, State Capitol, Sacramento, California

DEAR SIR: Reference is made to your letter of May 23d, addressed to the President and referred to this department for consideration, concerning the development of State Highway 20.

The War Department has found, as a result of detailed studies on the subject, that highways constructed for commerce and internal development, in general, fill the requirements of National defense. Consequently, it has no funds for the improvement of highways except on Military reservations.

However, the War Department is interested in a net of highways adequate for the movement of Military transport. To that end, it is working in close collaboration with the highway construction agencies of the States and Federal Government.

You may be assured that the matter will be given due consideration.

Very truly yours,

E. S. ADAMS, Major General
The Adjutant General

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2108—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of San Mateo, State of California;

Assembly Bill No. 2112—An act to add Section 65 1 to the State Civil Service Act, relating to the establishment of new classes of positions in the State civil service;

Assembly Bill No. 2155—An act making an additional appropriation for construction, improvements, and equipment at the University of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2016—An act to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund and the purposes for which the money therein may be used and making an appropriation, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2097—An act to add a new section to the Health and Safety Code, to be numbered 115, relating to the creation of the Department of Public Health Fund, and providing for the expenditure of moneys from said fund;

Assembly Bill No. 2099—An act to add Section 446 to the Political Code, relating to financial adjustments within departments, defining the methods whereby such adjustments may be made, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1936—An act to amend Sections 6214 and 6816 of the Public Resources Code, and to add Sections 6217, 6218 and 6219 thereto, relating to State lands, including the powers and duties of the State Lands Commission and the collection and disposition of fees, rentals, charges and other moneys in connection therewith;

Assembly Bill No. 1949—An act defining henceforth the boundaries of Alameda County Water District, also ratifying the incorporation in said district of certain lands as shown in the certificate of the president and secretary of the board of directors of said district filed in the office of the Secretary of State of the State of

California on May 18, 1940 and as certified to by the certificate of the said Secretary of State filed in the office of the county clerk of Alameda County on May 22, 1940, also providing for the management of said district as enlarged by the present officers thereof;

Assembly Bill No. 1951—An act to add Sections 2.5 and 2.8 to "An act relating to the sale or exchange of surplus products between public institutions owned, managed or controlled by the State, or the political subdivisions thereof and providing for the disposition of moneys received therefrom, and to repeal that certain act entitled 'An act providing for the exchange of commodities between the public institutions owned or managed and controlled by the State, or the political subdivisions thereof,' approved March 18, 1905," approved May 13, 1929, relating to the sale, exchange or other disposition of surplus products made or produced at or by public institutions owned, managed or controlled by the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1904—An act to add Section 7512.5 to the Business and Professions Code, relating to the regulation of detectives, investigators and detective agencies;

Assembly Bill No. 1918—An act to amend Section 11792 of the Insurance Code, relating to State Compensation Insurance Fund;

Assembly Bill No. 1919—An act to amend Section 1031 of the Military and Veterans Code, relating to the Veterans' Home of California, and abolishing the Veterans' Home of California Federal Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1312—An act to amend Sections 218 and 219 of the Penal Code, relating to the wrecking of trains.

Bill read third time.

Motion to Amend

Mr. O'Day moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, after "life," strike out "with."

Amendment No. 2

On page 1, line 14, of the printed bill, strike out "out possibility of parole."

Amendment No. 3

On page 2, line 2, of the printed bill, after "life," strike out "without possibility parole."

Amendments read.

Motion to Table Amendments

Mr. Bashore moved that the amendments to Senate Bill No. 1312 be laid on the table.

Motion carried.

The question being on the passage of Senate Bill No. 1312.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Cain, Clarke, Collins, Sam L., Cooke, Cronin, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Gallagher, Hastain, Heisinger, Johnson, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Welch, Weybret, and Mr Speaker—41.

NOES—Bennett, Collins, George D., Crowley, Dickey, Dills, Gaffney, Hawkins, Kilpatrick, King, O'Day, Pelletier, Richie, Salsman, and Tenney—14.

Bill ordered transmitted to the Senate.

Senate Bill No. 1107—An act to add Section 67 to the State Civil Service Act, relating to the creation of new positions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cronin, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Heisinger, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Maloney, McCollister, Meehan, Middough, Millington, O'Day, Phillips, Poole, Potter, Richie, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Welch, and Weybret—47.

NOES—Bennett, Desmond, Hawkins, King, Massion, Pelletier, and Russell—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 1007—An act relating to review of decisions of administrative boards, commissions and officers, providing for a thorough study and report thereon and the formulation of a comprehensive and detailed plan in respect thereto, defining the powers and duties of the Judicial Council in relation thereto, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 312

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Hotel Senator Flower Shop (flowers for Miss Miller and Mrs. Daley)	$10 30
Department of Finance (mimeograph service)	3 30
H. S. Crocker Co. (supplies)	21 44
Cascade Towel Supply Co. (towel service to June 14)	35 13

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 312, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Weber, Welch, and Weybret—55

NOES—None

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1318—An act making an appropriation from the unexpended moneys appropriated by the act entitled "An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately," approved May 29, 1940, for flood control works in or along the Eel River, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried. Time, 11.29 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1117—An act to amend Sections 62 and 62.6, and to repeal Section 141 of the Fish and Game Code, relating to fish and game districts;

Assembly Bill No. 1139—An act to add Section 11656.5 to the Insurance Code, relating to workmen's compensation insurance;

Assembly Bill No. 1149—An act to add Section 73.5 to the Agricultural Code, relating to fairs and expositions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1192—An act to amend Section 20, and repeal Section 24 of, the Unemployment Insurance Act, relating to a System of Unemployment Insurance;

Assembly Bill No. 1327—An act making an appropriation for the acquisition, development and maintenance of ocean beaches for public use;

Assembly Bill No. 1429—An act to amend Section 1 of an act entitled "An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof," approved April 10, 1925, relating to lands granted to the City of South San Francisco;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1433—An act to add a new section, to be numbered 10a, to the Motor Vehicle Fuel License Tax Act and a new section, to be numbered 7406,

to the Revenue and Taxation Code, relating to distributions of motor vehicle fuel to certain contractors, to defer assessment and determination of Motor Vehicle Fuel License Tax in certain instances, and providing that this act shall take effect immediately;

Assembly Bill No. 1457—An act making an appropriation to the Department of Finance for the purpose of reconditioning and framing the picture "Driving the Last Spike";

Assembly Bill No. 1529—An act to appropriate funds to the State Department of Education for the support of the California State Historical Association;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1561—An act to provide for the compilation, publication, and distribution by the Secretary of State of a Roster of public officials of California and to make an appropriation therefor;

Assembly Bill No. 1608—An act to establish a county merit system commission for every county, defining its powers and duties, and providing for the organization and government of a merit system for the welfare department employees in every county;

Assembly Bill No. 1882—An act to amend Section 2814 of the Business and *Professions Code, relating to the Board of Nurse Examiners Fund*;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1885—An act to amend Section 4060 of the Public Resources Code, relating to the State Board of Forestry Fire Prevention Fund, and making an appropriation;

Assembly Bill No. 1888—An act to amend Section 3110 of the Public Resources Code, relating to the Petroleum and Gas Fund and making an appropriation;

Assembly Bill No. 1903—An act to add Section 11738.5 to the Insurance Code, relating to workmen's compensation insurance in connection with defense projects of the Federal Government and defense agencies thereof, declaring the urgency hereof, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2458—An act to add Section 1817 to Article 8, Chapter 1, Part 7 of the Labor Code, relating to working laws on public work and providing that this act shall take effect immediately;

Assembly Bill No. 2580—An act to add Chapter 3, comprising Sections 259, 259.1 and 259.2 to Division 2 of the Probate Code, relating to inheritance rights of aliens and declaring that this act shall take effect immediately;

Assembly Bill No. 2585—An act making an appropriation to the Department of Natural Resources, Division of Parks, for the acquisition of land in Marin County as part of the State Park System;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2589—An act to amend Section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts in cities or cities and counties of the second and one-fourth class,

Assembly Bill No. 2598—An act to add Section 19626.3 to the Business and Professions Code, and to add Section 87.5 to the Agricultural Code, relating to the Forty-eighth District Agricultural Association;

Assembly Bill No. 2641—An act to amend Sections 13552, 13600, 13601, 13606, 13607, 13613, 13652, 13655, 13656, 13727 and 13728 of the Health and Safety Code, relating to spotting, sponging and pressing establishments;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2645—An act to amend Section 14700 of the Business and Professions Code, relating to the protection of the rights of authorship;

Assembly Bill No. 2646—An act to amend Section 276 of the Vehicle Code, relating to operators' licenses;

Assembly Concurrent Resolution No. 51—Relative to amending Rule 35 of the Joint Rules of the Senate and Assembly;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 15—An act to provide for the establishment and maintenance of a College of Veterinary Medicine in the University of California, and to make an appropriation therefor;

Assembly Bill No. 151—An act to add Sections 556.1 and 556.2 to the Military and Veterans Code, relating to the organization of the State Guard, making an appropriation therefor, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 344—An act to provide for the improvement and reconstruction of a road in the County of Mendocino, and making an appropriation therefor;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 654—An act to amend Sections 154 and 157 and to repeal Section 155 of the Welfare and Institutions Code, relating to the institutions subject to the jurisdiction of the Department of Institutions and appointment of superintendents of those institutions;

Assembly Bill No. 678—An act to add a new section to the Civil Code to be numbered 955, relating to the assignment of conditional contracts of sale;

Assembly Bill No. 770—An act to add Chapter 8 to Part 4, Division 6, of the Welfare and Institutions Code, creating a Division of Extramural Care in the Department of Institutions and prescribing its powers and duties;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 777—An act to add Division 2.5, comprising Chapter 1, Sections 1700 to 1783, inclusive, to the Welfare and Institutions Code, creating a Youth Correction Authority, prescribing its powers and duties, providing for commitments thereto of convicted persons under 23 years of age at the time of their apprehension and making an appropriation therefor;

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to use certain funds in the Department of Agriculture Fund, derived under the provisions of Chapter 241, Statutes of 1935, and Chapter 401, Statutes of 1935, and making an appropriation thereof;

Assembly Bill No. 911—An act to amend Sections 777 and 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public work contracts in cities of the fifth and sixth class;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 913—An act to amend Section 1270 and to repeal Section 1270.5 of the Fish and Game Code, relating to deer seasons;

Assembly Bill No. 972—An act to amend Sections 7455, 7677 and 7705 of the Revenue and Taxation Code and Sections 2 and 4 of the Motor Vehicle Fuel License Tax Act, relating to delinquency of the motor vehicle fuel license tax, including recoveries on bonds of delinquent distributors;

Assembly Bill No. 979—An act to add Section 37b to the Reclamation Board Act, relating to flood control and the advancement to the United States of funds to be used therefor, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1005—An act to amend Sections 5900, 5901, 5902 and 5904 of, to add Section 5930.5 to, and to repeal Section 5882 of, the Elections Code, relating to absent voting;

Assembly Bill No. 1007—An act to amend Sections 2835 and 2836 of the Elections Code, relating to the election of county central committees;

Assembly Bill No. 1009—An act to amend Section 137 of the Civil Code, relating to domestic relations, including actions for the support and maintenance of children;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1071—An act to amend Sections 26472, 26520 and 26541 of, and add Section 26540.2 to, the Health and Safety Code, relating to adulterating, mislabeling, misbranding, false advertising and sale of foods and the powers of the State Department of Public Health in relation thereto;

Assembly Bill No. 1073—An act to amend Sections 26209, 26243, 26251 and 26271 of, and to add Section 26200.5 to, the Health and Safety Code, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices, and to the powers of the State Department of Public Health in relation thereto;

Assembly Bill No. 1078—An act appropriating money for the construction and equipment of buildings and the improvement of grounds at Morrow Cove, the site of the California Maritime Academy, declaring the urgency hereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 309

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

LYON, Chairman

Above reported resolution ordered to third reading.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 18—Relative to securing a survey of the potential industrial development of the West.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Donnelly, Doyle, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Weybret—48.

NOES—Burkhalter—1.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 59—Relative to the provisions of Sections 10, 11 and 12 of the Budget Act of 1941, and the transfer of funds pursuant thereto;

Assembly Joint Resolution No. 55—Memorializing Congress to enact legislation on Social Security and Old Age Pensions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2161—An act relating to the Immigration Inspector of the Division of Immigration and Housing;

Assembly Bill No. 2253—An act to make an appropriation from the State Park Maintenance and Acquisition Fund to the State Park Commission for the extension of the State Park System, providing for the acquisition of land in Del Norte County for State park purposes;

Assembly Bill No. 2280—An act to add Section 7377 to the Business and Professions Code, relating to cosmetology;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2312—An act to amend Section 3440.5 of the Civil Code, relating to fraudulent transfers;

Assembly Bill No. 2360—An act to amend Section 1501 of the Welfare and Institutions Code, relating to aid to needy children;

Assembly Bill No. 2380—An act to amend Section 2182 of, and to add Section 2165a to the Welfare and Institutions Code, relating to aid to the aged;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Phillips:

Resolved, That Senate Bill No. 556 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del

Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—57.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 556

Senate Bill No. 556—An act making an appropriation for construction, improvements, equipment and the purchase of land for the California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 243—An act to repeal Sections 10, 11 and 12 of, and to add Sections 10, 11, 12 and 13 to, the Fish and Game Code, relating to the transfer to the Fish and Game Commission created by the Constitution of this State of the powers, duties, and jurisdiction of the Fish and Game Commission heretofore existing, to take effect immediately;

which had been vetoed by the Governor was passed by both houses of the Legislature by the constitutional majority on the fourteenth day of June, 1941, said bill presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 169—An act to amend Section 317 of the Agricultural Code, relating to slaughterhouses.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 169 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Middough, Bashore, Poole, Dickey and Burkhalter demanded the previous question.

Demand for previous question sustained.

The question being: Shall Senate Bill No. 169 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried. Time, 11.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Bashore:

Resolved, That Senate Bill No. 1348 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—55.

NOES—Burkhalter, Daley, Dilworth, Knight, John B., Knight, T. Fenton; Potter, and Watson—7.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1348

Senate Bill No. 1348—An act making an appropriation to the State Personnel Board, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Weybret—55.

NOES—Burkhalter, Daley, Dilworth, Knight, John B., Knight, T. Fenton; Potter, and Watson—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1347

At 11.31 a.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1347 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—65.
NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO SUSPEND CONSTITUTION ON SENATE BILL NO. 1349

At 11.32 a.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to temporarily suspend the Constitution for purpose of considering Senate Bill No. 1349 was adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1349

Senate Bill No. 1349—An act making an appropriation for the support of the State Department of Social Welfare, to take effect immediately.

Bill read second time.

Senate Bill No. 1349—An act making an appropriation for the support of the State Department of Social Welfare, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Heisinger:

Resolved, That Senate Bill No. 583 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Potter, Richie, Russell, Salsman, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 583

Senate Bill No. 583—An act making an appropriation for construction, improvements and equipment and the purchase of land for the Fresno State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Burkhalter, Doyle, Field, Houser, Frederick F., Knight, John B., Potter, and Waters—7.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Millington:

Resolved, That Senate Bill No. 592 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed

with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Clarke, Collins, George D., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Phillips, Poole, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—55

NOES—Burkhalter, Doyle, Field, Houser, Frederick F., Knight, John B., Potter, and Waters—7.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 592

Senate Bill No. 592—An act making an appropriation for construction, improvements, equipment, and the purchase of land for the Chico State College.

Bill read third time.

Demand for Previous Question

Messrs. Middough, Poole, Knight, John B., Burkhalter and Hastain demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 592.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Howser, F. N., Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 62: By Messrs. Maloney, Crowley, Field, Cronin and Lyon—Relative to aid to the aged.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 62, at this time, without reference to committee, print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 62

Assembly Constitutional Amendment No. 62—Relative to aid to the aged.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kilpatrick, King, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 313

WHEREAS, House Resolution No. 268 provided that the Members of the Assembly have shipped to their various places of residence their bills, files, books of codes, stationery and other printed matter at the end of the session; and

WHEREAS, This resolution contained an appropriation to pay for the said expenses of shipping the files, bills, books of codes, stationery and other printed matter to the residences of the members; and

WHEREAS, Since the adoption of this resolution, upon investigation by the Sergeant-at-Arms, it has been found that the amount appropriated in Resolution No. 268, adopted June 12, 1941, is inadequate in that the amount of material to be shipped to the Members is greater than at first contemplated which will entail a larger expenditure of money; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, is authorized to procure such additional boxes, packing, and other materials as are necessary for the purpose of shipping, properly packed, all of the said materials to the Members of this Assembly and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg in the sum not to exceed two hundred dollars ($200) and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 313, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—68.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 205—An act to amend Sections 19433, 19485, 19532, 19562, 19597, 19620, 19621 and 19624 of, and to add Sections 19480.5, 19510.5, 19538, 19567, 19598 and 19627 to, the Business and Professions Code, relating to the regulation and licensing of horse racing, horse racing meetings, and wagering on

the results thereof, and the disposition of State revenues therefrom, and providing for the transfer to the Fair and Exposition Fund of certain reverted appropriations; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on June 14, 1941, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "19485, 19532," and insert "19483, 19485, 19530, 19532, 19537,".

Amendment No. 2

In line 3 of the title of the printed bill, as amended, after "19510.5," insert "19532.5,".

Amendment No. 3

On page 2 of the printed bill, as amended, between lines 15 and 16, insert

"SEC. 5. Section 19483 of said code is hereby amended to read as follows:

19483. Each application for a license to conduct a horse racing meeting shall be accompanied by a certified check payable to the Treasurer of the State of California, as ex officio treasurer of the board, in either of the following sums, dependent upon the classification of the county where the meeting is to be held:

Counties of the first class	$10,000
Counties of the second class	10,000
Counties of the second and one-half class	5,000

Counties of the third class, at the rate of fifty dollars ($50) per day for such racing meeting.

SEC. 6. Section 19530 of said code is hereby amended to read as follows:

19530. For the purpose of this chapter there are four classes of counties in the State of California, as follows:

1. Counties of the first class are those having a population of 1,000,000 or over;

2. Counties of the second class are those having a population of 600,000 or over and less than a million;

2.5 Counties of the second and one-half class are those having a population of 500,000 or over and less than 600,000;

3. Counties of the third class are those counties having a population of less than 500,000."

Amendment No. 4

On page 2, line 21, of the printed bill, as amended, strike out "120", and insert "80".

Amendment No. 5

On page 2, line 22, of the printed bill, as amended, strike out "county.", and insert "No part of a county of the second and one-half class may be included in such area.

SEC. 8. Section 19532.5 is hereby added to said code, to read as follows:

19532.5. In each county of the second and one-half class the board may allow not to exceed 40 racing days per year."

Amendment No. 6

On page 2 of the printed bill, as amended, between lines 29 and 30, insert

"SEC. 10. Section 19537 of said code is hereby amended to read as follows:

19537. The board may apportion the maximum number of racing days permitted in the respective counties and areas equally to licensed racing associations therein (other than the State Fair, county fairs and district agricultural associations) where there is more than one licensed racing association therein. Unless the consent of the licensee is obtained the racing days shall be granted in one continuous meeting, non-racing days excepted."

Amendment No. 7

On page 2, line 50, of the printed bill, as amended, strike out "1943", and insert "1944".

Amendment No. 8

On page 3, line 1, of the printed bill, as amended, strike out "1943", and insert "1944".

Amendment No. 9

On page 4, line 24, of the printed bill, as amended, after "fairs", insert ", citrus fruit fairs,".

Amendment No. 10

On page 4, line 29, of the printed bill, as amended, strike out "Two and one-half", and insert "Five".

Amendment No. 11

On page 4 of the printed bill, as amended, strike out lines 35 to 43, inclusive, and insert "of this State.

Of said 5 per cent, one hundred thousand dollars ($100,000)".

Amendment No. 12

On page 4, line 51, of the printed bill, as amended, strike out "sixty-five thousand dollars ($65,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment No. 13

On page 5, line 1, of the printed bill, as amended, strike out "2½", and insert "5".

Amendment No. 14

On page 5, line 12, of the printed bill, as amended, strike out "2½", and insert "5".

SWING
SEAWELL
DELAP
Senate Committee on Conference

BURNS, HUGH M.
CALL
TENNEY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Pelletier, and Potter—2.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 221
Senate Bill No. 1088
Senate Bill No. 1311
Senate Bill No. 1325
Senate Bill No. 226
Senate Bill No. 987

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Senate Bill No. 205—An act to amend Sections 19433, 19485, 19532, 19562, 19597, 19620, 19621 and 19624 of, and to add Sections 19480.5, 19510.5, 19538, 19567, 19598 and 19627 to, the Business and Professions Code, relating to the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof, and the disposition of State revenues therefrom, and providing for the transfer to the Fair and Exposition Fund of certain reverted appropriations

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 7 WAIVED

Mr. Lyon waived his notice of motion to reconsider the vote whereby Senate Constitutional Amendment No. 7 was passed.

Senate Constitutional Amendment No. 7 ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 287

House Resolution No. 287

Relative to creation of a committee of the Assembly and an advisory committee of citizens to prepare plans to commemorate the discovery of California by Juan Rodriguez Cabrillo

WHEREAS, Juan Rodriguez Cabrillo, a native of Portugal, discovered California on Thursday, September 28, 1542, while in the service of the King of Spain; and

WHEREAS, The Senate and the Assembly of California have heretofore, by an appropriate concurrent resolution, requested the Governor to call upon the people of this State to observe the twenty-eighth day of September of each year, as Cabrillo Day, by appropriate patriotic observances; and

WHEREAS, September 28, 1942, will be the four-hundredth anniversary of the discovery of California by Juan Rodriguez Cabrillo; and

WHEREAS, It is suitable and proper that the four-hundredth anniversary of the discovery of California be observed by special exercises and by the creation of some fitting memorial to the memory of Juan Rodriguez Cabrillo and to his compatriots; and

WHEREAS, The life and work of that intrepid navigator and explorer, Juan Rodriguez Cabrillo, are worthy of being commemorated by the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That it is the sense of the Assembly of California that on September 28th in the year 1942, the four-hundredth anniversary of the landing of Cabrillo on the soil of California, there should be provided under public auspices some form of simple and impressive ceremony, to commemorate this important event in our history; and be it further

Resolved, That there is hereby created an Assembly Cabrillo Committee consisting of three Members of the Assembly to be appointed by the Speaker of the Assembly to consider the details of time, place, and method of celebration and to outline and prepare plans for such commemoration; and be it further

Resolved, That there is created a Citizens' Cabrillo Committee consisting of 10 citizens of this State to be appointed by the Speaker of the Assembly to advise and consult with the Assembly Cabrillo Committee in considering the details of time, place, and method of celebration and in the outlining and preparing plans for such commemoration; and be it further

Resolved, That said Assembly Cabrillo Committee and Citizens' Cabrillo Committee shall advise, consult and cooperate with each other respecting the subject matter of this resolution, and be it further

Resolved, That the sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Cabrillo Committee and its members and for any charges, expenses, or claims it may incur under this resolution to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee upon warrants drawn by the Controller upon the Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the typewritten resolution in the last paragraph thereof, strike out "five hundred".

Amendment No. 2

In the last paragraph of the typewritten resolution, strike out "$1,500", and insert "$1,000".

Amendments read and adopted.

Consideration of House Resolution No. 287, as Amended

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M. Cain, Call, Clarke, Collins, George D., Cronin, Daley, Del Mutolo, Dickey, Donnelly, Gaffney, Gallagher, Green, Hastain, Hawkins, Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaft, Poole, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Mr. Speaker—45.

NOES—Bennett, Carlson, Collins, Sam L., Dills, Houser, Frederick F., Johnson, Knight, John B., Knight, T. Fenton; Potter, Richie, Salsman, and Watson—12.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 831—An act to amend Section 5287 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley,

Daley, Del Mutolo, Dickey, Dills, Donnelly, Doyle, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Knight, John B., Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pelletier, Pfaff, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thomas, Thorp, Thurman, Voigt, Waters, Watson, Weber, Welch, and Wollenberg—55.

NOES—Miller and Potter—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1135—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Dickey, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, John B., Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Millington, O'Day, Pfaff, Phillips, Poole, Richie, Robertson, Russell, Sawallisch, Stream, Thomas, Thorp, Thurman, Turner, Voigt, Waters, Weber, Welch, and Wollenberg—50

NOES—Carlson, King, Potter, and Tenney—4.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 533—An act to amend Section 1007 of the Civil Code, relating to prescription; exemption.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 533 become a law notwithstanding the objections of the Governor?

Demand for Previous Question

Messrs. Allen, Potter, Middough, Poole and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being: Shall Assembly Bill No. 533 become a law notwithstanding the objections of the Governor?

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Pfaff moved a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burns, Michael J., Carlson, Dilworth, Houser, Frederick F., Kepple, Pfaff, Potter, Sheridan, and Thorp—10.

NOES—Allen, Burkhalter, Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gallagher, Green, Hawkins, Heisinger, Johnson, Kilpatrick, King, Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Miller, Millington O'Day, Pelletier, Poole, Richie, Robertson, Salsman, Sawallisch, Tenney, Thomas, Thurman, Waters, Weybret, and Wollenberg—38.

The roll was called, and the Assembly sustained the objections of the Governor to Senate Bill No. 533 by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Cronin, Dickey, Dilworth, Field, Green, Houser, Frederick F., Kepple, Knight, T. Fenton; Leonard, McCollister, Middough, Millington, Pfaff, Phillips, Potter, Sheridan, Thorp, Thurman, Turner, Watson, Weber, and Wollenberg—28.

NOES—Bennett, Burkhalter, Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Heisinger, Johnson,

Kilpatrick, King, Lowrey, Massion, Meehan, Miller, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Salsman, Sawallisch, Tenney, Thomas, and Waters—32.

Senate Bill No. 533 ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 760—An act to amend Sections 7110 and 7113 of the Business and Professions Code, relating to the regulation of contractors.

Bill read third time.

Demand for Previous Question

Messrs. Robertson, Allen, Green, Cain and Knight, John B., demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 760.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cain moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Bashore, Burkhalter, Burns, Hugh M., Cain, Call, Collins, George D., Cooke, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gallagher, Kilpatrick, Lowrey, Maloney, Massion, Meehan, Millington, O'Day, Pelletier, Richie, Robertson, Russell, Salsman, Sawallisch, Thomas, Thurman, Weber, and Welch—33.

NOES—Allen, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Field, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, John B., Knight, T. Fenton; Lyon, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Stream, Thorp, Turner, Voigt, Waters, Watson, and Weybret—29.

Time, 11.33 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER SENATE BILL NO. 409

At 11.34 a.m., on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 409 refused reconsideration by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Cain, Clarke, Collins, George D., Collins, Sam L., Cooke, Daley, Dills, Dilworth, Donnelly, Hastain, Heisinger, Houser, Frederick F., Howser, F. N., Johnson, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Massion, Meehan, Millington, O'Day, Pelletier, Richie, Russell, Salsman, Stream, Thurman, Watson, Weber, Weybret, and Mr. Speaker—36.

NOES—Allen, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Cronin, Crowley, Del Mutolo, Desmond, Dickey, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Kepple, King, Knight, John B., Lyon, Maloney, McCollister, Middough, Miller, Pfaff, Phillips, Poole, Potter, Robertson, Sawallisch, Sheridan, Tenney, Thomas, Thorp, Turner, Voigt, Waters, Welch, and Wollenberg—41.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

June 14, 1941

Honorable Gordon H. Garland
Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: As the Fifty-fourth Session of the Legislature draws to a close, we wish to say "goodbye" to you and to the other Members of this Assembly.

Each of us deems it a privilege to have served you. We have sincerely endeavored to perform our duties to the very best of our ability. We appreciate your tolerance of our mistakes, which we must admit have been many, and hope they have not caused any of you serious inconvenience.

To you, Mr. Speaker, to Arthur Ohnimus, the Chief Clerk, and, of course, to "Charlie" Lyon, our immediate "bosses," we extend our thanks for all you have done for us. It has been an experience we never will forget to have worked with you.

We can not close without especially mentioning "P. Q." Robertson and his famous backfield. We think they performed a notable service for this Assembly, except that perhaps they shortened our period of employment.

To the members of the Assembly "goodbye" and the very best of luck and good fortune to each of you.

Sincerely,

"THE DESK CREW"

Speaker Presiding

At 11.35 a.m., Hon. Gordon H. Garland, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON VETO TO SENATE BILL NO. 1078

On motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Point of Order

Mr. Bennett arose to the following point of order: That Mr. Desmond could not interrupt a roll call.

The Speaker ruled the point of order well taken.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 11.36 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Parkman, Collier and Deuel as a Committee on Conference concerning:

Assembly Bill No. 2111—An act to amend Section 4.962 of the School Code, and to add Section 4.978 thereto, relating to school bonds, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2111—An act to amend Section 4.962 of the School Code, and to add Section 4.978 thereto, relating to school bonds, to take effect immediately; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in and that the bill, as amended on June 12, 1941, be further amended as follows:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended; and in line 3, strike out "ing to school bonds", and insert "An act to validate bonds of school districts of every kind and class, and providing for the levy of a tax to pay the same".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Where in any school district, of any kind or class, proceedings have been taken for the purpose of voting, issuing and selling bonds of such district for any purpose or purposes, all acts and proceedings of the officers of election and of the board of trustees, board of education, or other governing body of such district and all acts and proceedings of the board of supervisors of the county within which such district is situated, leading up to and including the issuance of such bonds if they have been heretofore sold, and all such acts and proceedings heretofore had, although the bonds are not sold, are hereby legalized, ratified, confirmed and validated to all intents and purposes, and the power of such district and of the board of supervisors of the county in which such district is situated to issue such bonds is hereby ratified, confirmed and declared, and bonds heretofore sold are declared to be, and shall be, in the form and manner in which such bonds have been actually issued and delivered, the legal and binding obligations of and against such district, and the full faith and credit of such district is hereby declared to be pledged for the prompt payment and redemption of the principal and interest of said bonds.

SEC. 2 For the purpose of paying interest on such bonds as it becomes due and the principal thereof at maturity, the assessors, treasurers, boards of supervisors and other officers of the respective counties shall have the same powers and shall perform the same duties as are provided by law relative to the assessment, levy and collection of taxes and custody of funds for the payment of principal and interest of bonds of school districts of every kind and class.

SEC. 3. This act shall not operate to legalize any bonds which have been sold for less than par, or legalize any bonds the issuance of which has not received the assent of two-thirds of the qualified electors of such district voting at an election held for the purpose of determining whether such indebtedness should be incurred, nor to legalize any bonds which mature more than 30 years from the time of their issuance.

SEC. 4. This act is hereby declared to be an urgency".

COLLIER	CALL
PARKMAN	FIELD
DEUEL	EVANS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kepple, King, Knight, John B., Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—63.

NOES—Bennett, Dills, Donnelly, Houser, Frederick F., Kilpatrick, Lowrey, and Thomas—7.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1318

At 11.37 a.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1318 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—Burkhalter, Field, Houser, Frederick F., Kilpatrick, and Robertson—5.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastam, Hawkins, Heisinger, Johnson, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Miller, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Russell, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Mr. Speaker—59.

NOES—Burkhalter, Field, Houser, Frederick F., Kilpatrick, and Robertson—5.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO TO SENATE BILL NO. 169

At 11.38 a.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Michael J. Burns moved a call of the Assembly.

Motion carried. Time, 11.39 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 41—An act to add Section 7.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 41 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Burns, Michael J., Call, Desmond, Dickey, Evans, Leonard, Lyon, McCollister, Thorp, Thurman, and Mr. Speaker—11.

NOES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Carlson, Cooke, Del Mutolo, Dills, Donnelly, Field, Gaffney, Gallagher, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, John B., Lowrey, Maloney, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Pfaff, Poole, Potter, Richie, Robertson, Russell, Salsman, Sawallisch, Stream, Thomas, Waters, Watson, Weber, Welch, and Wollenberg—42.

RESOLUTIONS

The following resolutions were offered:

By Mr. John B. Knight:

House Resolution No. 314

WHEREAS, The Enrolling and Engrossing Department is one of the most important links in the legislative process; and

WHEREAS, The Assembly has been particularly fortunate in having at the head of that department during this legislative session Mr Charles W Robbins; and

WHEREAS, Mr Robbins and his staff have performed an outstanding job during this entire session of the Legislature; now, therefore, be it

Resolved, That the sincere thanks of the Assembly is hereby extended to Mr Charles W Robbins and the members of his staff for the efficient manner in which they have conducted the business of their department; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Robbins with the request to him that he communicate the contents thereof to all of the members of the staff of the Assembly Enrolling and Engrossing Department

Request for Unanimous Consent

Mr. John B. Knight asked for, and was granted, unanimous consent to take up House Resolution No. 314, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Johnson, Tenney and Middough:

House Resolution No. 315

WHEREAS, The refrain "Hut Sut Rawlson on the rillerah and a brawla, brawla, soo-it" from the popular song hit, the Hut Sut Song, has captivated the fancy of the Members of this Assembly and of the public throughout the country; and

WHEREAS, With the close of the session near at hand, we eagerly await the opportunity to sit and fish and dream by "some cool and clear rillerah" and warble this refrain; and

WHEREAS, One of the composers of the Hut Sut Song is none other than that gifted, versatile young man, Mr. Leo V. Killion, who, as Assistant Legislative Counsel, has been very closely associated with the activities of this body throughout the current session; and

WHEREAS, The Assembly and the general public are indeed indebted to Mr. Killion and his fellow composers, Mr. Ted McMichael and Mr Jack Owens, for a song which, at one and the same time, constitutes a throw back to the gay and blithesome days of childhood and an intellectual challenge to the minds of the most mature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby extends its compliments and congratulations to Mr Leo V. Killion, Assistant Legislative Counsel, and to Messrs Ted McMichael and Jack Owens on the unique success attained by their composition, the Hut Sut Song; and be it further

Resolved, That the Chief Clerk of the Assembly prepare a suitably engrossed copy of this resolution for presentation to Leo V. Killion with a "Hut Sut Rawlson on the rillerah and a brawla, brawla, soo-it."

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 315, at this time, without reference to committee.

Resolution read and adopted unanimously.

RECESS

At 11:40 a.m., on motion of Mr. Lyon, the Assembly recessed for one minute.

REASSEMBLED

At 11:41 a.m., the Assembly reconvened.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Frank Reed, Assistant Chief Clerk, at the desk.

On motion of Mr. Waters, and by unanimous consent, Mr. Lyon was nominated as temporary chairman to preside in the absence of the Speaker and the Speaker pro tempore.

Hon. Charles W. Lyon Presiding

At 11:42 a.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Millington suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Burkhalter, Collins, Sam L., Daley, Doyle, Gallagher, Hastain, Heisinger, Kepple, Kilpatrick, Lyon, Maloney, Meehan, Middough, Miller, Millington, Poole, Potter, Stream, Thorp, Waters, and Weybret—21.

ROLL CALL

The roll was called, and the following answered to their names:

Bashore, Burkhalter, Call, Carlson, Clarke, Collins, Sam L., Daley, Del Mutolo, Dilworth, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Meehan, Middough, Miller, Millington, Phillips, Poole, Potter, Richie, Robertson, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, and Weybret—41.

Quorum present.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1103—An act to amend Section 663 of the Political Code, relating to the State Board of Control.

Bill read third time.

Motion to Strike Senate Bill No. 1103 From File

Mr. Bashore moved that Senate Bill No. 1103 be stricken from the file.

Mr. Massion seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Burkhalter, Burns, Michael J., Collins, Sam L., Evans, Gallagher, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Massion, Meehan, Middough, Phillips, Poole, Richie, Russell, Turner, Voigt, and Waters—22

NOES—Call, Carlson, Clarke, Daley, Del Mutolo, Dilworth, Green, Lyon, Maloney, Miller, Millington, Robertson, Stream, Thorp, Thurman, Weber, Welch, and Weybret—18.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Carlson, Dilworth, Lyon, and Miller—4.

NOES—Bashore, Burkhalter, Burns, Michael J., Call, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Dickey, Dills, Doyle, Evans, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Kepple, Kilpatrick, Knight, T. Fenton;

Leonard, Lowrey, Maloney, Massion, Meehan, Middough, Millington, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, and Weybret—44.

Senate Bill No. 715—An act to amend Section 6060 and to repeal Section 6061 of the Business and Professions Code, relating to admissions to the practice of law.

Bill read third time.

Demand for Previous Question

Messrs. Middough, Johnson, Collins, Sam L., Robertson and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 715.

The roll was called, and the bill refused passage by the following vote:

AYES—Call, Carlson, Doyle, Hastain, Heisinger, Johnson, Kepple, Leonard, Lyon, Millington, Phillips, Robertson, Stream, Weber, and Weybret—15.

NOES—Allen, Bashore, Burkhalter, Cain, Clarke, Cronin, Crowley, Daley, Desmond, Dickey, Dills, Evans, Gallagher, Hawkins, Houser, Frederick F., Kilpatrick, King, Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Middough, Miller, Pelletier, Poole, Potter, Richie, Russell, Tenney, Thorp, Thurman, Turner, Watson, Welch, and Wollenberg—36.

RECESS

At 11.43 a.m., on motion of Mr. Lyon, the Assembly recessed for one minute.

REASSEMBLED

At 11.44 a.m., the Assembly reconvened.

Arthur A. Ohnimus, Chief Clerk of the Assembly, presiding.

Frank Reed, Assistant Chief Clerk, at the desk.

Mr. Turner moved that Mr. Carlson be named temporary chairman in the absence of the Speaker and the Speaker pro tempore.

Motion carried.

Hon. Arthur W. Carlson Presiding

At 11.45 a.m., Hon. Arthur W. Carlson, Member of the Assembly from the Sixteenth District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 2111—An act to amend Section 4.962 of the School Code, and to add Section 4.978 thereto, relating to school bonds, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 1000

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2652

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

Above bill ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1000—An act to amend Sections 154, 5355 and 5356 of, to add Section 7051.5 to and to repeal Sections 155, 5358 and Chapter 5, comprising Sections 7200 to 7213, inclusive, of Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment of a State institution for defective and psychopathic delinquents in place of the State Narcotic Hospital, and to make an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1000?

Amendment No. 1

On page 3 of the printed bill, as amended, strike out all of lines 18 to 22, inclusive.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1000 by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Poole, Russell, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Weybret—51.

NOES—None.

Assembly Bill No. 1000 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 55—An act to amend Section 661 of the Political Code, relating to the creation of deficiencies in appropriation.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Allen, Collins, Sam L., Daley, Dickey, Dilworth, Field, Houser, Frederick F., Leonard, Maloney, Millington, Pfaff, Potter, Thurman, Watson, Weybret, and Wollenberg—16.

NOES—Bennett, Burkhalter Burns, Hugh M., Cain, Carlson, Clarke, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hawkins, Johnson, Kilpatrick, Lowrey, Massion, Meehan, Middough, Miller, O'Day, Pelletier, Russell, Sawallisch, Stream, Tenney, Thorp, Waters, Weber, and Welch—35.

RESOLUTIONS

The following resolution was offered:

By Messrs. Welch, Collins, George D., Green, Maloney, Wollenberg, Cronin, Gallagher, Gaffney and O'Day:

House Resolution No. 316

WHEREAS, Dan Cupid, who, it seems, inhabits even Legislative Halls, sent Andrew Anthony Crist, Assistant Sergeant-at-Arms of the Assembly, and Ella May Kimball to Reno over this last week-end, for the ceremony which made them Mr. and Mrs. Andrew Anthony Crist; and

WHEREAS, The event fills the Members with best wishes of joy and happiness for the happy couple; now, therefore, be it

Resolved by the Assembly of the State of California, That it extends congratulations and felicitations to Mr. and Mrs. Andrew Anthony Crist, and wishes for them many, many years of wedded bliss together; and be it further

Resolved, That the Chief Clerk shall prepare a suitable copy of this resolution and present it to Mr. and Mrs Andrew Anthony Crist.

Request for Unanimous Consent

Mr. Welch asked for, and was granted, unanimous consent to take up House Resolution No. 316, at this time, without reference to committee.

Resolution read and adopted, unanimously.

COMMUNICATIONS

The following address was delivered by Mr. Maloney, and ordered printed in the Journal:

Statement by Assemblyman Thomas A. Maloney—20th District

Ladies and Gentlemen of the Assembly

May I, on behalf of the fathers in this Legislature and the fathers in California, extend to the Honorable Eleanor Miller, Assemblywoman of Pasadena, and to the Honorable Jeanette Daley of San Diego our sincere thanks and appreciation for the resolution presented this day, a day designated in America as "Fathers' Day."

We are thankful to Mrs. Daley for extending the honor to Miss Miller of expressing the wishes of them both in extolling the virtues of "father."

To you, Miss Miller, from the hearts of those who have served with you over a long period of years there comes over us at this moment a sadness because of your announcement that this session terminates your legislative career. We have learned to love and respect you because of your sincere determination to legislate on all matters in an honest and efficient manner that has brought credit to your good self and to the women of America. We wish you Godspeed and Good Luck for the future; so to you may I say:

From dawn to darkness
And throughout each night
We're with you.
When you're right we're glad—
When you're wrong we're sorry—
But right or wrong, good or bad
We're with you.
Whenever you need us call,
And we shall answer with all of the help we have,
There may come a time when you may say to yourself
If there was only someone
Let us, your colleagues and friends
Be those someones.
May your path be a path of roses,
And may God bless you and guide over you
For many, many years to come.

Hon. Charles W. Lyon Presiding

At 11 46 a m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Frederick F. Houser:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Section 4 of, and to add Section 1 8 to, the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution, providing terms and conditions upon which relief therefrom may be granted, providing for the administration thereof, abolishing the Relief Commission and the Relief Administrator and transferring the unexpended moneys, real and personal property and certain duties, powers, purposes and responsibilities to the State Department of Social Welfare, establishing a commission for the study of the administration of relief, providing for the status of employees, making an appropriation, declaring the urgency of certain parts thereof, to take effect immediately and providing for the taking effect of other parts.

Respectfully submitted.

FREDERICK F HOUSER

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Frederick F. Houser:

An act to repeal Section 4 of, and to add Section 1 8 to, the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution, providing terms and conditions upon which relief therefrom may be granted, providing for the administration thereof, abolishing the Relief Commission and the Relief Administrator and transferring the unexpended moneys, real and personal property and certain duties, powers, purposes and responsibilities to the State Department of Social Welfare, establishing a commission for the study of the administration of relief, providing for the status of employees, making an appropriation, declaring the urgency of certain parts thereof, to take effect immediately and providing for the taking effect of other parts.

MIDDOUGH, Chairman

The roll was called, and permission granted by the following vote:

AYES—Allen, Bennett, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Salsman, Sawyllisch, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—62.

NOES—Burkhalter, Kilpatrick, and Tenney—3.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2663: By Mr. Frederick F. Houser—An act to repeal Section 4 of, and to add Section 1.8 to, the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution, providing terms and conditions upon which relief therefrom may be granted, providing for the administration thereof, abolishing the Relief Commission and the Relief Administrator and

transferring the unexpended moneys, real and personal property and certain duties, powers, purposes and responsibilities to the State Department of Social Welfare, establishing a commission for the study of the administration of relief, providing for the status of employees, making an appropriation, declaring the urgency of certain parts thereof, to take effect immediately and providing for the taking effect of other parts.

Referred to Committee on Social Service and Welfare.

PERMISSION TO CONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 86 GRANTED

Pursuant to the provisions of Senate Concurrent Resolution No. 40 and Joint Rule No. 23, and permission of the Speaker, Gordon H. Garland, the roll was called, and permission to act on Assembly Constitutional Amendment No. 68 granted by the following vote:

AYES—Allen, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D, Collins, Sam L, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masson, Meehan, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Russell, Sawallisch, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Welch, Weybret, and Wollenberg—61.

NOES—None.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 68

Assembly Constitutional Amendment No. 68—Proposed amendment to Article IV of the Constitution, by amending the tenth paragraph of Section 1 thereof, relating to the initiative.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Allen, Burns, Hugh M, Burns, Michael J, Cain, Clarke, Cronin, Daley, Dickey, Dilworth, Doyle, Field, Green, Hastain, Kepple, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, and Welch—36

NOES—Burkhalter, Collins, George D., Crowley, Del Mutolo, Dills, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kilpatrick, Masson, Meehan, Pelletier, Tenney, and Weybret—19.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 199

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 199—An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities dis-

tribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Service and Welfare

RESOLUTIONS

The following resolutions were offered:

By Mr. Field:

House Resolution No. 317

WHEREAS, The lights and lighting in the rooms occupied by committees of this body are injurious to the eyes and extremely inadequate; and

WHEREAS, The physical structure of these rooms does not make for or afford adequate hearings on proposed legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Finance is hereby respectfully requested to provide, out of any available money in the State Treasury, for the installation of a modern fluorescent lighting system in each of the existing Assembly committee rooms, and for such remodeling of each of such rooms as will be conducive to the satisfactory holding of hearings therein; and be it further

Resolved, That the Director of Finance is also respectfully requested, out of any available money in the State Treasury, to cause the chairs in the Assembly Chamber, used by the Members thereof, to be repaired and reupholstered because of the obvious need thereof; and be it further

Resolved, That the Director of Finance is hereby authorized to disregard such request if, prior to the next regular session of the Legislature, a new wing containing proper and adequately lighted Assembly committee rooms is added to the State Capitol; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to transmit a copy of this resolution to the Director of Finance.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 317, at this time, without reference to committee

Resolution read and adopted unanimously

By Mr. Field:

House Resolution No. 318

Resolved, That Frank N. Killam, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all the committee rooms and other rooms used by the Assemblymen and officers of the Assembly in such condition that they will be available for use of the Assembly at any time; and it is further directed that no persons other than the Members, officers and attaches of the Assembly be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Assembly without permission as hereinafter provided, and that the desks, furniture and other equipment of the Assembly be at the disposal of the Chief Clerk of the Assembly pursuant to adjournment of this session until the Assembly shall reconvene, and that no person except Members of the Assembly be permitted to occupy any of the Assembly's offices or make use of Assembly equipment without permission of the Chief Clerk of the Assembly; and be it further

Resolved, That the Chief Clerk be and he is hereby made responsible for the safekeeping of Assembly property after adjournment of this session until the Assembly shall reconvene again, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to deliver a copy of this resolution to the Chief of the Bureau of Buildings and Grounds and a copy to the Director of Finance.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 318, at this time, without reference to committee.

Resolution read and adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 760

At 11.47 a.m., on motion of Mr. Cain, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 760 refused passage by the following vote:

AYES—Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cooke, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Gaffney, Gallagher, Hawkins, Kilpatrick, King, Knight, John B., Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Richie, Robertson, Russell, Salsman, Sheridan, Tenney, Thomas, Weber, and Welch—35.

NOES—Allen, Bashore, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dilworth, Evans, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Sawallisch, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, and Wollenberg—39.

MOTION TO EXCUSE MEMBER

On motion of Mr. Cain, Mr. Gunlock was excused for the balance of the legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 383—An act to repeal Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 619, 651.5, 655, 656, 710, 791.6, 843, 844, 886, 957, 1208, 1213 and 1344 of, and to add Sections 484.5, 611.5, 612, 613, 615.2, 617, 618, 651.5, 655, 656, 710, 791.6, 843, 886, 957, 1208, 1213 and 1344 to, the Fish and Game Code, relating to the provisions of the code applicable to areas and portions of districts;

Assembly Bill No. 442—An act to amend Section 170 of, to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to the disqualification of judges;

Assembly Bill No. 559—An act to amend Section 560 of, and to add Section 560.1 to, the Agricultural Code, relating to modified milk;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 686—An act to add Section 1011.5 to the Fish and Game Code, relating to sharks;

Assembly Bill No. 1177—An act to amend Section 39 of, to repeal Section 42 of, and to add Sections 41.1, 41.2, 41.3 and 42 to, the Unemployment Insurance Act, relating to experience rating;

Assembly Bill No. 1222—An act to add Section 28 and 28.1 to the Unemployment Insurance Act, relating to the obligations of this State for funds received from the United States, and to provide that this act take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1634—An act adding Section 3704 to the Political Code, relating to deputies for members of the State Board of Equalization;

Assembly Bill No. 1716—An act to amend Sections 735.3, 735.4, 736.3, 736.13, 736.14, 737.5, 737.7 and 737.11 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream;

Assembly Bill No. 1840—An act making an appropriation out of the Motor Vehicle Support Fund for the support of the Department of Motor Vehicles, declaring the urgency thereof and providing that this act shall take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2651—An act to add Section 1080 to Chapter 7a of Division 5 of the Agricultural Code, relating to commercial feeding stuffs;

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California to amend Section 6 of Article IV of the State Constitution, relating to the membership of the Reapportionment Commission;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2213—An act to amend Sections 19621, 19622, 19624, and 19626 of the Business and Professions Code, relating to fairs and exhibitions;

Assembly Bill No. 2623—An act to amend Sections 177 and 178 of the Vehicle Code, relating to transfers of vehicles;

Assembly Bill No. 2642—An act authorizing cities, cities and counties, and counties organized or governed by charters adopted pursuant to the Constitution of the State of California to exercise powers granted by any general law of the Legislature of the State of California by ordinance or ordinances passed and adopted pursuant to the provisions of such charter, in lieu of by resolution or resolutions provided for in such general law, ratifying and confirming all action heretofore taken by ordinance in lieu of such resolution; and declaring this act to be an urgency measure, to take effect immediately;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1846—An act to add Article 3, comprising Sections 21600 to 21608, inclusive, to Chapter 9 of Division 8 of the Business and Professions Code, relating to the regulation of junk dealers;

Assembly Bill No. 2022—An act making an appropriation for acquisition, maintenance and development of, and construction, improvements and equipment at State beaches, parks and monuments;

Assembly Bill No. 2162—An act to add Article 8, comprising Sections 420 to 421, to Chapter 2, Part 1, Division 1 of the Health and Safety Code, and to repeal Chapter 3, comprising Sections 75 to 77, of Division 1 of the Labor Code, relating to the Division of Immigration and Housing and the Commission of Immigration and Housing in the Department of Industrial Relations, and to the State Department of Public Health;
And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 199

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DALEY, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 199

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Senate Bill No. 199 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Del Mutolo, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastain, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Concurrent Resolution No. 62

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By JOHN F. LEA, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 200

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 62—Relative to aid to the aged.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 62?

Amendment No. 1

In line 7 of the printed measure, following "Board", insert "of the State of California".

Amendment No. 2

In line 8 of the printed measure, strike out "directed", and insert "requested".

Amendment No. 3

In line 9 of the printed measure, after "sum of", insert "at least".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Concurrent Resolution No. 62 by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—60.

NOES—None.

Assembly Concurrent Resolution No. 62 ordered enrolled

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1078

At 11.48 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Potter moved a call of the Assembly.

Motion carried. Time, 11.49 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

REPORTS OF STANDING COMMITTEES

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2663

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DALEY, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2663

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Frederick F. Houser:

Resolved, That Assembly Bill No. 2663 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that

section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, George D., Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, O'Day, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Kilpatrick—1.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 2663

Assembly Bill No. 2663—An act to repeal Section 4 of, and to add Section 1.8 to, the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution, providing terms and conditions upon which relief therefrom may be granted, providing for the administration thereof, abolishing the Relief Commission and the Relief Administrator and transferring the unexpended moneys, real and personal property and certain duties, powers, purposes and responsibilities to the State Department of Social Welfare, establishing a commission for the study of the administration of relief, providing for the status of employees, making an appropriation, declaring the urgency of certain parts thereof, to take effect immediately and providing for the taking effect of other parts.

Bill read second time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, strike out lines 32, 33 and 34, inclusive.

Amendment read.

Motion to Table Amendment

Mr. Carlson moved that the amendment by Mr. Bennett to Assembly Bill No. 2663 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Phillips, Potter, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—31.

NOES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Voigt, and Welch—38.

Demand for Previous Question

Messrs. Johnson, Potter, Field, Kepple and Collins, Sam L., demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Bill No. 2663.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Masston, McCollister, Meehan, Middough, O'Day, Pelletier, Pfaff, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, Voigt, and Welch—38.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, Miller, Millington, Phillips, Potter, Stream, Thorp, Thurman, Turner, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—31.

Bill ordered reprinted, and engrossed.

Motion to Withdraw and Re-refer Assembly Bill No. 2663

Mr. Wollenberg moved that Assembly Bill No. 2663 be withdrawn from the file, and re-referred to the Committee on Social Service and Welfare.

The Chair ruled the motion out of order.

Request to Have Amendments Read

Mr. O'Day asked for unanimous consent to have other amendments to Assembly Bill No. 2663, pending at the desk, read.

Mr. Field withheld unanimous consent.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 169

At 11.50 a.m., on motion of Mr. Michael J. Burns, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to sustain the objections of the Governor to Senate Bill No. 169 by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cooke, Cronin, Crowley, Daley, Desmond, Dickey, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Heisinger, Johnson, Kepple, King, Knight, John B., Leonard, Lowrey, Lyon, Maloney, McCollister, Meehan, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Potter, Salsman, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—57

NOES—Bennett, Burkhalter, Collins, George D., Del Mutolo, Dills, Hawkins, Houser, Frederick F., Kilpatrick, Knight, T. Fenton; Masston, Middough, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, and Thomas—18.

Senate Bill No. 169 ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Desmond moved to expunge the record, and rescind the action whereby Senate Bill No. 199 was this day refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Lyon, Maloney, Masston, McCollister, Middough, Miller, Millington, O'Day, Pelletier, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

FURTHER CONSIDERATION OF SENATE BILL NO. 199

Senate Bill No. 199—An act making an appropriation for the administrative expenses of the State Department of Social Welfare and establishing a revolving fund for the purposes of distributing goods and commodities in accordance with Federal goods and commodities distribution plans by the State Department of Social Welfare, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—Cain, Collins, George D., Crowley, Gaffney, Kilpatrick, Lowrey, Meehan, O'Day, Pelletier, Richie, and Sawallisch—11.

Bill ordered transmitted to the Senate.

Explanation of Vote

We, the undersigned, have voted against Senate Bill No. 199, because it is an attempt to evade the responsibility owed to the needy unemployed of this State, and by indirection to abolish the State Relief Administration

GEORGE D. COLLINS
EDWARD F. O'DAY

MOTION TO EXPUNGE RECORD AND RESCIND ACTION

Mr. Wollenberg moved to expunge the record, and rescind the action whereby the motion to suspend the Rules to consider Senate Bill No. 200 without reference to committee was lost.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Andreas, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Green, Hastam, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lowrey, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, Welch, Weybret, and Wollenberg—62

NOES—Bashore, Collins, George D., Gaffney, and O'Day—4.

Request for Unanimous Consent

Mr. Wollenberg asked for, and was granted, unanimous consent to take up Senate Bill No. 200, at this time, without reference to committee.

CONSIDERATION OF SENATE BILL NO. 200

Senate Bill No. 200—An act making an appropriation to the State Department of Social Welfare for administrative costs incurred by the department in connection with, and sponsorship contributions for, Federal public assistance programs, declaring the urgency thereof to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Wollenberg:

Resolved, That Senate Bill No. 200 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Del Mutolo, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Green, Hastam, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton, Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Muddough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Richie, Robertson, Russell, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—58

NOES—Burkhalter, Cain, Collins, George D., Gaffney, Gallagher, Hawkins, Kilpatrick, Lowrey, O'Day, Pelletier, and Sawallisch—11

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 200

Senate Bill No. 200—An act making an appropriation to the State Department of Social Welfare for administrative costs incurred by the department in connection with, and sponsorship contributions for, Federal public assistance programs, declaring the urgency thereof to take effect immediately.

Bill read second time.

Senate Bill No. 200—An act making an appropriation to the State Department of Social Welfare for administrative costs incurred by the department in connection with, and sponsorship contributions for, Federal public assistance programs, declaring the urgency thereof to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "State Department of".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Social Welfare", and insert "State Relief Administration".

Amendment No. 3

In line 3 of the title of the printed bill, strike out "department", and insert "administration".

Amendment No. 4

Strike out lines 10 to 18, inclusive.

Amendments read

Demand for Previous Question

Messrs. Robertson, Waters, Collins, Sam L., Allen and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments to Senate Bill No. 200.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, Voigt, and Welch—34.

NOES—Allen, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Sheridan, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—37.

The question being on the adoption of the urgency clause to Senate Bill No. 200.

Demand for Previous Question

Messrs. Allen, Robertson, Hastain, King and Kilpatrick demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 200.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Dickey, Dills, Dilworth, Doyle, Field, Green, Hastain, Heisinger, Houser, Frederick F., Johnson, Kepple, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—Burkhalter, Cain, Collins, George D., Crowley, Del Mutolo, Desmond, Donnelly, Evans, Gaffney, Gallagher, Hawkins, Kilpatrick, Lowrey, O'Day, Pelletier, Richie, and Sawallisch—17.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 11.51 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 200

At 11.52 a.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Motion to Recess

Mr. Desmond moved that the Assembly do now recess for two minutes.

The Speaker ruled the motion out of order.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Bashore, Bennett, Burns, Michael J., Call, Collins, Sam L, Cronin, Daley, Desmond, Dickey, Dilworth, Doyle, Hastain, Heisinger, King, Leonard, Lyon, Maloney, Masson, McCollister, Middough, Miller, Pfaff, Poole, Richie, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Weber, Welch, and Mr Speaker—34

NOES—Burkhalter, Burns, Hugh M., Carlson, Clarke, Collins, George D, Crowley, Del Mutolo, Dills, Donnelly, Evans, Field, Gaffney, Gallagher, Hawkins, Johnson, Kepple, Kilpatrick, Meehan, Millington, O'Day, Pelletier, Phillips, Robertson, Russell, Sawallisch, Tenney, Waters, Weybret, and Wollenberg—29.

Time, 11.53 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Voigt moved that the Rules be temporarily suspended for the purpose of recessing under a call of the House.

The roll was called, and the Rules temporarily suspended by the following vote.

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M, Burns, Michael J, Cain, Call, Collins, George D., Collins, Sam L, Daley, Del Mutolo, Desmond, Dickey, Dilworth, Donnelly, Evans, Gaffney, Gallagher, Green, Hastain, Heisinger, Kepple, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, McCollister, Middough, O'Day, Pelletier, Poole, Potter, Robertson, Sawallisch, Stream, Thorp, Thurman, Turner, Waters, Weber, Welch, Wollenberg, and Mr Speaker—46

NOES—Burkhalter, Carlson, Clarke, Dills, Field, Hawkins, Houser, Frederick F., Johnson, Knight, T. Fenton; Meehan, Millington, Phillips, Richie, Sheridan, Tenney, Watson, and Weybret—17.

MOTION TO RECESS

At 11.54 a.m., Mr. Lyon moved that the Assembly do now recess for one minute.

Motion carried.

REASSEMBLED

At 11 55 a m, the Assembly reconvened.

Hon. Earl D. Desmond, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Hon. C. Don Field Presiding

At 11 56 a m, Hon. C Don Field, Member of the Assembly from the Forty-third District, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 254

House Resolution No. 254

Relating to Permanent Standing Rules of the Assembly

Resolved, That Rule 14 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"14 Any member requesting permission to introduce a bill except a resolution or constitutional amendment after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the Speaker to the Committee on Legislative Procedure

The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly."

Resolved, That Rule 16 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on House Functions shall have charge of the Daily Calendar of the Assembly. The following listings shall constitute the order of the Daily Calendar:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present."

Resolved, That Rule 61 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"61. Immediately following its first reading the Speaker shall refer each bill to the Committee on Legislative Procedure which committee shall carefully examine the bill as to its subject and report it back with a recommendation as to the standing committee to which it should be referred, which shall be the committee having charge of the subject matter of the bill, and it shall be so referred unless the Speaker, or unless upon a motion without debate the Assembly by a majority vote of the entire membership, shall refer it to some other committee."

Resolved, That Rule 67 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"67. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time."

Resolved, That Rule 74 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"74. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Section 539 of the Political Code. The Committee on Legislative Procedure shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal."

Resolved, That Rule 75 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"75. There shall be standing committees of the Assembly upon the several subjects and consisting respectively of the number of members stated below, as follows:

1. House Functions, _____members.
2. Legislative Procedure, _____members.
3. Conservation and Planning, _____members.
4. Highways, _____members.
5. Fish and Game, _____members.
6. Governmental Efficiency, _____members.
7. Revenue and Taxation, _____members
8. Ways and Means, _____members.
9. Education, _____members.
10. Crime and Correction, _____members.
11. Public Morals, _____members.
12. Public Health, _____members.
13. Social Welfare, _____members.
14. Civil Service and Departments, _____members.
15. Military and Police, _____members
16. County and Municipal Government, _____members.
17. Elections and Reapportionment, _____members.
18. Judiciary Codes, _____members.
19. Judiciary General, _____members.
20. Constitution and Direct Legislation, _____members.

21. Agriculture, _____members.
22. Manufacturing and Mineral Industry, _____members.
23. Corporations and Utilities, _____members.
24. Labor and Capital, _____members.
25. Commerce and Transportation, _____members.
26. Motor Vehicles, _____members.
27. Finance and Insurance, _____members.

Prior to the assignment of members to serve on the several standing committees, the Speaker or the Committee on House Functions shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time and the Speaker thereafter shall determine the number and the members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the Assembly."

Resolved, That Rule No. 75a is added to the Permanent Standing Rules of the Assembly, to read as follows:

"75a. For their convenient functioning and in furtherance of thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

Two committees to consider matters concerning legislative organization and procedure One on House Functions, No. 1; and one on Legislative Procedure, No. 2.

Eighteen committees to consider legislative measures affecting government and governmental organization: Three on conservation and planning, Nos. 3 to 5; three on fiscal matters, Nos. 6 to 8; one on education, No. 9, four on social welfare, Nos. 10 to 13; one on civil service and departments, No 14; one on military and police, No. 15; two on political subdivisions, Nos. 16 and 17; three on judiciary and laws, Nos. 18 to 20.

Seven committees to consider legislative measures affecting industry: Two on production, Nos. 21 and 22; two on labor and capital, Nos 23 and 24; two on distribution and transportation, Nos. 25 and 26; one on finance, No. 27.

It is the policy of the Assembly that the several committees in each of the groups indicated above shall cooperate to the fullest possible extent and upon every convenient occasion meet together upon bills of common interest to the committees in the group, no matter to which committee they have been assigned."

Resolved, That Rule No. 79a is added to the Permanent Standing Rules of the Assembly, to read as follows:

"79a. Prior to the constitutional recess, any committee may introduce a bill pertaining to any subject coming within its consideration, whereupon it shall be read the first time, ordered to print, and placed upon the second reading file.

Any committee having before it a number of bills on the same subject may recommend the consolidation of two or more of them into a single bill, by way of amendment and under the number of one of them, with the consent of each author, and this shall not be deemed a violation of Assembly Standing Rule No 49. If such a recommendation of a committee is adopted by a majority vote of the Assembly, the bill thus amended may be known and designated by the name of the committee making the recommendation, and all other bills for which it is a substitute shall be deemed withdrawn and shall not appear upon the file."

Resolved, That Rule No 81 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"81 The Committee on House Functions shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty pending final action by the Assembly."

Resolved, That Rule 82a is added to the Permanent Standing Rules of the Assembly, to read as follows

"82a There is a Committee on House Functions consisting of nine members which shall for the purpose of Joint Rule 2 be deemed to be the Rules Committee of the Assembly, which shall cooperate with the Speaker in selecting members of standing committees and in arranging a suitable schedule of committee meetings."

Resolved, That Rule 82b is added to the Permanent Standing Rules of the Assembly, to read as follows:

"82b There is a Committee on Legislative Procedure consisting of _____ members, including the Speaker, which shall also be the Committee on Engrossing and Enrolling within the meaning of Joint Rules 25 and 26 and shall consider each bill, constitutional amendment and resolution with a view to ascertaining and recommending the standing committee appropriate for its reference or re-reference; shall collaborate with the several standing committees in the consolidation of legislative measures on the same subject, with a view to avoidance of duplication and saving

of time and expense and may at any time report to the Speaker or to the Assembly its recommendations for improvement and expedition of legislative procedure."

Resolved, That Rule 85 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on House Functions or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order."

Resolved, That Rule 86 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on House Functions. All requests by members for additional copies of bills, documents or other printed matter shall be referred to the Committee on House Functions."

Resolved, That Rule 93 of the Permanent Standing Rules of the Assembly is hereby amended to read as follows:

"93. The Committee on House Functions may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on House Functions."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Carlson, Clarke, Collins, George D., Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Houser, Frederick F., Johnson, Kilpatrick, King, Leonard, Lowrey, Lyon, Maloney, Massion, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Potter, Richie, Russell, Stream, Tenney, Thorp, Thurman, Turner, Waters, Watson, Weber, and Weybret—50.

NOES—Heisinger—1.

MOTION TO PRINT REPORT OF COMMITTEE

Mr. Weber moved that the Committee on Legislative Organization make a report, to be printed in proper form, to contain matters appertaining to the subject matter in House Resolution No. 254.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2663

And reports the same correctly engrossed.

JOHN B. KNIGHT, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Bashore:

House Resolution No. 319

WHEREAS, Michael ("Mike") Connolly has served this Assembly long and faithfully as Assistant Sergeant-at-Arms; and

WHEREAS, He has endeared himself to all who know him by his kindly nature, his smiling countenance, his unswerving loyalty and his devotion to duty; and

WHEREAS, He has exhibited the highest type of American patriotism by his membership and activities in the California State Guard; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby extends to "Mike" Connolly its thanks and appreciation for the many fine services he has rendered it over the years; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and deliver to Mr Connolly a suitable copy of this resolution.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 319, at this time, without reference to committee.

Resolution read and adopted unanimously.

MOTION TO APPROVE JOURNALS

On motion of Mr. Lyon, all of the Assembly Journals, to and including June 14, 1941, not previously approved, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2652—An act to add Sections 115 and 116 to the Cemetery Brokerage Act, relating to persons licensed as cemetery brokers and cemetery salesmen entering the Military Service of the United States, declaring the urgency thereof, and providing that the act shall take effect immediately,

Assembly Concurrent Resolution No. 62—Relative to aid to the aged,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a m.

JOHN B. KNIGHT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1000—An act to amend Sections 154, 5355 and 5356 of, to add Section 7051.5 to and to repeal Sections 155, 5358 and Chapter 5, comprising Sections 7200 to 7213, inclusive, of Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment of a State institution for defective and psychopathic delinquents in place of the State Narcotic Hospital, and to make an appropriation therefor;

Assembly Bill No. 1060—An act to amend School Code Section 5.750, relating to absences from duty of employees of school districts;

Assembly Bill No. 2111—An act to validate bonds of school districts of every kind and class, and providing for the levy of a tax to pay the same, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1941, at 11 a.m.

JOHN B. KNIGHT, Chairman

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1078

At 11 57 a m., on motion of Mr Lyon, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly sustained the Governor's veto to Senate Bill No. 1078, by the following vote:

AYES—Bashore, Burns, Hugh M, Burns, Michael J, Call, Carlson, Clarke, Crowley, Daley, Desmond, Dickey, Dilworth, Evans, Hastain, Howser, F. N, John-

son, Kepple, Leonard, Lyon, McCollister, Middough, Miller, Phillips, Poole, Salsman, Sawallisch, Sheridan, Stream, Thorp, Thurman, Turner, Watson, Weber, Weybret, and Mr. Speaker—34.

NOES—Allen, Andreas, Bennett, Burkhalter, Cain, Cassidy, Collins, George D., Collins, Sam L., Cooke, Cronin, Del Mutolo, Dills, Donnelly, Doyle, Field, Gaffney, Gallagher, Green, Hawkins, Heisinger, Houser, Frederick F., Kilpatrick, King, Knight, John B., Knight, T. Fenton; Lowrey, Maloney, Massion, Meehan, Millington, O'Day, Pelletier, Pfaff, Potter, Richie, Russell, Tenney, Thomas, Voigt, Waters, Welch, and Wollenberg—42.

COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, June 16, 1941

Honorable Gordon Garland
Speaker, Assembly, Sacramento

Naval authorities question my sanity. They insist today is Monday. Respectfully request you confirm my contention that today is Saturday. Will sail the twenty-sixth on *Lurline*. Respects to the mates and all hands.

COOKE

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, June 14, 1941

Honorable Melvyn I. Cronin and Honorable Albert C. Wollenberg
Assembly Chamber, State Capitol, Sacramento, California

SUBJECT: Senate Bill 200—Validity of Appropriation
REQUEST No. 4382

GENTLEMEN: *The question* is as to the *validity and effectiveness* of the appropriation made by this bill

It turns upon the fact that Section 1 of the bill (which appropriates money for certain purpose) fails to designate the particular State department or agency that is to do the spending.

In our opinion this is not a fatal defect.

The title of the bill expressly states that it is an act making an appropriation "to the State Department of Social Welfare for administrative costs incurred by the department * * *."

This title definitely and positively limits the appropriation to that particular department. (Article IV, Section 24.) In addition it has long since been established in this State that the title of an act may be referred to for the purpose of resolving an ambiguity in the text of the statute (23 Cal. Jur. page 770, Statutes, Sec. 146, and cases therein cited).

We believe, therefore, that a court in reading the text of Section 1 of this bill readily could and would refer to the title and say that this section makes the appropriation which it does make for expenditures in accordance with law by the State Department of Social Welfare.

We note additionally that Section 120 of the Welfare and Institutions Code has already conferred upon the State Department of Social Welfare authority to do the various things which this bill appropriates money for.

Yours very truly,

FRED B. WOOD, Legislative Counsel

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 200

At 11.58 a.m., on motion of Mr. Carlson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 200 passed by the following vote:

AYES—Allen, Bashore, Bennett, Burkhalter, Burns, Michael J., Cain, Call, Carlson, Clarke, Collins, Sam L., Cronin, Daley, Desmond, Dickey, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gaffney, Gallagher, Green, Hastain, Hawkins, Heisinger, Houser, Frederick F., Johnson, Kepple, Kilpatrick, King, Knight, T. Fenton; Leonard, Lyon, Maloney, Massion, McCollister, Meehan, Middough, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Robertson, Russell, Sheridan, Stream,

Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr Speaker—62.

NOES—Andreas, Burns, Hugh M., Collins, George D., Crowley, Del Mutolo, Lowrey, O'Day, Richie, and Sawallisch—9.

Bill ordered transmitted to the Senate.

Explanations of Vote

We, the undersigned, have voted against Senate Bill No. 200 because it is an attempt to evade the responsibility owed to the needy unemployed of this State, and by indirection to abolish the State Relief Administration.

GEORGE D. COLLINS
EDWARD F. O'DAY

I have voted for Senate Bill No. 200 against my will because of having been advised that the Senate has adjourned without providing for relief; making this the only opportunity to vote for any relief appropriation I am opposed to adjournment until we have completed our obligation in solving this problem.

VERNON KILPATRICK

COMMUNICATIONS

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
June 14, 1941

Honorable Edward M. Gaffney
Assembly Chamber, Sacramento, California

SUBJECT: Senate Bill No. 200, as amended in Senate June 14, 1941
REQUEST: No. 4383

DEAR MR. GAFFNEY: You have requested that we advise you as to the following two points:

(1) Is Senate Bill No. 200, as amended in the Senate June 14, 1941, constitutional?

(2) In regard to counties which have no social welfare departments or counties in which there is no branch office of the State Department of Social Welfare, does Senate Bill No 200, as amended June 14, 1941, state to whom (and the amount of) the money is to be allocated for services with respect to Works Project Authority and Civilian Conservation Corps recruitment and enrollment programs?

In answer to your first question we desire to state that we believe provisions of Senate Bill No 200, as amended in Senate June 14, 1941, are constitutional.

In response to your second question, we desire to state that Senate Bill No. 200, as amended in Senate June 14, 1941, makes no provision for any of the moneys appropriated by the bill to be paid to counties which certify to the State Department of Social Welfare persons determined by the counties to be eligible under Federal statutes and rules and regulations for public assistance under the Works Project Authority Program and the Civilian Conservation Corps Program.

Taking Senate Bill No. 200, as last amended, by its four corners, it would appear that the money is appropriated to the State Department of Social Welfare, to be expended by the State Department of Social Welfare in such manner as it deems advisable for administrative costs and sponsorship contributions with respect to the Works Project Authority and Civilian Conservation Corps Recruitment and Enrollment Programs of the Federal Government.

There is no provision in Senate Bill No. 200, as last amended, which would require the money appropriated by the bill to be given to the board of supervisors or other bodies of the county government The fact that the State Department of Social Welfare may or may not have a branch office in a county would appear to be immaterial, for under the provisions of Senate Bill No 200, as last amended, it would appear that the department could make such arrangements as necessary, to carry out the appropriation made by the bill, which could, conceivably, include the sending of a representative of the State Department of Social Welfare to such county.

Yours very truly,

FRED B. WOOD, Legislative Counsel
By NORMAN MELLER, Assistant Counsel

Copies to authors, pursuant to Joint Rule No. 37

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND RULES TO CONSIDER ASSEMBLY BILL NO. 2662

At 11 59 a m., Mr Field moved that further proceedings under the call of the Assembly be dispensed with.

Demand for Previous Question

Messrs. Carlson, Dickey, Phillips, Knight, T. Fenton, and Mrs. Daley demanded the previous question.

Demand for previous question sustained.

The question being on the motion to dispense with proceedings under the call of the Assembly.

Further proceedings under the call of the Assembly dispensed with.

The roll was called, and the motion that the rules be temporarily suspended in order to consider Assembly Bill No. 2662 without reference to committee lost by the following vote:

AYES—Andreas, Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Call, Collins, George D, Cooke, Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, Middough, O'Day, Pelletier, Pfaff, Poole, Richie, Russell, Sawallisch, Sheridan, Tenney, Thomas, Voigt, and Welch—40.

NOES—Allen, Carlson Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F, Johnson, Kepple, Knight, John B., Knight, T. Fenton; Leonard, Lyon, McCollister, Miller, Millington, Phillips, Potter, Salsman, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr Speaker—33.

COMMUNICATIONS

The following communication was received and ordered printed in the Journal:

The Assembly has passed on June 5th, Assembly Bill No. 2657 granting $15,000,000 of additional funds to the counties in payment of aid to the aged which will release a similar amount of county funds for relief of unemployed now given by the SRA.

The Assembly also passed on June 5th, Assembly Bill No. 1175, by which the State would assume 25 per cent of the cost of county administration, amounting to one and one-quarter million in further aid to the counties

We have been ready to approve Senate bills providing for a closing appropriation for SRA of three and one-half millions for a three months liquidation

We have favored approval of Senate Bill No. 201 to assume two-thirds of the cost of indigent and unemployed aid by the counties and appropriating $20,000,000.

These proposals would fully serve those in need and protect the counties. This program has secured a majority vote but has failed of necessary two-thirds by reason of the opposition of those who are determined at any cost to retain the SRA with its approximately two and one-half thousand salaried officials and employees.

The SRA case load has fallen from 122,000 to 28,000 and is still declining each week We believe the relief emergency is over and that the SRA is no longer needed, that it is an unjustifiable duplication of the county welfare departments which can handle the funds with a fraction of the administrative cost of SRA.

We regret that this program has been blocked by an executive veto and by a minority in the Legislature.

We were willing to remain in session the necessary additional days at our own personal expense to reach a solution of this vexing problem.

NELSON S. DILWORTH	C. DON FIELD
CLADE WATSON	JAMES H PHILLIPS
BYRL R SALSMAN	HARVEY E HASTAIN
RANDAL F DICKEY	JOHN B KNIGHT
DON A ALLEN	SETH MILLINGTON
SAM L COLLINS	ALLEN G. THURMAN
JEANETTE E. DALEY	JACOB M LEONARD
CHARLES W. STREAM	FRED WEYBERT
ELEANOR MILLER	FREDERICK F HOUSER
RODNEY L TURNER	CHARLES W LYON
GEO A. CLARKE	GERALD C. KEPPLE
J E THORP	GARDINER JOHNSON
T. FENTON KNIGHT	GORDON H. GARLAND

MOTION TO TEMPORARILY SUSPEND RULES

Mr. Bennett moved that the Rules be temporarily suspended to consider amendments to Assembly Bill No. 2663 out of order at this time.

The roll was called, and the motion lost by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Russell, Sawallisch, Sheridan, Tenney, Voigt, and Welch—34

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; Leonard, Lyon, McCollister, Middough, Miller, Millington, Phillips, Potter, Stream, Thorp, Thurman, Turner, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—33.

RESOLUTIONS

The following resolution was offered:

By Mr. Stream:

House Resolution No. 320

Resolved, That the Speaker appoint a Committee of Three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up House Resolution No. 320, at this time, without reference to committee.

Demand for Previous Question

Messrs. Pfaff, Collins, Sam L., Potter, Burkhalter, and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 320.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Call, Carlson, Clarke, Collins, Sam L., Cronin, Crowley, Daley, Dickey, Dilworth, Donnelly, Field, Green, Hastain, Houser, Frederick F., Johnson, Knight, T. Fenton; Lyon, Maloney, McCollister, Miller, Millington, Pelletier, Pfaff, Phillips, Poole, Potter, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Welch, Weybret, Wollenberg, and Mr. Speaker—41.

NOES—Bennett, Burkhalter, Burns, Michael J., Cain, Collins, George D., Dills, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, Meehan, O'Day, Richie, Russell, Sawallisch, and Sheridan—20.

Explanations of Vote on Resolution to Notify the Senate of Adjournment

My "No" vote against this resolution is in recognition of the fact that that Body has already adjourned, leaving unpassed any bill to appropriate money for the State Relief Administration. I can not too severely criticize the Senate for thus ignoring the want and suffering of the people.

AUGUSTUS F. HAWKINS

I voted "No" on the resolution to notify the Senate that the Assembly has concluded its work. I believe we should remain on the job until we have voted an appropriation for the relief of needy people in this State.

RALPH C. DILLS

APPOINTMENT OF SELECT COMMITTEE

In accordance with the above resolution, the Speaker appointed Messrs. Stream, Gaffney and Clarke to await upon the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Bashore and Garland:

House Resolution No. 321

WHEREAS, The farms and property of the citizens of Kings County are now suffering extraordinary and widespread damage due to floods caused by melting snow and unusual climatic conditions; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby requests the Department of Public Works to make an immediate investigation into the causes and extent of the devastation and to call the present condition to the attention of the proper Federal authorities and to request help from those authorities in taking steps to eliminate and prevent such causes and to call upon them for assistance in meeting the immediate problem at hand; and be it further

Resolved, That the Chief Clerk of this Assembly be hereby directed to transmit a copy of this resolution to the Director of Public Works.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 321, at this time, without reference to committee.

Resolution read.

Demand for Previous Question

Messrs. Allen, Evans, Collins, Sam L., Middough and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the resolution.

Resolution read and adopted.

By Mr. Pelletier:

House Resolution No. 322

Relative to a National and State holiday to be known as "Bachelor's Day"

WHEREAS, The people of the United States of America have designated "days" on which we pay fitting tribute to mothers and fathers; and

WHEREAS, It is a fundamental principle of Democracy to give adequate and appropriate representation to minority groups; and

WHEREAS, The Gospel of St Paul gives particular recognition of and praise to the state of bachelorhood, which doctrine, notwithstanding oppression, intimidation and threat of purges, has been tenaciously adhered to by a gallant group of men, young and old, including some of the Members of this Assembly; and

WHEREAS, Bachelors should be given equal recognition along with mothers and fathers; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Congress of the United States are hereby respectfully memorialized to establish a National holiday to be known as Bachelor's Day and to provide for the holding on that day of suitable ceremonies in honor of our Country's bachelors; and be it further

Resolved, That the Governor of the State of California and the Governor of every one of the States in the Union is hereby requested to proclaim an annual State holiday to be known as Bachelor's Day; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to the President and Vice President of the United States and to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor of the State of California, and to the Governor of each of the other forty-seven States in the Union

Request for Unanimous Consent

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 322, at this time, without reference to committee.

Resolution read and refused adoption.

By Mr. Field:

House Resolution No. 323

Resolved, That the Speaker appoint a Committee of Three to wait upon Honorable Culbert L. Olson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 323, at this time, without reference to committee.

Resolution read.

Demand for Previous Question

Messrs. Allen, Collins, Sam L., Pfaff, Carlson and Thurman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 323.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; McCollister, Middough, Miller, Millington, Pfaff, Phillips, Potter, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—33.

NOES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Burns, Michael J., Cain, Collins, George D., Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Tenney, and Welch—32.

Explanation of Vote

Our "No" vote on this resolution to notify the Governor is caused by the fact that we disagree with the statement that we have completed the work of this session. We have not yet passed a bill to continue the SRA and thus to adjourn now is to ignore the suffering and want of a large number of our citizenry who find themselves on relief.

AUGUSTUS F. HAWKINS	T. J. DOYLE
JOHN B. PELLETIER	JACK MASSION
JOHN W. EVANS	FRANK C. RUSSELL
JACK B. TENNEY	S. L. HEISINGER
RALPH C. DILLS	DAN GALLAGHER
PAUL A. RICHIE	EDWARD F. O'DAY
EVERETT G. BURKHALTER	GEORGE D. COLLINS, JR.
VERNON KILPATRICK	JOHN D. WELCH
LEE T. BASHORE	CECIL R. KING

APPOINTMENT OF SELECT COMMITTEE

In accordance with the above resolution, the Speaker appointed Messrs. Field, Maloney and Voigt to wait upon the Governor.

COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, June 14, 1941

Honorable Gordon Garland, Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. GARLAND: On my own behalf and on behalf of the Assistant Sergeants-at-Arms and the Pages of the Assembly, may I express to you and through you to the Members of the Assembly our thanks for the unfailingly courteous way in which our efforts to serve you have been accepted and our pleasure at having been afforded this opportunity to serve you as Speaker of the Assembly and through the Assembly the people of the State of California during the current session now drawing to a close.

Very respectfully yours,

WILKIE OGG, Sergeant-at-Arms

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2663—An act to repeal Section 4 of, and to add Section 1.8 to, the Unemployment Relief Appropriation Act of 1940, relating to the relief of hardship and destitution, providing terms and conditions upon which relief therefrom may be granted, providing for the administration thereof, abolishing the Relief Commission and the Relief Administrator and transferring the unexpended moneys, real and personal property and certain duties, powers, purposes and responsibilities to the State Department of Social Welfare, establishing a commission for the study of the administration of relief, providing for the status of employees, making an appropriation, declaring the urgency of certain parts thereof, to take effect immediately and providing for the taking effect of other parts.

Bill read third time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, strike out lines 11, 12 and 13, inclusive.

Amendment read.

Demand for the Previous Question

Messrs. Collins, Sam L., Waters, Dilworth, Allen and Burkhalter demanded the previous question.

Motion to Table Motion

Mr Dills moved that the demand by Mr. Sam L. Collins for the previous question be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Burkhalter, Burns, Hugh M., Call, Clarke, Daley, Dills, Dilworth, Green, Hastain, Heisinger, Johnson, Kepple, Kilpatrick, Massion, Meehan, Pelletier, Phillips, Poole, Richie, Stream, Thurman, Turner, Watson, Weber, Welch, Wollenberg, and Mr. Speaker—28

NOES—Bashore, Bennett, Cain, Carlson, Collins, George D., Collins, Sam L., Cromin, Crowley, Donnelly, Evans, Field, Gaffney, Gallagher, Hawkins, Houser, Frederick F., King, Knight, T. Fenton; Lowrey, Maloney, Miller, Millington, O'Day, Pfaff, Potter, Robertson, Russell, Sawallisch, Sheridan, Tenney, Thorp, Voigt, and Waters—32.

Demand for Previous Question Sustained

The question being on the adoption of the amendment to Assembly Bill No 2663.

The roll was called, and the amendment adopted by the following vote:

AYES—Bashore, Bennett, Burkhalter, Burns, Hugh M. Cain, Collins, George D., Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Masson, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, and Welch—32.

NOES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Dilworth, Field, Green, Hastain, Houser, Frederick F. Johnson, Kepple, Knight, T. Fenton, Miller, Millington, Phillips, Potter, Stream, Thurman, Turner, Voigt, Waters, Weber, Wollenberg, and Mr. Speaker—26.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No 3
Assembly Bill No. 20
Assembly Bill No 33
Assembly Bill No 44
Assembly Bill No 49
Assembly Bill No. 58
Assembly Bill No 83
Assembly Bill No. 96
Assembly Bill No. 97
Assembly Bill No. 101
Assembly Bill No 111
Assembly Bill No. 119
Assembly Bill No 120
Assembly Bill No 121
Assembly Bill No 130
Assembly Bill No 140
Assembly Bill No. 143
Assembly Bill No. 157
Assembly Bill No 162
Assembly Bill No 164
Assembly Bill No. 184
Assembly Bill No 190
Assembly Bill No 191
Assembly Bill No 264
Assembly Bill No 272
Assembly Bill No 274
Assembly Bill No 286
Assembly Bill No 287
Assembly Bill No 304
Assembly Bill No 307
Assembly Bill No 313
Assembly Bill No 316
Assembly Bill No 330
Assembly Bill No 334
Assembly Bill No 340
Assembly Bill No 351
Assembly Bill No. 353
Assembly Bill No 368
Assembly Bill No 401

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No 425
Assembly Bill No 463
Assembly Bill No 465
Assembly Bill No. 492
Assembly Bill No 509
Assembly Bill No 510
Assembly Bill No 515
Assembly Bill No. 516
Assembly Bill No 529
Assembly Bill No 571
Assembly Bill No. 575
Assembly Bill No. 616
Assembly Bill No 636
Assembly Bill No. 670
Assembly Bill No. 683
Assembly Bill No. 691
Assembly Bill No. 711
Assembly Bill No 723
Assembly Bill No 764
Assembly Bill No. 814
Assembly Bill No 817
Assembly Bill No 820
Assembly Bill No 823
Assembly Bill No 833
Assembly Bill No 842
Assembly Bill No 847
Assembly Bill No 859
Assembly Bill No. 864
Assembly Bill No 867
Assembly Bill No 899
Assembly Bill No 930
Assembly Bill No. 933
Assembly Bill No 987
Assembly Bill No 994
Assembly Bill No 999
Assembly Bill No 1003
Assembly Bill No 1004
Assembly Bill No 1010
Assembly Bill No 1013

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No. 1020
Assembly Bill No. 1027
Assembly Bill No. 1030
Assembly Bill No. 1070
Assembly Bill No. 1083
Assembly Bill No. 1084
Assembly Bill No. 1091
Assembly Bill No. 1104
Assembly Bill No. 1108
Assembly Bill No. 1122
Assembly Bill No. 1154
Assembly Bill No. 1175
Assembly Bill No. 1186
Assembly Bill No. 1197
Assembly Bill No. 1209
Assembly Bill No. 1223
Assembly Bill No. 1231
Assembly Bill No. 1234
Assembly Bill No. 1238
Assembly Bill No. 1249
Assembly Bill No. 1253
Assembly Bill No. 1270
Assembly Bill No. 1273
Assembly Bill No. 1284
Assembly Bill No. 1289
Assembly Bill No. 1296
Assembly Bill No. 1297
Assembly Bill No. 1302
Assembly Bill No. 1336
Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 1339
Assembly Bill No. 1376
Assembly Bill No. 1384
Assembly Bill No. 1409
Assembly Bill No. 1428
Assembly Bill No. 1448
Assembly Bill No. 1454
Assembly Bill No. 1464
Assembly Bill No. 1465

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No. 1467
Assembly Bill No. 1480
Assembly Bill No. 1484
Assembly Bill No. 1502
Assembly Bill No. 1545
Assembly Bill No. 1570
Assembly Bill No. 1626
Assembly Bill No. 1628
Assembly Bill No. 1644
Assembly Bill No. 1654
Assembly Bill No. 1655
Assembly Bill No. 1657
Assembly Bill No. 1658
Assembly Bill No. 1659
Assembly Bill No. 1660
Assembly Bill No. 1682
Assembly Bill No. 1688
Assembly Bill No. 1696
Assembly Bill No. 1698
Assembly Bill No. 1700
Assembly Bill No. 1728
Assembly Bill No. 1740
Assembly Bill No. 1757
Assembly Bill No. 1758
Assembly Bill No. 1762
Assembly Bill No. 1794
Assembly Bill No. 1813
Assembly Bill No. 1814
Assembly Bill No. 1836
Assembly Bill No. 1847
Assembly Bill No. 1855
Assembly Bill No. 1861
Assembly Bill No. 1876
Assembly Bill No. 1879
Assembly Bill No. 1898
Assembly Bill No. 1913
Assembly Bill No. 1915
Assembly Bill No. 1921

J. A. BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No 1930
Assembly Bill No 1931
Assembly Bill No. 2013
Assembly Bill No. 2050
Assembly Bill No 2064
Assembly Bill No. 2071
Assembly Bill No 2072
Assembly Bill No. 2109
Assembly Bill No. 2110
Assembly Bill No 2130
Assembly Bill No 2133
Assembly Bill No 2137
Assembly Bill No. 2138
Assembly Bill No. 2149
Assembly Bill No 2201
Assembly Bill No. 2217
Assembly Bill No. 2223
Assembly Bill No. 2249
Assembly Bill No. 2273
Assembly Bill No 2274
Assembly Bill No 2291
Assembly Bill No 2294
Assembly Bill No 2315
Assembly Bill No 2325
Assembly Bill No 2343
Assembly Bill No. 2349
Assembly Bill No 2359
Assembly Bill No 2396
Assembly Bill No 2470
Assembly Bill No. 2484
Assembly Bill No 2496
Assembly Bill No 2538
Assembly Bill No 2556
Assembly Bill No. 2567
Assembly Bill No 2571
Assembly Bill No 2579
Assembly Bill No. 2590
Assembly Bill No 2599

J. A BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Bill No 2603
Assembly Bill No. 2605
Assembly Bill No 2607
Assembly Bill No. 2608
Assembly Bill No 2615
Assembly Bill No 2617
Assembly Bill No 2620
Assembly Bill No 2650
Assembly Bill No. 2657
Assembly Bill No 2660
Assembly Bill No 2661
Assembly Constitutional Amendment No. 4
Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 43
Assembly Constitutional Amendment No. 63
Assembly Joint Resolution No 7
Assembly Joint Resolution No 9
Assembly Joint Resolution No 11
Assembly Joint Resolution No 24
Assembly Joint Resolution No 46
Assembly Joint Resolution No 51

J A BEEK, Secretary of the Senate
By CHARLES W. BRANDT, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day returned without action

Assembly Bill No 2177
Assembly Bill No. 2477
Assembly Bill No 2565

J A BEEK, Secretary of the Senate
By JOHN F LEA, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day returned without action:

Assembly Concurrent Resolution No 24
Assembly Concurrent Resolution No 37
Assembly Concurrent Resolution No 38
Assembly Concurrent Resolution No. 46
Assembly Concurrent Resolution No 48
Assembly Concurrent Resolution No 49
Assembly Concurrent Resolution No 55

J. A BEEK, Secretary of the Senate
By CARL PHILLIPS, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 13
Senate Concurrent Resolution No 39
Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No 48
Senate Concurrent Resolution No. 49
Senate Concurrent Resolution No 51
Senate Concurrent Resolution No 52
Senate Joint Resolution No. 21

Respectfully reports the same back without further action

LYON, Chairman

Above reported resolutions ordered transmitted to the Senate.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No. 124
Senate Bill No. 810
Senate Bill No. 995
Senate Constitutional Amendment No. 3

Respectfully reports the same back without further action.

HUGH M. BURNS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Senate Bill No. 932

Respectfully reports the same back without further action.

MICHAEL J. BURNS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 836
Senate Bill No. 873

Respectfully reports the same back without further action.

MILLER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Natural Resources, to which was referred:

Senate Bill No. 1091

Respectfully reports the same back without further action.

DILWORTH, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Senate Bill No. 151
Senate Bill No. 348
Senate Bill No. 475

Respectfully reports the same back without further action.

TENNEY, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 66
Senate Bill No. 737

Respectfully reports the same back without further action.

TURNER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 1297
Senate Bill No. 1126

Respectfully reports the same back without further action.

WATSON, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Senate Bill No. 40
Senate Bill No. 84
Senate Bill No. 85
Senate Bill No. 176
Senate Bill No. 293
Senate Bill No. 462
Senate Bill No. 632
Senate Bill No. 829
Senate Bill No. 886
Senate Bill No. 963
Senate Bill No. 980
Senate Bill No. 1087
Senate Bill No. 1240
Senate Bill No. 1241

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Municipal Corporations, to which were referred:

Senate Bill No. 669
Senate Bill No. 1009

Respectfully reports the same back without further action.

KEPPLE, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1207

Respectfully reports the same back without further action.

WEYBRET, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Civil Service Legislation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Civil Service Legislation, to which was referred:

Senate Bill No. 917

Respectfully reports the same back without further action.

BASHORE, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Senate Bill No. 280
Senate Bill No 670

Respectfully reports the same back without further action.

STREAM, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Senate Bill No. 298
Senate Bill No. 763
Senate Bill No. 1098

Respectfully reports the same back without further action.

DALEY, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Senate Bill No. 665

Respectfully reports the same back without further action.

DESMOND, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 279
Senate Bill No. 663
Senate Bill No. 1019
Senate Bill No. 1102

Respectfully reports the same back without further action.

FIELD, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 5
Assembly Bill No. 86
Assembly Bill No. 117
Assembly Bill No. 174
Assembly Bill No. 277
Assembly Bill No. 280
Assembly Bill No. 284
Assembly Bill No. 293
Assembly Bill No. 321
Assembly Bill No. 335
Assembly Bill No. 439
Assembly Bill No. 592
Assembly Bill No. 684
Assembly Bill No. 716
Assembly Bill No. 722
Assembly Bill No. 801
Assembly Bill No. 802
Assembly Bill No. 803
Assembly Bill No. 804
Assembly Bill No. 805
Assembly Bill No. 806
Assembly Bill No. 807
Assembly Bill No. 936
Assembly Bill No. 938
Assembly Bill No. 966
Assembly Bill No. 978
Assembly Bill No. 1041
Assembly Bill No. 1042
Assembly Bill No. 1043
Assembly Bill No. 1044
Assembly Bill No. 1049
Assembly Bill No. 1145
Assembly Bill No. 1150
Assembly Bill No. 1208
Assembly Bill No. 1211
Assembly Bill No. 1347
Assembly Bill No. 1389
Assembly Bill No. 1431
Assembly Bill No. 1437
Assembly Bill No. 1444
Assembly Bill No. 1471
Assembly Bill No. 1472
Assembly Bill No. 1492
Assembly Bill No. 1553
Assembly Bill No. 1555
Assembly Bill No. 1584
Assembly Bill No. 1606
Assembly Bill No. 1704
Assembly Bill No. 1705
Assembly Bill No. 1802
Assembly Bill No. 1812
Assembly Bill No. 1815
Assembly Bill No. 1816
Assembly Bill No. 1831
Assembly Bill No. 1891
Assembly Bill No. 1896
Assembly Bill No. 2075
Assembly Bill No. 2079
Assembly Bill No. 2084
Assembly Bill No. 2127
Assembly Bill No. 2232
Assembly Bill No. 2233
Assembly Bill No. 2234
Assembly Bill No. 2235
Assembly Bill No. 2236
Assembly Bill No. 2237
Assembly Bill No. 2239
Assembly Bill No. 2240

Assembly Bill No. 2241
Assembly Bill No. 2242
Assembly Bill No. 2313
Assembly Bill No. 2346
Assembly Bill No. 2356
Assembly Bill No. 2391
Assembly Bill No. 2397
Assembly Bill No. 2405
Assembly Bill No. 2418
Assembly Bill No. 2429
Assembly Bill No. 2430
Assembly Bill No. 2432
Assembly Bill No. 2436
Assembly Bill No. 2449
Assembly Bill No. 2486
Assembly Bill No. 2499
Assembly Bill No. 2512
Assembly Bill No. 2528
Assembly Bill No. 2544
Assembly Bill No. 2604
Assembly Bill No. 2583

Respectfully reports the same back without further action.

TURNER, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 16
Assembly Bill No. 43
Assembly Bill No. 122
Assembly Bill No. 134
Assembly Bill No. 135
Assembly Bill No. 173
Assembly Bill No. 185
Assembly Bill No. 197
Assembly Bill No. 201
Assembly Bill No. 213
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 216
Assembly Bill No. 234
Assembly Bill No. 255
Assembly Bill No. 263
Assembly Bill No. 275
Assembly Bill No. 283
Assembly Bill No. 297
Assembly Bill No. 346
Assembly Bill No. 352
Assembly Bill No. 390
Assembly Bill No. 391
Assembly Bill No. 394
Assembly Bill No. 420
Assembly Bill No. 426
Assembly Bill No. 427
Assembly Bill No. 456
Assembly Bill No. 500
Assembly Bill No. 570
Assembly Bill No. 661
Assembly Bill No. 705
Assembly Bill No. 730
Assembly Bill No. 828
Assembly Bill No. 870
Assembly Bill No. 958
Assembly Bill No. 973
Assembly Bill No. 974
Assembly Bill No. 1074
Assembly Bill No. 1153
Assembly Bill No. 1171
Assembly Bill No. 1176
Assembly Bill No. 1188
Assembly Bill No. 1237
Assembly Bill No. 1241
Assembly Bill No. 1265
Assembly Bill No. 1266
Assembly Bill No. 1267
Assembly Bill No. 1294
Assembly Bill No. 1312
Assembly Bill No. 1349
Assembly Bill No. 1363
Assembly Bill No. 1379
Assembly Bill No. 1520
Assembly Bill No. 1568
Assembly Bill No. 1615
Assembly Bill No. 1617
Assembly Bill No. 1625
Assembly Bill No. 1630
Assembly Bill No. 1636
Assembly Bill No. 1637
Assembly Bill No. 1697
Assembly Bill No. 1706
Assembly Bill No. 1707
Assembly Bill No. 1733
Assembly Bill No. 1752
Assembly Bill No. 1958
Assembly Bill No. 1959
Assembly Bill No. 1965
Assembly Bill No. 1972
Assembly Bill No. 1975
Assembly Bill No. 1999
Assembly Bill No. 2018
Assembly Bill No. 2023
Assembly Bill No. 2024
Assembly Bill No. 2025
Assembly Bill No. 2028
Assembly Bill No. 2060
Assembly Bill No. 2065
Assembly Bill No. 2095
Assembly Bill No. 2163
Assembly Bill No. 2192
Assembly Bill No. 2305
Assembly Bill No. 2363
Assembly Bill No. 2406
Assembly Bill No. 2460
Assembly Bill No. 2572
Assembly Bill No. 2592
Assembly Bill No. 2610
Assembly Bill No. 2622
Assembly Bill No. 2655

Respectfully reports the same back without further action.

MILLINGTON, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 45
Assembly Bill No. 676
Assembly Bill No. 1190
Assembly Bill No. 1810
Assembly Bill No. 2123
Assembly Bill No. 2459

Respectfully reports the same back without further action.

KING, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 6
Assembly Bill No. 51
Assembly Bill No. 55
Assembly Bill No. 60
Assembly Bill No. 68
Assembly Bill No. 71
Assembly Bill No. 132
Assembly Bill No. 138
Assembly Bill No. 226
Assembly Bill No. 239
Assembly Bill No. 320
Assembly Bill No. 331
Assembly Bill No. 461
Assembly Bill No 491
Assembly Bill No. 528
Assembly Bill No. 542
Assembly Bill No. 576
Assembly Bill No. 658
Assembly Bill No 669
Assembly Bill No 675
Assembly Bill No. 687
Assembly Bill No. 703
Assembly Bill No 710
Assembly Bill No. 729
Assembly Bill No. 768
Assembly Bill No. 769
Assembly Bill No. 789
Assembly Bill No. 831
Assembly Bill No. 871
Assembly Bill No. 872
Assembly Bill No 873
Assembly Bill No. 874
Assembly Bill No. 875
Assembly Bill No. 876
Assembly Bill No. 877
Assembly Bill No. 910
Assembly Bill No. 921
Assembly Bill No. 935
Assembly Bill No. 939
Assembly Bill No. 941
Assembly Bill No. 942
Assembly Bill No. 944
Assembly Bill No. 945
Assembly Bill No 996
Assembly Bill No 1017
Assembly Bill No. 1018
Assembly Bill No. 1028
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1076
Assembly Bill No. 1106
Assembly Bill No. 1126
Assembly Bill No. 1134
Assembly Bill No. 1157
Assembly Bill No. 1158
Assembly Bill No. 1159
Assembly Bill No. 1167
Assembly Bill No. 1182
Assembly Bill No. 1183
Assembly Bill No. 1187
Assembly Bill No. 1198
Assembly Bill No 1205
Assembly Bill No. 1206
Assembly Bill No. 1228
Assembly Bill No 1344
Assembly Bill No. 1364
Assembly Bill No. 1380
Assembly Bill No. 1382
Assembly Bill No. 1383
Assembly Bill No. 1391
Assembly Bill No. 1413
Assembly Bill No. 1460
Assembly Bill No. 1474
Assembly Bill No. 1503
Assembly Bill No. 1504
Assembly Bill No. 1505
Assembly Bill No. 1506
Assembly Bill No. 1507
Assembly Bill No. 1509
Assembly Bill No 1530
Assembly Bill No. 1531
Assembly Bill No. 1532
Assembly Bill No 1533
Assembly Bill No 1585
Assembly Bill No. 1586
Assembly Bill No. 1587
Assembly Bill No. 1588
Assembly Bill No. 1592
Assembly Bill No. 1684
Assembly Bill No. 1687
Assembly Bill No. 1699
Assembly Bill No. 1702
Assembly Bill No. 1732
Assembly Bill No. 1735
Assembly Bill No. 1737
Assembly Bill No 1738
Assembly Bill No. 1755
Assembly Bill No. 1811
Assembly Bill No. 1821
Assembly Bill No. 1860
Assembly Bill No. 1864
Assembly Bill No. 1878
Assembly Bill No. 1886
Assembly Bill No. 1908
Assembly Bill No. 1929
Assembly Bill No 1948
Assembly Bill No. 1976
Assembly Bill No 1983
Assembly Bill No. 2002
Assembly Bill No. 2003
Assembly Bill No. 2008
Assembly Bill No 2017
Assembly Bill No 2026
Assembly Bill No 2029
Assembly Bill No. 2056
Assembly Bill No. 2057
Assembly Bill No. 2058
Assembly Bill No. 2061
Assembly Bill No. 2066

Assembly Bill No. 2076
Assembly Bill No. 2086
Assembly Bill No. 2087
Assembly Bill No. 2104
Assembly Bill No. 2122
Assembly Bill No. 2146
Assembly Bill No. 2147
Assembly Bill No. 2157
Assembly Bill No. 2160
Assembly Bill No. 2165
Assembly Bill No. 2176
Assembly Bill No. 2202
Assembly Bill No. 2216
Assembly Bill No. 2222
Assembly Bill No. 2226
Assembly Bill No. 2229
Assembly Bill No. 2238
Assembly Bill No. 2259
Assembly Bill No. 2260
Assembly Bill No. 2270
Assembly Bill No. 2276
Assembly Bill No. 2278
Assembly Bill No. 2281
Assembly Bill No. 2282
Assembly Bill No. 2289
Assembly Bill No. 2303
Assembly Bill No. 2307
Assembly Bill No. 2335
Assembly Bill No. 2351
Assembly Bill No. 2367
Assembly Bill No. 2368
Assembly Bill No. 2369
Assembly Bill No. 2370
Assembly Bill No. 2371
Assembly Bill No. 2375
Assembly Bill No. 2376
Assembly Bill No. 2377
Assembly Bill No. 2378
Assembly Bill No. 2411
Assembly Bill No. 2444
Assembly Bill No. 2467
Assembly Bill No. 2471
Assembly Bill No. 2472
Assembly Bill No. 2523
Assembly Bill No. 2559
Assembly Bill No. 2584
Assembly Bill No. 2586
Assembly Bill No. 2597
Assembly Bill No. 2614
Assembly Bill No. 2636
Assembly Bill No. 2648
Assembly Bill No. 2656
Assembly Constitutional Amendment No. 64

Respectfully reports the same back without further action.

FIELD, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1143
Assembly Bill No. 1156
Assembly Bill No. 1214
Assembly Bill No. 1251
Assembly Bill No. 1252
Assembly Bill No. 1254
Assembly Bill No. 1280
Assembly Bill No. 1281
Assembly Bill No. 1286
Assembly Bill No. 1332
Assembly Bill No. 1333
Assembly Bill No. 1334
Assembly Bill No. 1352
Assembly Bill No. 1353
Assembly Bill No. 1360
Assembly Bill No. 1361
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1367
Assembly Bill No. 1368
Assembly Bill No. 1369
Assembly Bill No. 1394
Assembly Bill No. 1395
Assembly Bill No. 1430
Assembly Bill No. 1493
Assembly Bill No. 1525
Assembly Bill No. 1538
Assembly Bill No. 1539
Assembly Bill No. 1540
Assembly Bill No. 1548
Assembly Bill No. 1556
Assembly Bill No. 1557
Assembly Bill No. 1558
Assembly Bill No. 1559

Respectfully reports the same back without further action

PHILLIPS, Chairman

Committee on River Navigation, Reclamation, and Flood Control

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on River Navigation, Reclamation, and Flood Control, to which were referred:

Assembly Bill No. 980
Assembly Bill No. 2461
Assembly Bill No. 2012
Assembly Bill No. 2167

Respectfully reports the same back without further action.

POTTER, Chairman

Committee on Oil Industries

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Oil Industries, to which were referred:

Assembly Bill No. 947
Assembly Bill No. 1715
Assembly Bill No. 2482
Assembly Bill No. 2483

Respectfully reports the same back without further action.

DILLS, Chairman

Committee on Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No. 1356

Respectfully reports the same back without further action.

WOLLENBERG, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 622	Assembly Bill No. 812
Assembly Bill No. 642	Assembly Bill No. 835
Assembly Bill No. 644	Assembly Bill No. 840
Assembly Bill No. 645	Assembly Bill No. 861
Assembly Bill No. 646	Assembly Bill No. 863
Assembly Bill No. 652	Assembly Bill No. 889
Assembly Bill No. 653	Assembly Bill No. 909
Assembly Bill No. 662	Assembly Bill No. 967
Assembly Bill No. 700	Assembly Bill No. 984
Assembly Bill No. 746	Assembly Bill No. 985
Assembly Bill No. 761	Assembly Bill No. 995
Assembly Bill No. 766	Assembly Bill No. 1008
Assembly Bill No. 767	Assembly Bill No. 1015
Assembly Bill No. 772	Assembly Bill No. 1061
Assembly Bill No. 774	Assembly Bill No. 1137
Assembly Bill No. 776	Assembly Bill No. 1141
Assembly Bill No. 779	Assembly Bill No. 1142

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Committee on Hospitals and Asylums

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which were referred:

Assembly Bill No. 868

Assembly Bill No. 1105

Respectfully reports the same back without further action.

DICKEY, Chairman

Committee on State Grounds and Parks

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No 1616

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

Committee on Exhibitions and Fairs

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which were referred:

Assembly Bill No. 479	Assembly Bill No. 1140
Assembly Bill No. 480	Assembly Bill No. 1990
Assembly Bill No. 724	Assembly Bill No. 2019

Respectfully reports the same back without further action.

LEONARD, Chairman

Committee on Mines and Mining

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:

Assembly Bill No. 708

Respectfully reports the same back without further action.

THURMAN, Chairman

Committee on Soldiers and Sailors Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which were referred.

Assembly Bill No. 536
Assembly Bill No. 953
Assembly Bill No 1527
Assembly Bill No. 1950
Assembly Bill No. 1953
Assembly Bill No. 1954
Assembly Bill No. 1955
Assembly Bill No. 2194

Respectfully reports the same back without further action.

DOYLE, Chairman

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Elections, to which were referred.

Assembly Bill No. 81
Assembly Bill No. 148
Assembly Bill No. 166
Assembly Bill No. 326
Assembly Bill No. 393
Assembly Bill No. 1212
Assembly Bill No. 1295
Assembly Bill No. 1359
Assembly Bill No. 1806
Assembly Bill No. 1858
Assembly Bill No. 2030
Assembly Bill No. 2031
Assembly Bill No. 2032
Assembly Bill No. 2034
Assembly Bill No. 2035
Assembly Bill No. 2037
Assembly Bill No. 2038
Assembly Bill No. 2039
Assembly Bill No 2083
Assembly Bill No. 2205
Assembly Bill No. 2211
Assembly Bill No. 2653

Respectfully reports the same back without further action.

CARLSON, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER. Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No 2043
Assembly Bill No. 2044
Assembly Bill No. 2045
Assembly Bill No. 2046
Assembly Bill No. 2047
Assembly Bill No. 2048
Assembly Bill No. 2116
Assembly Bill No. 2117
Assembly Bill No. 2124
Assembly Bill No. 2131
Assembly Bill No. 2132
Assembly Bill No. 2134
Assembly Bill No. 2139
Assembly Bill No 2140
Assembly Bill No. 2184
Assembly Bill No. 2193
Assembly Bill No. 2283
Assembly Bill No. 2284
Assembly Bill No. 2285
Assembly Bill No. 2295
Assembly Bill No 2310
Assembly Bill No. 2311
Assembly Bill No. 2317
Assembly Bill No. 2319
Assembly Bill No. 2322
Assembly Bill No. 2333
Assembly Bill No. 2345
Assembly Bill No. 2381
Assembly Bill No. 2390
Assembly Bill No. 2392
Assembly Bill No. 2393
Assembly Bill No. 2394
Assembly Bill No. 2401
Assembly Bill No. 2403

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Committee on Natural Resources

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Natural Resources, to which were referred:

Assembly Bill No. 2125
Assembly Bill No. 2126

Respectfully reports the same back without further action

DILWORTH, Chairman

Committee on Universities

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER Your Committee on Universities, to which were referred:

Assembly Bill No. 672
Assembly Bill No. 827
Assembly Bill No 2387

Respectfully reports the same back without further action.

KELLEMS, Chairman

Committee on County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on County Government, to which were referred:

Assembly Bill No. 172
Assembly Bill No. 233
Assembly Bill No. 365
Assembly Bill No. 374
Assembly Bill No. 564
Assembly Bill No. 618
Assembly Bill No. 717
Assembly Bill No. 1035
Assembly Bill No. 1298
Assembly Bill No. 1307
Assembly Bill No. 1609
Assembly Bill No. 1610
Assembly Bill No. 1694
Assembly Bill No. 1727
Assembly Bill No. 1964
Assembly Bill No. 2320
Assembly Bill No. 2337
Assembly Bill No. 2479
Assembly Bill No. 2554

Respectfully reports the same back without further action.

JOHNSON, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 1567
Assembly Bill No. 1580
Assembly Bill No. 1663
Assembly Bill No. 1666
Assembly Bill No. 1671
Assembly Bill No. 1672
Assembly Bill No. 1673
Assembly Bill No. 1674
Assembly Bill No. 1680
Assembly Bill No. 1681
Assembly Bill No. 1689
Assembly Bill No. 1777
Assembly Bill No. 1780
Assembly Bill No. 1783
Assembly Bill No. 1784
Assembly Bill No. 1786
Assembly Bill No. 1797
Assembly Bill No. 1801
Assembly Bill No. 1807
Assembly Bill No. 1808
Assembly Bill No. 1848
Assembly Bill No. 1849
Assembly Bill No. 1870
Assembly Bill No. 1872
Assembly Bill No. 1873
Assembly Bill No. 1874
Assembly Bill No. 1923
Assembly Bill No. 1973
Assembly Bill No. 1974
Assembly Bill No 1977
Assembly Bill No. 1979
Assembly Bill No. 2040
Assembly Bill No. 2041
Assembly Bill No. 2042
Assembly Constitutional Amendment No. 56
Assembly Constitutional Amendment No. 57

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Committee on Medical and Dental Laws

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which were referred:

Assembly Bill No. 228
Assembly Bill No. 380
Assembly Bill No. 482
Assembly Bill No. 1301
Assembly Bill No. 1426
Assembly Bill No. 1449
Assembly Bill No. 2051
Assembly Bill No. 2089
Assembly Bill No. 2247
Assembly Bill No. 2264
Assembly Bill No. 2267
Assembly Bill No. 2383
Assembly Bill No. 2443
Assembly Bill No. 2509
Assembly Bill No. 2511

Respectfully reports the same back without further action.

CRONIN, Chairman

Committee on Irrigation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Irrigation, to which were referred:

Assembly Bill No. 1521
Assembly Bill No. 1651
Assembly Bill No. 1649
Assembly Bill No. 2638

Respectfully reports the same back without further action.

CLARKE, Chairman

Committee on Building and Construction

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Building and Construction, to which were referred

Assembly Bill No. 2435
Assembly Bill No. 1582
Assembly Bill No. 1546
Assembly Bill No. 363

Respectfully reports the same back without further action.

SHERIDAN, Chairman

Committee on Building and Loan Associations

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Building and Loan Associations, to which were referred:

Assembly Bill No. 1642
Assembly Bill No. 2361
Assembly Bill No. 1601

Respectfully reports the same back without further action.

VOIGT, Chairman

Committee on Federal Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Federal Relations, to which were referred:

Assembly Joint Resolution No. 56
Assembly Joint Resolution No. 35
Assembly Joint Resolution No. 14
Assembly Joint Resolution No. 31
Assembly Joint Resolution No. 3
Assembly Concurrent Resolution No. 29

Respectfully reports the same back without further action

HEISINGER, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 19
Assembly Bill No. 21
Assembly Bill No. 22
Assembly Bill No. 23
Assembly Bill No. 25
Assembly Bill No. 26
Assembly Bill No. 27
Assembly Bill No. 28
Assembly Bill No. 29
Assembly Bill No. 31
Assembly Bill No. 32
Assembly Bill No. 35
Assembly Bill No. 57
Assembly Bill No. 115
Assembly Bill No. 193
Assembly Bill No. 222
Assembly Bill No. 276
Assembly Bill No. 281
Assembly Bill No. 318
Assembly Bill No. 328
Assembly Bill No. 329
Assembly Bill No. 412
Assembly Bill No. 446
Assembly Bill No. 447
Assembly Bill No. 448
Assembly Bill No. 477
Assembly Bill No 478
Assembly Bill No. 494
Assembly Bill No. 496
Assembly Bill No. 524
Assembly Bill No. 526
Assembly Bill No. 583
Assembly Bill No. 699
Assembly Bill No. 821
Assembly Bill No. 849
Assembly Bill No 900
Assembly Bill No. 914
Assembly Bill No. 965
Assembly Bill No. 982
Assembly Bill No 986
Assembly Bill No. 990
Assembly Bill No. 991
Assembly Bill No. 992
Assembly Bill No. 1029
Assembly Bill No. 1068
Assembly Bill No. 1069
Assembly Bill No. 1092
Assembly Bill No. 1166
Assembly Bill No. 1184
Assembly Bill No. 1324
Assembly Bill No. 1572
Assembly Bill No. 1573
Assembly Bill No 1576
Assembly Bill No. 1669
Assembly Bill No 1843
Assembly Bill No. 1844
Assembly Bill No. 2178
Assembly Bill No. 2198
Assembly Bill No. 2263
Assembly Bill No. 2301
Assembly Bill No. 2350
Assembly Bill No. 2627

Respectfully reports the same back without further action.

WATSON, Chairman

Committee on Municipal Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER. Your Committee on Municipal Corporations, to which were referred:

Assembly Bill No. 118
Assembly Bill No. 136
Assembly Bill No. 137
Assembly Bill No. 158
Assembly Bill No 218
Assembly Bill No. 219
Assembly Bill No. 371
Assembly Bill No. 372
Assembly Bill No. 433
Assembly Bill No. 472
Assembly Bill No. 501
Assembly Bill No. 607
Assembly Bill No. 826
Assembly Bill No. 1180
Assembly Bill No. 1218
Assembly Bill No. 1385
Assembly Bill No 1589
Assembly Bill No. 1590
Assembly Bill No. 1597
Assembly Bill No. 1599
Assembly Bill No. 1685
Assembly Bill No. 1724
Assembly Bill No. 1890
Assembly Bill No. 1892
Assembly Bill No. 1970
Assembly Bill No. 2067
Assembly Bill No. 2068
Assembly Bill No. 2185
Assembly Bill No. 2462
Assembly Bill No. 2529

Respectfully reports the same back without further action.

KEPPLE, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 2422
Assembly Bill No 2438
Assembly Bill No. 2442
Assembly Bill No. 2445
Assembly Bill No. 2446
Assembly Bill No. 2476
Assembly Bill No. 2481
Assembly Bill No. 2516
Assembly Bill No. 2517
Assembly Bill No. 2553
Assembly Bill No. 2560
Assembly Bill No. 2591

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Committee on Labor and Capital

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Labor and Capital, to which were referred:

Assembly Bill No. 10
Assembly Bill No. 84
Assembly Bill No. 229
Assembly Bill No. 775
Assembly Bill No. 1560
Assembly Bill No. 1665
Assembly Bill No. 1945
Assembly Bill No. 2414
Assembly Bill No. 2415
Assembly Bill No. 2508
Assembly Bill No 2577

Respectfully reports the same back without further action.

PELLETIER, Chairman

Committee on State Colleges

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on State Colleges, to which were referred:

Assembly Bill No. 578
Assembly Bill No. 621
Assembly Bill No. 1170
Assembly Bill No. 1232
Assembly Bill No. 1310
Assembly Bill No. 1313
Assembly Bill No. 1321
Assembly Bill No. 1329
Assembly Bill No. 1330
Assembly Bill No. 1340
Assembly Bill No. 1341
Assembly Bill No. 1370
Assembly Bill No. 1371
Assembly Bill No. 1624

Respectfully reports the same back without further action.

DEL MUTOLO, Chairman

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 61	Assembly Bill No 1709
Assembly Bill No. 522	Assembly Bill No 1778
Assembly Bill No. 547	Assembly Bill No 1796
Assembly Bill No. 623	Assembly Bill No. 1837
Assembly Bill No 856	Assembly Bill No. 1086
Assembly Bill No. 892	Assembly Bill No. 2302
Assembly Bill No. 893	Assembly Bill No. 2271
Assembly Bill No 981	Assembly Bill No 2588

Respectfully reports the same back without further action

WEYBRET, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 1
Assembly Constitutional Amendment No. 3
Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 8
Assembly Constitutional Amendment No. 10
Assembly Constitutional Amendment No. 11
Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No 13
Assembly Constitutional Amendment No 14
Assembly Constitutional Amendment No. 17
Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 20
Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 23
Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No 26
Assembly Constitutional Amendment No. 27
Assembly Constitutional Amendment No 29

Respectfully reports the same back without further action.

CROWLEY, Chairman

Committee on Manufactures

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Manufactures, to which was referred

Assembly Bill No 940

Respectfully reports the same back without further action.

F. N. HOWSER, Chairman

Committee on Prisons and Reformatories

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which were referred:

Assembly Bill No. 87	Assembly Bill No. 1941
Assembly Bill No. 103	Assembly Bill No. 1978
Assembly Bill No 231	Assembly Bill No 2488
Assembly Bill No. 298	Assembly Bill No 2513
Assembly Bill No. 1243	Assembly Bill No 2515
Assembly Bill No 1884	Assembly Bill No 2569

Respectfully reports the same back without further action.

WATERS, Chairman

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which were referred:

Assembly Bill No. 76
Assembly Bill No. 77
Assembly Bill No. 78
Assembly Bill No. 79
Assembly Bill No. 444
Assembly Bill No. 550
Assembly Bill No. 810
Assembly Bill No 920
Assembly Bill No 1072
Assembly Bill No 1077
Assembly Bill No. 1123
Assembly Bill No. 1130
Assembly Bill No 1230
Assembly Bill No. 1351
Assembly Bill No. 1372
Assembly Bill No. 1373
Assembly Bill No. 1386
Assembly Bill No. 1566
Assembly Bill No. 1605
Assembly Bill No. 1641
Assembly Bill No 1646
Assembly Bill No. 1647
Assembly Bill No. 1670
Assembly Bill No 1710
Assembly Bill No 1789
Assembly Bill No 1854
Assembly Bill No. 2062
Assembly Bill No. 2143
Assembly Bill No. 2179
Assembly Bill No 2196
Assembly Bill No. 2250
Assembly Bill No. 2258
Assembly Bill No. 2389
Assembly Bill No. 2419
Assembly Bill No 2439
Assembly Bill No 2474
Assembly Bill No. 2535
Assembly Bill No 2536
Assembly Bill No. 2537

Respectfully reports the same back without further action

CRONIN, Vice Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 30
Assembly Constitutional Amendment No. 31
Assembly Constitutional Amendment No 33
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 35
Assembly Constitutional Amendment No 36
Assembly Constitutional Amendment No. 37
Assembly Constitutional Amendment No. 38
Assembly Constitutional Amendment No. 39
Assembly Constitutional Amendment No. 40
Assembly Constitutional Amendment No. 41
Assembly Constitutional Amendment No. 42
Assembly Constitutional Amendment No. 44
Assembly Constitutional Amendment No. 45
Assembly Constitutional Amendment No. 46
Assembly Constitutional Amendment No. 47
Assembly Constitutional Amendment No 48
Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No 50
Assembly Constitutional Amendment No 51
Assembly Constitutional Amendment No. 52
Assembly Constitutional Amendment No. 54
Assembly Constitutional Amendment No. 58
Assembly Constitutional Amendment No. 59
Assembly Constitutional Amendment No 60
Assembly Constitutional Amendment No. 62

Respectfully reports the same back without further action.

CROWLEY, Chairman

Committee on Crime Problems

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Crime Problems, to which were referred:

Assembly Bill No. 884
Assembly Bill No. 1825
Assembly Bill No. 1826
Assembly Bill No. 1827
Assembly Bill No. 1828
Assembly Bill No. 2399
Assembly Bill No. 2480

Respectfully reports the same back without further action.

POOLE, Chairman

Committee on Public Charities and Corrections

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 923

Respectfully reports the same back without further action.

T. FENTON KNIGHT, Chairman

Committee on Judiciary Codes

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary Codes, to which were referred:

Assembly Bill No. 8
Assembly Bill No. 12
Assembly Bill No. 30
Assembly Bill No. 39
Assembly Bill No. 92
Assembly Bill No. 99
Assembly Bill No. 104
Assembly Bill No. 105
Assembly Bill No. 113
Assembly Bill No. 116
Assembly Bill No. 131
Assembly Bill No. 167
Assembly Bill No. 170
Assembly Bill No. 269
Assembly Bill No. 273
Assembly Bill No. 308
Assembly Bill No. 312
Assembly Bill No. 324
Assembly Bill No. 358
Assembly Bill No. 408
Assembly Bill No. 437
Assembly Bill No. 474
Assembly Bill No. 475
Assembly Bill No. 484
Assembly Bill No. 507
Assembly Bill No. 512
Assembly Bill No. 513
Assembly Bill No. 514
Assembly Bill No. 545
Assembly Bill No. 548
Assembly Bill No. 580
Assembly Bill No. 561
Assembly Bill No. 613
Assembly Bill No. 620
Assembly Bill No. 983

Respectfully reports the same back without further action.

PHILLIPS, Chairman

Committee on Financial Institutions

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Financial Institutions, to which were referred:

Assembly Bill No. 94
Assembly Bill No. 295
Assembly Bill No. 445
Assembly Bill No. 815
Assembly Bill No. 816
Assembly Bill No. 1256
Assembly Bill No. 1258
Assembly Bill No. 1259
Assembly Bill No. 1260
Assembly Bill No. 1354
Assembly Bill No. 1575
Assembly Bill No. 1736
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2175
Assembly Bill No. 2200
Assembly Bill No. 2207
Assembly Bill No. 2344
Assembly Bill No. 2352
Assembly Bill No. 2353
Assembly Bill No. 2354
Assembly Bill No. 2409
Assembly Bill No. 2455
Assembly Bill No. 1257

Respectfully reports the same back without further action.

SALSMAN, Chairman

Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Judiciary General, to which were referred:

Assembly Bill No. 4
Assembly Bill No. 63
Assembly Bill No. 65
Assembly Bill No. 107
Assembly Bill No. 186
Assembly Bill No. 206
Assembly Bill No. 302
Assembly Bill No. 366
Assembly Bill No. 386
Assembly Bill No. 409
Assembly Bill No. 473
Assembly Bill No. 517
Assembly Bill No. 520
Assembly Bill No. 671
Assembly Bill No. 677
Assembly Bill No. 731
Assembly Bill No. 732
Assembly Bill No. 796
Assembly Bill No. 797
Assembly Bill No. 834
Assembly Bill No. 932
Assembly Bill No. 1079
Assembly Bill No. 1303
Assembly Bill No. 1357
Assembly Bill No. 1362
Assembly Bill No. 1447
Assembly Bill No. 1522
Assembly Bill No. 1564

Assembly Bill No. 1565
Assembly Bill No. 1569
Assembly Bill No. 1578
Assembly Bill No. 1645
Assembly Bill No. 1739
Assembly Bill No. 1785
Assembly Bill No. 1790
Assembly Bill No. 1823
Assembly Bill No. 1829
Assembly Bill No. 1866
Assembly Bill No. 1880
Assembly Bill No. 1881
Assembly Bill No. 1989
Assembly Bill No. 2011
Assembly Bill No. 2020
Assembly Bill No. 2053
Assembly Bill No. 2077
Assembly Bill No. 2113
Assembly Bill No. 2118
Assembly Bill No. 2199
Assembly Bill No. 2209
Assembly Bill No. 2227
Assembly Bill No. 2246
Assembly Bill No. 2279
Assembly Bill No. 2309
Assembly Bill No. 2329
Assembly Bill No. 2330
Assembly Bill No. 2334
Assembly Bill No. 2340
Assembly Bill No. 2347
Assembly Bill No. 2357
Assembly Bill No. 2362
Assembly Bill No. 2400
Assembly Bill No. 2410
Assembly Bill No. 2427
Assembly Bill No. 2441
Assembly Bill No. 2485
Assembly Bill No. 2534
Assembly Bill No. 2551
Assembly Bill No. 2555
Assembly Concurrent Resolution No. 20

Respectfully reports the same back without further action.

TENNEY, Chairman

Committee on Motor Vehicles

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Motor Vehicles, to which were referred:

Assembly Bill No. 52
Assembly Bill No. 270
Assembly Bill No. 305
Assembly Bill No. 317
Assembly Bill No. 319
Assembly Bill No. 418
Assembly Bill No. 440
Assembly Bill No. 464
Assembly Bill No. 486
Assembly Bill No. 487
Assembly Bill No. 506
Assembly Bill No. 538
Assembly Bill No. 712
Assembly Bill No. 718
Assembly Bill No. 846
Assembly Bill No. 862
Assembly Bill No. 1063
Assembly Bill No. 1099
Assembly Bill No. 1127
Assembly Bill No. 1131
Assembly Bill No. 1133
Assembly Bill No. 1239
Assembly Bill No. 1269
Assembly Bill No. 1279
Assembly Bill No. 1293
Assembly Bill No. 1304
Assembly Bill No. 1374
Assembly Bill No. 1427
Assembly Bill No. 1435
Assembly Bill No. 1487
Assembly Bill No. 1534
Assembly Bill No. 1535
Assembly Bill No. 1627
Assembly Bill No. 1741
Assembly Bill No. 1819
Assembly Bill No. 1894
Assembly Bill No. 1986
Assembly Bill No. 2070
Assembly Bill No. 2073
Assembly Bill No. 2103
Assembly Bill No. 2107
Assembly Bill No. 2141
Assembly Bill No. 2190
Assembly Bill No. 2257
Assembly Bill No. 2268
Assembly Bill No. 2275
Assembly Bill No. 2277
Assembly Bill No. 2308
Assembly Bill No. 2314
Assembly Bill No. 2327
Assembly Bill No. 2428
Assembly Bill No. 2473
Assembly Bill No. 2507
Assembly Bill No. 2532
Assembly Bill No. 2539

Respectfully reports the same back without further action.

MICHAEL J. BURNS, Chairman

Committee on Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Insurance, to which were referred:

Assembly Bill No. 153
Assembly Bill No. 208
Assembly Bill No. 227
Assembly Bill No. 323
Assembly Bill No. 485
Assembly Bill No. 519
Assembly Bill No. 579
Assembly Bill No. 589
Assembly Bill No. 590
Assembly Bill No. 591
Assembly Bill No. 719
Assembly Bill No. 852
Assembly Bill No. 903
Assembly Bill No. 931
Assembly Bill No. 971
Assembly Bill No. 1014
Assembly Bill No. 1107
Assembly Bill No. 1172
Assembly Bill No. 1196
Assembly Bill No. 1261
Assembly Bill No. 1405
Assembly Bill No. 1441
Assembly Bill No. 1462
Assembly Bill No. 1691
Assembly Bill No. 1742
Assembly Bill No. 1743
Assembly Bill No. 1744
Assembly Bill No. 1745
Assembly Bill No. 1746
Assembly Bill No. 1747
Assembly Bill No. 1748
Assembly Bill No. 1749
Assembly Bill No. 1750
Assembly Bill No. 1751
Assembly Bill No. 1760
Assembly Bill No. 1822
Assembly Bill No. 1850
Assembly Bill No. 1853
Assembly Bill No. 1863
Assembly Bill No. 1897
Assembly Bill No. 1947
Assembly Bill No. 1988
Assembly Bill No. 2148
Assembly Bill No. 2230
Assembly Bill No. 2244
Assembly Bill No. 2290
Assembly Bill No. 2561

Respectfully reports the same back without further action.

SAWALLISCH, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 178
Assembly Bill No. 195
Assembly Bill No. 196
Assembly Bill No. 341
Assembly Bill No. 362
Assembly Bill No. 370
Assembly Bill No. 422
Assembly Bill No. 572
Assembly Bill No. 573
Assembly Bill No. 574
Assembly Bill No. 726
Assembly Bill No. 908
Assembly Bill No. 1062
Assembly Bill No. 1064
Assembly Bill No. 1093
Assembly Bill No. 1095
Assembly Bill No. 1096
Assembly Bill No. 1097
Assembly Bill No. 1098
Assembly Bill No. 1168
Assembly Bill No. 1169
Assembly Bill No. 1195
Assembly Bill No. 1203
Assembly Bill No. 1248
Assembly Bill No. 1314
Assembly Bill No. 1387
Assembly Bill No. 1477
Assembly Bill No. 1619
Assembly Bill No. 1623
Assembly Bill No. 1638
Assembly Bill No. 1787
Assembly Bill No. 1791
Assembly Bill No. 1792
Assembly Bill No. 1862
Assembly Bill No. 1877
Assembly Bill No. 1883
Assembly Bill No. 1939
Assembly Bill No. 1943
Assembly Bill No. 1952
Assembly Bill No. 1960
Assembly Bill No. 1961
Assembly Bill No. 1980
Assembly Bill No. 1994
Assembly Bill No. 1997
Assembly Bill No. 2004
Assembly Bill No. 2014
Assembly Bill No. 2080
Assembly Bill No. 2092
Assembly Bill No. 2093
Assembly Bill No. 2153
Assembly Bill No. 2154
Assembly Bill No. 2220
Assembly Bill No. 2297
Assembly Bill No. 2316
Assembly Bill No. 2324
Assembly Bill No. 2341
Assembly Bill No. 2448
Assembly Bill No. 2545
Assembly Bill No. 2613

Respectfully reports the same back without further action.

MILLER, Chairman

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 145
Assembly Bill No. 146
Assembly Bill No. 182
Assembly Bill No. 183
Assembly Bill No. 200
Assembly Bill No. 292
Assembly Bill No. 309
Assembly Bill No. 403
Assembly Bill No. 415
Assembly Bill No. 423
Assembly Bill No. 424
Assembly Bill No. 428
Assembly Bill No. 429
Assembly Bill No. 459
Assembly Bill No. 460
Assembly Bill No. 534
Assembly Bill No. 535
Assembly Bill No. 581
Assembly Bill No. 582
Assembly Bill No. 584
Assembly Bill No. 585
Assembly Bill No. 674
Assembly Bill No. 685
Assembly Bill No. 688
Assembly Bill No. 693
Assembly Bill No. 694
Assembly Bill No. 695
Assembly Bill No. 696
Assembly Bill No. 697
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 715
Assembly Bill No. 836
Assembly Bill No. 837
Assembly Bill No. 838
Assembly Bill No. 839
Assembly Bill No. 898
Assembly Bill No. 997
Assembly Bill No. 1040
Assembly Bill No. 1081
Assembly Bill No. 1082
Assembly Bill No. 1094
Assembly Bill No. 1121
Assembly Bill No. 1179
Assembly Bill No. 1235
Assembly Bill No. 1245
Assembly Bill No. 1343
Assembly Bill No. 1375
Assembly Bill No. 1455
Assembly Bill No. 1494
Assembly Bill No. 1523
Assembly Bill No. 1550
Assembly Bill No. 1551
Assembly Bill No. 1602
Assembly Bill No. 1611
Assembly Bill No. 1675
Assembly Bill No. 1695
Assembly Bill No. 1768
Assembly Bill No. 1776
Assembly Bill No. 1803
Assembly Bill No. 1830
Assembly Bill No. 1907
Assembly Bill No. 1912
Assembly Bill No. 1968
Assembly Bill No. 1993
Assembly Bill No. 2001
Assembly Bill No. 2102
Assembly Bill No. 2261
Assembly Bill No. 2262
Assembly Bill No. 2328
Assembly Bill No. 2366
Assembly Bill No. 2420
Assembly Bill No. 2423
Assembly Bill No. 2425
Assembly Bill No. 2489
Assembly Bill No. 2491
Assembly Bill No. 2506
Assembly Bill No. 2530
Assembly Bill No. 2557
Assembly Bill No. 2659

Respectfully reports the same back without further action.

HUGH M. BURNS, Chairman

Committee on Live Stock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which were referred:

Assembly Bill No. 50
Assembly Bill No. 59
Assembly Bill No. 256
Assembly Bill No. 258
Assembly Bill No. 261
Assembly Bill No. 266
Assembly Bill No. 288
Assembly Bill No. 289
Assembly Bill No. 490
Assembly Bill No. 498
Assembly Bill No. 558
Assembly Bill No. 961
Assembly Bill No. 993
Assembly Bill No. 1233
Assembly Bill No. 1640
Assembly Bill No. 1718
Assembly Bill No. 1719
Assembly Bill No. 1721
Assembly Bill No. 1722
Assembly Bill No. 1723
Assembly Bill No. 1725
Assembly Bill No. 1763
Assembly Bill No. 1946
Assembly Bill No. 2082
Assembly Bill No. 2292
Assembly Bill No. 2293
Assembly Bill No. 2385

Respectfully reports the same back without further action.

THORP, Chairman

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which were referred:

Assembly Joint Resolution No. 38
Assembly Bill No. 9
Assembly Bill No. 85
Assembly Bill No. 90
Assembly Bill No. 91
Assembly Bill No. 109
Assembly Bill No. 123
Assembly Bill No. 125
Assembly Bill No. 127
Assembly Bill No. 154
Assembly Bill No. 179
Assembly Bill No. 244
Assembly Bill No. 246
Assembly Bill No. 247
Assembly Bill No. 248
Assembly Bill No. 249
Assembly Bill No. 250
Assembly Bill No. 251
Assembly Bill No. 252
Assembly Bill No. 254
Assembly Bill No. 294
Assembly Bill No. 327
Assembly Bill No. 382
Assembly Bill No. 392
Assembly Bill No. 521
Assembly Bill No. 523
Assembly Bill No. 539
Assembly Bill No. 557
Assembly Bill No. 593
Assembly Bill No. 594
Assembly Bill No. 609
Assembly Bill No. 614
Assembly Bill No. 615
Assembly Bill No. 617
Assembly Bill No. 666
Assembly Bill No. 667
Assembly Bill No. 668
Assembly Bill No. 702
Assembly Bill No. 857
Assembly Bill No. 858
Assembly Bill No. 865
Assembly Bill No. 869
Assembly Bill No. 878
Assembly Bill No. 879
Assembly Bill No. 881
Assembly Bill No. 919
Assembly Bill No. 1006
Assembly Bill No. 1021
Assembly Bill No. 1048
Assembly Bill No. 1213
Assembly Bill No. 1236
Assembly Bill No. 1607
Assembly Bill No. 1661
Assembly Bill No. 1676
Assembly Bill No. 1677
Assembly Bill No. 1809
Assembly Bill No. 1818
Assembly Bill No. 1868
Assembly Bill No. 1909
Assembly Bill No. 1926
Assembly Bill No. 2180
Assembly Bill No 2224
Assembly Bill No. 2225
Assembly Bill No. 2286
Assembly Bill No. 2287
Assembly Bill No. 2288
Assembly Bill No. 2339
Assembly Bill No. 2412
Assembly Bill No. 2413
Assembly Bill No. 2424
Assembly Bill No. 2451
Assembly Bill No. 2452
Assembly Bill No. 2463
Assembly Bill No. 2464
Assembly Bill No. 2466
Assembly Bill No. 2468
Assembly Bill No. 2504
Assembly Bill No. 2505
Assembly Bill No. 2531
Assembly Bill No. 2533
Assembly Bill No. 2540
Assembly Bill No. 2630

Respectfully reports the same back without further action.

DALEY, Chairman

Committee on Unemployment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Unemployment, to which were referred:

Assembly Bill No. 2
Assembly Bill No. 194
Assembly Bill No. 232
Assembly Bill No. 267
Assembly Bill No. 290
Assembly Bill No. 397
Assembly Bill No. 421
Assembly Bill No. 1178
Assembly Bill No. 1194
Assembly Bill No. 1215
Assembly Bill No. 1221
Assembly Bill No. 1326
Assembly Bill No. 1458
Assembly Bill No. 1656
Assembly Bill No. 1667
Assembly Bill No. 1668
Assembly Bill No. 1711
Assembly Bill No. 1730
Assembly Bill No. 1770
Assembly Bill No. 1771
Assembly Bill No. 1772
Assembly Bill No. 1773
Assembly Bill No. 1774
Assembly Bill No. 1779
Assembly Bill No. 1835
Assembly Bill No. 1901
Assembly Bill No. 1902
Assembly Bill No. 1911
Assembly Bill No. 2009
Assembly Bill No. 2170
Assembly Bill No. 2171
Assembly Bill No. 2181
Assembly Bill No. 2187
Assembly Bill No. 2188
Assembly Bill No. 2189
Assembly Bill No. 2231
Assembly Bill No. 2248
Assembly Bill No. 2407
Assembly Bill No. 2416
Assembly Bill No. 2417
Assembly Bill No. 2437
Assembly Bill No. 2450
Assembly Bill No. 2454
Assembly Bill No. 2502
Assembly Bill No. 2503
Assembly Bill No. 2522
Assembly Bill No. 2552

Respectfully reports the same back without further action.

DESMOND, Chairman

Committee on Public Utilities

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Utilities, to which were referred:

Assembly Bill No. 62
Assembly Bill No. 541
Assembly Bill No. 611
Assembly Bill No. 612
Assembly Bill No. 682
Assembly Bill No. 704
Assembly Bill No. 853
Assembly Bill No. 998
Assembly Bill No. 1144
Assembly Bill No. 1300
Assembly Bill No. 1319
Assembly Bill No. 1432
Assembly Bill No. 1445
Assembly Bill No. 1446
Assembly Bill No. 1603
Assembly Bill No. 1604
Assembly Bill No. 1712
Assembly Bill No. 1720
Assembly Bill No. 1726
Assembly Bill No. 1782
Assembly Bill No. 1857
Assembly Bill No. 1991
Assembly Bill No. 2119
Assembly Bill No. 2156
Assembly Bill No. 2169
Assembly Bill No. 2266
Assembly Bill No. 2306
Assembly Bill No. 2372
Assembly Bill No. 2373
Assembly Bill No. 2395
Assembly Bill No. 2398
Assembly Bill No. 2408
Assembly Bill No. 2434
Assembly Bill No. 2453
Assembly Bill No. 2456
Assembly Bill No. 2497
Assembly Bill No. 2562
Assembly Bill No. 2563
Assembly Bill No. 2564

Respectfully reports the same back without further action.

ALLEN, Chairman

Committee on Roads and Highways

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Roads and Highways, to which were referred:

Assembly Bill No. 114
Assembly Bill No. 169
Assembly Bill No. 181
Assembly Bill No. 306
Assembly Bill No. 332
Assembly Bill No. 343
Assembly Bill No. 364
Assembly Bill No. 414
Assembly Bill No. 441
Assembly Bill No. 466
Assembly Bill No. 483
Assembly Bill No. 489
Assembly Bill No. 493
Assembly Bill No. 531
Assembly Bill No. 532
Assembly Bill No. 544
Assembly Bill No. 551
Assembly Bill No. 552
Assembly Bill No. 553
Assembly Bill No. 554
Assembly Bill No. 567
Assembly Bill No. 568
Assembly Bill No. 608
Assembly Bill No. 610
Assembly Bill No. 924
Assembly Bill No. 1486
Assembly Bill No. 1488
Assembly Bill No. 1563
Assembly Bill No. 1734
Assembly Bill No. 1914
Assembly Bill No. 1957
Assembly Bill No. 2168
Assembly Bill No. 2331
Assembly Bill No. 2495
Assembly Bill No. 2550
Assembly Bill No. 2609

Respectfully reports the same back without further action.

STREAM, Chairman

Committee on Civil Service Legislation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Civil Service Legislation, to which were referred:

Assembly Bill No. 46
Assembly Bill No. 189
Assembly Bill No. 511
Assembly Bill No. 1414
Assembly Bill No. 1416
Assembly Bill No. 1417
Assembly Bill No. 1418
Assembly Bill No. 1419
Assembly Bill No. 1421
Assembly Bill No. 1422
Assembly Bill No. 1423
Assembly Bill No. 1425
Assembly Bill No. 1766
Assembly Bill No. 1851
Assembly Bill No. 1852
Assembly Bill No. 1985
Assembly Bill No. 2114
Assembly Bill No. 2158
Assembly Bill No. 2159
Assembly Bill No. 2195
Assembly Bill No. 2546
Assembly Bill No. 2558
Assembly Concurrent Resolution No. 36

Respectfully reports the same back without further action.

BASHORE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 72
Assembly Bill No. 225
Assembly Bill No. 410
Assembly Bill No. 1793
Assembly Bill No 2296
Assembly Bill No. 2525
Assembly Bill No. 2593
Assembly Bill No. 2618
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 19
Assembly Concurrent Resolution No 33
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No. 42
Assembly Concurrent Resolution No. 44
Assembly Concurrent Resolution No 45
Assembly Concurrent Resolution No. 47
Assembly Joint Resolution No. 7
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 26
Assembly Joint Resolution No. 27
Assembly Joint Resolution No. 52
Assembly Joint Resolution No. 54
House Resolution No. 27
House Resolution No. 49
House Resolution No. 50
House Resolution No. 51
House Resolution No. 52
House Resolution No. 63
House Resolution No. 72
House Resolution No. 91
House Resolution No. 95
House Resolution No. 115
House Resolution No. 170
House Resolution No. 212
House Resolution No. 217
House Resolution No. 242
House Resolution No. 261
House Resolution No. 273
House Resolution No. 257

Respectfully reports the same back without further action.

LYON, Chairman

Committee on Aviation and Aircraft

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR SPEAKER: Your Committee on Aviation and Aircraft, to which were referred:

Assembly Bill No. 291
Assembly Bill No. 2269

Respectfully reports the same back without further action.

GREEN, Chairman

Committee on Commerce and Navigation

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Commerce and Navigation, to which were referred.

Assembly Bill No. 1056
Assembly Bill No. 537
Assembly Bill No. 17
Assembly Bill No. 18
Assembly Bill No. 2549

Respectfully reports the same back without further action.

MALONEY, Chairman

Committee on Social Service and Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2662

Respectfully reports the same back without further action.

DALEY, Chairman

Committee on Banking

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Banking, to which were referred:

Assembly Bill No. 2364
Assembly Bill No. 361
Assembly Bill No. 296

Respectfully reports the same back without further action.

CALL, Chairman

Committee on Public Health and Quarantine

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2251

Respectfully reports the same back without further action.

POULSON, Chairman

Committee on Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1941

MR. SPEAKER: Your Committee on Reapportionment, to which were referred:

Assembly Bill No. 299
Assembly Bill No. 467
Assembly Bill No. 781
Assembly Bill No. 1549
Assembly Bill No. 1692
Assembly Bill No. 1761
Assembly Bill No. 2007
Assembly Bill No. 2255
Assembly Bill No. 2500

Respectfully reports the same back without further action.

FREDERICK F. HOUSER, Chairman

REPORTS OF SELECT COMMITTEES

The following reports of Select Committees were received:

Assemblymen Gaffney, Stream and Clarke, appointed to notify the Senate that the Assembly was ready to adjourn, reported that they had notified the Senate in accordance with their instructions.

Also:

Assemblymen Field, Voigt and Maloney, the Select Committee appointed to wait upon the Governor, and inform him of the Assem-

bly's readiness to adjourn sine die, reported that they had performed their duty.

MOTION TO ADJOURN

Mr. Carlson moved that the Assembly do now adjourn.

Mr. Wollenberg seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Call, Carlson, Clarke, Collins, Sam L., Daley, Desmond, Dickey, Dilworth, Field, Green, Hastain, Houser, Frederick F., Johnson, Kepple, Knight, T. Fenton; McCollister, Miller, Millington, Pfaff, Phillips, Potter, Poulson, Stream, Thurman, Turner, Voigt, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—32.

NOES—Bashore, Bennett, Burkhalter, Burns, Hugh M., Cain, Collins, George D., Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gaffney, Gallagher, Hawkins, Heisinger, Kilpatrick, King, Lowrey, Maloney, Massion, Meehan, O'Day, Pelletier, Poole, Richie, Robertson, Russell, Sawallisch, Sheridan, Tenney, and Welch—32.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Massion, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Andy J. Haggerty of San Bernardino.

On request of Mr. Cain, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jamison and Mrs. Wolf of Sacramento.

On request of Mr. Potter, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Faire Lynn Tefft, Melva Ransohoff, Althan Cooley and Winifred Blalock of Los Angeles.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Colonel Jack Hastie, Jr., Third Regiment, C. S. G., Colonel John C. French, Fourth Regiment, C. S. G.

On request of Mr. Bashore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant Colonel Frank R. McRenolds, Inspector General Department, C. S. G., and Major William C. Sullivan, Executive Officer, C. S. G.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Russell A. Lowe, District Superintendent Elementary Schools, McCloud, Siskiyou County.

On request of the Alameda Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Boy Scouts of America as follows, Troop 46, Oakland: James R. Reeves, Abraham H. Kaleikau, Donald Lofgran, Armand Mauss, George Johnson, Charles Henderson, Stanley Crockett, John Devincenzii, Rulon Ogden, and Dean Ogden, and Vinal Mauss, Chairman, Troop Committee; Troop 18, Berkeley: Don Steves, Reed Harker, Joe Wood, Willard Bean, Bob Burdett, Eldon Frenz, and Daryl Dangerfield, and Elmer Harker, Scoutmaster, and Heber James Brown, Chairman, Troop Committee.

On request of Mr. Cooke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. H. Coffer, Chief Electricians Mate, Navy Recruiting, Sacramento, and Mr. and Mrs. William E. Walk, Upland.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Patrick J. McMurray, Mrs. David Buckley, Mr. Joseph Bender and Mr. and Mrs. Charles W. Green, parents of Assemblyman Green.

On request of Mr. Sam L. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to District Attorney and Mrs. George Holden and two sons Dan and Steve of Orange County.

APPOINTMENT OF MEMBERS TO PREPARE ARGUMENTS

The Speaker announced the appointment of the following Members to prepare arguments for and against proposed constitutional amendments:

Assembly Constitutional Amendment No. 2—Affirmative, Messrs. Salsman and Johnson; negative, Mr. Thurman.

Assembly Constitutional Amendment No. 6—Affirmative, Messrs. Maloney and Cronin; negative, Mr. Carlson.

Assembly Constitutional Amendment No. 19—Affirmative, Mr. Kepple and Mrs. Daley.

Assembly Constitutional Amendment No. 28—Affirmative, Messrs. Turner and Allen; negative, Mr. Potter.

Assembly Constitutional Amendment No. 53—Affirmative, Messrs. Maloney and McCollister.

Assembly Constitutional Amendment No. 55—Affirmative, Messrs. Robertson and Lyon.

Assembly Constitutional Amendment No. 61—Affirmative, Messrs. Robertson and Waters; negative Mr. Carlson.

APPOINTMENT OF SPECIAL COMMITTEES

Pursuant to the provisions of Assembly Concurrent Resolution No. 17, the Speaker announced the appointment of Messrs. Desmond, Chairman; Cain and Heisinger as such Joint Legislative Committee on State Buildings at Sacramento.

Pursuant to the provisions of Assembly House Resolution No. 287, the Speaker announced the appointment of Messrs. Bashore, Chairman; Sheridan and Stream as such Assembly Committee on Commemoration of the Discovery of California by Juan Rodriguez Cabrillo.

Pursuant to the provisions of Assembly House Resolution No. 247, the Speaker announced the appointment of Messrs. Cronin, Maloney, Call, Gallagher, Gaffney, O'Day, Green, Collins, George D., Wollenberg and Welch as such Committee on Columbus Day Celebration in San Francisco.

Pursuant to the provisions of Assembly House Resolution No. 305, the Speaker announced the appointment of Messrs. Voigt, Chairman;

Crowley and Pfaff as such Assembly Interim Study Committee on the California Maritime Academy.

Pursuant to the provisions of Assembly House Resolution No. 248, the Speaker announced the appointment of Miss Miller, Chairman; and Messrs. Cronin and Evans as such Committee to Study Education of Mentally Handicapped Children.

Pursuant to the provisions of Assembly House Resolution No. 253, the Speaker announced the appointment of Messrs. Weber, Chairman; Doyle and Lyon as such Assembly Committee on Legislative Organization.

Pursuant to the provisions of Assembly House Resolution No. 217, the Speaker announced the appointment of Messrs. Garland, Chairman; Salsman and Weber as such Assembly Committee on Planning to Study the Development of the Natural and Economic Resources of the State. This resolution provides that the Speaker of the Assembly be made a member and serve as chairman of the committee.

Pursuant to the provisions of Assembly House Resolution No. 117, the Speaker announced the appointment of Messrs. Kepple, Chairman; Evans, Middough, Wollenberg and Potter as such Special Assembly Committee on the Whittier State School.

Pursuant to the provisions of Assembly House Resolution No. 177, the Speaker announced the appointment of Messers. Leonard, Chairman; Dilworth, Poole and Garland as such Assembly Investigating Committee on Exhibitions and Fairs. This resolution provides that the Speaker of the Assembly be made a member of the committee.

Pursuant to the provisions of Assembly House Resolution No. 264, the Speaker announced the appointment of Messrs. Heisinger, Chairman; Stream and Garland as such Assembly Committee on State Highways, County Highways, and on City Streets. This resolution provides that the Speaker of the Assembly be made a member of the committee.

Pursuant to the provisions of Assembly House Resolution No. 271, the Speaker announced the appointment of Messrs. Howser, F. N., Collins, Sam L., Lyon, Dills and Garland as such Committee on State-Federal Cooperation in the Production, Distribution, Processing and Use of Petroleum Products. This resolution provides that the Speaker of the Assembly be made a member of the committee.

Pursuant to the provisions of Assembly House Resolution No. 272, the Speaker announced the appointment of Messrs. Call, Chairman; Waters, Doyle, Robertson and Thurman as such Assembly Fish and Game Investigating Committee.

Pursuant to the provisions of Senate Concurrent Resolution No. 11, the Speaker announced the appointment of Messrs. Turner, Johnson, Millington, Sawallisch, Watson and Garland as such Joint Committee on Water Problems. This resolution provides that the Speaker of the Assembly be made a member of the committee.

Pursuant to the provisions of Senate Concurrent Resolution No. 22, the Speaker announced the appointment of Messrs. Millington, Poulson, Field, Clarke and Garland as such Legislative Budget Committee. This resolution provides that the Speaker of the Assembly be made a member of the committee.

Pursuant to the provisions of Assembly House Resolution No. 277, the Speaker announced the appointment of Messrs. Tenney, Chairman; Burns, Hugh M., Dilworth, Kellems and Phillips as such Assembly Fact-Finding Committee on Un-American Activities in California.

Pursuant to the provisions of Assembly House Resolution No. 232, the Speaker announced the appointment of Messrs. Hastain, Chairman; Andreas, Knight, T. Fenton; Lowrey and Weybret as such Assembly Fact-Finding Committee on Agriculture.

Pursuant to the provisions of Assembly House Resolution No. 249, the Speaker announced the appointment of Messrs. O'Day, Chairman; Del Mutolo, Hawkins, Knight, John B , and Middough as such Assembly Committee on Camps for Juvenile Delinquents.

Pursuant to the provisions of Assembly House Resolution No. 280, the Speaker announced the appointment of Messrs. Allen, Chairman; Desmond and Cain as such Assembly Legislative Committee on State Buildings.

Pursuant to the provisions of Assembly House Resolution No. 186, the Speaker announced the appointment of Messrs. Garland, Chairman; Bashore, Carlson, Call, Clarke, Desmond, Dickey, Evans, Field, Lyon, Middough, Pelletier, Pfaff, Potter, Thurman and Weber as such Legislative Committee on Economic Security.

Pursuant to the provisions of Assembly House Resolution No. 195, the Speaker announced the appointment of Messrs. Field, Chairman; Collins, Sam L., Crowley, Dickey, Houser, Frederick F., Kellems, Leonard, Phillips, Potter, Sheridan, Turner, Voigt, Wollenberg, Watson and Mrs. Daley as such Assembly Committee on Governmental Efficiency and Economy.

Pursuant to the provisions of Assembly House Resolution No. 265, the Speaker announced the appointment of Messrs. Burns, Hugh M., Chairman; Call, Howser, F. N., Maloney and Sawallisch as such Assembly Interim Committee on Public Morals.

Pursuant to the provisions of Assembly House Resolution No. 246, the Speaker announced the appointment of Messrs. Desmond, Chairman; Kepple, Knight, John B., Knight, T. Fenton; Poulson, Welch and Wollenberg as such Assembly Committee on Unemployment Insurance.

Pursuant to the provisions of Assembly House Resolution No. 200 and Chapter 760 of the 1941 Statutes, the Speaker announced the appointment of Mrs. Daley, Chairman; and Messrs. Call, Houser, Frederick F., Lyon and Thorp as such Assembly Committee on Interstate Cooperation of the California Commission on Interstate Cooperation (Interstate Trade Barriers).

Pursuant to the provisions of Assembly House Resolution No. 223, the Speaker announced the appointment of Messrs. Burns, Michael J., Chairman; Field, Thurman, Waters and Welch as such Assembly Committee on Motor Vehicle Legislation.

Pursuant to the provisions of Senate Bill No. 227, the Speaker announced the appointment of Messrs. Allen and Weybret and Mrs. Daley as such Assembly members of the State Council of Defense.

ADJOURNMENT SINE DIE

At 12 o'clock m., on Saturday, June 14, 1941, in accordance with Senate Concurrent Resolution No. 40, the Honorable Gordon H. Garland, Speaker of the Assembly, announced that the time for final adjournment of the Fifty-fourth Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die.

C. WILLIAM QUEALE, Minute Clerk

RECAPITULATION OF ASSEMBLY MEASURES

Assembly Bills Approved by Governor, Chaptered and Filed With the Secretary of State

The following Assembly Bills were approved by the Governor, chaptered and filed with the Secretary of State. Unless otherwise specified, all bills become effective 90 days after adjournment sine die of the Legislature, or on September 13, 1941.

A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter	A B Number	Chapter
7	4	262	70	510	831	748	915	954	1262	1164	501	1400	1060	1622	383	1944	549	2318	385
11	280	265	188	513	191	749	884	955	833	1173	757	1401	93	1629	581	1949	1086	2321	1105
14	248	268	95	546	850	750	881	956	490	1174	588	1402	270	1631	1075	1951	1087	2323	1106
15	936	271	183	549	203	751	855	957	1036	1177	940	1403	116	1632	208	1962	1088	2326	898
24	403	278	882	555	85	752	856	959	274	1181	1049	1404	117	1633	1170	1963	507	2336	1216
34	212	279	252	556	851	753	916	960	273	1185	1237	1406	934	1635	890	1966	927	2338	809
36	531	282	20	559	1257	754	917	962	111	1189	1050	1407	879	1639	1076	1967	211	2342	1107
40	18	285	82	563	629	755	918	963	112	1191	1166	1408	311	1650	838	1969	294	2348	360
47	80	300	159	565	1160	756	919	964	113	1192	1167	1412	223	1652	630	1971	226	2355	1108
53	535	303	21	566	372	757	920	968	87	1193	1211	1415	869	1653	166	1981	201	2358	945
54	160	314	567	569	350	758	921	969	88	1199	131	1420	505	1662	796	1982	1275	2365	386
56	1007	315	368	577	255	759	922	970	23	1200	132	1424	414	1664	797	1984	804	2380	1217
64	243	325	401	586	883	760	923	972	1037	1201	133	1433	836	1678	381	1987	391	2386	1109
66	2	333	231	587	373	762	924	975	615	1202	134	1434	843	1679	1213	1995	508	2402	1110
67	317	336	7	595	5	763	857	976	574	1204	353	1436	1239	1686	512	1996	524	2421	1176
70	1121	337	8	596	42	765	858	979	887	1207	246	1438	870	1690	1269	*1998	1242	2426	552
74	563	338	369	597	43	770	1131	1000	1259	1210	502	1439	613	1701	1171	2000	65	2431	1111
80	14	339	370	598	44	771	859	‡1001	398	1219	391	1440	321	1708	543	2005	55	2433	78
89	6	342	781	599	45	773	860	1005	1233	1220	309	1442	322	1713	582	2006	1215	2110	1177
93	844	344	941	600	46	777	937	1007	1234	1222	758	1443	318	1714	393	2015	943	2147	1277
95	108	345	83	601	47	778	539	1009	1038	1224	194	1450	345	1716	1214	2016	841	2157	1278
98	1008	347	269	602	48	780	519	1011	834	1225	195	1451	351	1729	1172	2021	238	2458	759
100	215	348	253	603	86	782	1026	1012	865	1226	196	1453	521	1731	1283	2022	944	2165	1218
106	778	349	189	604	49	784	110	1019	1162	1227	197	1456	1240	1753	209	2027	509	2175	693
108	1255	350	254	605	50	785	303	1022	156	1229	1212	1457	1268	1754	541	2033	1202	2487	1112
110	1009	356	1013	619	611	786	861	1023	130	1240	690	1459	135	1756	1199	†2040	750	2190	502
112	163	357	1159	624	783	787	304	1024	575	1242	378	1461	200	1759	873	2052	284	2492	593
124	1010	359	568	625	784	788	1027	1025	1197	1241	792	1463	1061	1764	313	2054	1089	2193	932
126	494	360	518	626	1022	790	288	1031	279	1246	793	1466	355	1767	237	2055	620	2194	1279
128	400	367	537	627	1123	791	305	1032	1039	1247	259	1473	312	1769	1200	2059	583	2501	1206
129	157	369	196	628	1023	792	256	1033	576	1250	413	†1475	751	1775	388	2060	395	2510	34
133	123	373	22	629	1124	793	306	1034	665	1255	1051	1476	76	1781	263	2074	1243	2514	1280
139	249	376	286	630	1125	795	257	1036	687	1262	181	1478	380	1788	136	2078	584	2518	510
141	187	377	497	631	1126	799	1132	1047	577	1263	182	1479	381	1795	798	2079	584	2519	893
142	216	381	683	632	649	800	1226	1050	789	1268	393	1481	816	1798	137	2081	264	2520	511
144	240	383	1014	634	650	811	885	1051	688	1271	1052	1482	1138	1799	1077	2085	265	2521	512
147	365	385	538	635	651	813	1133	1052	866	1272	1238	1483	1139	1800	660	2088	875	2524	1113
149	211	388	164	637	33	‡818	397	1053	689	1274	1053	1489	186	1804	202	2090	1090	2526	810
150	346	389	1256	‡638	212	819	832	1054	314	1275	616	1490	517	1805	204	2091	859	2527	877
																2094	1091	2543	327

151	755	395	281	639	232	822	1028	1055	888	1276	867	1491	580	1817	1173	2096	634	2547	513
155	564	396	756	640	401	824	155	1057	1163	1277	868	1495	77	1832	545	2097	1092	2548	476
156	229	398	405	641	1127	825	1029	1058	323	1278	1054	1496	614	1833	546	2098	227	2566	51
159	1011	399	406	643	1128	‡829	228	1059	1136	1282	503	1498	703	1834	799	2099	1093	2568	285
160	35	400	319	647	684	832	234	1060	1040	1283	1055	1499	356	1839	800	2100	817	2570	247
161	631	402	1122	648	852	841	1261	1065	790	1285	1056	1500	415	1840	839	2105	1094	2573	804
163	298	404	569	649	652	843	71	1066	1041	1287	1057	1508	591	1845	522	2111	892	2574	320
165	1157	405	570	650	913	844	72	1067	1263	1288	1058	1510	236	1846	1078	2115	805	2575	696
168	536	406	571	654	1284	845	376	1071	1042	1290	1059	1511	1062	1856	1079	2120	947	2576	387
171	648	411	207	655	13	848	351	1073	1210	1291	504	1512	271	1859	283	2121	167	2578	811
175	15	413	218	657	374	850	289	1075	1043	1292	523	1513	261	1865	619	2129	1204	2580	895
176	67	416	202	660	1024	851	235	1080	1044	1299	667	1514	871	1867	1174	2135	1244	2582	241
177	68	417	190	663	375	854	1030	1087	409	1305	541	‡1515	277	1869	1175	2136	1245	2585	1114
180	495	419	1195	664	127	880	786	1088	666	1306	578	1516	617	1871	801	2141	120	2587	694
187	845	434	1015	665	233	882	352	1089	411	1308	589	1517	272	1875	1080	2145	121	2589	1115
188	779	435	287	673	213	883	73	1090	410	1309	1266	1518	872	1882	1081	2150	806	2595	812
198	250	436	282	678	1025	885	193	1100	114	1311	691	1519	1063	1887	324	2151	295	2596	602
199	217	438	1016	680	785	890	129	1109	520	1315	1168	1526	1064	1888	1082	2152	1276	2600	812
202	347	443	1017	681	880	894	1031	1110	74	1316	198	1529	1198	1889	1201	2155	939	2601	928
203	348	449	36	686	1260	895	862	1111	89	1320	612	1536	382	1893	547	2164	807	2602	813
204	366	450	37	690	573	896	307	1112	1235	1322	267	1537	618	1895	358	2182	296	2606	1116
205	1194	451	38	692	594	897	1032	1113	791	1323	291	1541	1065	1899	293	2183	1095	2611	1281
207	1158	452	39	698	301	902	863	1115	90	1327	942	1542	357	1900	597	2186	1096	2612	695
209	565	453	40	701	192	904	407	1117	1137	1328	177	1543	506	1904	938	2191	402	2616	814
210	780	454	41	707	1161	905	408	1118	115	1331	595	1544	668	1905	802	2197	1097	2621	1282
211	387	455	84	709	1129	906	308	1119	1045	1335	579	1547	560	1906	540	2203	396	2624	1219
212	251	457	1196	721	199	907	1033	1120	1046	1342	794	1552	416	1910	239	2204	550	2625	758
217	316	458	847	725	128	911	1034	1125	79	1345	244	1561	837	1916	891	2206	1098	2626	946
221	124	468	1018	727	498	912	1134	1128	412	1346	815	1562	165	1917	803	2208	1099	2631	1117
223	109	469	1258	728	302	913	1135	1132	1164	1348	310	1571	1066	1918	1083	2212	876	†2633	622
224	19	470	848	733	653	915	326	1135	1264	1350	835	1574	598	1919	1084	2218	1100	2635	1220
230	69	471	371	734	654	916	787	1136	390	1355	926	1577	669	1920	221	2219	621	2637	1221
235	230	476	1019	735	655	917	788	1138	1236	1358	590	1579	1067	1922	1085	2221	1101	2639	1118
236	566	481	912	736	656	918	864	1139	1047	1377	596	1591	1068	1924	671	2243	511	2640	929
237	319	488	1020	737	657	922	12	1146	1265	1378	889	1593	1069	1925	633	2245	1140	2641	1222
238	81	497	849	738	658	925	663	1147	1165	1381	795	1594	1070	1927	225	2253	1246	2642	930
240	1012	499	126	739	659	926	886	1148	258	1388	178	1595	1071	1928	874	2254	1102	2643	1119
241	125	502	219	740	660	927	661	1151	290	1390	1169	1596	1072	1932	1270	2256	585	2645	1120
242	846	503	220	741	661	929	377	1152	1048	1392	699	1598	1073	1933	1271	2265	1103	2647	931
†243	752	504	221	742	662	934	540	1155	180	1393	389	1600	670	1931	1272	2272	551	2649	1113
253	54	505	222	743	853	937	1035	1160	75	1396	1267	1612	935	1935	1241	2280	1205	2652	1178
257	289	508	1021	744	854	943	685	1161	205	1397	91	1613	329	1936	1273	2298	118	2654	1247
259	275	525	572	745	914	948	632	1162	925	1398	92	1618	262	1937	1274	2300	1141		
260	300	527	782	747	1130	951	686	1163	500	1399	260	1621	1071	1942	548	2301	1104		
																2312	1142		

Approved by the Governor	824
‡ Became law without Governor's signature. (Article IV, Section 16, Constitution)	4
† Became law notwithstanding Governor's veto	4
TOTAL	832

* Bills approved by Governor with reductions and eliminations. (Article IV, Section 34, Constitution)

ASSEMBLY BILLS VETOED BY THE GOVERNOR DURING SESSION

41, 69, 75, 88, 102, 192, 706, 860, 901, 1016, 1114, *1129,
†243, 310, *375, *379, 387, 431, 1411, 1452, †1475, 1497, 1583, *1614,
432, 533, 560, 562, 659, 679, 1648, *1683, †2049, *2332, †2633, *2634.

Total----------36

ASSEMBLY BILLS POCKET VETOED BY THE GOVERNOR

37, 42, 301, 354, 355, 430, 1693, 1717, 1765, 1824, 1838, 1841,
442, 495, 588, 656, 808, 809, 1885, 1903, 1992, 2108, 2112, 2128,
855, 886, 887, 888, 891, 928, 2161, 2162, 2213, 2228, 2360, 2382,
946, 949, 950, 988, 989, 1002, 2384, 2388, 2541, 2598, 2623, 2628,
1026, 1039, 1078, 1124, 1149, 1216, 2629, 2632, 2644, 2646, 2651.
1325, 1429, 1528, 1554, 1608, 1634,

Total----------65

ASSEMBLY MEASURES REMAINING ON ASSEMBLY FILE WITHOUT FURTHER ACTION

48, 322, 378, 606, 783, 830, 2101, 2210, 2215, 2379, 2478, 2542,
866, 1046, 1101, 1102, 1103, 1165, 2594, 2663,
1217, 1317, 1318, 1468, 2010, 2069, A C A 67.
A. C. R. 28.

Total----------28

ASSEMBLY CONSTITUTIONAL AMENDMENTS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

The following Assembly Constitutional Amendments chaptered and filed with the Secretary of State will be voted upon at the next general election to be held November 4, 1942.

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
2	100	Salsman	Compensation of members of Legislature	May 27
6	143	Maloney and Cronin	Relative to membership of reapportionment commission	June 16
19	66	Kepple	*Ownership of stock by school districts*	Apr 28
28	124	Turner	Legal rate of interest on loans	June 13
53	84	Maloney	Taxation of insurers	May 14
55	125	Robertson	Relative to judicial department	June 13
61	114	Robertson	Compensation of State officers	June 6

Total----------7

† Made law notwithstanding Governor's veto.
* Remained on file without further action.

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of title	Date filed with Secretary of State
1	3	Miller	Amendments to charter of City of Pasadena	Jan 16
2	113	Middough	Beaches for public parks	June 6
5	4	Frederick F Houser	Amendments to charter of City of Alhambra	Jan. 16
6	5	Gallagher et al	Amendment to charter of City of San Francisco	Jan 20
7	8	Gallagher et al	Amendment to charter of City of San Francisco	Jan 21
10	6	Tenney	Amendments to charter of City of Redondo Beach	Jan 20
11	18	Field	Date of adjournment for recess	Jan 27
12	9	Phillips	Joint Fact-Finding Committee report	Jan 22
13	28	Tenney et al	Joint Fact-Finding Committee on Un-American Activities	Jan. 27
14	27	Michael J Burns	Amendments to charter of City of Eureka	Jan 27
15	20	Gallagher et al	American Association of School Administrators	Jan 27
16	25	Del Mutolo	Amendments to charter of City of San Jose	Jan 27
17	29	Desmond and Cain	Joint Legislative Committee on State Buildings	Jan 27
18	34	Wollenberg et al	American Legion convention	Mar 15
21	136	Evans	Peace in industry	June 16
22	32	Lyon	Adjournment respect to memory of Henry H Yonkin	Mar 6
23	33	Hugh M Burns	Welfare Personnel Investigating Committee	Mar 15
25	44	Turner et al	Death of Hugh Lovett Spears	Apr 4
26	45	Phillips et al	Wishes for recovery of Christopher Thomas Merchant	Apr 4
27	47	Howser, F N and Middough	Amendment to charter of City of Long Beach	Apr 9
30	58	Field	Amendments to charter of City of Glendale	Apr 19
31	67	Lyon	Amendments to charter of City of Los Angeles	Apr 28
32	89	Dilworth et al	Offices of Legislative Counsel	May 16
34	73	Hugh M Burns	Amendment to charter of City of Fresno	May 6
35	72	Desmond	Adjournment respect to memory of Hon Thomas P Scollan	May 1
39	126	Desmond	Office facilities of Attorney General	June 13
40	81	T Fenton Knight	Suspension of Joint Rule 10	May 9
43	90	Desmond et al	Mediation of certain labor controversies	May 16
50	98	Johnson and Phillips	Amendments to charter of City of Berkeley	May 24
51	137	Lyon	Joint Rules of Senate and Assembly	June 16
52	138	Leonard	Improvement of highway, San Benito County	June 16
53	103	Allen and Crowley	Convention reports of Veterans of Foreign Wars	May 28
54	102	Daley	Relief for aliens	May 28
56	109	Allen and Crowley	Convention reports of Order of Purple Heart	June 5
57	110	Allen and Crowley	Convention reports of Disabled American Veterans	June 5
58	111	Burns, Hugh M, and Heisinger	Death of Mrs Emily Hays	June 5
59	136	Pfaff et al	Transfer of funds re Budget Act of 1941	June 16
60	140	Stream	Civics textbooks for use in public schools	June 16
61	141	Weber	Defining powers and duties of Joint Legislative Budget Committee	June 16
62	144	Maloney et al	Aid to the aged	June 17

Total 40

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of title	Date filed with Secretary of State
1	79	Heisinger and Call	Hunting season on migratory wild fowl	May 9
2	19	Dilworth	Exempt income rights to aged	Jan 27
4	30	Daley	Violations of Hatch Act	Jan 27
6	11	Turner	Appropriations for Central Valley Water Project	Jan 24
8	21	Turner	Excess profits tax legislation	Jan 27
12	112	Poulson	Discrimination in shipping rates	June 6
13	26	Meehan and Phillips	Airdrome at San Francisco Bay	Jan 27
15	127	Evans et al	Improvement of military highways	June 13
16	22	Kellems et al	Aid to Great Britain	Jan. 27
17	23	Garland et al	Sacramento River Flood Control Project	Jan 27
19	24	Johnson et al	Insurance protection for draftees	Jan 27
20	82	Burkhalter	Pension payments to disabled veterans	May 9
21	59	Donnelly	Conversion of fruit surpluses into alcohol	Apr 22
22	39	Donnelly et al	Dam construction on Stanislaus River	Apr 2
23	52	Donnelly et al	Import excise on foreign eggs	Apr 15
25	80	Andreas	Sewing Projects of Work Projects Administration	May 9
28	55	Heisinger	Encouragement of sugar beet production	Apr 17
32	53	Heisinger and Garland	Kings River flood control	Apr 15
33	132	Burkhalter	Extension of flood control works, Los Angeles-San Fernando Valley	June 16
34	38	Collins, George D, et al	Marine hospitalization for fishermen	Mar 28
37	87	Dilworth and Wollenberg	Bill of Rights Day	May 16
39	54	Hastain	Reciprocal border rights with Mexico	Apr 15
40	88	Dilworth et al	Citrus fruits for enlisted men	May 16
41	92	Weybret	Guayule rubber growing in California	May 19
42	70	Lowrey	Feeding of migratory wild fowl	May 1
44	68	Lowrey	Sacramento River north from Chico Landing	Apr 28
45	69	Lowrey	Flood conditions along Sacramento River	Apr 28
47	96	Burns, Michael J, et al	Development of Highway 20	May 22
48	128	Tenney et al	Anniversary of adoption of Bill of Rights	June 13
49	133	Meehan	Relative to real estate brokers and salesmen	June 16
50	76	Garland	Funds for Corcoran Airport	May 7
53	86	Daley et al	Funds for emergency schools	May 14
55	134	Donnelly et al	Relative to social security and old age pensions	June 16
57	119	Houser, Frederick F., and Cooke	Retirement of Hon Charles Evans Hughes	June 10
58	115	Turner	Tariff on tungsten and tungsten products	June 9
60	135	Lowrey	Condemnation of lands for wildfowl refuge purposes	June 16

Total 36